

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 3, 2015, 5:30 P.M.**

Call to Order
Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

- A. Closed Session Pursuant to:
- 1-** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 261-125-004. Agency Negotiator: John Lollis and Baldo Rodriguez. Negotiating Parties: City of Porterville and Greg Shelton. Under Negotiation: Terms and Price.
 - 2-** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 261-190-006. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Dr. William Gnekow. Under Negotiation: Terms and Price.
 - 3 -** Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; and all Unrepresented Management Employees.
 - 4-** Government Code Section 54956.95 – Liability Claim: Claimant: Carol Mills. Agency claimed against: City of Porterville.
 - 5-** Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Duran v. City of Porterville, U.S. District Court, Eastern Div., Case No. 12:-CV-01239-LJO-BAM.
 - 6-** Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Cortez v. City of Porterville, U.S. District Court, Eastern Div., Case No. 1:14-CV-00061-LJO-GSA.
 - 7-** Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two Cases in which facts are not yet known to potential plaintiffs.
 - 8-** Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.
 - 9-** Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Stowe. Unrepresented Employee – City Manager.

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

Pledge of Allegiance Led by Vice Mayor Cameron Hamilton
Invocation

PRESENTATIONS

Employee of the Month – Joe Juarez
Leadership Porterville Project – State Capital Display
Introduction of New Employees

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): January 29, 2015
2. Tulare County Economic Development Corp. (TCEDC): January 28, 2015
3. Council of Cities: January 21, 2015
4. Joint City/School Committee: January 26, 2015

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
 2. Library & Literacy Commission
 3. Arts Commission: January 28, 2015 (cancelled)
 4. Animal Control Commission
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Street Performance Measure – 2nd Quarter Report
 2. Code Enforcement Report, 2nd Quarter of FY 2014/2015
 3. Attendance Records for City Commissions and Committees – 2nd Quarter Report – FY 2014/15
 4. Report on Charitable Car Washes
 5. Quarterly Porterville Golf Course Report
 6. CDBG Business Assistance Program Update
 7. ‘Wall of Fame’ Honor Designations

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. **Minutes of May 20, 2014, and January 13, 2015**
2. **Authorization to Enter Into Professional Service Agreement – Porterville Hotel Site Preparation**

Re: Considering authorization to negotiate a “not to exceed” \$23,500 service agreement with Roberts Engineering for the preparation of technical specifications, soil borings, surface investigation, final Engineer’s Estimate of Probable Cost, assistance during bidding, and daily on-site construction management.

3. **Authorization to Apply for Public Transportation Modernization, Improvement and Service Enhancement Account Funding**
Re: Considering authorization to apply for Cycle Two FY 2014/2015 PTMISEA funding; and approval of a resolution authorizing the purchase of automatic passenger counters.
4. **Authorization to Apply for California Energy Commission Funding**
Re: Considering approval of a resolution authorizing staff to apply for financial assistance under the Alternative and Renewable Fuel and Vehicle Technology Program for the purchase of electric transit buses.
5. **Authorization to Travel – Out of State Training**
Re: Considering approval of staff travel to Las Vegas, Nevada, to attend training offered by EduCode International from March 9, 2015, through March 13, 2015, for an estimated cost of \$1,800.
6. **Community Clean-Up Events**
Re: Considering approval of two clean up events; “Spring Clean-Up Day” on April 18, 2015, and “Fall Clean-Up Day” on October 17, 2015, which will offer City residential refuse customers free disposal of general trash, bulky items, wood-waste, and yard clippings at the City’s Corporation Yard.
7. **Field Use Agreement for Zalud Park Between the City of Porterville and Porterville Little League**
Re: Considering approval of a five-year agreement for exclusive use of the south field at Zalud Park during their season, which runs February through July.
8. **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 14-15, 2015; and approval of overnight camping for the event.
9. **National Motocross Championship Qualifier Race Proposal**
Re: Considering approval of a proposal to operate a Northwest Area National Motocross Championship Qualifier event, February 28 – March 1, 2015, at the Porterville Off-Highway Vehicle Park; and approval of overnight camping for the event.
10. **Interim Financial Status Reports**
Re: Acceptance of the interim financial status reports for the second fiscal quarter ended December 31, 2014, in accordance with Council Minute Order Nos. 13-041602 and 10-011607.
11. **Quarterly Portfolio Summary**
Re: Considering acceptance of the quarterly Portfolio Summary in compliance with Government Code Sec. 27000 et seq., Sec. 53600 et seq., and the City’s Statement of Investment Policy for 2nd Quarter of Fiscal Year 2014/2015.
12. **Consideration of Proposed Budget Calendar for Fiscal Year 2015-2016**
Re: Considering approval of the proposed budget calendar for the 2015-2016 Fiscal Year.

13. Approval for Community Civic Event – Galaxy 9 Theaters and Special Olympics of Tulare County – McFarland USA 5K Run – February 21, 2015

Re: Considering approval of an event to take place on Saturday, February 21st, from 7:30 a.m. to 9:00 a.m. at Galaxy 9 Theaters.

14. Management & Confidential Employees' Election of State Disability Insurance

Re: Considering adoption of a resolution approving the filing of a State Disability Insurance Coverage Application for elective coverage for all Management and Confidential Series employees.

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

PUBLIC HEARINGS

15. Request for a Conditional Use Permit (PRC 2014-021-C) to Allow for the Sale of Alcohol Under a Type 41 On-Sale Beer and Wine for Bona-fide Public Eating Place for Wingstop Located at 1375 W. Henderson Avenue, Suite #2B

Re: Considering adoption of a resolution to allow for the sale of beer and wine at 1375 W. Henderson Avenue, Suite #2B; and authorizing the Mayor to sign a Letter of Public Convenience or Necessity.

16. Formation of the Sewer Utility District Area 459

Re: Public Hearing to receive comments and accept ballots in support or opposition to the formation of the District and the imposition of assessments.

SCHEDULED MATTERS

17. Consideration of Appointment to the Parks and Leisure Services Commission

Re: Considering the appointment of an individual to fill the vacancy on the Parks and Leisure Services Commission with a term to expire in October of 2015.

18. Consideration of Appointment to the Animal Control Commission

Re: Considering the appointment of an individual to fill the vacancy on the Animal Control Commission with a term to expire in September of 2016.

19. Consideration of Prepaying 2013 Robobank Lease Agreement

Re: Considering approval to proceed with the refunding of the Rabobank lease issue with the issue of new Certificates of Participation (COP) relative to the 1998 COP Issuance.

20. Governor's Executive Order for California Disaster Assistance Act Funding, and the Provision of Water to East Porterville Residents

Re: Consideration of the long-term planning effort toward the provision of water service connections to East Porterville county residents, and requests for continuation of water delivery service and purchase of potable water by Mutual Aid Agreement with the County.

CONSENT CALENDAR (Consideration of Items Pulled for Further Discussion)

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 3, 2015**

Roll Call: Agency Members/Chairperson

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

SUCCESSOR AGENCY SCHEDULED MATTER

SA01. Modification to Agreement Language for Villa Siena Development

Re: Considering approval of an addendum to the Easement Maintenance and Use Agreement associated with the development project commonly known as Villa Siena, located at the southeast corner of Putnam Avenue and E Street in downtown Porterville.

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 February 17, 2015.

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.

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: STREET PERFORMANCE MEASURE – 2nd QUARTER REPORT

SOURCE: Public Works Department - Engineering Division

COMMENT: The purpose of this staff report is to provide Council with an update on the progress made on street reconstruction, overlay, micro-surfacing and pothole repair efforts for the 2nd quarter (10/01/2014 through 12/31/2014) of FY 2014/2015.

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

This time of year there is typically no activity in the reconstruction, micro-surfacing or overlay categories. The next major activity will be the reconstruction of W. North Grand anticipated to begin in February 2015, weather permitting.

RECOMMENDATION: Information Only

ATTACHMENT: 2nd Quarter Street Performance Chart
1st Quarter Street Performance Chart

P:\pubworks\General\Council\Street Performance Measure - 2nd Quarter Update - 2014-2-03

Dir BSA Appropriated/Funded NSA CM [Signature]

Report No. II.1

2nd QUARTER REPORT October 1, 2014 - December 31, 2014

1st QUARTER REPORT July 1, 2014 - September 30, 2014

CITY COUNCIL AGENDA: February 3, 2015

SUBJECT: CODE ENFORCEMENT REPORT, SECOND QUARTER OF
FY 2014-2015

SOURCE: FIRE DEPARTMENT

COMMENT: This informational report utilizes data from the "myPorterville"
application for tracking code enforcement activity between October 1,
and December 31, 2014.

During this quarter, City departments recorded 152 code enforcement
issues. One hundred fifteen (115) were corrected, including 113
through voluntary compliance and 2 through the Administrative Citation
process. An overall completion rate of 75.65% was achieved.

During the quarter, Administrative Citations were issued for the
following violations:

1. Sign Violation
2. Business License/Peddler Permit

RECOMMENDATION: Information Only

ATTACHMENT: Code Enforcement Report, Q2, FY 14-15

Dir 

Approp./ Funded N/A

CM 

Report No. II-2

Code Enforcement Category	# Requests	# Completed	% Closed
Animals- agricultural animals	1	1	100%
CEO, Business License	1	0	0%
CEO, Improper Vehicle Storage	1	1	100%
CEO, Recreational Vehicle	1	1	100%
Sheds or second units	1	0	0%
Signs- in public right of way	1	0	0%
Signs- other	1	1	100%
Yard Sale Signage	1	1	100%
Yard Sales, Frequent	1	1	100%
CEO, Commercial Sign	2	2	100%
Community Development, General	2	1	50%
Fences and freestanding walls	2	1	50%
Landscaping/trees- private property	2	1	50%
Neglected property/trash & debris	2	1	50%
Parking Issue	2	2	100%
Weed Abatement	2	2	100%
Abandoned Vehicle (Street)	3	3	100%
Graffiti	3	3	100%
Police/ Traffic Enforcement	3	3	100%
Sidewalk Condition	3	1	33.3%
Vehicles- inoperable vehicles	3	1	33.3%
CEO, Property Use	4	3	75%
Code Enforcement, General	4	4	100%
Animals- barking dogs	5	5	100%
Garbage Collection/ Illegal Dumping	5	5	100%
Health Hazard	5	2	40%
Vehicles- RVs/boats/etc	5	4	80%
Engineering	7	0	0%
Potholes	9	7	77.8%
Animals- keeping too many or unauthorized species	10	8	80%
Signs- temporary commercial	25	15	60%
Water Waste	35	35	100%
Q2 Total	152	115	75.65%
YTD Total	317	236	74.44%

Administrative Citations	\$100	\$200	\$500	\$1,000	\$1,500
Sign Violation	1	0	0	0	0
Bus. Lic./Peddler Permit	1	0	0	0	0
Subtotal	2	0	0	0	0
Assesment	\$200	0	0	0	0
Q2, FY 14-15 Total	\$200				
YTD, FY 14/15 Total	\$26,100				

COUNCIL AGENDA – FEBRUARY 3, 2014

INFORMATIONAL REPORT

SUBJECT: ATTENDANCE REPORT FOR CITY COMMISSIONS AND COMMITTEES – 2ND QUARTER REPORT – FY 2014/15

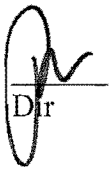
SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT

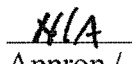
COMMENT: At the Council's request, staff is herein providing for informational purposes the attendance records as of the First Quarter FY 2014/15 for the following City Commissions and Committees:

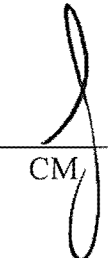
- Parks & Leisure Services Commission;
- Library and Literacy Commission;
- Arts Commission;
- Animal Control Commission;
- CDBG Advisory and Housing Opportunity Committee; and
- Transactions and Use Tax Oversight Committee (TUTOC)

RECOMMENDATION: Informational report only.

ATTACHMENTS: Attendance Reports


Dir


Approp./
Funded


CM

Report No. II-3

PARKS & LEISURE SERVICES COMMISSION
ATTENDANCE RECORDS

As of December 31, 2014

Parks & Leisure Services Commissioner's Record of Attendance

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

**No meeting held.

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

Parks & Leisure Services Commissioner's Record of Attendance

	2013 July	2013 Aug	2013 Sept	2013 Oct	2013 Nov	2013 Dec	2014 Jan	2014 Feb	2014 Mar	2014 Apr	2014 May	2014 June	
	3	1	5	3	7	5	2	6	6	1	5	**	
Rocco Calantone	P	P	P	P	P	P	P	E	P	E	P		FT Exp 10/15
Monte Moore	E	P	P	P	P	P	P	P	P	P	P		FT Exp 10/13
Leticia Lupio	P	P	P	P	P	P	P	P	P	P	P		FT Exp 10/13
Rick Vafeades	P	E	P	P	P	P	P	P	P	E	P		FT Exp 10/13
Richard Rankin	P	P	P	P	P	P	P	P	P	P	E		PUSD Rep.
Carroll Land	P	P	P	P	P	P	E	T	T	T	T		FT Exp 10/15
Shannon Bennett	P	P	E	A	P	P	P	P	P	P	P		FT Exp 10/13
Eric Mendoza	P	P	E	P	E	P	E	P	P	A	E		
Totals	7	7	6	7	7	8	6	7	8	5	6	N/A	

** No meeting held.

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

LIBRARY & LITERACY COMMISSION - Attendance Record

As of: December 31, 2014

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

 = Summer Hiatus

	2014 Mar 19	2014 April 8	2014 May 13	2014 June	2014 July	2014 Aug 12	2014 Sept 9	2014 Oct 14	2014 Nov 13	2014 Dec 9	
Catherine May	P	P	P			P	P	P	P	P	Re-appt. 10/10
Allan Bailey	E	P	P			P	P	P	P	P	Appt. 9/11
Esther Figueroa	P	P	P			P	P	P	P	P	Appt. 4/12
Tamara Bishop	E	P	P			P	P	P	P	P	Appt. 11/12
Carol Wilkins	E	P	P			<i>Resigned</i>					Appt. 11/12
Edith La Vonne	P	P	P			P	P	P	P	P	Appt. 11/12
Jennifer Biagio	P	P	P			P	E	E	E	P	Appt. 10/13
Patience Christenson	<i>Appointed 11/14</i>									T	Appt. 11/14

	2013 June	2013 July	2013 Aug 13	2013 Sept 10	2013 Oct 8	2013 Nov 12	2013 Dec 10	2014 Jan 14	2014 Feb 11	2014 Mar 11	
Catherine May			P	P	P	P	A	T	E	P	Re-appt. 10/10
Rebecca Ybarra			T	P	A	<i>Term Expired</i>					Appt. 10/10
Allan Bailey			P	P	P	P	T	P	P	P	Appt. 9/11
Esther Figueroa			P	P	P	P	P	P	P	P	Appt. 4/12
Tamara Bishop			P	P	P	P	P	P	P	P	Appt. 11/12
Carol Wilkins			E	P	P	P	P	P	P	P	Appt. 11/12
Edith La Vonne			P	P	P	P	T	P	P	P	Appt. 11/12
Jennifer Biagio			<i>Appt. 10/13</i>			E	P	P	P	P	Appt. 10/13

	2012 Oct *29	2012 Nov *7	2012 Nov 13	2012 Dec 11	2013 Jan 8	2013 Feb 12	2013 Mar 12	2013 Apr 9	2013 May 14	2013 May 18**	
Joe Moreno	P	<i>Term Expired</i>									
Ellen Nichols	T	<i>Term Expired</i>									
Catherine May	P	P	P	P	T	P	P	T	T	P	Re-appt. 10/10
Rebecca Ybarra	P	P	P	A	P	T	A	P	A	A	Appt. 10/10
Allan Bailey	P	P	T	P	P	P	T	P	P	P	Appt. 9/11
Esther Figueroa	P	P	P	P	P	P	P	P	P	P	Appt. 4/12
Tamara Bishop		P	P	P	P	P	P	P	P	P	Appt. 11/12
Carol Wilkins		P	T	E	T	P	A	P	A	T	Appt. 11/12
Edith La Vonne		E	P	P	P	P	P	P	P	P	Appt. 11/12

* Special Meeting with Arts Commission

** Special Meeting - Board Effectiveness Training.

**Arts Commission
Attendance Records**

As of: December 31, 2014

	2014 23-Jul	2014* 24-Sep	2014 22-Oct	2014 26-Nov	2014 Dec*	2015 Jan	2015 Feb
Deana Worthington	P	P	P	P			
Vacant							
Vacant							
Joan Givan	P	P	P	P			
Judith Halloway	P	A	A	A			
Mel Gosage	P	A	A	A			
Brenda Carrasco	P	<i>Resigned 8/2014</i>					

* No meeting due to lack of quorum.

	2013 18-Dec	2014 22-Jan	2014 26-Feb	2014 26-Mar	2014* 23-Apr	2014* 28-May	2014* 25-Jun
Deana Worthington	P	P	P	P	P		A
Monte Reyes	P	P	P	P	P		P
Alex Schooler	A	<i>Resigned 1/2014</i>					
Joan Givan	P	P	E	P	E		P
Judith Halloway	A	P	P	A	E		A
Mel Gosage	P	A	P	P	P		E
Brenda Carrasco	P	P	P	P	E		P

*Notes:

1. No quorum for meetings of April 23 and June 25;
2. Meeting of May 28 cancelled.

	2013 17-Apr	2013 15-May	2013 19-Jun	2013 17-Jul	2013 25-Sep	2013 23-Oct*	2013 13-Nov
Deana Worthington	P	A	P	P	P		A
Rebecca Ybarra	P	P	P	A	<i>Term Expired</i>		
Monte Reyes	P	P	P	A	P		P
Alex Schooler	P	P	P	P	A		A
Joan Givan	P	P	P	P	P		P
Roger Merryman	A	P	P	P	<i>Term Expired</i>		
Sandra Romero	P	A	P	P	<i>Term Expired</i>		
Judith Halloway	<i>Appointed 9/2013</i>				P		P
Mel Gosage	<i>Appointed 9/2013</i>				P		P
Brenda Carrasco	<i>Appointed 9/2013</i>				P		P

*Meeting cancelled.

	2012 17-Oct	2012 29-Oct*	2012 7-Nov	2012 14-Nov	2013 16-Jan	2013 20-Feb	2013 20-Mar
Deana Worthington	P	A	P	P	A	P	P
Rebecca Ybarra	P	P	P	P	P	P	P
Monte Reyes	P	P	P	A	P	P	P
Alex Schooler	A	P	P	A	A	P	P
Joan Givan	P	P	P	P	P	P	P
Roger Merryman	P	P	P	P	A	P	P
Sandra Romero	P	A	P	P	P	A	A

*Joint Meeting with Library & Literacy Commission

**Animal Control Commission
Attendance Records**

As of: December 31, 2014

	2014 6-Oct	2014 14-Oct	2014 20-Oct	2014 3-Nov	2014 17-Nov	2014 1-Dec	2014 15-Dec	Notes:
Kathy Guinn	P	P	P	P	E	P	P	
Maureen Hamilton	P	P	P	P	P	P	P	
Margaret Land	P	P	P	P	P	P	P	
Anna Poteet	P	P	E	P	P	A	Res.	<i>Resigned 12/15/14.</i>
Shawn Schwartzenberger	P	P	P	P	P	P	P	

	2015 5-Jan	2015	2015	2015	2015	2015	2015	Notes:
Kathy Guinn								
Maureen Hamilton								
Margaret Land								
Vacant								
Shawn Schwartzenberger								

**CDBG Citizens' Advisory and Housing Opportunity Committee
Attendance Report as of December 31, 2014**

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

This Committee meets on an annual basis in March.

Transactions and Use Tax Oversight Committee
Attendance Records

As of: December 31, 2014

	2011 21-Jul	2011 18-Aug	2012 4-Jun	2012 18-Jul	2012 22-Aug	2012 12-Dec	2013 13-Mar	
Gary Mekeel	P	A	A	A	A	A	A	Apptd 04/2010 thru 05/2014
Michael Pavone	A	P	P	P	A	A	Resigned	Apptd 04/2010 thru 05/2014
Adrian Monte Reyes	P	P	Term ended					Term expired 5/2012.
Khris Saleh	P	P	T	P	A	P	A	Apptd 04/2010 thru 05/2012
Charles Webber	P	P	P	P	P	P	P	Apptd 04/2010 thru 05/2014
John Simonich	P	P	P	P	P	P	P	Apptd. 01/2011 thru 05/2014.
Michael MacDonald	A	P	P	P	P	P	P	Apptd 01/2011 thru 05/2014.
Gail Lemmen	P	P	A	A	P	P	P	Apptd 09/2010 thru 05/2012.
John Dennis	P	P	P	P	P	P	P	Apptd 09/2010 thru 05/2012.
Kent D. Hopper	A	A	Term ended					Resigned 2/2012.
Margaret Stinson	Appt. 5/12		P	P	P	P	P	Apptd 05/2012.
Janet Meister	N/A	N/A	N/A	N/A	A	P	P	Apptd 08/2012.
Bill Nebeker	Appt. 2/12 to fill unexpired term of M. Pavone							Apptd. 02/12.

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

** No meeting held due to lack of quorum.

	2014 7-Aug	2014 22-Oct	2014 12-Nov					
Khris Saleh	A	P	P					Re-apptd thru 05/2016
John Simonich	P	P	A					Apptd. 01/2011 thru 05/2014.
Raheel Mann	P	P	A					Apptd 2014
Gail Lemmen	P	P	P					Re-apptd thru 05/2016.
Margaret Stinson	P	P	P					Apptd 05/2012.
Janet Meister	P	A	P					Apptd 08/2012.
Bill Nebeker	A	A	Resigned effective 10/30/14					Apptd. 02/12; Resigned 10/14.
Kathleen "Kat" Harris	P	P	P					Apptd. 06/13.
Russell "Buck" Fletcher	P	P	P					Apptd. 08/13.
Salvador Estrada, Jr.	A	P	P					Apptd. 07/14.

COUNCIL AGENDA: February 3, 2015

SUBJECT: REPORT ON CHARITABLE CAR WASHES

SOURCE: Finance Department

COMMENT: In accordance with City Council direction, staff is providing an updated report on charitable car wash permits issued during the year. Article VI, Section 15-130 of the City Code allows up to four car washes at any commercial property per calendar year and up to four car washes by a charitable organization in a calendar year. For the period January 1 to December 31, 2014, the following car washes occurred within the City.

Event Date	Name of Organization	Location of Car Wash
January 11, 2014	Agape Mission	BR's Food Store – 284 W Olive Ave
February 1, 2014	La Mision De Jesus	La Mision De Jesus – 765 W Henderson Ave
February 15, 2014	Burton Pathways Charter Academy	Burton Pathways Charter Academy – 1414 W Olive
February 22, 2014	Burton Middle School CJSF	Burton Middle School – 1155 N Elderwood St
February 23, 2014	El Granito Foundation	Pacific Tires – 28 W Henderson Ave
March 8, 2014	Porterville High School Band	Tule River Indian Education Dept – 568 W. Olive
April 5, 2014	Victory Outreach Porterville	Victory Outreach Porterville - 129 N D St
April 12, 2014	Burton Pathways Charter Academy	Burton Pathways – 1414 W Olive Ave
April 19, 2014	*Adriana Zamora	Al's Mini Mart – 943 W Westfield Ave
April 26, 2014	Porterville Youth Soccer League	Friendly Liquor – 814 W Olive Ave
May 10, 2014	New Life Center	New Life Center – 2012 W Morton Ave
May 31, 2014	First Christian Church of Porterville	First Christian Church – 1020 N Prospect St
June 21, 2014	Church of God Prophecy	Church of God Prophecy – 88 E Putnam Ave
July 12, 2014	Imagine Community Arts Center	PetSmart – 1265 W Henderson Ave

D.D. MB Appropriated/Funded MB C.M. J

Report No. II-4

Event Date	Name of Organization	Location of Car Wash
July 19, 2014	First Missionary Baptist Church	First Missionary Baptist Church – 165 E Putnam
July 19, 2014	Trinity Lutheran Church	Trinity Lutheran Church - 764 W Henderson Ave
August 2, 2014	Living Word Fellowship	Living Word Fellowship - 1150 Pioneer Ave
August 16, 2014	Monache High School	Monache High School – 960 N Newcomb St
September 6, 2014	Monache High School	Monache High School – 960 N Newcomb St
September 13, 2014	Harmony Magnet Academy	Roscoe Melton's Discount Tires – 921 W Olive Ave
October 4, 2014	Burton Pathways Charter Academy	Burton Pathways – 1414 W Olive Ave
December 28, 2014	El Granito Foundation	El Granito Foundation – 28 W Henderson Ave

*No application for car wash was received. Individual was cited at the event by the Code Enforcement Officer. Individual came in to pay for the permit fee after the event.

RECOMMENDATION: For information only.

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: QUARTERLY PORTERVILLE GOLF COURSE REPORT

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: At the request of the City Council, staff is providing a report for informational purposes on participation numbers at the Porterville Golf Course. The report reflects the Second Quarter FY 2014/15.

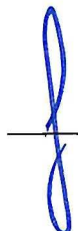
Revenues were up all three months in the second quarter largely in part to the new FootGolf course which was added to the course on October 19, 2014.

RECOMMENDATION: Information only

ATTACHMENT: Golf Course Statistics for October 1-December 31, 2014

 Director

 Appropriated/Funded

 City Manager

REPORT NO.: II 5

PORTERVILLE GOLF COURSE STATISTICS

	Oct-13	Oct-14	Nov-13	Nov-14	Dec-13	Dec-14
9-hole	329	268	451	290	313	230
18-hole	34	57	49	69	21	55
Repeat 9	414	405	379	443	440	215
Monthly tickets	67	66	50	50	54	46
9 hole cart	152	162	196	160	144	122
18 hole cart	38	53	66	60	28	43
Repeat cart	174	176	145	204	142	112
Golfers	1782	2059	1934	1819	1552	1333
Total	\$17,492.00	\$18,004.00	\$13,565.00	\$13,324.00	\$12,840.00	\$15,872.00

FOOTGOLF

	Oct-14	Nov-14	Dec-14
18-hole adult	8	62	71
18-hole youth	3	28	32
Cart rental	1	7	10
Ball rental	6	20	18
Party	0	1	0
Total	\$122.00	\$883.00	\$1,014.00

*FootGolf opened October 19.

GRAND TOTAL	\$18,126.00	\$14,207.00	\$16,886.00
--------------------	--------------------	--------------------	--------------------

CITY COUNCIL AGENDA: FEBRUARY 3, 2015

REPORT

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT - BUSINESS ASSISTANCE PROGRAM UPDATE

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT



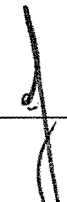
COMMENT: A portion of the City's Community Development Block Grant (CDBG) funds received by the City from the U.S. Department of Housing and Urban Development (HUD) are allocated for economic development purposes through the Business Assistance Program (Program). This report provides the City Council with an annual update regarding the Program.

The Program provides funding for projects which meet one of the three national CDBG objectives: 1) expanding economic opportunities, principally for low- and moderate-income persons; 2) aiding in the prevention or elimination of slums or blight; and 3) meeting community development needs that have a particular urgency. The Program focuses on providing funding assistance to businesses, which will, in turn, create jobs while increasing the overall economic base of the community. It is important to note that 51% of the jobs created or retained by each CDBG-assisted business expansion or retention project are filled by, or made available to, persons of low- and moderate-income.

Consistent with HUD's guidelines, the Program mandates the creation or retention of one job for each \$35,000 in assistance. The loans reported below represent the creation or retention of 60 full-time equivalent jobs. To date, more than 129 jobs have been created/retained as part of the Business Assistance contracts and on-going monitoring shows that, by extension, more than 500 jobs were created or retained through these projects.

The Program is divided into two categories. The first category targets assistance with large loans in excess of \$50,000, and is typically used by larger businesses. The second category provides funding assistance of \$50,000 or less and typically provides assistance to smaller businesses.

The first category of assistance is for large projects which require funding in excess of \$50,000. In this scenario, funds are typically used for construction of improvements, equipment purchases, and acquisition of land and/or buildings.

DD  APPROPRIATED/FUNDED  CM 

REPORT NO. II-60

Listed below is a summary of the current Large Business Assistance Program loans:

Loan #/ Business Type	Use of Funds	Original Date of Loan	Original Loan Amount	Loan Balance	Status
BAP 03001 ProDocumentSolutions Printing Facility	Parking Lot Improvements Security Equipment	05/06/03	\$355,000	\$0	Paid in Full
BAP 01001 Charles and Jan Crissman Automobile Body Repair	Acquisition	05/27/10	\$100,000	\$59,415	Current
BAP 01003 Mark Sidley's Porterville Chrysler New Automobile Sales	Inventory and Working Capital	10/19/10	\$250,000	\$52,474	Current

The second category is the Small Business Revolving Loan Program. The main objective of this program is to provide "gap" funding for small businesses that are either starting or expanding in Porterville. In 2014, three loans were paid in full. Currently, the Small Business Revolving Loan Program has three active loans in its portfolio.

Listed below is a summary of the current Small Business Revolving Loans:

Loan #/ Business Type	Use of Funds	Original Date of Loan	Original Loan Amount	Loan Balance	Status
RFL 00109 Alla Liberstein, MD Medical Practice	Equipment	03/11/09	\$45,000	\$792	Current
RLF 01002 Plano Jerky Manufacturing/Retail	Expansion of Facility	05/12/10	\$15,000	\$0	Paid in full
RLF 01003 Porterville Ford Automobile Sales	Equipment and Signage	04/08/10	\$38,000	\$0	Paid in full
RLF 01009 McLaughlin Plumbing Professional Services	Working Capital Equipment	08/23/12	\$50,000	\$47,406	Default

Loan #/ Business Type	Use of Funds	Original Date of Loan	Original Loan Amount	Loan Balance	Status
RLF 01007 BMK, Inc. Retail	Working Capital	12/14/10	\$50,000	\$0	Paid in full
RLF 01006 Dayla and Massey Missakian Professional Services	Working Capital	05/11/11	\$50,000	\$15,675	Current
RLF 01010 William and Glenda Mauldin Retail	Working Capital	10/19/10	\$30,000	\$0	Paid in Full
RLF 01012 Elsa Medina Restaurant	Equipment and Working Capital	05/10/11	\$41,859	\$41,859	Default filed Bankruptcy
RLF 01213 Eric Madrigal Medical Practice	Equipment Supplies Working Capital	09/11/12	\$50,000	\$41,066	Current

The balance available for lending in the Business Assistance Program for large projects is \$211,475, and the balance available in the Small Business Revolving Loan Program is \$162,763.

The information stated above reflects the status of the Business Assistance Program through December 2014.

RECOMMENDATION: For information only.

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: 'WALL OF FAME' HONOR DESIGNATIONS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: This is the annual Council meeting where Wall of Fame selections are made. The Wall of Fame is a portion of the hallway within the Porterville Heritage Center, located at 256 East Orange Avenue. Those who are honored are recognized for their significant efforts and service to the Porterville community.

Each City Council Member may select no more than one honoree annually. Honorees must have lived in the Porterville area for a minimum of 15 years. The honoree may not currently be serving as an elected official. Each designation shall include a sponsor that is to be responsible for providing the photograph, picture frame, biography, and name plate for placement on the wall.

The Wall of Fame honorees for 2015 are as follows:

- Mayor Stowe- Gilbert Yniguez
- Vice Mayor Hamilton- Myron Wilcox
- Council Member Gurrola- Pete V. McCracken
- Council Member Reyes- Jeff Edwards
- Council Member Ward- Theodore Ensslin

The 2015 honorees will be inducted into the Wall of Fame at a ceremony on March 18, 2015, at 2:00 p.m. at the Heritage Center.

RECOMMENDATION: Information only

ATTACHMENTS: Wall of Fame Honorees

M Director N/A Appropriated/Funded

J City Manager **REPORT NO.:** 117

Wall of Fame Honorees

2007

Carmen Martinez Eoff
Frank "Buck" Shaffer

2008

Edward B. "Ted" Cornell

2010

Jim Maples
Roy Rockholt

2011

James Cone
Mona Gauger
Brett Land
Forrest 'Doc' Mock
Alice Seal

2012

Estha Mae Hinton
Teresa Jackson
William Rogers
Orlin and Louise Shires
Waltraut Wilson

2013

Mary Hamner Baker
Robert Decker Christenson
Cyrille Faure
Vivian Josten Lucey
Emogene McCullar
George Overcash
Clara Wilcox Rutherford

2014

Lester James Hamilton
William 'Bill' Horst
Guy Huffaker
Marlene Marquez
Monte Moore

2015

Jeff Edwards
Theodore Ensslin
Pete V. McCracken
Myron Wilcox
Gilbert Yniguez

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 20, 2014, 5:30 P.M.**

Called to Order at 5:30 p.m.

Roll Call: Council Member Shelton (arrived at 5:50 p.m.), Council Member Gurrola, Vice Mayor Ward, Mayor Hamilton

Absent: Council Member McCracken

Adjourned 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 Shelton (arrived at 5:50 p.m.), Agency Member Gurrola, Vice Chair Ward, Chair Hamilton

Absent: Agency Member McCracken

ORAL COMMUNICATIONS

None

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:

- A. Closed Session Pursuant to:
1- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case.

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

CITY COUNCIL CLOSED SESSION:

- B. Closed Session Pursuant to:
1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 253-182-009. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Pacifica First National, Inc. Under Negotiation: Terms and Price.
2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN 302-110-076. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and R & B Resources, Inc. Under Negotiation: Terms and Price.
3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association; Management and Confidential Series; Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.
4- Government Code Section 54956.95 – Liability Claims: Claimants: Kimberly Wyatt and

William Wyatt. Agency claimed against: City of Porterville.

5- Government Code Section 54956.95 – Liability Claim: Claimant: Project Resources Group for Charter Communications. Agency claimed against: City of Porterville.

6- Government Code Section 54956.95 – Liability Claim: Claimant: Dawna McGowan. Agency claimed against: City of Porterville.

7- Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Champehuang v. Porterville Police Department, et al., Tulare County Superior Court Case No.: 255956.

8- Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case concerning correspondence from the ACLU dated April 30, 2014 pertaining to the City’s Ordinance concerning sex offenders.

9- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported the following action:

B-4. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIMS: CLAIMANTS: KIMBERLY WYATT AND WILLIAM WYATT. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Mayor Hamilton, SECONDED by Council Member Gurrola, the Council rejected the claim filed by Kimberly and William Wyatt. The motion carried 3/0.

AYES: Ward, Hamilton, Gurrola

NOES: None

ABSTAIN: None

ABSENT: McCracken, Shelton

Documentation: M.O. 01-052014

Disposition: Claim rejected.

B-5. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: PROJECT RESOURCES GROUP FOR CHARTER COMMUNICATIONS. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Mayor Hamilton, SECONDED by Vice Mayor Ward, the Council rejected the claim filed by Project Resources Group for Charter Communications. The motion carried 3/0.

AYES: Ward, Hamilton, Gurrola

NOES: None

ABSTAIN: None

ABSENT: McCracken, Shelton

Documentation: M.O. 02-052014
Disposition: Claim rejected.

B-6. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT:
DAWNA MCGOWAN. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Vice Mayor Ward, SECONDED by Council Member Gurrola, the Council rejected the claim filed by Dawna McGowan. The motion carried 3/0.

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

Documentation: M.O. 03-052014
Disposition: Claim rejected.

Pledge of Allegiance Led by Mayor Cameron Hamilton
Invocation – one individual participated.

PROCLAMATIONS

Community Action Month – May 2014

AB 1234 REPORTS

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

1. Consolidated Waste Management Authority (CWMA) – May 15, 2014: no report.
2. Tulare County Association of Governments (TCAG) – May 19, 2014: Council Member Gurrola reported on the adoption of the 2014-2015 TCAG Overall Work Program, and noted the conclusion of TCAG's 2013-2014 projects.

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 – May 13, 2014: Chairman Bailey reported on the Commission's hosting of the July Chamber of Commerce mixer event; noted the relocation of the Commission meetings to the La Barca Conference Room in City Hall; described the amount of patron traffic in the Library during the month of April; and invited community members to the Summer Reading Program Kick-Off Event.
 3. Arts Commission – no report.
 4. Transactions and Use Tax Oversight Committee (TUTOC): Member Fletcher

extended an invitation to the next TUTOC meeting on August 7, 2014, 6:00 p.m. at City Hall.

II. Staff Informational Reports

1. Porterville Community Youth Center – no verbal report.

ORAL COMMUNICATIONS

- Vanessa Mesa, 689 N. Jaye St., expressed concern about speeding cars on Jaye Street between Henderson and Grand Avenues, and requested that speed limit signs be posted.
- Pastor Steve Marchbanks, of Life Tabernacle Church in Porterville, noted that Councilman Shelton had asked him to speak, and described the community activities and events hosted by the church.
- Don Scott, 1350 N. Lotus Way, voiced his support for an ordinance that would allow residents to raise and keep chickens.
- Mariah Reeder, thanked Mayor Hamilton and Councilman Shelton for inviting her to the meeting; spoke about her personal experiences with bullying; and voiced support for the Safe Zones program.
- Michelle Ragsdale, 1050 N. Maple Dr., representing Parents Against Bullying, and Sheryl (last name inaudible), stated their belief that the Council lost sight of the original purpose of the proposed Safe Zones Program, and spoke of the role of adults in protecting children from bullying.
- (Name inaudible), 878 N. Setton St., spoke of her experience with bullying as an elementary afterschool instructor; urged the Council to support the Safe Zones Program.
- Carly Wagner, a student at Porterville High School, and another student (name not given), explained their personal experiences of being bullied at the school, and stated that teachers, administrators, and school board members have ignored the issue.
- (First name inaudible) Akin, 1931 Pioneer Ave., spoke of poor representation of the City in national media; proposed that residents consider the comments and stories that have been publicized when they vote for City Council Members.
- (Name not given), urged parents to monitor the music, television shows, and books that their children are exposed to, arguing that these media instill a disrespect for authority that leads to bullying.
- Teresa Carpenter, alleged that she witnessed a City Council Member attack a resident outside of City Hall in front of her children, and claimed that this event caused her eight-year-old daughter to attempt suicide; cited her reputation as a good mother; and admonished the Council Members about their duty to be professional.

Mayor Hamilton stated that he would be exiting the Council Chambers to attend an interview with the media, and announced that Mayor Pro Tempore Ward would assume the role of Chairman of the meeting until the Mayor's return.

- Dawn Jobe, requested that the Council recess as many in attendance wished to address the Mayor.

A disruption in the audience occurred, and Mayor Pro Tempore Ward called for a recess.

At the conclusion of the recess, Mayor Pro Tempore Ward announced that the three-minute rule for each speaker from the audience would be enforced for the remainder of Oral Communications.

When no one came forward, Oral Communications was closed at 7:30 p.m.

CONSENT CALENDAR

Items 4, 10, 11 and 19 were removed for further discussion. Council Member Shelton noted a conflict of interest relative to Items 17 and 18; Council Member Gurrola noted a conflict with Item No. 15; and City Attorney Lew advised Mayor Pro Tempore Ward regarding his conflict relative to Item No. 14. The three Council Members indicated their abstentions on the respective items.

1. CITY COUNCIL MINUTES OF FEBRUARY 10, 2014, AND MAY 14, 2014

Recommendation: That the City Council approve the Minutes of February 10, 2014, and May 14, 2014.

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

Documentation: M.O. 04-052014
Disposition: Approved.

2. AUTHORIZATION TO PURCHASE LIBRARY FURNITURE

Recommendation: That the City Council authorize staff to move forward with negotiations for acquisition and installation of materials with CalBennetts for the Literacy Office areas.

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

Documentation: M.O. 05-052014
Disposition: Approved.

3. AUTHORIZATION TO PURCHASE GOLF CARTS

Recommendation: That the Council authorize the City's Purchasing Agent to negotiate the purchase of eleven (11) golf carts from All Carts.

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

Documentation: M.O. 06-052014
Disposition: Approved.

5. AUTHORIZATION TO DISTRIBUTE REQUEST FOR PROPOSALS (RFP) FOR
MAINTENANCE OF THE VALLEY ELDERBERRY LONGHORN BEETLE
MITIGATION SITE

Recommendation: That City Council authorize staff to distribute a Request for Proposals to
maintain the VELB Mitigation Site.

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

Documentation: M.O. 07-052014
Disposition: Approved.

6. CONSIDERATION OF STREET CLOSURE FOR PORTERVILLE LIBRARY
SUMMER READING PROGRAM KICK-OFF EVENT

Recommendation: That the City Council authorize the temporary closure of Cleveland Street
between the alley just east of Centennial Park and Main Street on June 2,
2014, in support of the planned Library Summer Reading Program Kick-Off
Event.

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

Documentation: M.O. 08-052014
Disposition: Approved.

7. STATE HOMELAND SECURITY GRANT PROGRAM, 2013

Recommendation: That the City Council:
1) Pre-authorize acceptance of any or all State Homeland Security Grant
Program disencumbered funds from fiscal years 2010, 2011 and 2012;

- 2) In the event of award, authorize the use of local funds from the Fire Department's equipment replacement account for initial equipment purchase in an amount not to exceed the grant award; and
- 3) Authorize a budget adjustment to reflect the addition of any grant award to the Fire Department budget.

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

Documentation: M.O. 09-052014
Disposition: Approved.

8. ASSISTANCE TO FIREFIGHTERS GRANT AWARD

Recommendation: That the City Council:

- 1) Accept the Assistance to Firefighters Grant award from the Federal Emergency Management Agency and the Department of Homeland Security for a project cost of \$20,548;
- 2) Authorize the use of the local 10% share (\$2,058) from the Fire Department's radio and pager equipment replacement account; and
- 3) Authorize a budget adjustment to reflect the addition of \$18,526 to the Fire Department budget.

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

Documentation: M.O. 10-052014
Disposition: Approved.

9. AUTHORIZATION TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5311 FUNDING

Recommendation: That the City Council:

1. Approve the attached Resolution authorizing staff to act on behalf of the City to apply for financial assistance; and
2. Authorize the Mayor to execute the Resolution.

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

Documentation: Resolution No. 27-2014
Disposition: Approved.

12. STATE DEPARTMENT OF FINANCE – POPULATION ESTIMATES

Recommendation: That the City Council authorize the Mayor to sign a request for State certification for the City of Porterville, January 1, 2014, at a population of 55,697.

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

Documentation: M.O. 11-052014
Disposition: Approved.

13. RENEWAL OF AIRPORT LEASE AGREEMENT – LOT 34F

Recommendation: That City Council approve the Lease Agreement between the City of Porterville and Messrs. Steven Huth and Michael Quatacker for Lot 34F at the Porterville Municipal Airport.

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

Documentation: M.O. 12-052014
Disposition: Approved.

14. APPROVAL FOR COMMUNITY CIVIC EVENT – THE ELEMENTAL AWARENESS FOUNDATION, GOLDEN STATE YMCA AND YMCA CAMP SEQUOIA LAKE – SKATE THE LAKE CONTEST – MAY 31, 2014

Recommendation: That the Council approve the Community Civic Event Application and Agreement from The Elemental Awareness Foundation, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.

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

Documentation: M.O. 13-052014

Disposition: Approved.

15. APPROVAL FOR COMMUNITY CIVIC EVENT – CENTRAL VALLEY
FAMILY CRISIS CENTER – MUD RUN – JUNE 7, 2014

Recommendation: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Central Valley Family Crisis Center, subject to the stated requirements contained in Exhibit A.

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

Documentation: M.O. 14-052014

Disposition: Approved.

16. AMENDMENT TO EMPLOYEE PAY & BENEFIT PLAN – PORTERVILLE
CITY EMPLOYEES ASSOCIATION

Recommendation: That the City Council approve the attached draft resolution amending the Employee Pay and Benefit Plan for all PCEA employees.

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

Documentation: Resolution No. 28-2014

Disposition: Approved.

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

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

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

Documentation: M.O. 15-052014

Disposition: Approved.

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

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.

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

Documentation: M.O. 16-052014
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Pro Tempore Ward, that the City Council approve Items 1 through 3, 5 through 9, and 12 through 18. The motion carried unanimously, with the aforementioned abstentions.

SCHEDULED MATTERS

20. PROPOSED DRAFT REVISIONS TO CITY ANIMAL CONTROL ORDINANCE

Recommendation: That the City Council consider the proposed draft revisions to the City's Animal Control Ordinance, and provide direction to staff as appropriate.

City Manager Lollis introduced the item.

The Council discussed, at length: the proposed restrictions on chicken ownership; dog licensing, vaccination requirements, and fees; compliance, enforcement, and penalties; oversight of dog park rules; and provisions regarding animal neglect.

The Council directed staff to address zoning specifications regarding urban farming, licensing, neglect, and dog park rules; and bring back for Council consideration.

Disposition: Direction given.

Mayor Hamilton re-entered the Council Chambers and assumed the chair.

21. ADOPTION OF ORDINANCE ESTABLISHING AN ANIMAL CONTROL COMMISSION

Recommendation: That the City Council adopt the draft ordinance adding Article VII - Animal Control Commission to Chapter 5 of the Porterville Municipal Code; give first reading of said ordinance by title only; and order the ordinance to print.

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

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Gurrola, that the City Council adopt Ordinance No. 1812; give first reading of said ordinance by title only; and order the ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADDING ARTICLE VII - ANIMAL CONTROL COMMISSION TO CHAPTER 5 OF THE PORTERVILLE MUNICIPAL CODE. The motion carried 4/0.

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

City Attorney Lew read the ordinance by title only.

Documentation: Ordinance 1812-2014
Disposition: Approved.

22. CONSIDERATION OF SPONSORING THE ESTABLISHMENT OF A
 COMMUNITY YOUTH SAFE ZONE PROGRAM

Recommendation: That the City Council provide direction, as appropriate.

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

Council Member Gurrola read a statement regarding the motivation behind the consideration of a community youth safe zone program, stating that she was merely presenting the requests of a group of local students.

Council Member Shelton expressed disappointment in community members who accused the Council of being unsupportive of bullied youth.

Vice Mayor Ward read a statement and expressed his opinion that this matter should be addressed by the Joint City/School Committee.

Mayor Hamilton stated that he would have preferred to see this item introduced in a different format, such as a presentation or oral communication, rather than an action item.

Disposition: No action taken.

CONSENT CALENDAR (ITEMS REMOVED FOR FURTHER DISCUSSION)

4. AUTHORIZATION TO PURCHASE CITY COUNCIL MEETING VIDEOS

Recommendation: That the City Council authorize continuing the purchase of unedited video from Mr. Will Lloyd until such time as an alternate video/live-streaming solution is implemented.

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

Council Member Gurrola inquired about price quotes for alternative video solutions in the near future.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Shelton, that the City Council authorize continuing the purchase of unedited video from Mr. Will Lloyd until such time as an alternate video/live-streaming solution is implemented. The motion carried 4/0.

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

Documentation: M.O. 17-052014
Disposition: Approved.

10. PARKS AND LEISURE SERVICES COMMISSION MEETINGS

Recommendation: That the City Council approve the Parks and Leisure Services Commission not meet June and July 2014, with the Commission being available to meet if necessary.

City Manager Lollis introduced the item.

Council Member Shelton expressed his satisfaction with how well the meeting cancellations worked last year.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council approve the Parks and Leisure Services Commission not meet June and July 2014, with the Commission being available to meet if necessary. The motion carried 4/0.

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

Documentation: M.O. 18-052014
Disposition: Approved.

11. SUPPORT FOR REQUEST BY TULE RIVER TRIBE TO PROVIDE TRAINING AND WORK EXPERIENCE SUPPORT FOR WASTEWATER TREATMENT FACILITY OPERATORS

Recommendation: That the City Council support the request of the Tule River Tribe to provide training and work experience support for their Wastewater Treatment Facility Operators.

City Manager Lollis introduced the item.

Council Member Shelton commended Public Works Director Rodriguez for working with the Tule River Tribe on this matter.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council support the request of the Tule River Tribe to provide training and work experience support for their Wastewater Treatment Facility Operators. The motion carried 4/0.

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

Documentation: M.O. 19-052014

Disposition: Approved.

19. COUNCIL MEMBER REQUESTED AGENDA ITEM – REQUEST FOR THE CITY COUNCIL TO CONSIDER ESTABLISHING DOMESTIC WATER FILLING STATIONS

Recommendation: Council Member Shelton makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider establishing domestic water filling stations in the community.

City Manager Lollis introduced the item.

Council Member Shelton explained the dire nature of water availability in East Porterville and proposed that the Council consider implementing water filling stations at a price of ten cents per gallon.

Vice Mayor Ward stated that many residents cannot afford to connect their homes to City water, and staff provided information about current programs that exist to assist residents in times of hardship.

City Manager Lollis explained that there is already an agenda item that will be presented to

the Council at the next meeting regarding the provision of water services.

Disposition: No action taken.

ORAL COMMUNICATIONS

- Vanessa Mesa, asked the City to assist in addressing the issue of children's safety at school.
 - Olivia Carrillo, spoke of a need for the community to come together to address bullying in schools.
 - Mariah Reader, suggested that speakers were bullying the Mayor and credited him for listening to the public's comments.
 - Name not given, spoke in support of anti-bullying efforts both in schools and in the community.
 - Jessica Mahoney, spoke of inappropriate comments made at the last meeting regarding the Safe Zones item, the Council's use of Google to research agenda items, and the issue of bullying.
 - Barry Caplan, spoke of unresponsive City officials and staff, and advised against basing one's actions on the hope that everyone will always do the right thing.
 - Russell Fletcher, stated that citizens questioning the motives and actions of their elected officials was not bullying.
 - Melissa McMurrey, spoke of the importance of anti-bullying efforts and of her negative experience as a citizen of Porterville; and encouraged members of the Council to change their attitudes and educate themselves.
 - Tony Mauck, thanked the Council for taking the heat being thrown their way, and spoke in opposition to funding of any new programs.
 - Anne Marie Wagstaff, spoke of the Council's consideration of a Safe Zone Program two weeks ago and of assumptions made regarding LGBT association.
 - Kayla Padilla, stated that the LGBT community's support of anti-bullying efforts was most likely indicative of their own experiences and understanding.
 - Michelle Acquino, Ventura County, stated that she was embarrassed to be from Porterville.
 - Carlos Gomez, commented that it takes a village to raise a child; stated that it was sad the proposed program will not be moving forward; and spoke of willful neglect.
-
- Kristen Ingless, spoke of the community's potential; indicated that protecting the bullied is only one part of the solution and identified stopping the bullying behavior as the other; and stressed the importance of commitment to education and the cause.

OTHER MATTERS

- Council Member Shelton stated that he had been approached by many constituents who were having difficulties understanding the proposed ballot measures.
- Council Member Gurrola thanked Kristen Ingless for her comments.
- Vice Mayor Ward, wished his mother a Happy 76th Birthday; and assured that he would take concerns to the Joint City/School Committee when they met again in July.
- Mayor Hamilton stated that it was very easy to point fingers.
- City Manager Lollis reported that the City's OES engine had returned from Carlsbad, and

that Transit Manager Richard Tree was in San Diego receiving an award.

ADJOURNMENT

The Council adjourned at 9:44 p.m. to the meeting of May 27, 2014.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
ADJOURNED MEETING
FIRE STATION NO. 2 REGIONAL TRAINING FACILITY
500 NORTH NEWCOMB STREET
PORTERVILLE, CALIFORNIA
JANUARY 13, 2015, 5:30 P.M.**

Called to Order at 5:35 p.m.

Roll Call: Council Member Reyes, Council Member Ward (arrived at 5:50pm), Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

Pledge of Allegiance led by Council Member Reyes

Invocation – a moment of silence was observed.

ORAL COMMUNICATIONS

None

SCHEDULED MATTER

1. AB 1234 ETHICS TRAINING

City Attorney Lew conducted the ethics training session pursuant to AB 1234, which requires local agency officials to be trained in general ethics principles and ethics laws relevant to public service. She explained that the objectives of the session included: familiarizing those in attendance with the laws that govern their service; encouraging thinking beyond legal restrictions; and complying with AB 1234 requirements. The following was covered in her presentation:

- Different Types of Ethics: Situational, Professional, and Categorical/Universal.
- Four Groups of Ethics Laws: Personal financial gain, Personal advantages and perks, Governmental transparency, and Fair processes.
- Disqualification Based on Financial Interests
- Types of Interests: Sources of Income of \$500 or more, and Real Property interests of \$2000 or more.
- Recent Changes to the “500 Foot” Rule relative to real properties, business interests, leasehold interests, and common areas.
- Penalties
- Best Practices
- Case Studies
- Open Meetings and transparency rules
- AB1234 Requirements
- Public Service Ethics Principles

Following Ms. Lew’s presentation, the Council took a fifteen minute recess then reconvened in Closed Session.

CLOSED SESSION

- A. Closed Session Pursuant to:
- 1- Government Code Section 54956.95 – Liability Claim: Claimant: Maria Toledo. Agency claimed against: City of Porterville.
 - 2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Police Officers Association; Fire Officer Series; and Porterville City Firefighters Association.

**RECONVENE OPEN SESSION AND
REPORT ON REPORTABLE ACTION TAKEN IN CLOSED SESSION**

The following action was reported:

1- GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: MARIA TOLEDO. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council reject the claim filed by Maria Toledo. The motion carried unanimously.

Documentation: M.O. 01-011315

Disposition: Approved.

ADJOURNMENT

The Council adjourned at 7:51 p.m. to the meeting of January 20, 2015.

Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe, Mayor

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICE AGREEMENT – PORTERVILLE HOTEL SITE PREPARATION

SOURCE: Public Works Department - Engineering Division

COMMENT: On October 10, 2014, Engineering entered into a minor service agreement directing Roberts Engineering to perform a preliminary site assessment of the Porterville Hotel, establish site clearing parameters and provide the City with an Engineer's Estimate of Probable Cost.

Mr. Roberts has completed these tasks but has reserved the right to modify the Engineer's Estimate of Probable Cost once the Level I Site Assessment has been completed. Staff would like to amend Mr. Roberts' service agreement to include the preparation of technical specifications that will be used to bid the site clearing project. Further, it is staff's request that Mr. Roberts' service agreement be amended to bid assistance and construction management services. The soil borings will insure that the site is truly ready for sale without concerns of what may be buried beneath the concrete slab.

Plans and specifications will be ready on or before April 7, 2015 which will allow Council to award the Porterville Hotel Site Clearing Project on May 19, 2015. The funding source is General Fund, Redevelopment Agency Bond Proceeds and Workforce Housing Grant, and has been approved in the 2014/2015 Annual Budget.

RECOMMENDATION: That the City Council:

1. Authorize the Public Works Director to negotiate a "not to exceed" \$23,500 service agreement covering the preparation of technical specifications, soil borings, surface investigation, final Engineer's Estimate of Probable Cost, assistance during bidding and daily on site construction management.

P:\pubworks\General\Council\Authorization to Enter into Professional Service Agreement – Porterville Hotel Site Preparation - 2015-02-03.doc

Dir BSZ Appropriated/Funded ANB CM J

Item No. 2

SUBJECT: AUTHORIZATION TO APPLY FOR PUBLIC TRANSPORTATION
MODERNIZATION, IMPROVEMENT, AND SERVICE
ENHANCEMENT ACCOUNT FUNDING

SOURCE: Public Works Department - Transit

COMMENT: In 2006, California voters approved Proposition 1B to fund needed transportation improvement projects. Included within Proposition 1B was the Public Transportation Modernization, Improvement, and Services Enhancement Account (PTMISEA) program, which provides needed capital and safety/security funds to transit agencies (and cities operating transit programs).

From 2009 to 2013, the City has received \$2.6 million in financial assistance to purchase transit buses, a trolley, various bus stop improvements and amenities, and information technology systems (ITS).

On January 14, 2015, the City received notice of the State's call for projects for cycle two of FY 2014/2015 Prop 1B PTMISEA funding, of which the City's allocation is \$324,695.

Staff is requesting authorization to apply for cycle two (2) FY 2014/2015 PTMISEA funds to purchase automated passenger counters. Automated passenger counters improve operational efficiency by delivering the most complete and accurate passenger count data. Automated passenger counters also improve National Transit Database (NTD) reporting to over 95% accuracy, while reducing the need for manual staff sampling.

RECOMMENDATION: That the City Council:

1. Authorize Staff to apply for cycle two FY 2014/2015 PTMISEA funding; and
2. Approve and authorize the Mayor to sign the attached Resolution authorizing Staff to purchase automatic passenger counters.

ATTACHMENT: Resolution

P:\pubworks\General\Council\Transit - Authorization To Apply For PTMISEA Funding - 2015-02-03.doc

Dir B82 Appropriated/Funded MB CM J

Item No. 3

RESOLUTION #_____ - 2015

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AUTHORIZING STAFF TO PURCHASE
AUTOMATIC PASSENGER COUNTERS**

WHEREAS, the City of Porterville operates a comprehensive transit system; and

WHEREAS, the City has been allocated State and Federal funding to implement and support transit capital projects; and

WHEREAS, the City's 2012 Short Range Transit Plan identified the use of intelligent transportation systems (ITS) to provide significant operational improvements resulting in financial returns.

WHEREAS, it is in the City's best interest to improve transit operational efficiency by delivering the most complete and accurate passenger count data.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Transit Division is authorized to purchase an automatic passenger counting system to improve the operational efficiency and plan accordingly, based on the actual demands of ridership, enabling operations that are economically and environmentally sustainable.

PASSED, ADOPTED AND APPROVED this 3rd day of February, 2015.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: AUTHORIZATION TO APPLY FOR CALIFORNIA ENERGY COMMISSION FUNDING

SOURCE: Public Works Department - Transit

COMMENT: Assembly Bill (AB) 118 (Nunez, Chapter 750, Statutes of 2007), created the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). The statute authorizes the California Energy Commission (Energy Commission) to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. AB 8 (Perea and Skinner) re-authorized the ARFVTP through January 1, 2024, and specified that the Energy Commission allocate up to \$100 million to provide financial support for projects that reduce California's use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.

The Energy Commission is seeking applications from eligible entities for advanced vehicle technology demonstration projects. Demonstrations funded under this project must enhance market acceptance of advanced vehicle technologies that will lead to vehicle production and commercialization, reduce greenhouse gas emissions, and reduce petroleum use.

On December 11, 2014, the City received notice of the Energy Commission's call for projects for FY 2014/2015 ARFVTP funding, in which approximately \$24.8 million is available.

Staff is requesting authorization to apply for FY 2014/2015 ARFVTP funds to purchase electric transit buses that incorporate new innovative technology.

RECOMMENDATION: That the City Council:

1. Authorize Staff to apply for FY 2014/2015 ARFVTP funding; and
2. Approve and authorize the Mayor to execute the attached Resolution.

ATTACHMENT: Resolution

P:\pubworks\General\Council\Transit - Authorization To Apply For California Energy Commission Funding - 2015-02-03.doc

Dir  Appropriated/Funded  CM 

Item No. 4

RESOLUTION NO. _____ - 2015

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AUTHORIZING STAFF TO APPLY FOR
FINANCIAL ASSISTANCE UNDER THE ALTERNATIVE AND RENEWABLE FUEL
AND VEHICLE TECHNOLOGY PROGRAM WITH THE CALIFORNIA ENERGY
COMMISSION**

WHEREAS, the California Energy Commission has a rich history of research, development, and demonstration of emerging technologies in the transportation sector; and

WHEREAS, the Energy Commission's policy direction and investments have inspired vehicle and truck markets to develop new technology solutions under the Alternative and Renewable Fuel and Vehicle Technology Program; and

WHEREAS, these investments help California reduce pollution and achieve its transportation energy and climate change goals; and

WHEREAS, the City of Porterville desires to apply for said financial assistance to permit purchase of electric transit buses that incorporate new innovative technology.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville to hereby authorize Baldomero Rodriguez, Public Works Director, or Richard Tree, Transit Manager, to file and execute applications on behalf of the City of Porterville with the Energy Commission to aid in financial assistance pursuant to the Alternative and Renewable Fuel and Vehicle Technology Program; and

BE IT FURTHER RESOLVED, that Baldomero Rodriguez, Public Works Director, or Richard Tree, Transit Manager, are authorized to execute and file all certifications of assurances, contracts or agreements or any other document required by the Energy Commission; and

BE IT FURTHER RESOLVED, that Baldomero Rodriguez, Public Works Director, or Richard Tree, Transit Manager, are authorized to submit and approve request for reimbursement of funds from the Energy Commission for the project.

PASSED, ADOPTED AND APPROVED this 3rd day of February, 2015.

ATTEST:
John D. Lollis, City Clerk

Milt Stowe, Mayor

By: Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: AUTHORIZATION TO TRAVEL – OUT OF STATE TRAINING

SOURCE: Public Works Department – Engineering Division

COMMENT: EduCode International offers a well-established resource of instructional classes for Building Officials and Building Inspectors. Each year, they provide a one-week training program in Las Vegas, NV, with classes that are certified and approved by the International Code Council, giving those who complete each course continuing education units that apply to their existing inspector certifications. This one-week training program possesses an advantage over programs of similar nature offered within California as it offers both a better selection and more specialized training classes. This year's training program runs from March 9, 2015, through March 13, 2015. Estimated costs for registration, travel and accommodations is \$1,800 total.

Similar training programs are available throughout the year within California. One such program is scheduled for March in Monterey, CA, and is offered by the California Building Officials (CALBO). The estimated costs for registration, travel and accommodations is \$2,300 total. The main difference in price being a price difference of \$100 per night for hotel rooms. Another training program, offered by CALBO, is scheduled for September in San Ramon, CA. The estimated costs for registration, travel and accommodations is \$2,350. Again, the major price difference being the cost of hotel rooms. The CALBO training classes do not offer as many options for class choices, limiting the range of training staff can receive.

The Public Works Department – Engineering Division seeks authorization to send both the Chief Building Inspector and the Building Inspector I for this training opportunity. They will divide the week between them with the Building Inspector I attending courses Monday and Tuesday and the Chief Building Inspector attending courses Wednesday through Friday. This schedule allows the Public Works Department to continue to offer permit inspections throughout the week.

Funding is available in the Public Works Department – Engineering and Building Division FY 2014/2015 training budget.

RECOMMENDATION: That City Council approve staff's travel to Las Vegas, NV, and attendance at EduCode International training week.

P:\pubworks\General\Council\Authorization to Travel - Out of State Training - 2015-02-03.doc

Dir BOL Appropriated/Funded MB CM J

Item No. 5

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: COMMUNITY CLEAN UP EVENTS

SOURCE: Public Works Department - Field Services Division

COMMENT: To encourage property maintenance and beautification, the City sponsors two clean up events every year; one in the Spring and one in the Fall. These events offer City residential refuse customers free disposal of general trash, bulky items, woodwaste, yard clippings and e-waste at the City's Corporation Yard. Last year's events were the largest to date with 647 vehicles at the Spring event and 566 vehicles at the Fall event.

Based on the success of prior events, staff recommends the City host two Community Clean Up Events in 2015. The proposed event dates are Saturday, April 18th, and Saturday, October 17th. Staff is unaware of any community event conflicts with these dates. As in the past, the events are open to all residents receiving City residential refuse service. Staff estimates City costs for both events to be approximately \$10,000 funded through the Solid Waste Operating Budget.

RECOMMENDATION: That City Council:

1. Declare April 18, 2015, "Spring Clean Up Day" and October 17, 2015, "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.

P:\pubworks\General\Council\Community Clean Up Events - 2015-02-03.doc

Dir BOR Appropriated/Funded MD CM J

Item No. 6

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: FIELD USE AGREEMENT FOR ZALUD PARK BETWEEN CITY OF PORTERVILLE AND PORTERVILLE LITTLE LEAGUE

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Within Zalud Park are two baseball fields that at one time were used by Porterville Little League to host games. All Little League games currently are held at the Burton baseball fields. The City has an existing agreement with the Burton School District to schedule the two fields for play as long as it doesn't interfere with any school activities.

Little League has approached City staff and the Parks and Leisure Services Commission about the fact that there is a need for a 50/70 baseball field in town. A 50/70 field is geared for 12-14 year olds easing the transition between elementary age in which 60' bases/46' pitching mounds are used, and high school where 90' bases/60' pitching mounds are used. Zalud Park is the location recommended by the Parks and Leisure Services Commission to have such a field. This location is acceptable to Little League and City staff.

Little League has the intent and commitment within the term of the agreement to fund and transform the existing south field into a 50/70 baseball field in exchange for exclusive use of the designated area during their season, which runs February-July. Initial improvements to the field would include an outfield fence, pitcher's mound, leveling and enlarging the infield, irrigation adjustments and bases. During the season, Little League would be responsible for all maintenance of the field, as well as maintaining the cleanliness of the area. The proposed length of the agreement is a five-year term with the option to extend it an additional five years upon completion of the first term.

During the City's use of the field, the City would act as the scheduling agent for the field and would maintain and be responsible for repairs and damages to the field during the City's use of the field. The agreement also states that Little League may, but is not required, to make improvements to the north baseball field as well.

 Director N/A Appropriated/Funded

 City Manager

ITEM NO.: 7

RECOMMENDATION: That the City Council approve the agreement with Little League and authorize and direct the Mayor to execute the same.

ATTACHMENT: Porterville Little League Agreement

**ZALUD PARK SOUTH AND NORTH BASEBALL FIELDS
FACILITY USE AND MAINTENANCE AGREEMENT
BETWEEN CITY OF PORTERVILLE AND PORTERVILLE LITTLE LEAGUE**

FEBRUARY 2015

Recognizing the value to the community of sharing facilities, the following agreement has been adopted by the City of Porterville Parks and Leisure Services Department ("**CITY**") and Porterville Little League ("**PLL**"). The agreement establishes policies regarding the use of the south and north baseball fields at Zalud Park, 700 N. El Granito.

Terms and Termination

This agreement shall be for approximately four and a half years beginning _____, 2015, and ending July 31, 2019. **PLL** shall have the option to enter into an additional five (5) year agreement under the terms and conditions below commencing on the expiration date specified above with mutual agreement of both parties. **PLL** has the intent and commitment within the term of the agreement to fund and make improvements to the existing baseball field and appurtenances in exchange for the exclusive use of the designated area from January through July of each year of the term. **PLL** may, but is not required to, make improvements to the north baseball field as well.

Rights and Responsibilities of the PLL

1. Upon submittal of annual paperwork and payment in accordance with the Athletic Field Use Policy, all affected **PLL** Board personnel shall attend a pre-season organizational meeting with **CITY** staff to discuss specific operational duties and responsibilities.
2. **PLL** agrees, at its own expense, to prepare the baseball field improvement plans and specifications. **CITY** shall review and approve all plans and specifications of the proposed work to the baseball fields before construction is commenced and shall further review and approve all subsequent change orders. **PLL** agrees to comply and make any and all improvements in accordance with all applicable federal, state and local laws and regulations.
3. **PLL** agrees that the **CITY** shall be scheduling agent for the field and that **CITY** shall schedule the dates and times of use except for use by **PLL** during their season.
4. **CITY** agrees to be responsible for repairs and damages to the field during **CITY**'s use of the field.
5. **PLL** shall be responsible for maintaining the facilities in good playing condition during the scheduled playing period. Maintenance and responsibilities shall include:
 - a. Mowing and irrigating the infield and outfield turf areas as needed.
 - b. Maintaining bleacher area in good order and free of litter. Cleaning the bleacher area after each game.
 - c. Repairing damage to designated area.
 - d. Providing the necessary maintenance equipment and supplies to accomplish all the above tasks.
 - e. Maintaining any storage facility.

- f. At no time shall vehicles or maintenance vehicles be permitted on turf areas, except in the performance of necessary maintenance duties, without permission by **CITY**.
6. **PLL** staff shall be responsible for providing all related supplies and equipment such as additional bleachers, scoreboards, PA system, and other miscellaneous items that may be required.
7. Upon **CITY** approval of concession stand site, should a licensed vendor not be on site, **PLL** shall provide all supplies and materials to operate a concession stand if desired.
8. After the completion of each game and practice, **PLL** staff shall be responsible for clean-up of all debris in a timely manner and locking all gates and storage areas when necessary.
9. **PLL** shall contact **CITY** before installing improvements relative to the program such as signs, field improvements, electrical improvements, etc.
10. All concerns or request for routine, additional or special maintenance needs are to be directed to the Parks Superintendent. Superintendent may be reached through the **CITY** office at 782-7536.
11. If **PLL** should make substantial improvements to the facility, upon termination of this agreement **CITY** shall determine disposition of these improvements. If **CITY** determines that some or all of the improvements are to be removed, **PLL** at its own expense shall remove them in a timely manner and return the facility to its original condition. Otherwise, all improvements shall remain **CITY** property.
12. **PLL** shall make repairs and corrections to miscellaneous items not in proper working condition. Field markings must be painted and not chemically sprayed.
13. **PLL** shall provide storage facilities for program-related supplies and equipment and additional portable restroom facilities, as needed, with approval by **CITY**.
14. All games and practices must be scheduled during normal park hours (7:00 a.m. to 10:00 p.m.).

Insurance Requirements for PLL using open space

PLL must procure and maintain insurance for the duration of all activities, including during any construction or the making of improvements, and all activities for which parkland has been reserved, against claims for injuries to persons or damages to property which may arise from, or in connection with, **PLL** operation and use of **CITY** parkland. The cost of such insurance shall be borne by **PLL**.

PORTERVILLE LITTLE LEAGUE

Board Chairperson

CITY OF PORTERVILLE

Milt Stowe, Mayor

ATTEST:

APPROVED AS TO FORM

John D. Lollis, City Clerk

Julia M. Lew, City Attorney

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: MONSTER ENERGY DRINK MOTOCROSS RACE PROPOSAL

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: For the fourth consecutive year, staff has been contacted by Myron Short representing 2x Promotions with 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. This year the event will be held March 14 – 15, 2015.

2x Promotions will provide the insurance (\$2,000,000 liability) naming the City of Porterville as an additional insured. 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 \$1,000.

This race has gone very well the past three years 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 14 – 15, 2015, with 2x Promotions at the OHV Park; and
- 2) Approve overnight camping for this event.

DS Director

MB Appropriated/Funded

[Signature] City Manager

ITEM NO.: 8

COUNCIL AGENDA: FEBRUARY 3, 2015

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 February 28-March 1, 2015.

2x Promotions will provide the insurance (\$2,000,000 liability) naming the City of Porterville as an additional insured. 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 \$1,500.

If approved, this will be the second consecutive year this race will be held in Porterville. 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 February 28-March 1, 2015, with 2x Promotions at the OHV Park; and
- 2) Approve overnight camping for this event.

 Director MB Appropriated/Funded

 City Manager

ITEM NO.: 9

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: INTERIM FINANCIAL STATUS REPORTS

SOURCE: Finance Department

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

In accordance with Council Minute Order #10-011607, the interim financial status reports for the 2nd fiscal quarter ended December 31, 2014, are submitted.

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

ATTACHMENTS: Interim financial reports

D.D. MB Appropriated/Funded MB C.M. f

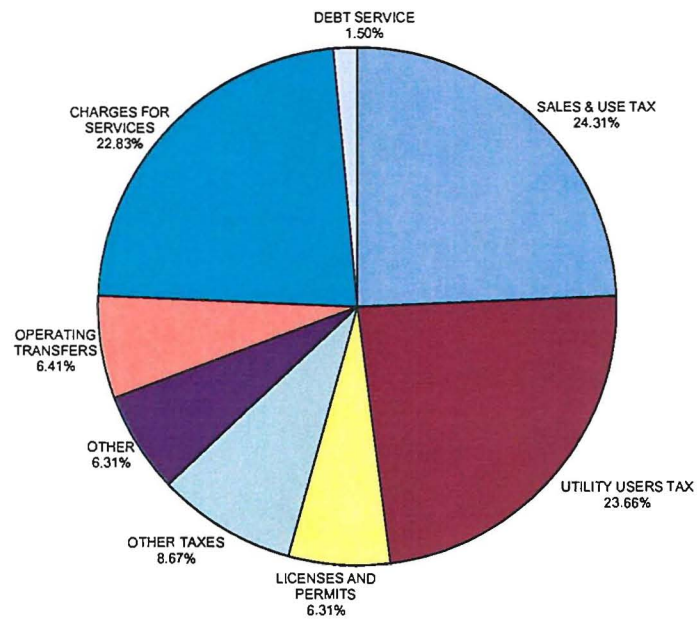
Item No. 10

CITY OF PORTERVILLE

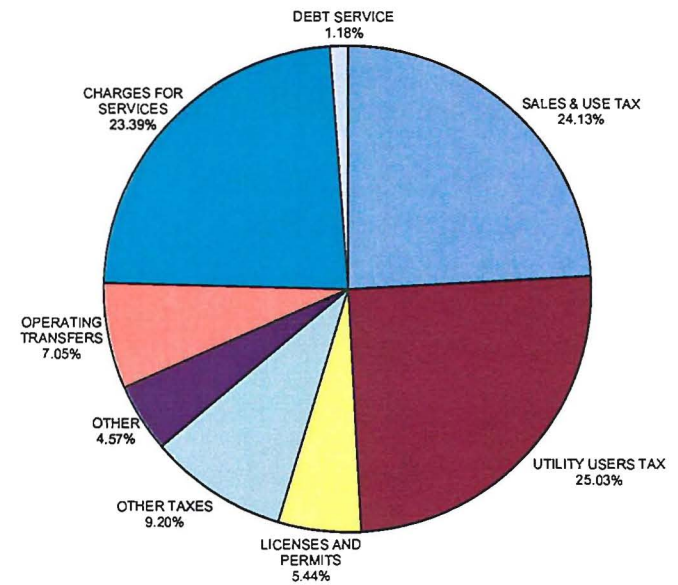
**REVENUE STATUS REPORT - GENERAL FUND
FOR THE SIX MONTHS ENDED
DECEMBER 31, 2014 AND DECEMBER 31, 2013**

REVENUE SOURCE	2014-2015 ESTIMATED REVENUE	2014-2015 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2013-2014 ESTIMATED REVENUE	2013-2014 YEAR-TO-DATE REVENUE	% OF ESTIMATE
PROPERTY TAXES	\$ 7,023,442	\$ 3,586,191.07	51.06%	\$ 6,980,762	\$ 3,422,840	49.03%
OTHER TAXES:						
SALES AND USE TAX	4,266,959	1,855,756	43.49%	4,032,651	1,720,630	42.67%
UTILITY USERS TAX	4,000,000	1,897,307	47.43%	4,000,000	1,871,750	46.79%
TRANSIENT OCCUPANCY TAX	350,000	112,975	32.28%	315,000	107,168	34.02%
PROPERTY TRANSFER TAX	50,000	23,662	47.32%	50,000	25,174	50.35%
FRANCHISE TAX	1,476,134	536,049	36.31%	1,471,134	531,432	36.12%
SALES TAX - PUBLIC SAFETY	165,000	93,431	56.62%	150,000	83,915	55.94%
LICENSES AND PERMITS:						
BUSINESS LICENSES	427,000	264,028	61.83%	411,200	217,204	52.82%
CONSTRUCTION PERMITS	325,000	241,630	74.35%	310,800	189,933	61.11%
REVENUE FROM AGENCIES-TAXES:						
MOTOR VEHICLE IN-LIEU TAX	23,000	22,825	99.24%	29,379	23,542	80.13%
OTHER TAXES	27,000			28,000	435	1.55%
REVENUE FROM AGENCIES-GRANTS	54,480	152,843	280.55%	1,976,005	152,976	7.74%
USE OF MONEY AND PROPERTY	214,401	135,471	63.19%	227,277	118,189	52.00%
FINES AND FORFEITURES	65,000	30,193	46.45%	65,000	36,583	56.28%
CHARGES FOR SERVICES:						
PLANNING AND ENGINEERING	95,000	64,112	67.49%	96,100	29,265	30.45%
POLICE	385,000	149,974	38.95%	374,000	120,734	32.28%
FIRE	28,000	37,452	133.76%	28,000	27,842	99.43%
LIBRARY	40,000	22,472	56.18%	40,000	20,543	51.36%
RECREATIONAL	1,830,147	691,326	37.77%	1,751,922	675,156	38.54%
INTERDEPARTMENTAL	1,600,000	860,195	53.76%	1,600,000	869,582	54.35%
OTHER	10,636	5,004	47.05%	8,748	6,228	71.19%
OTHER REVENUES	64,500	187,133	290.13%	67,150	33,698	50.18%
SUBTOTALS	\$ 22,520,699	\$ 10,970,029	48.71%	\$ 24,013,128	\$ 10,284,817	42.83%
OPERATING TRANSFERS	1,150,790	514,030	44.67%	1,108,131	527,407	47.59%
DEBT SERVICE TRANSFERS	168,700	119,995	71.13%	170,828	88,579	51.85%
TOTALS	\$ 23,840,189	\$ 11,604,053	48.67%	\$ 25,292,087	\$ 10,900,802	43.10%

**CITY OF PORTERVILLE
GENERAL FUND REVENUES
Six Months Ended December 31, 2014**



**CITY OF PORTERVILLE
GENERAL FUND REVENUES
Six Months Ended December 31, 2013**

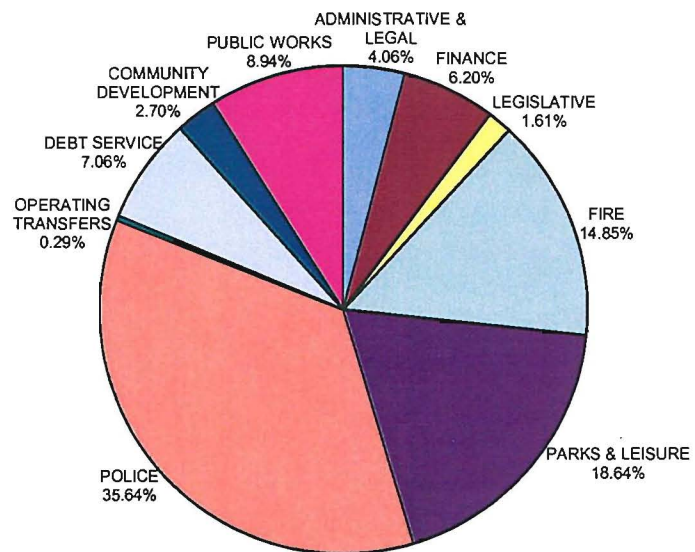


CITY OF PORTERVILLE

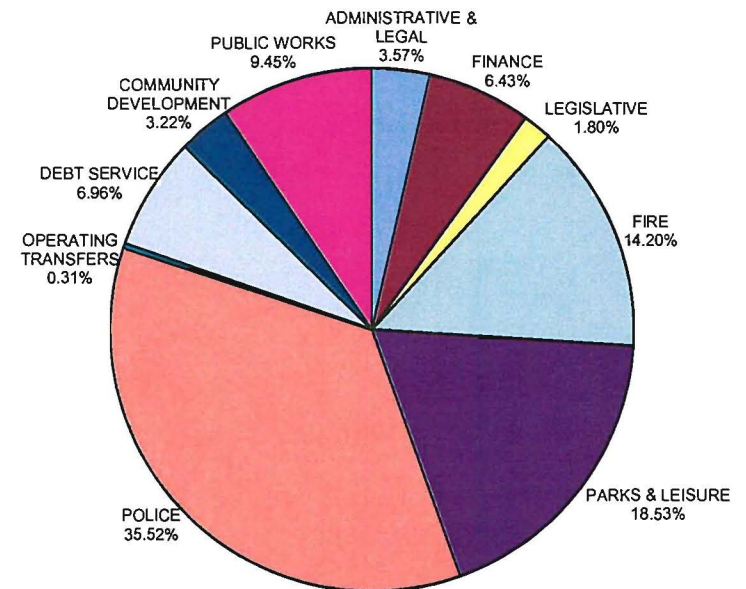
**EXPENDITURE STATUS REPORT - GENERAL FUND
FOR THE SIX MONTHS ENDED
DECEMBER 31, 2014 AND DECEMBER 31, 2013**

	2014-2015 AMENDED APPROP	2014-2015 YEAR-TO-DATE EXPEND	% OF APPROP	2013-2014 AMENDED APPROP	2013-2014 YEAR-TO-DATE EXPEND	% OF APPROP
LEGISLATIVE:						
CITY COUNCIL	\$ 227,917	\$ 72,531	31.8%	\$ 137,917	\$ 51,337	37.2%
COMMUNITY PROMOTION	209,080	115,987	55.5%	213,645	151,271	70.8%
ADMINISTRATIVE & LEGAL:						
CITY MANAGER	252,067	118,624	47.1%	243,511	118,284	48.6%
CITY CLERK	232,101	119,475	51.5%	168,151	67,870	40.4%
HUMAN RESOURCES	253,532	147,088	58.0%	276,175	134,563	48.7%
CITY ATTORNEY	180,000	89,813	49.9%	152,400	81,029	53.2%
FINANCE:						
FINANCE & ACCOUNTING	783,296	374,856	47.9%	789,835	390,410	49.4%
INFORMATION SERVICES	410,428	194,673	47.4%	404,265	199,984	49.5%
ADMINISTRATIVE SERVICES	365,036	155,545	42.6%	358,904	133,385	37.2%
POLICE PROTECTION	8,856,918	4,169,981	47.1%	8,777,899	3,996,636	45.5%
FIRE PROTECTION	3,773,801	1,737,873	46.1%	3,700,854	1,598,001	43.2%
COMMUNITY DEVELOPMENT:						
PLANNING & ZONING	516,294	188,637	36.5%	516,294	238,818	46.3%
ECONOMIC DEVELOPMENT	294,233	127,216	43.2%	294,233	123,395	41.9%
PUBLIC WORKS:						
ENGINEERING & BUILDING	1,010,254	471,532	46.7%	1,010,225	411,794	40.8%
STREET MAINTENANCE	411,653	167,374	40.7%	385,772	184,491	47.8%
SIGNALS, SIGNING & STRIPING	360,224	153,261	42.5%	372,259	203,385	54.6%
STREET LIGHTING	484,322	211,533	43.7%	494,548	199,790	40.4%
STORM DRAINS	90,094	22,809	25.3%	79,138	44,861	56.7%
PARKING LOTS	47,186	20,023	42.4%	47,144	18,972	40.2%
PARKS & LEISURE:						
PARK MAINTENANCE & OPERATION	1,731,312	739,120	42.7%	1,625,304	736,693	45.3%
STREET TREES & PARKWAYS	183,211	84,562	46.2%	187,395	67,963	36.3%
COMMUNITY CENTERS	214,522	117,700	54.9%	220,850	102,709	46.5%
LEISURE SERVICES	226,501	117,142	51.7%	250,166	127,030	50.8%
LEISURE SERVICES - SPECIAL PROG	1,662,906	725,744	43.6%	1,586,600	675,615	42.6%
SWIMMING POOL	157,119	71,830	45.7%	158,971	76,386	48.1%
LIBRARY OPERATIONS	706,836	316,493	44.8%	682,505	298,399	43.7%
SPECIAL PROJECTS	17,000	7,939	46.7%	17,154		
 SUB TOTALS	 23,657,843	 10,839,360	 45.8%	 23,152,114	 10,433,071	 45.1%
 OPERATING TRANSFERS	 79,000	 34,500	 43.7%	 79,000	 34,500	 43.7%
DEBT SERVICE	1,231,178	826,166	67.1%	1,202,422	782,955	65.1%
	<u>\$ 24,968,021</u>	<u>\$ 11,700,026</u>	46.9%	<u>\$ 24,433,536</u>	<u>\$ 11,250,526</u>	46.0%

**CITY OF PORTERVILLE
GENERAL FUND EXPENDITURES
Six Months Ended December 31, 2014**



**CITY OF PORTERVILLE
GENERAL FUND EXPENDITURES
Six Months Ended December 31, 2013**

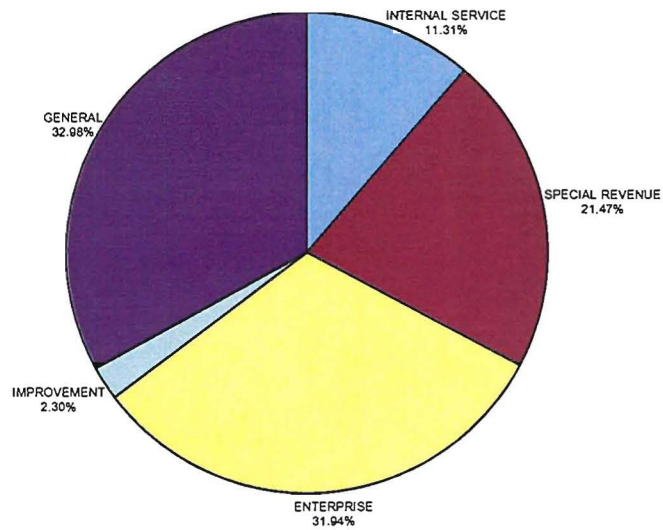


CITY OF PORTERVILLE

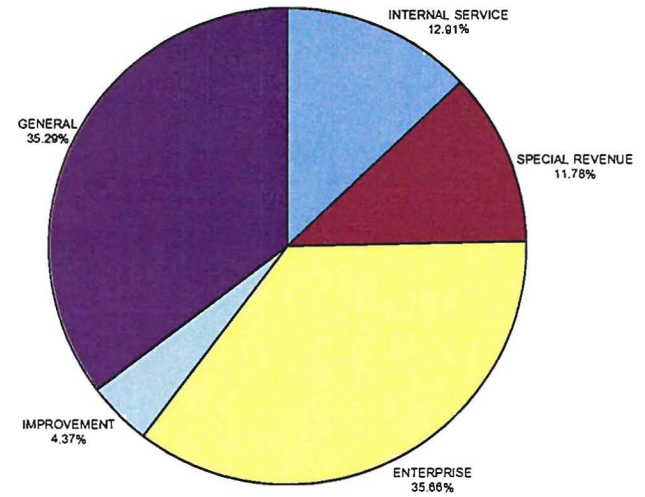
**REVENUE STATUS REPORT - ALL OTHER FUNDS
FOR THE SIX MONTHS ENDED
DECEMBER 31, 2014 AND DECEMBER 31, 2013**

REVENUE SOURCE	2014-2015 ESTIMATED REVENUE	2014-2015 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2013-2014 ESTIMATED REVENUE	2013-2014 YEAR-TO-DATE REVENUE	% OF ESTIMATE
MEASURE H SALES TAX	\$ 3,272,754	\$ 1,322,303	40.4%	\$ 2,974,507	\$ 1,362,731	45.8%
SPECIAL GAS TAX	2,162,439	1,203,549	55.7%	2,083,576	1,106,201	53.1%
LOCAL TRANSPORTATION FUNDS (LTF)	6,038,259	3,551,188	58.8%	6,250,900	253,910	4.1%
TRAFFIC SAFETY FUND	150,200	77,375	51.5%	150,300	104,017	69.2%
ZALUD ESTATE	5,000	3,563	71.3%	6,300	2,089	33.2%
COMMUNITY DEVELOPMENT BLOCK GRANT	1,459,621	619,034	42.4%	1,039,716	189,544	18.2%
TRANSIT	8,003,143	507,756	6.3%	6,265,851	279,798	4.5%
SPECIAL SAFETY GRANTS	222,817	222,920	100.0%	267,917	227,310	84.8%
SEWER OPERATING	6,740,454	3,474,653	51.5%	6,697,754	3,428,152	51.2%
REFUSE REMOVAL	5,698,000	2,827,879	49.6%	5,590,000	2,799,832	50.1%
AIRPORT OPERATIONS	1,421,888	936,461	65.9%	1,556,271	778,939	50.1%
GOLF COURSE	220,700	95,452	43.2%	225,400	94,899	42.1%
WATER OPERATING	4,904,000	2,778,133	56.7%	4,887,000	3,007,644	61.5%
RISK MANAGEMENT	4,220,066	2,234,305	52.9%	4,742,076	2,106,285	44.4%
EQUIPMENT MAINTENANCE	3,120,500	1,527,036	48.9%	2,811,000	1,656,229	58.9%
LANDSCAPE MAINTENANCE DISTRICT	81,628	38,658	47.4%	44,362	21,284	48.0%
WATER REPLACEMENT	1,791,388	216,608	12.1%	382,946	197,759	51.6%
SOLID WASTE RESERVE	432,362	166,482	38.5%	1,564,646	752,472	48.1%
SEWER REVOLVING	215,114	123,417	57.4%	238,614	110,241	46.2%
TRANSPORTATION DEVELOPMENT	158,000	11,527	7.3%	205,000	84,092	41.0%
PARK DEVELOPMENT	20,000	44,548	222.7%	20,000	12,745	63.7%
TREATMENT PLANT RESERVE	587,792	259,491	44.1%	535,340	211,650	39.5%
STORM DRAIN DEVELOPMENT	115,000	44,487	38.7%	115,000	67,184	58.4%
BUILDING CONSTRUCTION	4,000	4,907	122.7%	6,000	3,430	57.2%
TOTALS	\$ 51,045,125	\$ 22,291,731	43.7%	\$ 48,660,476	\$ 18,858,438	38.8%

CITY OF PORTERVILLE
REVENUE BY FUND TYPE
Six Months Ended December 31, 2014



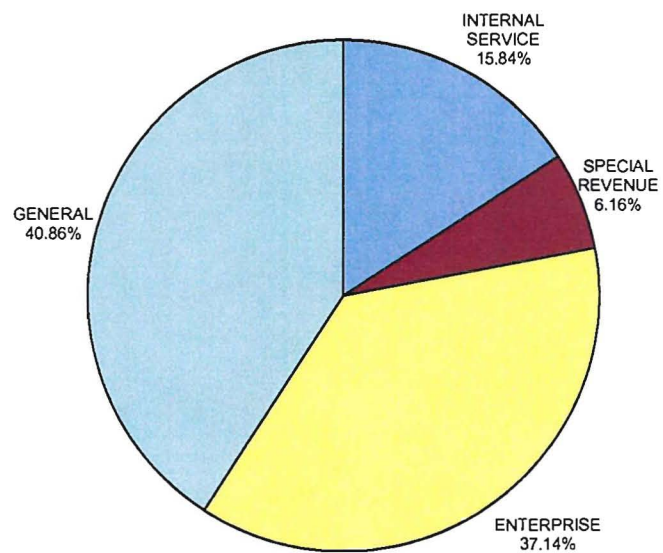
CITY OF PORTERVILLE
REVENUE BY FUND TYPE
Six Months Ended December 31, 2013



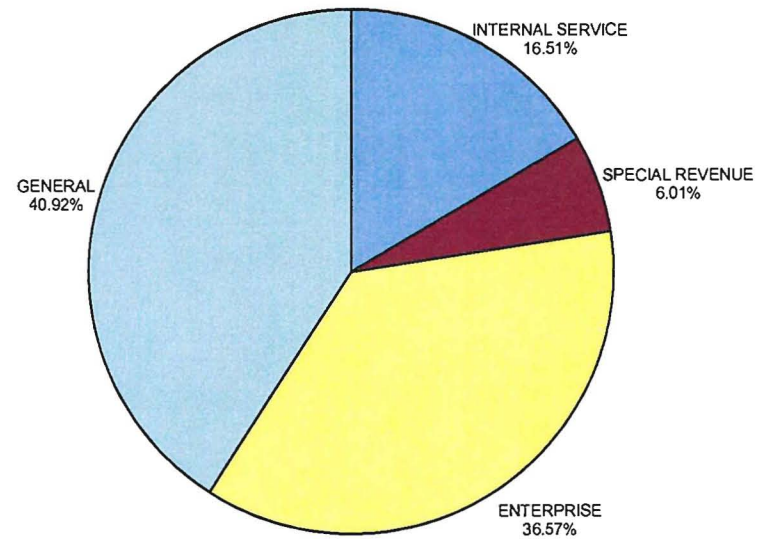
CITY OF PORTERVILLE
EXPENDITURE STATUS REPORT - ALL OTHER FUNDS
FOR THE SIX MONTHS ENDED
DECEMBER 31, 2014 AND DECEMBER 31, 2013

	2014-2015 AMENDED APPROP	2014-2015 YEAR-TO-DATE EXPEND	% OF APPROP	2013-2014 AMENDED APPROP	2013-2014 YEAR-TO-DATE EXPEND	% OF ACTUAL
MEASURE H SALES TAX	\$ 2,939,142	\$ 1,297,149	44.1%	\$ 2,785,632	\$ 1,248,221	44.8%
ZALUD ESTATE	27,235	9,400	34.5%	29,235	11,834	40.5%
COMMUNITY DEVELOPMENT BLOCK GRANT	509,006	78,337	15.4%	499,138	69,973	14.0%
TRANSIT	4,209,353	1,288,072	30.6%	3,644,232	1,209,314	33.2%
SPECIAL SAFETY GRANTS	367,764	137,598	37.4%	425,272	141,987	33.4%
SEWER OPERATING	6,025,645	2,714,969	45.1%	5,993,712	2,662,729	44.4%
REFUSE REMOVAL	5,641,766	2,495,816	44.2%	5,392,910	2,375,960	44.1%
AIRPORT	1,309,285	746,936	57.0%	1,318,522	604,561	45.9%
GOLF COURSE	366,188	181,092	49.5%	355,513	184,442	51.9%
WATER OPERATING	4,639,775	2,417,860	52.1%	4,300,615	2,275,130	52.9%
RISK MANAGEMENT	6,357,273	2,822,274	44.4%	5,985,699	2,744,179	45.8%
EQUIPMENT MAINTENANCE	3,091,857	1,379,935	44.6%	2,791,933	1,465,571	52.5%
LANDSCAPE MAINTENANCE DISTRICT	214,705	120,713	56.2%	170,080	72,279	42.5%
TOTALS	\$ <u>35,698,994</u>	\$ <u>15,690,149</u>	44.0%	\$ <u>33,692,493</u>	\$ <u>15,066,179</u>	44.7%

**CITY OF PORTERVILLE
EXPENDITURES BY FUND TYPE
Six Months Ended December 31, 2014**



**CITY OF PORTERVILLE
EXPENDITURES BY FUND TYPE
Six Months Ended December 31, 2013**



CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - MEASURE H
For the Six Months Ended December 31, 2014 and December 31, 2013

	<u>FY 2014-15</u>	<u>FY 2013-14</u>
REVENUES		
Sales Tax - Measure H	\$ 1,304,440	1,343,742
Interest	16,084	18,989
Police Services	1,778	-
TOTAL REVENUES	<u>1,322,303</u>	<u>1,362,731</u>
EXPENDITURES		
Police Department	667,408	645,733
Fire Department	446,732	440,237
Library & Literacy	183,009	162,251
TOTAL EXPENDITURES	<u>1,297,149</u>	<u>1,248,221</u>
CAPITAL PROJECTS		
Public Safety Station	<u>1,406,344</u>	<u>14,954</u>
REVENUE OVER/(UNDER) EXPENDITURES	<u>\$ (1,381,190)</u>	<u>\$ 99,556</u>

CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - ENTERPRISE FUNDS
For the Six Months Ended December 31, 2014 and December 31, 2013

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENSES</u>	<u>12/31/2014 NET PROFIT (LOSS)</u>	<u>12/31/2013 NET PROFIT (LOSS)</u>
Zalud Estate	\$ 3,563	\$ (9,400)	\$ (5,837)	\$ (9,745)
Sewer Operating	3,474,653	(2,714,969)	759,685	765,424
Solid Waste	2,827,879	(2,495,816)	332,063	423,872
Airport	936,461	(746,936)	189,525	174,379
Golf	95,452	(181,092)	(85,640)	(89,543)
Water Operating	2,778,133	(2,417,860)	360,273	732,514

NOTE: The Transit Fund is not included as it does not contain any retained earnings

COUNCIL AGENDA: February 3, 2015 .

SUBJECT: QUARTERLY PORTFOLIO SUMMARY

SOURCE: Finance Department

COMMENT: This report reflects the investment portfolio of the City of Porterville as of December 31, 2014, and is in compliance with California Government Code Section 27000, etc., Section 53600, etc., and the City of Porterville's Statement of Investment Policy. Investments are selected based on the statutory objectives of safety, liquidity and yield.

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

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

ATTACHMENT: Quarterly Portfolio Summary

D.D. MB Appropriated/Funded MB C.M. J

Item No. 11

CITY OF PORTERVILLE
PORTFOLIO SUMMARY AS OF DECEMBER 31, 2014

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1006	LOCAL AGENCY INVESTMENT FUND \$	9,156,491	\$ 9,156,491	0.250%	DAILY	DAILY	1
1007	CSJVRMA INVESTMENT FUND	6,431,699	6,554,471	1.270%	DAILY	DAILY	30
866	TULARE COUNTY INVESTMENT POOL	8,610,241	8,610,241	1.240%	DAILY	DAILY	30
	PROSPECT-HENDERSON PARTNERS, L	2,620,221	2,620,221	2.850%	12/29/2009	10/27/2020	2,127
	TULARE COUNTY JUNIOR LIVESTOCK SHOW AND COMMUNITY FAIR	1,387,540	1,387,540	3.000%	9/30/2010	7/15/2021	2,388
313382FP3	FEDERAL HOME LOAN BANKS	997,500	980,720	1.000%	3/20/2013	3/20/2018	1,175
3134G46D5	FEDERAL HOME LN MTG CORP	1,000,000	988,900	1.200%	6/12/2013	6/12/2018	1,259
313388G21	FEDERAL HOME LOAN BANKS	1,000,000	990,920	1.200%	6/20/2013	6/20/2018	1,267
31315PG94	FEDERAL AGRIC MTG CORP	1,000,000	999,760	1.740%	11/14/2013	11/14/2018	1,414
3133EAB72	FEDERAL FARM CR BANKS	495,000	497,870	1.180%	3/14/2014	5/1/2018	1,217
3136G1Z51	FEDERAL NATL MTG ASSN	996,000	996,170	1.770%	2/28/2014	2/28/2019	1,520
3134G5WK7	FEDERAL HOME LON MTG CORP	1,000,000	1,000,450	2.050%	12/30/2014	12/30/2019	1,825
3134G47G7	FEDERAL HOME LN MTG CORP	2,000,000	1,989,360	1.400%	6/26/2013	6/26/2018	1,273
3134G5AY1	FEDERAL HOME LN MTG CORP	1,000,000	1,000,410	2.000%	7/10/2014	7/10/2019	1,652
3134G5EQ4	FEDERAL HOME LN MTG CORP	1,000,000	994,660	2.000%	8/21/2014	8/21/2019	1,694
36962G5Q3	GENERAL ELECTRIC CAP CORP	1,000,000	999,410	1.000%	1/30/2012	1/30/2015	30
36962G5D2	GENERAL ELECTRIC CAP CORP	996,000	1,008,990	1.102%	4/27/2012	5/9/2016	495
4812VUL2	JP MORGAN CHASE BANK NA	1,000,000	997,830	1.000%	4/27/2012	4/27/2017	848
4042K1U68	HSBC USA INC	1,000,000	1,003,050	2.200%	7/5/2012	7/5/2017	917
89233P6S0	TOYOTA MOTORS CRD CORP	1,000,000	997,020	1.250%	3/13/2013	10/5/2017	1,009
00206RBM3	AT&T INC	1,004,830	989,970	1.400%	1/22/2013	12/1/2017	1,066
94974BFG0	WELLS FARGO CO	1,006,910	994,530	1.500%	1/22/2013	1/16/2018	1,112
02587DKB3	CERTIFICATE OF DEPOSIT	240,000	242,767	1.750%	12/22/2011	12/22/2015	356
9819961J0	CERTIFICATE OF DEPOSIT	200,000	200,498	2.000%	9/14/2011	9/14/2016	623
36160WH51	CERTIFICATE OF DEPOSIT	240,000	244,243	2.100%	12/16/2011	12/16/2016	716
33764JRP2	CERTIFICATE OF DEPOSIT	240,000	239,962	1.100%	1/25/2013	1/25/2017	756
17284A2U1	CERTIFICATE OF DEPOSIT	240,000	242,554	1.500%	7/18/2012	7/18/2017	930
795450PA7	CERTIFICATE OF DEPOSIT	240,000	242,093	1.700%	8/22/2012	8/22/2017	965
36160NS83	CERTIFICATE OF DEPOSIT	245,000	242,886	2.000%	5/23/2014	5/23/2019	1,604
06740KFX0	CERTIFICATE OF DEPOSIT	247,000	246,894	1.900%	1/19/2012	1/19/2017	750
856284C77	CERTIFICATE OF DEPOSIT	247,000	251,404	2.050%	1/27/2012	1/27/2017	758
05568PZ26	CERTIFICATE OF DEPOSIT	248,000	248,521	1.000%	9/21/2012	9/21/2015	264
20451PBT2	CERTIFICATE OF DEPOSIT	247,000	247,240	1.800%	7/31/2013	7/31/2018	1,308
38143A2U8	CERTIFICATE OF DEPOSIT	250,000	249,538	1.050%	12/27/2012	12/27/2016	727
02587CAF7	CERTIFICATE OF DEPOSIT	246,383	244,397	1.950%	7/17/2014	7/17/2019	1,659
74267GUQ8	CERTIFICATE OF DEPOSIT	247,000	244,357	2.000%	7/22/2014	7/22/2019	1,664
29266NB30	CERTIFICATE OF DEPOSIT	247,000	244,137	2.050%	8/28/2014	8/28/2019	1,701
1192	CERTIFICATE OF DEPOSIT	99,000	99,000	1.490%	9/18/2012	9/18/2017	992
1195	CERTIFICATE OF DEPOSIT	99,000	99,000	1.350%	11/5/2012	11/5/2017	1,040
1198	CERTIFICATE OF DEPOSIT	99,000	99,000	1.250%	1/9/2013	1/9/2018	1,105
1200	CERTIFICATE OF DEPOSIT	99,000	99,000	1.580%	2/26/2013	2/26/2018	1,153
1204	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/9/2013	4/9/2018	1,195
1208	CERTIFICATE OF DEPOSIT	122,408	122,408	1.100%	5/9/2013	5/9/2018	1,225
1209	CERTIFICATE OF DEPOSIT	99,000	99,000	1.050%	5/16/2013	5/16/2018	1,232
1224	CERTIFICATE OF DEPOSIT	250,000	250,000	1.950%	10/14/2013	10/14/2018	1,383
1228	CERTIFICATE OF DEPOSIT	250,000	250,000	1.850%	10/30/2013	10/30/2018	1,399
1239	CERTIFICATE OF DEPOSIT	250,000	250,000	1.000%	10/2/2013	10/2/2017	1,006
1243	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	6/19/2012	6/19/2016	536
1244	CERTIFICATE OF DEPOSIT	100,000	100,000	3.400%	1/13/2010	1/13/2015	13
1246	CERTIFICATE OF DEPOSIT	100,000	100,000	3.250%	4/6/2010	4/6/2015	96
1248	CERTIFICATE OF DEPOSIT	100,002	100,002	1.260%	5/8/2012	5/8/2015	128
1249	CERTIFICATE OF DEPOSIT	100,000	100,000	3.460%	6/3/2010	4/3/2015	93
1250	CERTIFICATE OF DEPOSIT	98,885	98,885	3.460%	6/9/2010	4/9/2015	99
1253	CERTIFICATE OF DEPOSIT	247,000	247,000	3.190%	8/2/2010	8/2/2015	214
1254	CERTIFICATE OF DEPOSIT	250,000	250,000	2.100%	9/8/2014	9/8/2019	1,712
1258	CERTIFICATE OF DEPOSIT	150,000	150,000	1.650%	1/13/2013	1/13/2016	378
1260	CERTIFICATE OF DEPOSIT	250,000	250,000	1.840%	4/4/2012	4/4/2017	825
1261	CERTIFICATE OF DEPOSIT	257,942	257,942	1.500%	7/13/2012	1/13/2016	378
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.440%	9/5/2012	9/5/2017	979
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.540%	12/12/2012	12/12/2017	1,077

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1263	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	2/1/2013	3/1/2017	791
1264	CERTIFICATE OF DEPOSIT	150,000	150,000	1.250%	2/14/2013	2/14/2018	1,141
1264	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/28/2013	1/28/2018	1,124
1265	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/30/2013	1/30/2018	1,126
1266	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	5/8/2013	5/8/2018	1,224
1278	CERTIFICATE OF DEPOSIT	250,000	250,000	1.000%	4/29/2013	4/29/2016	485
1280	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	5/21/2013	5/21/2018	1,237
1281	CERTIFICATE OF DEPOSIT	250,000	250,000	1.390%	5/14/2013	5/14/2018	1,230
1282	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	6/21/2013	6/21/2018	1,268
1283	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	5/9/2013	5/8/2018	1,224
1284	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	4/23/2013	4/23/2018	1,209
1285	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/29/2013	4/29/2018	1,215
1286	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	6/25/2013	6/25/2018	1,272
1287	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	7/19/2013	7/19/2018	1,296
1288	CERTIFICATE OF DEPOSIT	250,000	250,000	1.590%	7/24/2013	7/24/2018	1,301
1289	CERTIFICATE OF DEPOSIT	256,261	256,261	1.980%	9/18/2013	9/18/2018	1,357
1290	CERTIFICATE OF DEPOSIT	250,000	250,000	2.050%	10/11/2013	10/11/2018	1,380
1291	CERTIFICATE OF DEPOSIT	250,000	250,000	2.250%	2/7/2014	2/7/2019	1,499
1292	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	7/31/2014	7/31/2019	1,673
1293	CERTIFICATE OF DEPOSIT	250,000	250,000	1.940%	7/18/2014	7/18/2019	1,660
TOTALS		\$ 57,954,312	\$ 58,017,970				
WEIGHTED AVERAGE RATE OF EARNINGS				% OF LIQUID		WEIGHTED	
ONE YEAR HISTORY				CURRENT	PORTFOLIO	AVERAGE	
12/31/2013	3/31/2014	6/30/2014	9/30/2014	12/31/2014	HOLDINGS	DAYS TO	
1.289%	1.336%	1.223%	1.517%	1.368%	41.754%	MATURITY	
							735

Comments:

Portfolio holdings as of December 31, 2014, are in compliance with the current Investment Policy. With 30.438% of the portfolio being held in liquid instruments, the cash needs of the City will be met. The next portfolio report will be calculated for the first calendar quarter ending March 31, 2015, and will be presented during the May 5, 2015 Council meeting.

COUNCIL AGENDA: February 3, 2015

SUBJECT: CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR
FISCAL YEAR 2015-2016

SOURCE: Finance Department

COMMENT: Section 51 of the City Charter requires the submission, not later than 30 days before the end of the fiscal year, of an estimate of the expenditures and revenues of the City departments for the ensuing year. For the Council's consideration, please find attached the proposed budget calendar for the preparation and submission of the City's Annual Budget for the fiscal year 2015-2016.

RECOMMENDATION: That the City Council approve the proposed budget calendar for the 2015-2016 fiscal year.

ATTACHMENTS: FY 2015-2016 Budget Calendar

D.D. MB Appropriated/Funded MB C.M. f

Item No. 12

**CITY OF PORTERVILLE
FY 2015-2016 BUDGET CALENDAR**

<u>Date</u>	<u>Task</u>	<u>Responsibility</u>
February 19 - 20	Budget planning session	CM/Directors
March 4 - 5	10-Year Capital Projects update	CM/Directors
March 6	Budget worksheets to Departments	Finance
March 31	Preliminary revenue estimates completed	Finance
April 1	Completed budget worksheets to Finance	Directors
April 17	Budget planning session	CM/Directors
April 30	Preliminary budget completed	Finance
April 30	Preliminary budget approved by City Manager	CM
May 7	TUTOC review of Measure H proposed budget	CM
May 12	Preliminary budget Council study session	Council
June 2	Preliminary budget presented to Council	Council
June 16	Final budget public hearing and approval by Council	Council

COUNCIL AGENDA: FEBRUARY 3, 2015

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – GALAXY 9 THEATRES AND SPECIAL OLYMPICS OF TULARE COUNTY – MCFARLAND USA 5K RUN – FEBRUARY 21, 2015

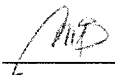


SOURCE: Finance Department

COMMENT: Galaxy 9 Theatres and Special Olympics of Tulare County are requesting approval to hold a 5K run in conjunction with the opening of the movie, McFarland USA, on Saturday, February 21, 2015, from 7:30 a.m. to 9:00 a.m. The run will start and finish at the Galaxy 9 Theatres. Although no street closures are requested, volunteers will be posted at intersections and police staff will be monitoring the route.

This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended and has been routed according to the ordinance regulations and reviewed by all departments involved. All requirements are listed on the attached Application, Agreement and Exhibit A and Exhibit B.

RECOMMENDATION: That Council approve the Community Civic Event Application and Agreement from Galaxy 9 Theatres and Special Olympics of Tulare County, subject to the Restrictions and Requirements contained in Application, Agreement, Exhibit A and Exhibit B.

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

D.D.  Appropriated/Funded  C.M.  Item No. 13

CITY OF PORTERVILLE

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



(Incomplete applications can delay permit process)

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

DO YOU HAVE? Event Flyer? E-mail address? Website?

Application date: 12-30-14 Event date: 2-21-15
1/19/2015 Event time: 7:30am

Name of Event: Galaxy 9 Theatres "McFarland"
"McFarland USA" 5K run

Sponsoring organization: Galaxy 9 Theatres Phone # 781-7488
Address: 631 N Indiana St Porterville, CA 93257

Authorized representative: Veronica Garcia Phone # 781-7488
Address: 631 N Indiana St Porterville

Event chairperson: Stacy Simental Phone # 781-7488
359-8371

Location of event Galaxy 9 Theatres
(Location map must be attached)

Type of event: 5K run

Non-profit organization status: ~~AAA~~ Special Olympics, Tulare County
(IRS Determination) BL Pending

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

Barricades (quantity):	_____	Street sweeping	Yes _____	No <input checked="" type="checkbox"/>
Police protection	Yes _____ No <input checked="" type="checkbox"/>	Refuse pickup	Yes _____	No <input checked="" type="checkbox"/>
Other:	_____			

Parks facility application required:	Yes _____	No <input checked="" type="checkbox"/>	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**

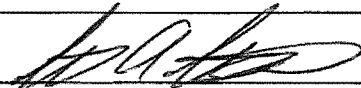
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health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

Galaxy 9 Theatres		12-30-14
(Name of Organization)	(Signature)	(Date)

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

Location: Galaxy 9 Theatres Event date: 2-21-15 Event time: 7:30am

<u>Vendor name</u>	<u>Address/Telephone</u>	<u>Business License required?</u>	<u>Type of Activity</u>
N/A			

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: Galaxy 9 Theatres "McFarland USA" 5K run

Sponsoring organization: Galaxy 9 Theatres

Event date: 2-21-15 Hours: 7:30 - 9:00 AM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

(ROUTE MAP ATTACHED,
NO CLOSURES)

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
GALAXY 9 THEATRES
SPECIAL OLYMPICS OF TULARE COUNTY
FEBRUARY 21, 2015

Finance Director:
M. Bemis

Public Works Director:
B. Rodriguez

Community Development Manager:
J. Phillips

Someone should be at the Grand Avenue intersection and Villa Avenue intersection to protect and bring attention to the runners.

Field Services Manager:
B. Styles

No comment.

Fire Chief:
G. Irish

No comment.

Parks and Leisure Services Director:
D. Moore

There will be volunteers at all intersections in addition to ample police department staff along the route.

Police Lieutenant:
J. Hall

Please see conditions/requirements in Exhibit B.

Administrative Services Director:
P. Hildreth

Please see Exhibit A, page 2.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Galaxy 9 Theatres and Special Olympics of Tulare County
Event: McFarland USA 5K Run
Event Chairman: Stacy Simental
Location: Galaxy 9 Theatres
Date of Event: February 21, 2015
Time of Event: 7:30 a.m. to 9:00 a.m.

RISK MANAGEMENT: Conditions of Approval

That Galaxy 9 Theatres 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, Successor Agency to the Porterville Redevelopment Agency, 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.
- a. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A: VII, and the insurance company must be an 'admitted' insurer in the State of California.

Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

PORTERVILLE POLICE DEPARTMENT

Conditions/Requirements for Community Event 'McFarland USA' 5K Run - 2/21/15

1. Participants/Pedestrians must obey all traffic related laws.
2. Participants/Pedestrians must not interfere with or impede the normal flow of vehicle or pedestrian traffic.
3. Event staff on the race route should wear highly visible attire.
4. Route should be clearly marked with non-permanent markings which are removed upon conclusion of the event.
5. Event organizers should consider 'follow up' vehicles that have first aid supplies, water, etc., so as to treat or pick up and transport any participant who becomes ill or is otherwise unable to complete the course.
6. Event organizers must contact Porterville Police OIC Mark Azevedo well in advance of the event in order to discuss police participation and other traffic related concerns. OIC Azevedo can be reached at 559-782-7408.

John Hall, Lieutenant
Porterville Police Department

EXHIBIT B

GALAXY "McFarland USA" 5K Run Route

Start at Galaxy Theatres

Galaxy parking lot east to Indiana

South on Indiana to Grand

East on Grand to N El Granito

North on N El Granito into Zalud Park

Run inside Zalud Park around north softball diamond and along east fenceline out to Grand

Grand turns into N E St

South on E St to Morton

West on Morton to N El Granito

North on N El Granito to Grand

West on Grand to Indiana

West off of Indiana into Galaxy parking lot and to finish line at Galaxy Theatres

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: _____

- 2 Address where amplification equipment is to be used: _____
- 3 Names and addresses of all persons who will use or operate the amplification equipment: _____

- 4 Type of event for which amplification equipment will be used: _____

- 5 Dates and hours of operation of amplification equipment: _____

- 6 A general description of the sound amplifying equipment to be used: _____

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

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

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/7/2015

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 Arthur J. Gallagher & Co. Insurance Brokers of CA. 45 E. River Park Place W, Ste 605 Fresno CA 93720	CONTACT NAME: Gina Phillips	
	PHONE (A/C, No, Ext): 559-436-0833	FAX (A/C, No): 559-256-6590
	E-MAIL ADDRESS: gina_phillips@ajg.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : National Union Fire Ins Co Pittsbur	19445
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

INSURED
Galaxy Theatres, LLC
Main Office
15060 Ventura Blvd #350
Sherman Oaks CA 91403

GALATHE-01

COVERAGES

CERTIFICATE NUMBER: 1335867903

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 INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y Y	7046409	3/1/2014	3/1/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED 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"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability	Y	7046476	3/1/2014	3/1/2015	General Aggregate \$2,000,000 Each Occurrence \$1,000,000

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

Certificate holder is named as an additional insured as respects to the 5k run event on February 21, 2015, per the attached Additional Insured endorsement.

CERTIFICATE HOLDER

City of Porterville Successor Agency to the Porterville
Redevelopment Agency
291 N. Main St.
Porterville CA 93257

CANCELLATION

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

© 1988-2014 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - OWNERS, LESSEES OR
CONTRACTORS - AUTOMATIC STATUS WHEN
REQUIRED IN CONSTRUCTION AGREEMENT WITH YOU**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. Section II - Who Is An Insured is amended to include as an additional insured any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured.

However, the insurance afforded to such additional insured:

1. Only applies to the extent permitted by law; and
2. Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

1. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

- a. The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
- b. Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or the failure to render any professional architectural, engineering or surveying services.

2. "Bodily injury" or "property damage" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
- b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement you have entered into with the additional insured; or
2. Available under the applicable Limits of

Insurance shown in the Declarations;
whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

COUNCIL AGENDA – FEBRUARY 3, 2015

SUBJECT: MANAGEMENT & CONFIDENTIAL EMPLOYEES' ELECTION OF STATE DISABILITY INSURANCE

SOURCE: ADMINISTRATIVE SERVICES/ HUMAN RESOURCES


COMMENT: At the request of the Management and Confidential Series ("MCS"), an election was conducted recently to determine if employees represented by the MCS were willing to pay for State Disability Insurance (SDI). The majority of those participating in the election voted in favor of SDI. In accordance with State requirements, if a majority of the employees vote in favor of SDI, all employees within that group must participate.


In order to implement SDI, the State requires a resolution by the City Council approving the filing of an application for elective coverage under Section 710.5 of the Unemployment Insurance Code.

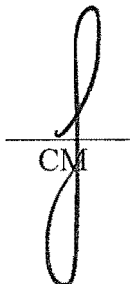
RECOMMENDATION: That the City Council:

1. Approve the draft resolution; and
2. Authorize the Mayor to sign the Application for Elective Coverage of State Disability Insurance form and any other documents that may be required to implement State Disability Insurance for all Management and Confidential Series employees.

Attachment: Draft Resolution
Application for Elective Coverage of State Disability Insurance (DE 1378N)


Dir.


Approp./
Funded


CM

Item No. 14

RESOLUTION NO. ____-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE APPROVING THE FILING OF A STATE DISABILITY
INSURANCE COVERAGE APPLICATION FOR ELECTIVE COVERAGE
UNDER SECTION 710.5 OF THE UNEMPLOYMENT INSURANCE CODE

WHEREAS, the Management and Confidential Series (MCS) requested that they be allowed to participate in the California State Disability Insurance Program; and

WHEREAS, Management and Confidential Series employees agreed that participation in said program would be at the expense of the represented employees and was not a cost to be borne by the City; and

WHEREAS, Management and Confidential Series employees were informed of the State's requirements governing the implementation of such a program; and

WHEREAS, an election was conducted among all Management and Confidential Series employees and ballots were tabulated on January 13, 2015, and 62% of said participating employees voted in favor of State Disability Insurance; and

WHEREAS, in order to implement the State Disability Insurance Program, the Council must approve the filing of an application for elective coverage under Section 710.5 of the California Unemployment Insurance Code;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Application for Elective Coverage of State Disability Insurance is hereby approved, and

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

PASSED, APPROVED AND ADOPTED this ____ day of February, 2015.

Milt Stowe, Mayor

ATTEST:

John Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk



Application for Elective Coverage of State Disability Insurance* ONLY

For Department Use Only	
Account No.	_____
Statistical Code	_____
Effective Date	_____
Approved By	_____
Date	_____
Employer Notified	_____ (Date)
Send	_____
Number of Employees	_____

IMPORTANT

This form is not an application for an account number under the compulsory provisions of the California Unemployment Insurance Code (CUIC). Do not complete this form unless you wish to apply for State Disability Insurance coverage **ONLY** for your employees under Section 702.6, 710.4, 710.5, 710.6, or 710.9 of the CUIC. Coverage under these sections of the CUIC does not make provision for Unemployment Insurance benefits.

Complete this form only for:

- Employing units with eligible employees who are California residents whose services are covered by the unemployment compensation laws of another state that does not have a disability insurance program under Section 702.6 of the CUIC.
- OR
- Employees of any of the following:
 - A public school employer under Section 710.4 of the CUIC.
 - A public agency employer under Section 710.5 of the CUIC.
 - An Indian tribe under Section 710.6 of the CUIC.
 - A community college district under Section 710.9 of the CUIC.

NOTE: If your application is approved, the elective coverage agreement will be subject to all of the requirements and conditions outlined in the *Information Concerning Elective Coverage for State Disability Insurance ONLY Under Section 702.6, 710.4, 710.5, 710.6, or 710.9 of the California Unemployment Insurance Code (DE 1378P)* form. Please retain your copy of the DE 1378P for reference.

Please Type or Print

- Name of Employer City of Porterville (559) 782-7441
(Phone)
- Business Address 291 N. Main St. Porterville Tulare CA 93257
(Number and Street) (City) (County) (State) (ZIP Code)
- Mailing Address 291 N. Main St. Porterville Tulare CA 93257
(Number and Street) (City) (County) (State) (ZIP Code)
- Type of Employer – (Check one)

<input type="checkbox"/> Employing Unit With Eligible Employees – Section 702.6	<input type="checkbox"/> Indian Tribe – Section 710.6
<input type="checkbox"/> Public School – Section 710.4	<input type="checkbox"/> Community College District – Section 710.9
<input checked="" type="checkbox"/> Public Agency – Section 710.5	
- Law under which agency/employer was established. (Does not apply to Indian Tribes.)
 - California General Laws
Title of Act Classification Act of Number Class 6 Year Enacted May 7, 1902
OR March 2, 1883
 - California Codes
Title of Code _____ Number _____ Part _____ Chapter _____
Sections _____ to _____
- Members of governing body of the employer.

Name	Title	Residence Address
<u>Milt Stowe</u>	<u>Mayor</u>	<u>365 W. Fairhaven; Porterville, CA 93257</u>
<u>Cameron J. Hamilton</u>	<u>Vice Mayor</u>	<u>255 N. G St; Porterville, CA 93257</u>
<u>Virginia Gurrola</u>	<u>Council Member</u>	<u>1441 W. Brian Ln; Porterville, CA 93257</u>

*Includes Paid Family Leave (PFL). Monte Reyes Council Member 338 E. Garden; Porterville, CA 93257
Brian E. Ward Council Member 970 N. Plano; Porterville, CA 93257
 DE 1378N Rev. 13 (12-13) (INTERNET) Page 1 of 2 93257 cu

7. This application covers employees of the following appropriate units:

- ☒ Bargaining Unit
☐ Management
☐ Confidential
☐ Unrepresented
☐ Academic
☐ Other

Show Name of Bargaining Unit or Describe Type of Services
Management & Confidential Series

8. Complete this schedule covering all elected officers and appointees who perform services for the agency named in Item 1. Exclude individuals listed in Item 6.

(a) Elected offices: (These individuals are ineligible for coverage.)

Title of Position

N/A

(b) Person holding appointive positions: (These individuals are eligible for coverage unless appointed to fill a vacant elected office.)

<u>Title of Position</u>	<u>No. of Positions in this Category</u>	<u>By Whom Appointed</u>	<u>No. of Such Individuals Desiring Coverage</u>
--------------------------	--	--------------------------	--

N/A

(c) Total number of employees to be covered (excluding elected officers and those appointed by the Governor).

47 as of 01-20-15

9. Deductions should not be made from your employees' wages for the purpose of paying employee contributions required under the CUIC until your election is approved.

10. On what date do you wish elective coverage to commence? Keep in mind that the commencement date of an elective coverage agreement shall not be prior to the first day of the calendar quarter in which the application is filed, nor later than the first day of the following calendar quarter.

☐ First day of current quarter

☒ First day of next quarter

11. Attach a copy of either:

- The negotiated agreement between the employer and the recognized employee organization or written petition signed by a majority of the eligible employees to be covered by the election under Section 702.6 of the CUIC.
- OR
- The resolution in which the governing body described in Item 6 approved the filing of an application for elective coverage under Section 710.4, 710.5, 710.6, or 710.9 of the CUIC.

The employing unit with eligible employees or governmental or tribal entity described in Item 1 hereby files its application under Section 702.6, 710.4, 710.5, 710.6, or 710.9 of the CUIC to become an employer subject to the CUIC. It is understood that upon approval of the election by the Director, the Employing Unit/Public School/Public Agency/Indian Tribe/Community College District will be an employer subject to the CUIC for State Disability Insurance purposes **ONLY** to the same extent as other employers as of the date specified in the approval, and will remain a subject employer for at least two complete calendar years and thereafter, until this election is terminated as provided by the CUIC.

I declare that this application has been examined by me, and to the best of my knowledge, it is true and correct and made in good faith under the provisions of the CUIC.

This declaration must be signed by one
or more individuals shown under Item 6.

(Signed) _____	Date _____
(Signed) _____	Date _____
(Signed) _____	Date _____

CITY COUNCIL AGENDA: FEBRUARY 3, 2015

PUBLIC HEARING

SUBJECT: REQUEST FOR A CONDITIONAL USE PERMIT (PRC 2014-021-C) TO ALLOW FOR THE SALE OF ALCOHOL UNDER A TYPE 41 ON-SALE BEER AND WINE LICENSE FOR BONA-FIDE PUBLIC EATING PLACE FOR WINGSTOP LOCATED AT 1375 W. HENDERSON AVENUE, SUITE #2B

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT- PLANNING DIVISION

COMMENT: On December 3, 2014, the applicant submitted an application to the Project Review Committee (PRC) to consider a Conditional Use Permit to allow for the sale of beer and wine under a Type 41 On-Sale Beer & Wine license for Bona-Fide Public Eating Place for Wingstop located at 1375 W. Henderson Avenue, Suite 2B, within an existing tenant space at the Porterville Marketplace Shopping Center.

During the PRC meeting, the Police Department indicated that the location of Wingstop has sufficient exterior lighting to illuminate the parking lot and the entire site during business hours. The Project Review Committee also acknowledged that the proposed location of the project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, or welfare to properties or improvements in the vicinity.

The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an "undue concentration" of licenses is determined to exist. The subject site is located within Census Tract 36.02; this tract contains 17 licenses for alcohol sales; six (6) on-sale and eleven (11) off-sale. In Census tract 36.02, five (5) on-sale and seven (7) off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the seventh (7th) on-sale license, two (2) above the allowable as determined by ABC. Due to the over-concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required.

ANALYSIS: It is not anticipated that this use would have a negative impact on the surrounding properties. Conditions of approval are in place to protect the public's safety and interest. Due to the close proximity of Monache High School (110 feet from property line to property line), alcohol advertisement visible from the outside of the proposed building shall not be allowed. The applicant is conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and to operate the business in compliance with all laws, ordinances and regulations regarding the

DD

JDP
ACTING

Appropriated/Funded

N/A

CM

[Signature]

Item No. 15

sale of alcohol. Furthermore, at all times the facility shall be operated and maintained to comply with State Laws, the City of Porterville Development Ordinance, adopted Building Codes and all other applicable laws and ordinances.

The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for Retail Centers (CR). The CR designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant is a permitted use in the CR Zone, and alcohol sales may be permitted in that zone with the requested Conditional Use Permit.

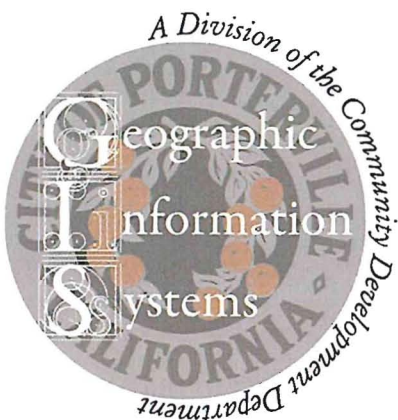
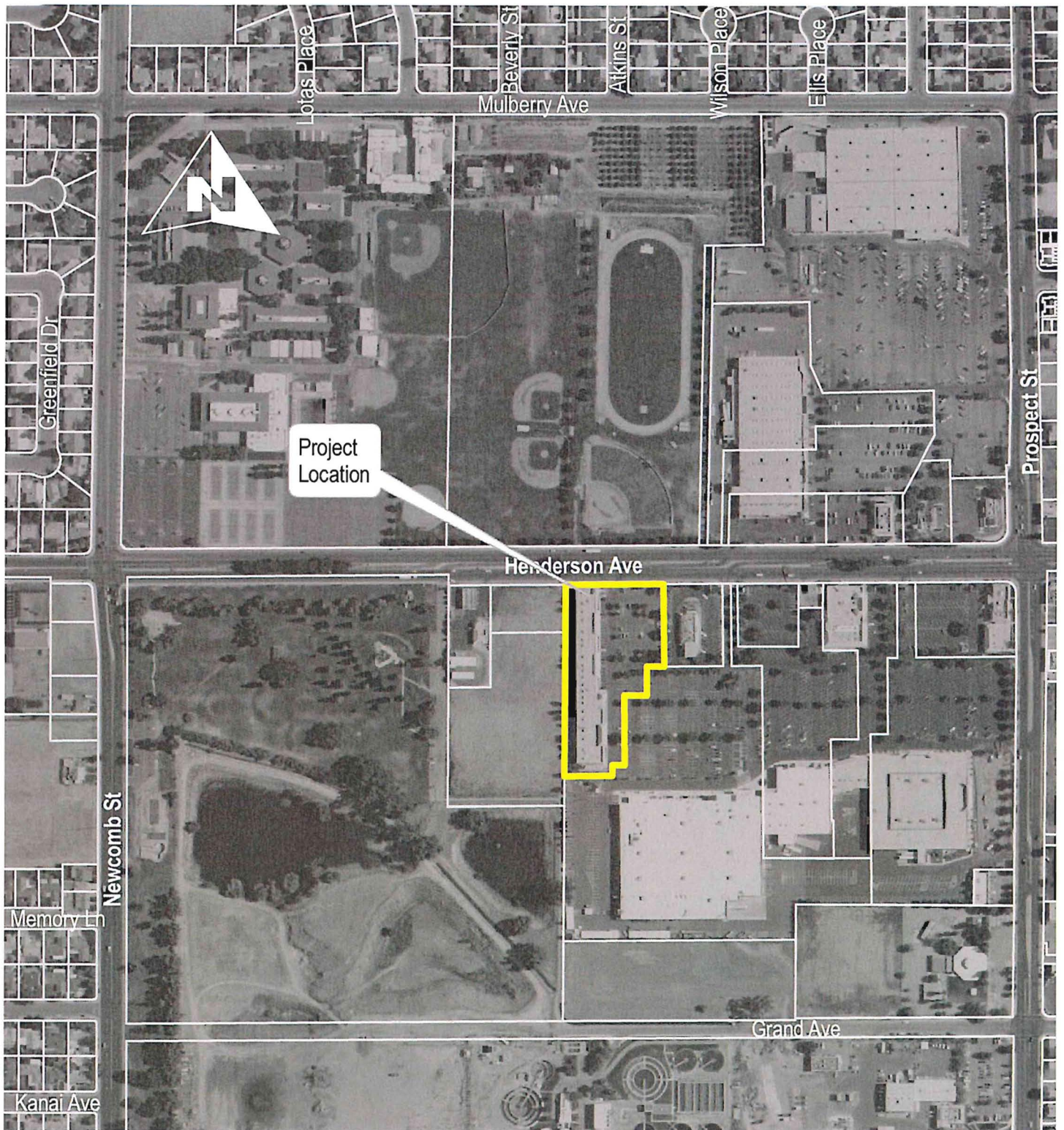
ENVIRONMENTAL REVIEW: On January 20, 2015, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to Section 15061(b), (3) of the California Code of Regulation (CEQA Guidelines), under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

RECOMMENDATION: That the City Council:

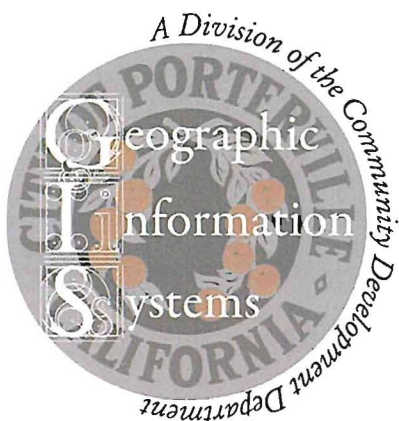
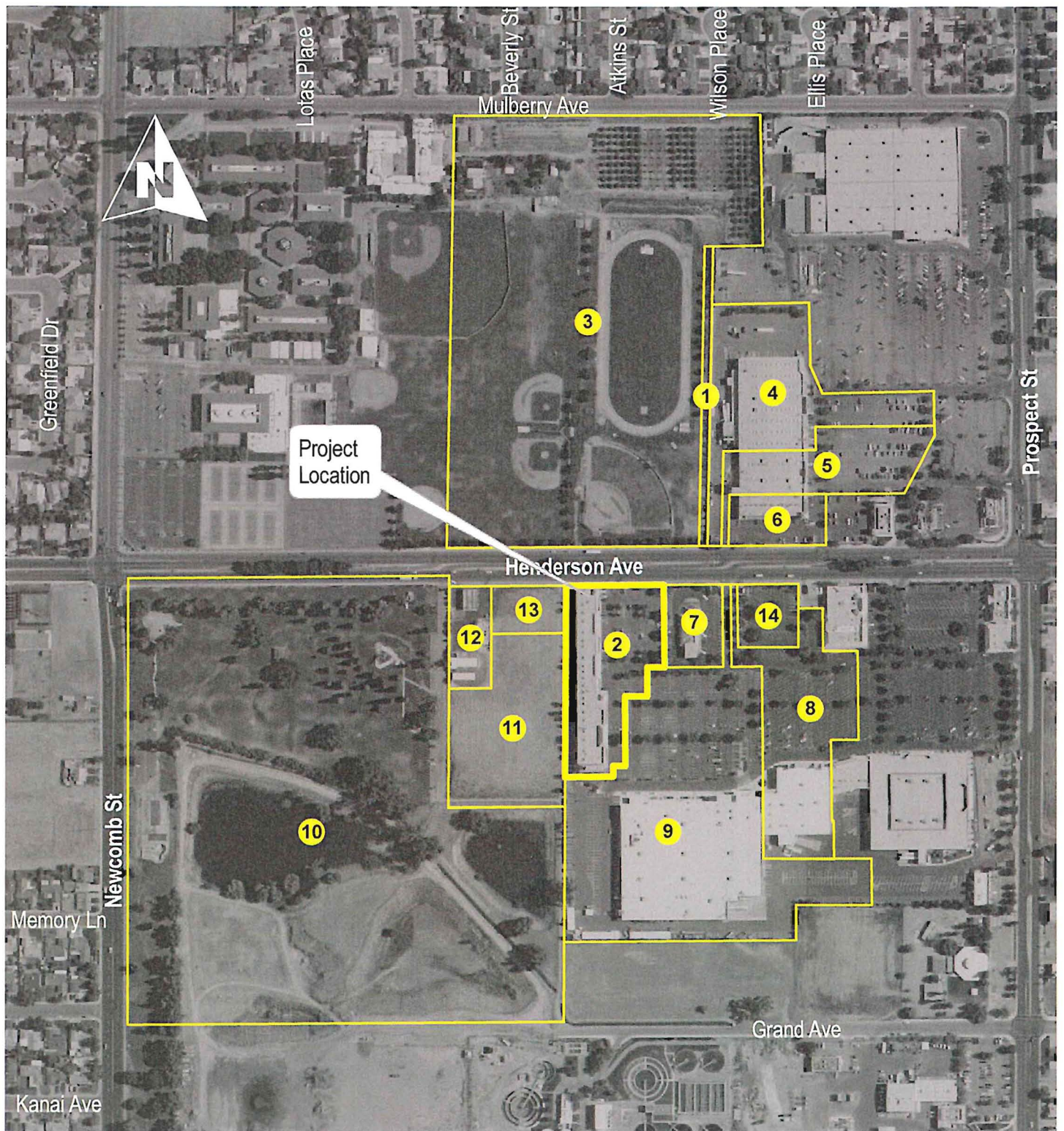
1. Adopt the draft resolution approving Conditional Use Permit (PRC 2014-021-C) subject to conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

ATTACHMENTS:

1. Locator Map
2. 300' Radius Map of noticed parties
3. Floor Plan
4. Existing licenses in Census Tract 36.02
5. Draft Resolution
6. Letter of Public Convenience or Necessity



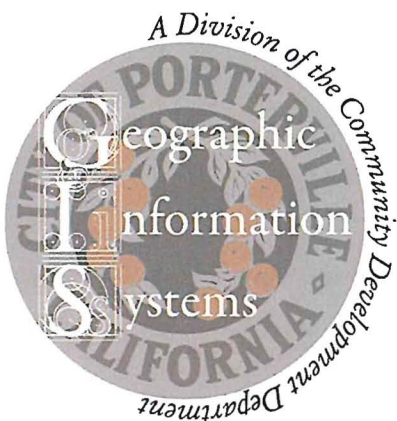
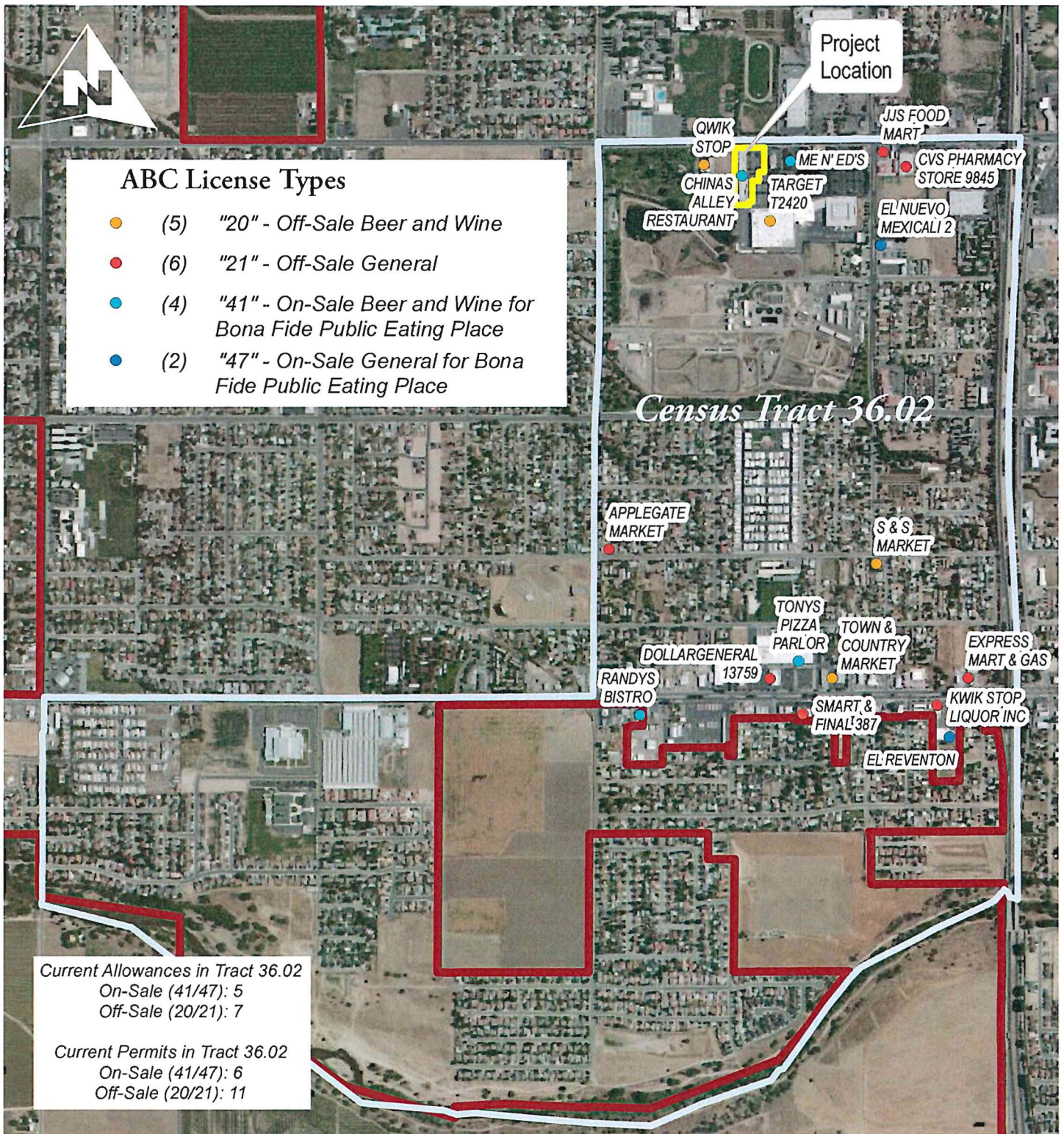
PRC 2014-021
 Wingstop @ 1375 W Henderson Ste 2B
 Project Locator Map
 1" = 400 ft. ATTACHMENT
 ITEM NO. 1



PRC 2014-021
 Wingstop @ 1375 W Henderson Ste 2B
 300' Radius Map
 1" = 400 ft
 ATTACHMENT
 ITEM NO. 2

DEMO PLAN / PROPOSED FLOOR PLANS





PRC 2014-021
 Wingstop @ 1375 W Henderson Ste 2B
 ABC Permit Map
 1" = 1,350 ft. ATTACHMENT
 ITEM NO. 4

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF CONDITIONAL USE
PERMIT (PRC 2014-021-C) TO ALLOW FOR A TYPE 41 ON-SALE BEER AND WINE
LICENSE FOR A BONA-FIDE PUBLIC EATING PLACE FOR WINGSTOP
LOCATED AT 1375 W. HENDERSON AVENUE, SUITE #2B

WHEREAS: On January 20, 2015, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to Section 15061(b), (3) of the California Code of Regulation (CEQA Guidelines); and

WHEREAS: The City Council of the City of Porterville, at its regular scheduled meeting of February 3, 2015, conducted a public hearing to consider Conditional Use Permit (PRC 2014-021-C), to allow for a Type 41 On-Sale Beer and Wine license for a Bona-Fide Public Eating Place for Wingstop located at 1337 W. Henderson Avenue, Suite #2B; and

WHEREAS: The City Council of the City of Porterville authorized the mayor to sign the Letter of Public Convenience or Necessity because of the regional nature of the shopping center within which the restaurant is located; and

WHEREAS: The City Council of the City of Porterville received testimony from all interested parties related to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

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

The CR designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant is a permitted use in the CR Zone, and alcohol sales may be permitted in that zone with a Conditional Use Permit.

2. That the proposed location of the project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity.

Conditions of approval are included herein to ensure adequate development standards are met. The project is located within an existing building in a regional shopping center that has been well maintained since its original development. Further, all land owners within the city of Porterville are held to performance standards identified in Chapter 306 of the Development Ordinance. Specifically, Section 306.03 of the Ordinance states, "Land or buildings shall not be used or occupied in a manner creating any dangerous, injurious, or noxious fire,

explosive, or other hazard; noise, vibration, smoke, dust, odor, or form of air pollution; heat, cold, dampness, electrical or other disturbance; glare, refuse, or wastes; or other substances, conditions, or elements which would substantially adversely affect the surrounding area.”

3. This project is Categorically Exempt pursuant to CEQA Guidelines §15061(b), (3) - General Rule: the approval of alcohol sales in a bona-fide eating establishment would have no physical change to the environment.
4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined to exist. The subject site is located within Census Tract 36.02. This tract contains 17 licenses for alcohol sales: six (6) on-sale and eleven (11) off-sale. In Census tract 36.02, five (5) on-sale and seven (7) off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the seventh (7th) on-sale license, two (2) above the allowable as determined by ABC. Due to the over concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit (PRC 2014-021-C) subject to the following conditions:

1. The developer/applicant shall keep the beer and wine in a secure place with access only available to the employees, shown herein as the walk-in cooler and ice box areas in Exhibit “A.” Any future changes in operation which substantially alter the condition or nature of the subject business will require approval by the City Council if such modification involves expansion, relocation, or change in accessibility to the conditioned uses.
2. The facility shall be operated and maintained to comply with applicable State and Federal laws, and the City of Porterville Development Ordinance at all times.
3. The applicant shall maintain the security lighting on the exterior of the building and in the parking lot in a manner to allow reasonable surveillance of the area to the satisfaction of the Police Department and Zoning Administrator.
4. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in Section 601.10 of the Porterville Development Ordinance.

5. The elements of the conditional use permit approving on-site alcohol sales will be subject to modification or revocation if the State of California imposes sanctions on the on-sale license.
6. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner.
7. No alcohol advertising shall be displayed and/or viewed from the outside of the proposed building.
8. The consumption of alcoholic beverages shall be prohibited off-site or outside of the building.
9. Upon approval of the conditional use permit, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department resulting from the sales of alcohol will result in revocation of the Conditional Use Permit.
10. Unless an extension of time is granted by the City Council, the conditional use permit shall expire two (2) years after the date of approval if the on-sale Type 41 Beer and Wine Alcohol License for a Bona-Fide Eating Place is not active or actively pursued. The alcohol license permits sale of beer and wine in conjunction with the serving of meals.
11. The hours of operation during which alcoholic beverages may be sold and served under the on-sale license shall be limited to only during business hours.
12. That a Letter of Public Convenience or Necessity shall be required.

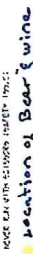
PASSED, APPROVED AND ADOPTED this 3rd day of February, 2015.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk

DEMO PLAN / PROPOSED FLOOR PLANS





**Community Development
Department**

February 3, 2015

California Department of Alcoholic Beverage Control
Fresno District Office
3640 East Ashlan Ave
Fresno, CA 93726
ATTN: Christine Weldon

RE: Wingstop – 1375 W. Henderson Avenue, #2B

Dear Ms. Weldon:

The City Council of the City of Porterville has elected to approve submittal of this letter regarding the public convenience or necessity to be served through issuance of a Type 41 (beer and wine) On-Sale Beer & Wine for Bona Fide Public Eating Place license for Wingstop located at 1375 W. Henderson Avenue, Suite 2B. The shopping center within which the proposed restaurant will be located is a regional center, and has significant economic draw beyond the boundaries of the census tract.

Approval of this letter was based on the following:

1. Per Section 23958.4 of the "Business and Professions Code," the subject site is located within Census Tract 36.02; this tract contains 17 licenses for alcohol sales; six (6) on-sale, eleven (11) off-sale. In Census tract 36.02, five (5) on-sale and seven (7) off-sale are allowed without being deemed over-concentrated. Approval of this on-sale licenses would be the seventh (7th) on-sale licenses, two (2) above the allowable as determined by ABC. Due to the over concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required.
2. On February 3, 2015, the City Council conditionally approved Conditional Use Permit (PRC 2014-021-C), review attached resolution, to allow the on-sale of beer and wine under a Type 41 License located at 1375 W. Henderson Avenue, #2B. As a condition of approval, a Letter of Public Convenience or Necessity was required to be approved by the City Council.
3. In consideration of the above, the City Council determined that public convenience or necessity would be served by the issuance of an on-sale beer and wine license.

Further issuance of an on-sale license allowing beer and wine sales represents a viable economic asset to the community which will contribute tax revenues to the local economy. The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for Retail Centers

ATTACHMENT NO. 6

(CR). The CR designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant is a permitted use in the CR Zone, and alcohol sales may be permitted in that zone with the requested Conditional Use Permit.

For these reasons, the City Council of the City of Porterville supports issuance of a Type 41 (beer and wine) License for Wingstop located in the Porterville Marketplace Shopping Center at 1375 W. Henderson Avenue, #2B.

Sincerely,

Milt Stowe, Mayor

COUNCIL AGENDA: FEBRUARY 3, 2015

PUBLIC HEARING

SUBJECT: FORMATION OF THE SEWER UTILITY DISTRICT AREA 459

SOURCE: Public Works Department - Engineering Division

COMMENT: This is the time and place set forth for the public hearing on the formation of the Area 459 Sewer Utility District. Ballot and information materials were distributed on November 7, 2014, to Area 459 stakeholders. The official end to the ballot process is at the end of tonight's public hearing. Property owners have until then to submit ballots in support or opposition to the formation of the District and the imposition of the assessment.

Assessments for the District were determined in the Engineering Report and accepted by the City Council on January 20, 2015. Pursuant to the notices provided to the property owners, assessments per lot were determined by lot acreage divided by contractor bid plus 10% contingency, bid lateral cost plus 10% contingency, and a \$156.94 per lot construction management fee (5% of bid). The City proposes the following:

1. If Area 459 Sewer Utility District Passes:
 - a) Property owners receive a one-time assessment calculated using final construction costs or cost based on the City's Schedule 'H', whichever is the lesser amount, payable over 30 years adjusted 3% interest compounded annually and billed through the Tulare County Assessor's Office beginning December 2015, or December 2016, depending on acceptance of project by City Council.
 - b) At time of connection, property owner or plumbing contractor secures a plumbing permit and abandons septic system to County standards. Monthly service charge begins at time of connection.
 - c) Property owners who do not want collection of the assessment to occur via the above-mentioned method have until June 30, 2015, or June 30, 2016, depending on acceptance of project by City Council, to inform the City of that in writing by signing a declination to participate form once final costs have been calculated. These property owners shall pay connection fees per Exhibit "H" thereafter.

Dir B82 Appropriated/Funded MB CM Y

Item No. 16

2. If Area 459 Sewer Utility District Fails:

- a) Sewer mains and laterals are installed per plans and specifications.
- b) Property owners wishing to connect to the City's sewer system shall secure a plumbing permit, abandon existing septic system per County standards and pay all connection fees based on actual construction costs or per the City's Exhibit "H", "Connection Fees" schedule, whichever is the lesser amount, adjusted 3% interest compounded annually.


The number of ballots makes it infeasible to tabulate and announce whether a Sewer Utility District has been formed or not formed during the public hearing. Staff recommends that the City Council direct the City Clerk to count and tabulate the votes on February 4, 2015, at 1:30 pm in the North Conference Room, located in Community Development and Public Works departments. The tabulation process is open to the public. The results will be presented at the February 17, 2015, Council meeting. No assessment may be imposed if a "majority protest" exists. A "majority protest" exists if the ballots submitted in opposition exceed the ballots submitted in favor of the assessment.

RECOMMENDATION: That the City Council:

- 1. Open the Public Hearing, take comments and accept any ballots; and
- 2. Instruct the City Clerk to receive all ballots, and count said votes on February 4, 2015, in the North Conference Room, located in Community Development and Public Works departments, at 1:30 pm and report to the Council the outcome of the voting at the February 17, 2015, Council meeting.

ATTACHMENT: Exhibit 'A' – Locator Map



 PROJECT BOUNDARIES

ISLAND ANNEX. 459A & 459C

CITY COUNCIL AGENDA – FEBRUARY 3, 2015

SUBJECT: CONSIDERATION OF APPOINTMENT TO THE PARKS AND LEISURE SERVICES COMMISSION

SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: There is currently one vacancy on the Parks and Leisure Services Commission with a term to expire in October of 2015. Staff publicized notice of the vacancy and solicited applications from interested individuals who are City residents.

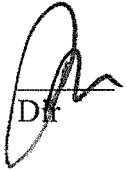
As of the time of agenda distribution the Clerk's Office had received two Requests for Appointment, attached hereto for Council's reference, from the following individuals:


- Rachel Lucero
- Derric Salazar

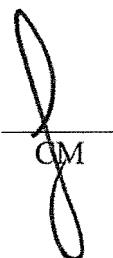
Requests for Appointment received after the distribution of the agendas will be presented to the Council for consideration and made available to the public under separate cover.

RECOMMENDATION: That the City Council appoint one individual to fill the vacancy on the Parks and Leisure Services Commission with a term to expire in October of 2015.

ATTACHMENTS: Requests for Appointment


Df


Approp./
Funded


CM

Item No. 17

JAN - 6 2015

RECEIVED

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Rachel Lucero
(Please Print)

Appointment to: Porterville Parks and Leisure Services Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 285 West Willow #8
Porterville, Ca 93257

Mailing Address: Same as above

Name of Business: _____

☐ Own ☐ Operate

Business Address: _____

Telephone: Cell (559) 306-2978
Home

Work _____

FAX _____

E-mail _____

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☒ Yes

☐ No

Qualifications: _____

- Team player
- Strong work ethic
- goal oriented
- Exceptional Customer Service
- Computer Literate

☒ Resume attached

☒ Letter of request attached

Submitted By: Rachel Lucero Jan 6, 2015
Date

Received by: Hilman. Dwy

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

Rachel Lucero

285 West Willow #8

Porterville, CA. 93257

(559) ~~703-1355~~ 306-2978

Rchlucero848@hotmail.com

Objective: To obtain a position in a professional setting where I can use my hardworking ability to benefit my employer and be of service to others.

Skills:

Computer Literate	Exceptional Customer Service
Strong Work Ethic	Task and Detail Oriented
Team Player	Excellent Communicator

Experience: Basra Enterprises -- Subway Sandwiches Porterville, CA.
Store Manager 01/2008 to 10/2010

- Placed and received weekly food order.
- Monitored productivity, food cost, and financial transactions to maintain store budget.
- Maintain food and equipment inventories, and keep inventory records.
- Executed daily operations of opening and closing procedures..

Wenatchee Unified School District Wenatchee, WA.
Human Resource Clerk 10/2005 to 03/2006

- Gather personnel records from other departments or employees.
- Examined employees file to answer inquiries and provide information for personnel actions.
- Filed personnel records in alphabetical and numerical order.

Advanced Driving School Porterville, CA.
Driving Instructor 05/2003 to 02/2004

- Instructed individuals in the development of safe driving skills.
- Observed individual driving habits and reactions under various driving conditions.
- Ensured conformance with vehicle operational standards and state vehicle code.

Education: Monache High School Porterville, CA.
Diploma

Porterville College Porterville, CA.
AA Degree in Administration of Justice 05/2014

References: Available upon request

January 6, 2015

City of Porterville
291 North Main St.
Porterville, Ca. 93257

Re: Request for Appointment – Parks and Leisure Services Commission

Dear Porterville City Council,

I write to request appointment to the City of Porterville Parks and Leisure Services Commission. Please find enclosed with this letter 1) My resume and 2) My request for appointment form.

As reflected in the documents enclosed I have experience in dealing with the public, leading by example, and goal planning. In the past I have helped the Helping Hands organization by preparing and serving warm meals. I have also volunteered with a local food bank by distributing food boxes to needy families in the community.

I enjoy serving in my community. I believe that it is an important value because I am able to help others and I personally can benefit from. My children and I have spent countless hours in our parks. I would like the opportunity to volunteer on the Parks and Leisure Services Commission because I feel that I could provide information on ways to improve safe recreational options to our community. Thank you for your time and consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Rachel Lucero", with a long, sweeping horizontal line extending to the right.

Rachel Lucero

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

RECEIVED
JAN 19 2015
CITY OF PORTERVILLE
ADMINISTRATIVE SERVICES

Please complete all blanks.

Name: DERRIC SALAZAR

(Please Print)

Appointment to: PARKS AND LEISURE SERVICES COMMISSION

(Name of Board, Commission, or Committee)

Reappointment; or IF NEW, please provide :

Street Address: 1821 PIONEER AVE

PORTERVILLE, CA 93257

Mailing Address: SAME AS ABOVE

☒ Own ☐ Operate

Business Address: 1821 PIONEER AVE

PORTERVILLE, CA 93257

Telephone: Home 559-783-9545

Work 540-219-7149

FAX _____

E-mail derric.salazar@rethoughtreborn.com

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☒ Yes

☐ No

Qualifications: _____

- Fifteen years leadership and management experience in various military and civilian organizations.
- Earned Bachelors in Intelligence Studies, graduating with honors from American Military University. Program focuses on development of research strategies, critical evaluation of data, and the communication of findings.
- Extensive experience in forecasting and fulfilling the logistical and operational needs of teams, in order to accomplish organizational objectives.
- Previously served as a Compliance Officer for a top tier military school, responsible for ensuring training and operations were conducted in accordance with regulations.

☒ Resume attached

☐ Letter of request attached

Submitted By: Derric Salazar January 19, 2014
Date

Received by: PATRICE HILDRETH

Forwarded to: City Clerk Date: 1/20/15

City Council Date: _____

City Manager Date: _____

Applicable Dept. Date: _____

Tentative Council Mtg Date: 2/3/15

DERRIC J. SALAZAR

1821 Pioneer Avenue, Porterville, CA 93257
540-219-7149 • derricsalazar@1791.com

EDUCATION

American Military University

Bachelor of Arts, Intelligence Studies; graduated with honors

May 2014

GPA 3.84

RELEVANT EXPERIENCE

Leadership

- Developed multiple teams of 60 soldiers that consistently demonstrated excellence and were recognized by organizational leaders as the best in the unit.
- Led a team of 32 soldiers that maintained the highest level of operational readiness in a 4,000 member organization through enforcing standards, mentoring junior leaders and encouraging esprit de corps.
- Extensive experience in evaluating, selecting and assigning personnel in specialized positions in order to improve organizational capabilities and accomplish objectives.
- Certified as one of the 75 instructors at the US Army Drill Sergeant School. Responsible for transforming over 200 seasoned soldiers into professional instructors.

Research & Analysis

- Implemented an operational strategy that reduced hostile attacks by 90% along a vital unit logistics route after initiating and conducting an analysis of attack patterns and tactics.
- Earned Bachelor of Arts with honors in a program concentrating on the development of research strategies, critical evaluation of data using structured analytical methods and the communication of findings.
- Extensive experience in the risk-management process. Responsible for identifying hazards and mitigating risks for hundreds of high-risk training events, leading to zero sustained injuries over a 16 year career.

Strategic Planning / Communication

- Served as an advisor to the Chief Operations Officer of a 2,000 soldier organization conducting counter insurgency operations. Assisted in developing targeting strategies and determining lines of effort, resulting in a significant decrease in violence in southwest Baghdad.
- Selected to be the Compliance Officer for the US Army Drill Sergeant School. Responsible for ensuring training was conducted in accordance with Army regulations and doctrine, maintaining cadre training records, and providing reports to senior leaders.
- Responsible for providing mandatory sexual harassment and assault prevention training on a quarterly basis. Maintained training records and advised the commander on response and prevention strategies.

Process Development / Change Management

- Trained 72 instructors on a new marksmanship program which was implemented as the training standard for all future initial entry soldiers (basic training) at Fort Jackson.
- Served as one of 50 members of the Army's Warrior Tasks and Battle Drills Conference responsible for reviewing Army-wide training standards alongside top Army leaders nationwide, resulting in training standards that aligned with the Army's evolving operational needs.
- Served as lead trainer for chief instructor during a complete overhaul of the Drill Sergeant training program, responsible for implementing new training and standards, resulting in a more professional and effective course.
- Developed a leadership and peer evaluation process for Drill Sergeant candidates adopted by the Drill Sergeant School which resulted in a 20% increase in the graduation rate due to increased accountability to peers.

WORK/LEADERSHIP HISTORY

United States Army, Infantry Noncommissioned Officer

Infantry Platoon Sergeant, 11th Armored Cavalry Regiment F Troop, Ft. Irwin, CA, 6/12-9/14

Drill Sergeant Leader, US Drill Sergeant School, Ft. Jackson, SC, 7/10-5/12

Senior Drill Sergeant, 1-61 Infantry Regiment D Company, Ft. Jackson, SC, 5/09-7/10

Operations Noncommissioned Officer, 4-10 Infantry Regiment B Company, Ft. Jackson, SC, 2/08-4/09

Sniper Section Leader, 1-18 Headquarters Company, Schweinfurt, Germany, 1/05-1/08

Lowes Home Improvement Inc.

Department Manager, Visalia, CA, 9/03-1/05

Team Leader, Visalia, CA, 4/03-8/03

Morris Levin & Son

Equipment Rental Supervisor, Porterville, CA, 1/02-4/03

United States Army, Infantry Noncommissioned Officer

Team Leader, 1-502 Infantry Regiment D Company, Fort Campbell, KY, 12/98-7/01

Driver/Gunner, 1-503 Infantry Regiment D Company, Camp Casey, South Korea, 12/97-12/98

NOTABLE MILITARY AWARDS & HONORS

- Recipient of two Meritorious Service Medals, four Army Commendation Medals, two Army Achievement Medals, the Air Assault Badge, Combat Infantryman Badge, and the Expert Infantryman Badge.
- Consistently rated "among the best" in performance evaluations.
- Honor Graduate of the Primary Leadership Development Course.

Derric J. Salazar

1821 Pioneer Avenue, Porterville, CA 93257

540-219-7149 • derric.salazar@1791.com

CITY COUNCIL AGENDA – FEBRUARY 3, 2015

SUBJECT: CONSIDERATION OF APPOINTMENT TO THE ANIMAL CONTROL COMMISSION

SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: The recent resignation of Ms. Anna Poteet from the Animal Control Commission has created a vacancy with a term due to expire in September 2016. Staff publicized notice of the vacancy and solicited applications from interested individuals. Commissioners shall be residents of the city of Porterville, and representative of a cross-section of the community.


As of the time of agenda distribution the Clerk's Office had received one Request for Appointment, attached hereto for Council's reference, from the following individual:


- Kathleen "Kat" Harris

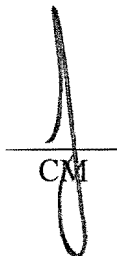
Requests for Appointment received after the distribution of the agendas will be presented to the Council for consideration and made available to the public under separate cover.

RECOMMENDATION: That the City Council appoint one individual to fill the vacancy on the Animal Control Commission with a term to expire in September of 2016.

ATTACHMENTS: Request for Appointment


Dir


Approp./
Funded


CM

Item No. 18

RECEIVED

JAN 16 2015

CITY OF PORTERVILLE
CITY CLERK OFFICE

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Kathleen (Kat) Harris
(Please Print)

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

☐ Reappointment; or IF NEW, please provide :

Street Address: 187 S Villa St
Porterville, CA 93257

Mailing Address: same

Name of Business: N/A
☐ Own ☐ Operate

Business Address: _____

Telephone: Home 781-7204
Work _____
FAX 781-7204
E-mail kcatdando@att.net

City of Porterville resident:

☒ Yes
☐ No

Registered Voter:

☒ Yes
☐ No

Qualifications: Familiar with Animal control laws
had legal training, worked with Porterville Animal
Careted, presently working with Commission by researching
rescue facilities

☐ Resume attached

☐ Letter of request attached

Submitted By: Kathleen Harris 1/16/15
Date

Received by: Rison Z.

Forwarded to: City Clerk ☒ Date: 1-16-15

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

SUBJECT: CONSIDERATION OF PREPAYING 2013 RABOBANK LEASE AGREEMENT

SOURCE: Administration

COMMENT: In June 1998, the City issued \$20 million in tax-exempt Certificates of Participation (COP) for the purposes of financing the widening of bridges and streets. In November 2005, the City refunded the 1998 COP issue for debt service savings, with the preclusion that the new tax-exempt COP issue could not be again refunded "tax-exempt" sooner than July 1, 2015. However, the 2005 COP could be refunded with a taxable bond issue. Given the favorable financing the City received in the refinancing of its 1997 Sewer Bond issue to initiate the current Annexation Sewer Districts Project, the City began to evaluate the potential advantage of the favorable financing environment to achieve debt service savings on the 2005 COP issue.

At its meeting on September 18, 2012, the City Council approved proceeding with a recommended financing approach to issue a taxable revenue bond, utilizing a Variable Rate Demand Obligation (VRDO) bond structure. One of the requirements of the VRDO refinance was to secure a bank Letter of Credit (LOC). During the course of meeting with banking institutions to secure the LOC, several banks declined to provide a LOC either because they have been (or potentially were to be) "burned" in several municipal bankruptcies (San Bernardino, Stockton, and Vallejo) or that the refinance amount was either too small or beyond their capacity. However, Rabobank indicated significant interest to work with the City, but rather in a direct lending relationship instead of a VRDO financing structure.

Rabobank is one of the highest rated banks internationally and, given their business model emphasis on agriculture, was interested in increasing its presence in the Central Valley, including the South Tulare County/Porterville area. Rabobank completed its due diligence of the City's finances, and satisfied with its review, offered a Term Sheet for the City Council's consideration and approval at its meeting on April 2, 2013.

Under the Rabobank financing effective July 1, 2013, the City defeased the 2005 COP issue with a total lease amount of \$21.06 million, and is

Dir 

Appropriated/Funded 

C/M 

Item No. 19

making interest-only payments for up to three years based upon a fixed 3.3% interest rate, followed by a 17-year term at United States Dollar (USD) 1-month Libor +2.125% with a “floor” of 3.3%. Currently, USD Libor is 0.16800%, and over the past two years has not exceeded 0.208%. The City is projected to have saved \$1,468,680 in debt service payments through July 1, 2015, when the City is again able to evaluate a tax-exempt bond issuance.

With current instability and weakness of international economies and finances, as well as domestic inflation not meeting the annual target of two percent (2%) given only moderate economic growth and significantly reduced oil prices, the Federal Reserve has indicated that the federal funds rate will likely continue to be held near zero through 2015 (currently 0.12%) and possibly into early 2016, placing the City in an optimum position with the option to switch from the direct loan to either a variable or fixed rate tax exempt bond issue, affording the City with the most financing flexibility and options given historical low interest rates.

Over the past several months, the Mayor, Vice Mayor and City staff have met with Mr. John Fitzgerald and Mr. Ben Levine, who assisted the City with the Rabobank refunding of the 2005 COP issue. The purpose of these meetings have been to evaluate the potential in continuing to take advantage of the current favorable financing environment in the conversion of the Rabobank loan into a new bond issue. In coordination with Mr. Fitzgerald and Mr. Levine, options have been considered in the refinancing of the lease. Given current bond financing rates, the City could refund the Rabobank loan with an annual debt service estimated savings of between \$200,000 and \$400,000 over the remaining 21 years of the lease term, for a total savings value of approximately \$1.5 million, and a net savings of approximately \$2.7 million including the 2 years of reduced debt service under the lease.

The recommended financing approach is to issue new Certificates of Participation, which the current 30-year rate is 2.70%. For the Council’s consideration, a draft resolution has been provided to begin the proceedings toward the refunding of the Rabobank lease issue.

RECOMMENDATION: That the City Council consider proceeding with the refunding of the Rabobank lease issue with the issue of new Certificates of Participation.

ATTACHMENT:

1. 2015 Certificates of Participation – 4% Average Rates
2. 2015 Certificates of Participation – 5% Average Rates
3. Draft Resolution

PORTERVILLE PUBLIC IMPROVEMENT CORPORATION
City of Porterville
2015 CERTIFICATES OF PARTICIPATION

Comparison of Average Taxable Rates of 4.00% with 2015 COPs
(Final Maturity of the 2015 COPs - 2036)

Date	2013 Taxable Rabo Bank Loan				2015 Refunding Certificates of Participation				Savings (Cost)
	Principal	Coupon	Interest	Debt Service	Principal	Coupon	Interest	Debt Service	
2013	0	3.300	319,007	319,007	0	3.30	319,007	319,007	0
2014	0	3.300	694,980	694,980	0	3.30	694,980	694,980	0
2015	0	3.300	694,980	694,980	0	0.00	540,838	540,838	154,142
2016	0	3.300	768,690	768,690	0	0.00	556,843	556,843	211,848
2017	575,000	4.00 *	837,700	1,412,700	720,000	0.70	556,843	1,276,843	135,858
2018	725,000	4.00 *	812,500	1,537,500	770,000	0.95	551,803	1,321,803	215,698
2019	805,000	4.00 *	782,600	1,587,600	825,000	1.20	544,488	1,369,488	218,113
2020	875,000	4.00 *	749,800	1,624,800	860,000	1.40	534,588	1,394,588	230,213
2021	955,000	4.00 *	714,000	1,669,000	900,000	1.60	522,548	1,422,548	246,453
2022	1,035,000	4.00 *	675,000	1,710,000	940,000	1.75	508,148	1,448,148	261,853
2023	1,125,000	4.00 *	632,700	1,757,700	980,000	1.90	491,698	1,471,698	286,003
2024	1,205,000	4.00 *	586,900	1,791,900	1,025,000	2.10	473,078	1,498,078	293,823
2025	1,295,000	4.00 *	537,800	1,832,800	1,060,000	2.25	451,553	1,511,553	321,248
2026	1,420,000	4.00 *	485,000	1,905,000	1,085,000	2.70	427,703	1,512,703	392,298
2027	1,525,000	4.00 *	426,800	1,951,800	1,110,000	2.70	398,408	1,508,408	443,393
2028	1,595,000	4.00 *	365,100	1,960,100	1,140,000	2.70	368,438	1,508,438	451,663
2029	1,660,000	4.00 *	300,500	1,960,500	1,185,000	2.70	337,658	1,522,658	437,843
2030	1,715,000	4.00 *	233,600	1,948,600	1,215,000	2.70	305,663	1,520,663	427,938
2031	1,775,000	4.00 *	164,400	1,939,400	1,250,000	3.35	272,858	1,522,858	416,543
2032	1,835,000	4.00 *	92,800	1,927,800	1,290,000	3.35	230,983	1,520,983	406,818
2033	940,000	4.00 *	18,800	958,800	1,335,000	3.35	187,768	1,522,768	(563,968)
2034	0	0.00	0	0	1,375,000	3.35	143,045	1,518,045	(1,518,045)
2035	0	0.00	0	0	1,425,000	3.35	96,983	1,521,983	(1,521,983)
2036	0	0.00	0	0	1,470,000	3.35	49,245	1,519,245	(1,519,245)
	<u>21,060,000</u>		<u>10,893,657</u>	<u>31,953,657</u>	<u>21,960,000</u>		<u>9,565,158</u>	<u>31,525,158</u>	<u>428,499</u>

Preliminary Present Value of Savings/(Cost) (2/26/2015 to 7/1/2036) @	2.86989%	=	1,572,076
Add: Savings realized from 4/13/2013 to 2/26/2015		=	1,130,685
NET PRESENT VALUE OF SAVINGS @	2.86989%	=	<u>2,702,761</u>

* Assumed Average Rate for the Taxable Rabo Bank Loan

PORTERVILLE PUBLIC IMPROVEMENT CORPORATION
City of Porterville
2015 CERTIFICATES OF PARTICIPATION

Comparison of Average Taxable Rates of 5.00% with 2015 COPs
(Final Maturity of the 2015 COPs - 2036)

Date	2013 Taxable Rabo Bank Loan				2015 Refunding Certificates of Participation				Savings (Cost)
	Principal	Coupon	Interest	Debt Service	Principal	Coupon	Interest	Debt Service	
2013	0	3.30	319,007	319,007	0	3.30	319,007	319,007	0
2014	0	3.30	694,980	694,980	0	3.30	694,980	694,980	0
2015	0	3.30	694,980	694,980	0	3.30	540,838	540,838	154,142
2016	0	3.30	873,990	873,990	0	3.30	556,843	556,843	317,148
2017	575,000	5.00	* 1,047,125	1,622,125	720,000	0.70	556,843	1,276,843	345,283
2018	725,000	5.00	* 1,015,625	1,740,625	770,000	0.95	551,803	1,321,803	418,823
2019	805,000	5.00	* 978,250	1,783,250	825,000	1.20	544,488	1,369,488	413,763
2020	875,000	5.00	* 937,250	1,812,250	860,000	1.40	534,588	1,394,588	417,663
2021	955,000	5.00	* 892,500	1,847,500	900,000	1.60	522,548	1,422,548	424,953
2022	1,035,000	5.00	* 843,750	1,878,750	940,000	1.75	508,148	1,448,148	430,603
2023	1,125,000	5.00	* 790,875	1,915,875	980,000	1.90	491,698	1,471,698	444,178
2024	1,205,000	5.00	* 733,625	1,938,625	1,025,000	2.10	473,078	1,498,078	440,548
2025	1,295,000	5.00	* 672,250	1,967,250	1,060,000	2.25	451,553	1,511,553	455,698
2026	1,420,000	5.00	* 606,250	2,026,250	1,085,000	2.70	427,703	1,512,703	513,548
2027	1,525,000	5.00	* 533,500	2,058,500	1,110,000	2.70	398,408	1,508,408	550,093
2028	1,595,000	5.00	* 456,375	2,051,375	1,140,000	2.70	368,438	1,508,438	542,938
2029	1,660,000	5.00	* 375,625	2,035,625	1,185,000	2.70	337,658	1,522,658	512,968
2030	1,715,000	5.00	* 292,000	2,007,000	1,215,000	2.70	305,663	1,520,663	486,338
2031	1,775,000	5.00	* 205,500	1,980,500	1,250,000	3.35	272,858	1,522,858	457,643
2032	1,835,000	5.00	* 116,000	1,951,000	1,290,000	3.35	230,983	1,520,983	430,018
2033	940,000	5.00	* 23,500	963,500	1,335,000	3.35	187,768	1,522,768	(559,268)
2034	0	0.00	0	0	1,375,000	3.35	143,045	1,518,045	(1,518,045)
2035	0	0.00	0	0	1,425,000	3.35	96,983	1,521,983	(1,521,983)
2036	0	0.00	0	0	1,470,000	3.35	49,245	1,519,245	(1,519,245)
	<u>21,060,000</u>		<u>13,102,957</u>	<u>34,162,957</u>	<u>21,960,000</u>		<u>9,565,158</u>	<u>31,525,158</u>	<u>2,637,799</u>

Preliminary Present Value of Savings/(Cost) (2/26/2015 to 7/1/2036) @	2.86989%	=	3,365,976
Add: Savings realized from 4/13/2013 to 2/26/2015		=	1,130,685
NET PRESENT VALUE OF SAVINGS @	2.86989%	=	<u>4,496,661</u>

* Assumed Average Rate for the Taxable Rabo Bank Loan

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, AUTHORIZING THE COMMENCEMENT OF PROCEEDINGS FOR THE DELIVERY OF CERTIFICATES OF PARTICIPATION TO PROVIDE FUNDS TO PREPAY THE \$21,060,000 LEASE AGREEMENT, DATED AS OF APRIL 1, 2013, BY AND BETWEEN THE CITY OF PORTERVILLE AND THE PORTERVILLE PUBLIC IMPROVEMENT CORPORATION, ASSIGNED TO RABOBANK, N.A, AND APPOINTING UNDERWRITERS, BOND COUNSEL, DISCLOSURE COUNSEL AND A FINANCIAL CONSULTANT IN CONNECTION THEREWITH

WHEREAS, the City has been informed that, due to prevailing interest rates in the municipal bond market and for other reasons, there is an opportunity to prepay the \$21,060,000 Lease Agreement, dated as of April 1, 2013, by and between the City and the Porterville Public Improvement Corporation which was assigned to Rabobank, N.A. (the "2013 Lease") on a tax-exempt basis and to deliver certificates of participation for such purpose (the "2015 COPs");

WHEREAS, it is desirable to authorize the commencement of proceedings in connection with the prepayment of the 2013 Lease and the delivery of the 2015 Certificates and to appoint underwriters, bond counsel, disclosure counsel and a financial consultant in connection therewith;

NOW, THEREFORE, it is hereby DECLARED and ORDERED, as follows:

The Council authorizes appropriate officers and officials of the City to proceed with the preparation of the necessary documents in connection with the prepayment of the 2013 Lease and the delivery of the 2015 Certificates, subject to the final approval thereof by the Council at a subsequent meeting.

Wulff, Hansen & Co., San Francisco, California, and Gates Capital Corporation, New York, New York, are hereby designated as underwriters for the 2015 Certificates, the compensation for such services to be negotiated by the City Manager or his designee.

Quint & Thimmig LLP, Larkspur, California, is hereby designated as bond counsel and disclosure counsel to the City in connection with the delivery of the 2015 Certificates, the compensation for such services to be negotiated by the City Manager or his designee.

Ravi Chitkara, Fremont, California, is hereby designated as financial consultant to the City in connection with the delivery of the 2015 Certificates, the compensation for such services to be negotiated by the City Manager or his designee.

The Mayor, the Vice Mayor, the City Manager, Finance Director, the City Clerk and other appropriate officers and officials of the City are hereby authorized and directed to take such action and to execute such documents as may be necessary or desirable to effectuate the intent of this resolution.

This Resolution shall take effect from and after the date of its passage and adoption by this Council.

APPROVED AND ADOPTED this 3rd day of February, 2015.

Milt Stowe, Mayor

ATTEST:
John Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

COUNCIL AGENDA: February 3, 2015

SUBJECT: GOVERNOR'S EXECUTIVE ORDER FOR CALIFORNIA DISASTER ASSISTANCE ACT FUNDING, AND THE PROVISION OF WATER TO EAST PORTERVILLE RESIDENTS

SOURCE: Administration

COMMENT: As has been reported at prior City Council meetings, Governor Brown issued Executive Order B-26-14, within which the Governor authorized funding through the California Disaster Assistance Act for the purpose of providing temporary water supplies to households without water for drinking and/or sanitation purposes, as well as directed State agencies to coordinate with counties and local agencies in providing long-term solutions for affected residents.

As was also previously reported, City Council and staff representatives were invited to participate this past October in a coordination meeting with State and County representatives in regards to the long-term water needs and possible solutions in the East Porterville area. State agencies represented in the meeting included the Governor's Offices of Emergency Services and Planning and Research, Department of Water Resources, and Department of Housing and Community Development. During the course of the meeting, the participants discussed the feasibility of the City allowing a manageable number of residents to connect to the City's municipal water system, with the remainder to have a 1,500-gallon tank placed at their residence that is proposed to be filled every other week. The Governor's Office of Emergency Services representatives indicated that they could fund the necessary water main infrastructure to connect County residents to the City's water system, and the Department of Housing and Community Development indicated they could potentially fund the individual connection fees (approximately \$5,000 per connection). In addition, the Office of Emergency Services indicated that they could fund at least one (1) and potentially two (2) new wells for both connecting residents to the City's water system, as well as provide a water source for the filling of the 1,500-gallon tanks.

It has been reported by the County that there are now at least five hundred East Porterville residences whose wells are dry, and may increase to six hundred as drought conditions continue. However, since the coordination meeting in October, the City has not been asked to participate in any further coordination meetings, nor is it aware of any further efforts toward providing funding toward the discussed long-


Dir


App/Fund


CM

Item No. 20

term and permanent connection of approximately one hundred residences. However, the City was recently made aware by representatives of Self-Help Enterprises (County Contractor) that the size of the large individual water storage tanks has been increased from 1,500-gallons to 3,000-gallons, and that they are beginning to locate these tanks at residences in East Porterville. Referred to as the County Household Tank Program, the City received a Tulare Operational Area Task Request (attached) from the County on January 20th to provide water to fill the 3,000-gallon tanks for the next twelve (12) months pursuant to Mutual Aid Agreement. Although the Agreement states that the provision of water is subject to "Other desired provisions or restrictions," the City is not aware of any effort or funding to provide any additional water sources in support of this request. Staff has significant concerns in regards to the impact the provision of water to these tanks could have on the City's water system come the summer months.

In addition, the City also received from the County on January 20th a Tulare Operational Area Task Request (attached) to continue to provide water delivery service by Mutual Aid Agreement for the next 120 days to the 300-gallon tanks that were previously placed by Porterville Area Coordinating Council. To date, a total of sixty-five (65) of these tanks are serviced by City staff and equipment on a weekly basis. Under the County Household Tank Program, the County will be replacing the 300-gallon tanks with 3,000-gallon tanks, and requests the City continue its delivery service to the smaller tanks until they are replaced by the larger tank. The City is eligible for full reimbursement for appropriate expenses in providing assistance and support for drought-related activities, and is submitting reimbursement requests to the County for past activities.

- RECOMMENDATION: That the City Council consider:
1. The long-term planning effort toward the provision of water service connections to East Porterville county residents in reference to the Governor's Executive Order;
 2. The request for continuation of water delivery service by Mutual Aid Agreement with the County effective January 10, 2015, for at least 120 days; and
 3. The request for purchase of potable water by Mutual Aid Agreement with the County effective January 20, 2015, for at least twelve (12) months.

- ATTACHMENTS:
1. Governor Executive Order B-26-14
 2. Tulare Operational Area SEMS Mission/Task Requests
 3. City Council Agenda Staff Report: November 4, 2014

Executive Department
State of California

EXECUTIVE ORDER B-26-14

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS drought conditions have persisted for the last three years and the duration of this drought is unknown; and

WHEREAS many residents across the state who rely on domestic wells or very small water systems now live in homes that can no longer provide water for drinking or sanitation purposes due to declining groundwater supplies resulting from the drought; and

WHEREAS the shortage of water for drinking and sanitation purposes that many residents now face constitutes a threat to human health and safety; and

WHEREAS additional expedited actions are needed to reduce the harmful impacts from these water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

IT IS HEREBY ORDERED THAT:

1. The Office of Emergency Services shall provide local government assistance as it deems appropriate for the purposes of providing temporary water supplies to households without water for drinking and/or sanitation purposes under the authority of the California Disaster Assistance Act, California Government Code section 8680 et seq. and California Code of Regulations, Title 19, section 2900 et seq.

2. The provisions of the Government Code and Public Contract Code applicable to state contracts and procurement, including but not limited to, advertising and competitive bidding requirements, are hereby waived for the sole purpose of allowing state agencies and departments to purchase water for the protection of health, safety, and the environment.

3. The provisions of California Penal Code section 396 prohibiting price gouging in times of emergency are hereby reinstated as of the date of this Order. The 30-day time period limitation under subsection (b) is hereby waived. For the purposes of calculating the price differential, the price of goods or services shall be compared to the price in effect as of the date of this Order.

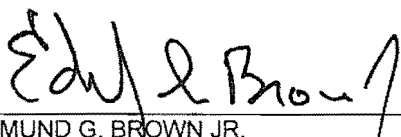
4. The State Water Resources Control Board, the Department of Water Resources, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies with the identification of acute drinking water shortages in domestic water supplies, and will work with local agencies in implementing solutions to those water shortages. For any actions the listed state agencies take pursuant to this directive, for any actions taken by a local agency where the Office of Planning and Research concurs that local action is required, and for any necessary permits to carry out those actions, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension will expire on December 31, 2014, except that actions started prior to that date shall not be subject to Division 13 for the time required to complete them.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of September 2014.




EDMUND G. BROWN JR.
Governor of California

ATTEST:


DEBRA BOWEN
Secretary of State



Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

TULARE OPERATIONAL AREA SEMS MISSION/TASK REQUEST **XTU-2015-LG-002**

To: **City of Porterville**

Date: **1/20/15**

Pursuant to the California Master Mutual Aid Agreement (MMAA), the Tulare County Regional Emergency Management Mutual Aid Agreement ("TC EMMAA"), and in accordance with the Standardized Emergency Management System (SEMS), the County of Tulare, serving as the Tulare Operational Area, requests the following Mission / Task to be completed:

TASK(S) TO BE PERFORMED:

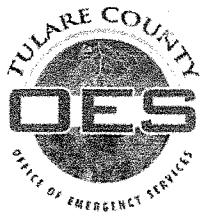
1. Provide potable water from City of Porterville municipal water system, to be purchased by County of Tulare and transported by its agents to residential tanks placed in nearby unincorporated areas as part of the County's Household Tank Program.
2. Establish parameters under which water will be provided, to include:
 - a. Cost per water unit
 - b. Equipment and administrative costs
 - c. Designated filling locations
 - d. Other desired provisions or restrictions

DURATION & TERMINATION:

The recipient is requested to perform the task(s) above for: **12 months**

This request may be renewed prior to expiration should the Household Tank Program continue to operate and require source water. This request may be terminated prior to expiration by County of Tulare should the need abate; such termination shall occur at a time mutually agreed upon.

City of Porterville may terminate performance of the requested tasks for any reason. Should City of Porterville wish to cease performing the requested task, at least 15 days prior written notice is requested.



Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

XTU-2015-LG-002

COMPENSATION:

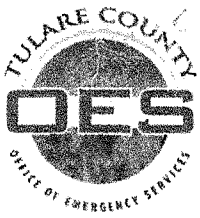
The **County of Tulare** shall reimburse the **City of Porterville** for **100%** of actual costs associated with this request, upon receipt of invoice(s) from the City of Porterville for services performed.

The **County of Tulare** shall claim such costs for disaster recovery from the State of California. This section supercedes Paragraph D of Section VI of the Tulare County Regional Emergency Management Mutual Aid Agreement, as the contingent reimbursement outlined therein has been found to be in conflict with State and Federal policies and regulations.

Please contact my office should you have any questions in regards to this request.

Sincerely,

Andrew Lockman
Emergency Services Manager
County of Tulare, Office of Emergency Services



Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

TULARE OPERATIONAL AREA SEMS MISSION/TASK REQUEST **XTU-2015-LG-001**

To: **City of Porterville**

Date: **1/10/15**

Pursuant to the California Master Mutual Aid Agreement (MMAA), the Tulare County Regional Emergency Management Mutual Aid Agreement ("TC EMMAA"), and in accordance with the Standardized Emergency Management System (SEMS), the County of Tulare, serving as the Tulare Operational Area, requests the following Mission / Task to be completed:

TASK(S) TO BE PERFORMED:

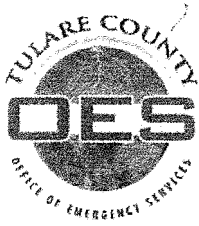
1. **As of January 10, 2015:** Renew request XTU-2014-LG-001 to continue utilizing City of Porterville water, personnel, and equipment to fill existing non-potable water tanks placed at individual homes by the Porterville Area Coordinating Council in the unincorporated area east of and immediately adjacent to the City of Porterville, commonly referred to as "East Porterville" or "Doyle Colony," for those homes where a signed waiver of liability has been obtained from the occupant by the City of Porterville.

DURATION & TERMINATION:

The recipient is requested to perform the task(s) above for: **120 days**

County endeavours to replace the existing tanks with larger, potable water tanks, to be filled by commercial water haulers, prior to the end of the 120 day period of this request. Should such transition be incomplete at that time, this request may be renewed. Similarly, this request may be terminated prior to expiration should such transition be completed prior to expiration, and/or if the need has abated. Should the request be terminated prior to expiration, such termination shall occur at a time mutually agreed upon.

Should City of Porterville wish to cease performing the requested task, at least 15 days prior notice is requested.



Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

XTU-2015-LG-001

COMPENSATION:

The **County of Tulare** shall reimburse the **City of Porterville** for **100%** of actual costs associated with this request, upon receipt of invoice(s) from the City of Porterville for services performed.

The **County of Tulare** shall claim such costs for disaster recovery from the State of California. This section supercedes Paragraph D of Section VI of the Tulare County Regional Emergency Management Mutual Aid Agreement, as the contingent reimbursement outlined therein has been found to be in conflict with State and Federal policies and regulations.

Please contact my office should you have any questions in regards to this request.

Sincerely,

Andrew Lockman
Emergency Services Manager
County of Tulare, Office of Emergency Services

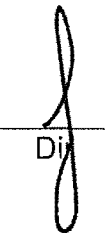
SUBJECT: GOVERNOR'S EXECUTIVE ORDER FOR CALIFORNIA DISASTER ASSISTANCE ACT FUNDING, AND THE PROVISION OF WATER TO EAST PORTERVILLE RESIDENTS

SOURCE: Administration

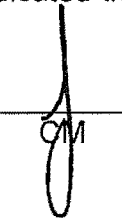
COMMENT: As has been reported at prior City Council meetings, Governor Brown recently issued Executive Order B-26-14, within which the Governor authorized funding through the California Disaster Assistance Act for the purpose of providing temporary water supplies to households without water for drinking and/or sanitation purposes, as well as directed State agencies to coordinate with counties and local agencies in providing long-term solutions for affected residents.

On Wednesday, October 15, 2014, City Council and staff representatives were invited to participate in a coordination meeting with State and County representatives in regards to the long-term water needs in the East Porterville area. State agencies represented in the meeting included the Governor's Offices of Emergency Services and Planning and Research, Department of Water Resources, and Department of Housing and Community Development. During the course of the meeting, the participants discussed the feasibility of the City allowing a manageable number of residents to connect to the City's municipal water system, with the remainder to have a 1,500-gallon tank placed at their residence that is proposed to be filled every other week (likely by Self-Help Enterprises). The Governor's Office of Emergency Services representatives indicated that they could fund the necessary water main infrastructure to connect County residents to the City's water system, and the Department of Housing and Community Development indicated they could fund the individual connection fees (approximately \$5,000 per connection). In addition, the Office of Emergency Services indicated that they could fund at least one (1) and potentially two (2) new wells for both connecting residents to the City's water system, as well as to provide a water source for the filling of the 1,500-gallon tanks.

It was reported in the meeting by the County that there are at least four hundred East Porterville residences whose wells are dry, of which the City indicated that it would begin planning toward the initial


Dir


App/Fund


CM

Item No. 16

connection of at least one hundred residences, focusing on the areas that meet the LAFCO definition of an "Island", which are most probable for future annexation into the city (please see attached proposed connection map). These areas are generally in the western most part of East Porterville, and also contain some of the largest clusters of residences currently without water.

As was reported at the October 21st City Council meeting, recognizing that the Council's funding authorization for providing water delivery service in coordination with the Porterville Area Coordinating Council would soon be expended, County representatives had requested that the City consider continuing this service by Mutual Aid Agreement with the County as long-term solutions are developed and put into effect. To ensure adequate funding was available to continue water delivery service, the Council authorized the continuation of water delivery service through Friday, November 7th. Under the Executive Order's funding authorization, and by Mutual Aid Agreement, effective Monday, November 10th, the City would be eligible for full reimbursement for appropriate expenses in providing assistance and support for drought-related activities, for a period of at least sixty (60) days. Please see the attached Tulare Operational Area Task Request.

To date, the PACC has currently placed sixty-five (65) 300-gallon water tanks at East Porterville residences, which is planned to increase to one hundred (100) by the end of this month. Currently, City staff and a water truck deliver water to each residence with a tank once per week, which requires two full days to fill the tanks, and will require at least an additional day of delivery as the additional tanks are placed.

On Thursday, October 16th, representatives from the Tulare County Farm Bureau, County of Tulare, and Cities of Exeter, Lindsay and Visalia met to discuss the need for Federal legislation to address the drought. It is desired that a "one voice" letter to Federal legislators would encourage the passage of the essential drought relief bills that are currently in committee in Washington, D.C. The Draft Letter is provided for the Council's consideration and approval of support.

- RECOMMENDATION:** That the City Council consider:
1. The planning effort toward the provision of water service connections to East Porterville county residents in reference to the Governor's Executive Order;
 2. The continuation of water delivery service by Mutual Aid Agreement with the County effective November 10, 2014, for at least sixty (60) days; and
 3. Approval of the Draft Letter requesting immediate action and support for Federal Drought Relief Legislation.

- ATTACHMENTS:
1. Governor Executive Order B-26-14
 2. East Porterville Proposed Connection Map
 3. Tulare Operational Area SEMS Mission/Task Request
 4. Draft Letter to Federal Legislators for Drought Relief Legislation

Executive Department
State of California

EXECUTIVE ORDER B-26-14

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS drought conditions have persisted for the last three years and the duration of this drought is unknown; and

WHEREAS many residents across the state who rely on domestic wells or very small water systems now live in homes that can no longer provide water for drinking or sanitation purposes due to declining groundwater supplies resulting from the drought; and

WHEREAS the shortage of water for drinking and sanitation purposes that many residents now face constitutes a threat to human health and safety; and

WHEREAS additional expedited actions are needed to reduce the harmful impacts from these water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

IT IS HEREBY ORDERED THAT:

1. The Office of Emergency Services shall provide local government assistance as it deems appropriate for the purposes of providing temporary water supplies to households without water for drinking and/or sanitation purposes under the authority of the California Disaster Assistance Act, California Government Code section 8680 et seq. and California Code of Regulations, Title 19, section 2900 et seq.
2. The provisions of the Government Code and Public Contract Code applicable to state contracts and procurement, including but not limited to, advertising and competitive bidding requirements, are hereby waived for the sole purpose of allowing state agencies and departments to purchase water for the protection of health, safety, and the environment.

3. The provisions of California Penal Code section 396 prohibiting price gouging in times of emergency are hereby reinstated as of the date of this Order. The 30-day time period limitation under subsection (b) is hereby waived. For the purposes of calculating the price differential, the price of goods or services shall be compared to the price in effect as of the date of this Order.

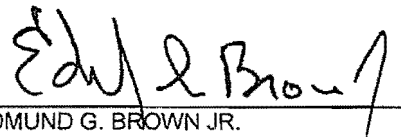
4. The State Water Resources Control Board, the Department of Water Resources, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies with the identification of acute drinking water shortages in domestic water supplies, and will work with local agencies in implementing solutions to those water shortages. For any actions the listed state agencies take pursuant to this directive, for any actions taken by a local agency where the Office of Planning and Research concurs that local action is required, and for any necessary permits to carry out those actions, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension will expire on December 31, 2014, except that actions started prior to that date shall not be subject to Division 13 for the time required to complete them.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

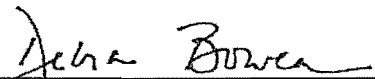
I **FURTHER DIRECT** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of September 2014.








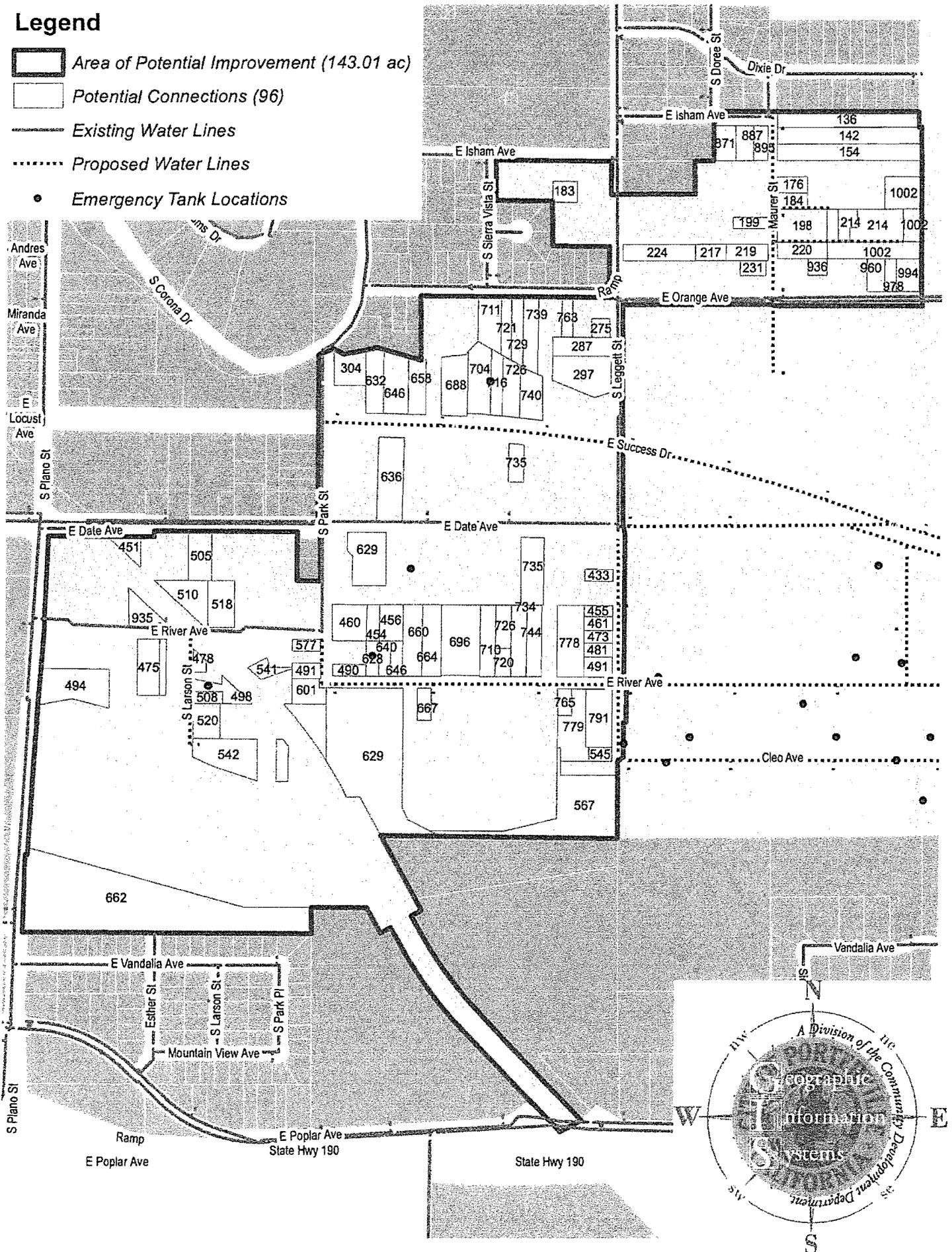

EDMUND G. BROWN JR.
Governor of California

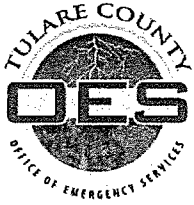
ATTEST:


DEBRA BOWEN
Secretary of State

Legend

-  Area of Potential Improvement (143.01 ac)
-  Potential Connections (96)
-  Existing Water Lines
-  Proposed Water Lines
-  Emergency Tank Locations





Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

TULARE OPERATIONAL AREA SEMS MISSION/TASK REQUEST **XTU-2014-004-LG**

To: **City of Porterville**

Date: **10/29/14**

Pursuant to the California Master Mutual Aid Agreement (MMAA), the Tulare County Regional Emergency Management Mutual Aid Agreement ("TC EMMAA"), and in accordance with the Standardized Emergency Management System (SEMS), the County of Tulare, serving as the Tulare Operational Area, requests the following Mission / Task to be completed:

TASK(S) TO BE PERFORMED:

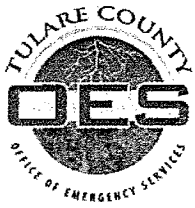
1. **As of November 10, 2014:** Continue utilizing City of Porterville water, personnel, and equipment to fill existing non-potable water tanks placed at individual homes by the Porterville Area Coordinating Council in the unincorporated area east of and immediately adjacent to the City of Porterville, commonly referred to as "East Porterville" or "Doyle Colony," for those homes where a signed waiver of liability has been obtained from the occupant by the City of Porterville.

DURATION & TERMINATION:

The recipient is requested to perform the task(s) above for: **At least 60 days.** This request is anticipated to be renewed prior to expiration, unless the need has abated; should the need abate prior to expiration, the request shall be terminated at such time as mutually agreed upon. Should City of Porterville wish to cease performing the requested task, at least 10 days prior notice is requested.

COMPENSATION:

The **County of Tulare** shall reimburse the **City of Porterville** for **100%** of actual costs associated with this request. The **County of Tulare** shall claim such costs for disaster recovery from the State of California. This section supercedes Paragraph D of Section VI of the Tulare County Regional Emergency Management Mutual Aid Agreement, as the contingent



Office of Emergency Services

5957 South Mooney Boulevard, Visalia, California 93277
(559) 624-7495 Telephone (559) 737-4692 Facsimile

reimbursement outlined therein has been found to be in conflict with State and Federal policies and regulations.

Please contact my office should you have any questions in regards to this request.

Sincerely,

Andrew Lockman
Emergency Services Manager
County of Tulare, Office of Emergency Services

DATE

Re: Request for Immediate Action and Support for Federal Drought Relief Legislation

Dear U.S. Senators and Members of the House of Representatives:

Tulare County constituents continue to remain very concerned about water reliability in the San Joaquin Valley and throughout California and supports the efforts of both the House and Senate to craft legislative proposals that can respond to our urgent and dire situation and develop comprehensive long term solutions.

The Valley's economy depends on healthy rural communities that can provide safe and reliable water supplies to their residents. These residents fuel the economy in the Valley by contributing to the agricultural workforce and beyond. The bills now in conference must address storage and short term relief in the immediate future, and long term solutions for more storage infrastructure and less environmental restriction.

We write to thank each of you for the effort you have made to address the dire water situation facing the State of California. The passage of S. 2198, the Emergency Drought Relief Act out of the U.S. Senate, and H.R. 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act out of the U.S. House of Representatives, are significant and commendable milestones. The efforts you have taken are greatly appreciated. We are, however, acutely aware of the need for you to promptly resolve the differences between these bills before any legislation will become law. We also know that we are in urgent need of a change in law.

While the bills have been in conference the number of dry domestic wells in Tulare County has climbed to 724. That means more than 750 homes and more than 3,375 people are without water. The availability of surface water to curb groundwater pumping and recharge our aquifers is key to addressing the private well issue.

Therefore, we are asking each of you to work diligently and in good faith to bridge your differences. Failure will ensure that the current regulatory and policy regimes that were put in place to improve the health of the Delta and the Central Valley, but have actually done the opposite, will continue unchecked. As a result, more acreage will be fallowed further diminishing our ability to provide a safe and sustainable food supply and threatening our national security. In addition, the demands on food banks, existing high unemployment, the inability of families to pay utilities and stay in their homes, and the lack of job opportunity that already exists in disadvantaged communities will all be exacerbated.

A comprehensive solution should including the following key provisions:

In the Short Term,

- Immediate emergency relief from the Endangered Species Act
- Operate the State Water Project and Central Valley Project with maximum discretion and flexibility
- Cessation of restoration flows on the San Joaquin River until such a time surplus water exists beyond the needs of communities and industry

In the Long Term,

- Increase storage capacity within our existing reservoir systems
- Create new storage throughout the state
- Re-evaluate the current management plans to allow improved operational flexibility of our water projects

The signors below support a bipartisan effort from the House and the Senate to craft this comprehensive solution for immediate relief and long term solutions. Thereby securing a reliable water supply for our residents and to protect our robust agricultural economy. We respectfully ask for your collective help and influence to save our state from catastrophic losses.

Sincerely,

SUCCESSOR AGENCY AGENDA: FEBRUARY 3, 2015

SCHEDULED MATTER

TITLE: MODIFICATION TO AGREEMENT LANGUAGE FOR VILLA SIENA DEVELOPMENT

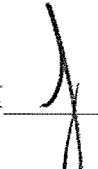
COMMENT: In 2010, the Porterville Redevelopment Agency signed as a third party beneficiary an Easement Maintenance and Use Agreement associated with the development project commonly known as Villa Siena. The development is located at the southeast corner of Putnam Avenue and E Street in downtown Porterville. The Parcel 1 owner, Porterville Housing Partners, LP, constructed a residential housing development for low-income persons, and the Parcel 2 owner, TPC Commercial, LLC, constructed an office building. A specifically designated parking area and the common grounds were the subject of the Easement Maintenance and Use Agreement. The Redevelopment Agency, who had assisted with funding the housing portion, was a third party beneficiary in order to secure its interest in the long term maintenance of the development as a whole.

By spring of 2012, construction was completed, and the finishing touches were being placed on the site. It was after the placement of signage identifying the terms of the Easement Maintenance and Use Agreement that staff realized a minor, but substantive error in the agreement. Instead of the intended sharing of the entire parking area of 15 spaces on Parcel 2 (Attachment 1), only three parking spaces were specified in the agreement. The Easement Maintenance and Use Agreement is one of multiple recorded documents for the subject parcels, and the modification of the document to make the needed correction would require re-recording.

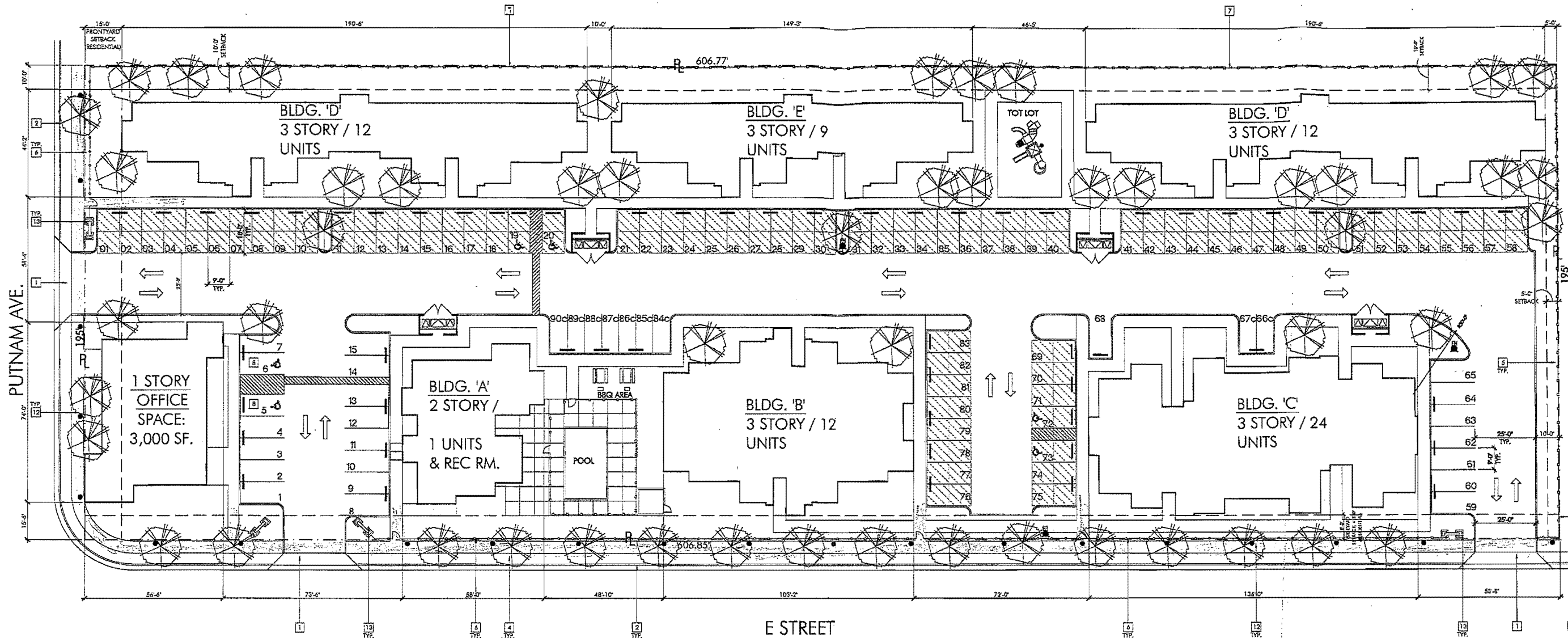
The Successor Agency, as the successor in interest to the former Porterville Redevelopment Agency pursuant to Health and Safety Code Section 34173, will need to consent to the addendum to the agreement and clarify that the Successor Agency to the Porterville Redevelopment Agency is now the third party beneficiary.

RECOMMENDATION: That the Successor Agency approve the proposed addendum to the Easement Maintenance and Use Agreement.

ATTACHMENTS: 1. Site Plan
2. Proposed Addendum to the Easement Maintenance and Use Agreement

DD _____ Appropriated/Funded N/A CM 

Item No. SA-01



SITE DATA

APN: 252-193-004, 252-193-005
 TOTAL SITE AREA
 +/- 2.7 GROSS ACRES (118,303 S.F.)
 DENSITY:
 25.93 DWELLING UNITS PER ACRE
 BUILDING HEIGHT: 3 STORIES (+/- 36 FT.)

CITY ZONING

ZONE: R4 MULTIPLE FAMILY & PROFESSIONAL OFFICE

HEIGHT: 50'-0" MAX.

SETBACKS (RESIDENTIAL)

FRONT YARD: 15'-0" MIN.
 SIDE YARD: 5'-0" MIN.
 BACK YARD: 5'-0" MIN.

SETBACKS (COMMERCIAL)

FRONT YARD: 0'-0" MIN.
 SIDE YARD: 0'-0" MIN.
 BACK YARD: 0'-0" MIN.

SITE COVERAGE: 40% MIN.

SPACE BETWEEN BUILDINGS: 15'-0" MIN.

BUILDING DATA/PARKING

UNIT MIX:
 1-BR UNITS - 24 621 S.F.
 2-BR UNITS - 18 863 S.F.
 3-BR UNITS - 30 1,060 S.F.
 3-BR MOVS UNIT - 1 1,245 S.F.
 TOTAL: 73 UNITS

BUILDING MIX:

1 BUILDING TYPE A - COMMUNITY CENTER
 1ST FLOOR 2,405 S.F.
 2ND FLOOR 1,345 S.F.
 1 BUILDING TYPE B - 3 STORY, 12 UNITS
 5,430 S.F. EACH FLOOR
 1 BUILDING TYPE C - 3 STORY, 24 UNITS
 7,117 S.F. EACH FLOOR
 1 BUILDING TYPE D - 3 STORY, 12 UNITS
 5,554 S.F. EACH FLOOR
 1 BUILDING TYPE E - 3 STORY, 9 UNITS
 4,278 S.F. EACH FLOOR
 6 TOTAL RESIDENTIAL BUILDINGS
 1 OFFICE BUILDING - 1 STORY - 3,000 S.F.
 TOTAL BUILDING AREA: 90,755 S.F.

REQUIRED PARKING:

OFFICE - 1 space per 300 SF
 RESIDENTIAL - 1.5 spaces per unit
 OFFICE - 3,000 SF / 300 = 10 spaces req.
 RESIDENTIAL - 73 units x 1.5 = 109.5 spaces req.
 TOTAL SPACES REQUIRED: 119.5 spaces

95 Residential Spaces

10 Office spaces

* SHARED PARKING BETWEEN THE OFFICE AND APARTMENTS
 PROPOSED FOR AFTER THE REGULAR OFFICE OPERATING HOURS.
 OFFICE BUILDING PARKING IS INCLUDED IN THE TOTAL REQUIRED
 FOR RESIDENTIAL.

COMPACT SPACES

10% OF ALL REQUIRED PARKING SPACES MAY BE
 COMPACT
 10% x 10% = 10.5 SPACES ALLOWED
 9 SPACES PROVIDED

COVERED SPACES

74 COVERED SPACES PROVIDED

CONSTRUCTION

RECREATION BUILDING (TYPE A)
 OCCUPANCY (REC. BLDG.) A-3 & R-3
 CONST. TYPE V - NR
 NON-FRANKLINED
 (1-HR OCCUPANCY SEPARATION BETWEEN COMMUNITY
 CENTER AND MANAGERS UNIT ABOVE)

APARTMENT BUILDINGS (TYPE B, C, D, E & F)

OCCUPANCY R-1
 CONST. TYPE Y - 1 HR, FULLY-SPRINKLERED
 (NFA 138)
 ALL APARTMENT UNITS TO BE SEPARATED BY
 1-HOUR FIRE-RESISTIVE CONSTRUCTION AT
 THE FLOORS AND WALLS.

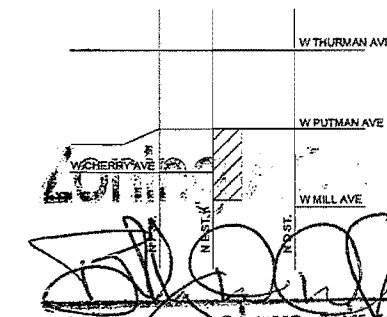
SITE PLAN LEGEND

- 1 ENTRY DRIVEWAY
- 2 NEW CURB & GUTTER
- 3 EXISTING WALKWAY
- 4 STREET TREES 35'-0" O.C. TYP.
- 5 LANDSCAPE BUFFER AREA
- 6 4' WROUGHT IRON FENCE
- 7 7' MASONRY BLOCK WALL

- 8 H.C. ACCESSIBLE PARKING SPACES
- 9 HATCH LINE INDICATES COVERED CARPORTS
- 10 TRASH ENCLOSURE
- 11 FIRE HYDRANT
- 12 HISTORIC STREET LIGHT
- 13 MONUMENT SIGN

VICINITY MAP

Scale: N.T.S.



1 SITE PLAN

Scale: 1" = 20'-0"

SHEET INDEX

NO.	DESCRIPTION	DATE
A1.1	CONCEPTUAL SITE PLAN	
A2.1	BUILDING 'A' 1ST FLOOR PLANS	
A2.2	BUILDING 'A' 2ND FLOOR AND ROOF PLAN	
A2.3	BUILDING 'B' 1ST AND 2ND FLOOR PLANS	
A2.4	BUILDING 'B' 3RD FLOOR AND ROOF PLAN	
A2.5	BUILDING 'C' 1ST AND 2ND FLOOR PLANS	
A2.6	BUILDING 'C' 3RD FLOOR AND ROOF PLAN	
A2.7	BUILDING 'D' 1ST AND 2ND FLOOR PLANS	
A2.8	BUILDING 'D' 3RD FLOOR AND ROOF PLAN	
A2.9	BUILDING 'E' 1ST AND 2ND FLOOR PLANS	
A2.10	BUILDING 'E' 3RD FLOOR AND ROOF PLAN	
A2.11	BUILDING 'F' OFFICE FLOOR PLAN AND ROOF PLAN	
A4.1	UNIT FLOOR PLANS	

* Zoning Administrator
 AUTHORIZES A MINOR MODIFICATION
 TO SITE DESIGN TO RELOCATE
 Bldgs. "A" & "C" AS SHOWN
 ON PLAN.

signature
 11/10/09
 date

ATTACHMENT
 ITEM NO. 1

ADDENDUM NO.1
TO
EASEMENT MAINTENANCE AND USE AGREEMENT

This ADDENDUM ADDENDUM NO.1 TO EASEMENT MAINTENANCE AND USE AGREEMENT ("Addendum") is made and entered into as of this ____ day of _____ 2015, by and between (i) PORTERVILLE HOUSING PARTNERS, L.P. a California Limited partnership ("Parcel 1 Owner"), and (ii) TPC COMMERCIAL, LLC, an Idaho limited liability company ("Parcel 2 Owner").

A. Parcel 1 Owner and Parcel 2 Owner previously entered into that certain Easement Maintenance and Use Agreement dated as of September 30, 2010 ("Agreement") and recorded in the Official Records of Tulare County, California on October 19, 2010 as Instrument No. 2010-0064179, against the real property described in EXHIBIT "A", which is attached hereto and incorporated herein (the "Property"),

B. Parcel 1 Owner and Parcel 2 Owner hereby agree to amend the Agreement as follows: Section 1 of the Agreement is hereby amended, restated and superseded in its entirety by the following:

1. ***Use of Easement:*** (a) Parcel 2 Owner and its tenants, guest, employees, agents, licensees and invitees (collectively, the "Parcel 2 Parties") may use the driveways, pedestrian walkways and accessways within the portion of the Easement Area located on Parcel 1 (the "Parcel Easement Area") for ingress and egress at all times without restriction pursuant to the Easement, and may use the parking spaces in the Parcel 1 Easement Area for parking pursuant to the Easement solely after 8:00 a.m. and before 6:00 p.m. on any day other than a Saturday, Sunday or Federal or State of California holiday. Parcel 1 Owner and its tenants, guests, employees, agents, licensees and invitees (collectively, the "Parcel 1 Parties") may use the driveways, pedestrian walkways, and accessways within the Parcel 1 Easement Area for ingress, egress and parking at any time; provided, however, that, notwithstanding the foregoing. (ii) Parcel 2 Owner shall designate all parking spaces within the Parcel 2 Easement Area for use solely by commercial and office uses after 8:00 a.m. and before 6:00 p.m. on any day other than a Saturday, Sunday or Federal or State of California holiday (such parking spaces, as they may be designated from time to time, the "designated parcel 2 parking spaces"), and (iii) the Parcel 2 parties shall only use the designated Parcel 1 parking spaces at such times. During non-business hours all parking spaces shall be available to Parcel 1 parties.

The Parcel 1 Parties may use the driveways, pedestrian walkways and accessways within the portion of the Easement Area located on Parcel 2 (the "Parcel 2 Easement Area") for ingress and egress at all times without restriction pursuant to the Easement and may use the parking spaces in Parcel 2 Easement Area for parking pursuant to the Easement solely before 8:00 a.m. and after 6:00 p.m. on any day other than a Saturday, Sunday or Federal or State of California holiday, and at any time on any day that is a Saturday, Sunday or Federal or State of California holiday (such parking spaces, as they may be designated from time to time, the "designated Parcel 1 parking spaces"), and (ii) the Parcel 2 parties shall not use the designated Parcel 1 parking spaces at such times.

ATTACHMENT NO. 2

Parcel 1 Owner shall erect and maintain signage to inform the Parcel 2 Parties and the Parcel 2 Owner shall erect and maintain signage to inform the Parcel 1 Parties of the restrictions described in Section 1 which signage shall be acceptable to both Parties. The cost of erecting and maintaining such signage shall be shared equally by the Parcel 1 Owner and the Parcel 2 Owner. The signage shall read as follows "NO RESIDENT PARKING from 8:00 a.m. to 6:00 p.m. Monday through Friday", and it shall be installed in the following locations: entry/exit points to commercial office parking area.

C. Except as expressly modified by this Addendum, the Agreement shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Addendum No. 1 to Easement Maintenance and Use Agreement as of the date and year first written above.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

PARCEL 1 OWNER:
PORTERVILLE HOUSING PARTNERS,
L.P. a California Limited Partnership

By: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
--

STATE OF CALIFORNIA)	
)	ss.
COUNTY OF TULARE)	

On _____ before me, _____, Notary Public,
personally appeared _____, who proved to
me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

PARCEL 2 OWNER:

TPC COMMERCIAL, LLC, an Idaho
an Idaho Limited Liability Company

By: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
--

STATE OF IDAHO)	
)	ss.
COUNTY OF)	

On _____ before me, _____, Notary Public,
personally appeared _____, who proved to
me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SIGNATURE OF NOTARY PUBLIC

THE PORTERVILLE HOUSING AUTHORITY, AS HOUSING SUCCESSOR TO THE FORMER PORTERVILLE REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176, AND AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST WITH ABSOLUTE ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING DATED FEBRUARY 1, 2010 AND RECORDED FEBRUARY 5, 2010 IN THE OFFICIAL RECORDS OF TULARE COUNTY, CALIFORNIA, AS INSTRUMENT NO. 2010-000775, HEREBY CONSENTS TO THE FOREGOING ADDENDUM NO. 1 TO EASEMENT MAINTENANCE AND USE AGREEMENT.

PORTERVILLE HOUSING AUTHORITY

By: _____
Name: Jennifer M. Byers
Title: Executive Director

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
--

STATE OF CALIFORNIA)	
)	ss.
COUNTY OF TULARE)	

On _____ before me, _____, Notary Public,
personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE OF NOTARY PUBLIC

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcels 1 and 2 of Parcel Map No. 5004 recorded September 29, 2010 in Book 51 Page 10 of Parcel Maps, Tulare County Records.

Excepting therefrom all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to the grantor, its successors and assigns, but without entering upon or using the surface of the property, and in such manner as not to damage the surface of the property, or to interfere with the use thereof by the grantee, its successors and assigns, as reserved in the deed recorded July 23, 1998 as Document No. 1998-0051538 of Official Records.