

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 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 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Police Officers Association and Porterville City Firefighters Association.
 - 2**- 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 plaintiff.
 - 3**- Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

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

Pledge of Allegiance Led by Council Member Reyes
Invocation

PRESENTATIONS

Badge Pinning of Police Chief Eric Kroutil
16th Annual Tulare County Spelling Championship Recognition

AB 1234 REPORTS

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

1. Consolidated Waste Management Association (CWMA): February 19, 2015
2. Tulare County Economic Development Corp. (TCEDC): February 25, 2015
3. Council of Cities: February 24, 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: February 25, 2015

4. Animal Control Commission: March 2, 2015
5. Youth Commission
6. Transactions and Use Tax Oversight Committee (TUTOC)

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 June 17, 2014 and February 3, 2015**
2. **Authorization to Advertise for Bids – Fare Collection System**
Re: Considering approval of staff's Plans and Project Manual for the project consisting of the installation of the fare collection system on all fixed route vehicles.
3. **Authorization to Advertise for Bids – Automatic Passenger Counting System**
Re: Considering approval of staff's Plans and Project Manual for the project consisting of the installation of an automatic passenger counting system on all fixed route vehicles.
4. **Award of Contract – Transit Maintenance & CNG Fueling Facility Expansion Project**
Re: Considering awarding contract in the amount of \$2,183,212.75 to Lee's Paving of Visalia, for the project consisting of the construction of a minimum of twenty (20) new "time fill" CNG dispenser locations at the City's CNG fueling facility and installation of solar panels; and approval of project funding in the amount of \$2,510,695.
5. **Award of Contract – Washer Grinder Equipment Replacement Project**
Re: Considering awarding contract in the amount of \$170,917 to Smith Construction Company of Fresno. for the project consisting of the construction/installation of a washer compactor at the City's Wastewater Treatment Facility.
6. **Acceptance of Project – Miscellaneous Concrete and Street Repair Project (Putnam Alley Between D Street and Hockett Street and Second Street Between Mill Avenue and Oak Avenue)**
Re: Considering acceptance of project from JT2 dba Todd Companies, and authorizing the filing of the Notice of Completion for the project consisting of the reconstruction of the south Putnam Avenue alley between Hockett and D Streets, and repairing asphalt, curb, gutter and sidewalk along Second Street between Mill and Oak Avenues.

7. **Authorization to Amend AECOM's Service Agreement for the Sludge Dewatering and Electric Blowers Project**
Re: Considering approval of a \$10,000 augmentation to AECOM's design contract for the purpose of designing upgrades to the Blower Room electrical panel, and approval of an amendment to the service agreement in an amount "not to exceed" \$65,000 for construction support services during the bid process and construction of the project.
8. **Ratification of Emergency Expenditure – Repair of Rowland Well #11**
Re: Considering ratification of the emergency repair of Rowland Well #11, and approval of payment to Valley Pump & Dairy Systems in an amount not to exceed \$14,000.
9. **Approval for Community Civic Event – Porterville Breakfast Rotary – Cancer Run – May 2, 2015**
Re: Considering approval of an event to take place on Saturday, May 2, from 8:00 a.m. to 11:00 a.m., at Tulsa Street and Putnam Avenue.
10. **Approval for Community Civic Event – American Cancer Society – Bark for Life – March 14, 2015**
Re: Considering approval of an event to take place on Saturday, March 14, 2015, from 8:00 a.m. to 12:00 p.m., at Centennial Park.

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

PUBLIC HEARINGS

11. **Request for a Conditional Use Permit (PRC 2014-033-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 Los Portales Located at 377 E. Orange Avenue**
Re: Considering approval of a draft resolution to allow for the sale of beer and wine at Los Portales restaurant located at 377 E. Orange Avenue; and authorizing the Mayor to sign a Letter of Public Convenience or Necessity.

SECOND READINGS

12. **Second Reading – Ordinance 1821, Approving a Zone Change from CR (Retail Centers) to PS (Public and Semi-Public) for that 4.6± Acre Site Described Herein Generally Located at the Southwest Corner of West North Grand Avenue and State Route 65**
Re: Second reading of Ordinance 1821, approving a zone change for the development of a master planned storm drain basin, which was given first reading on February 17, 2015, and has been printed.

SCHEDULED MATTERS

13. **Assistance Options Related to Provision of Water Within County Islands**
Re: Consideration of options pertaining to the provision of water within County islands.
14. **Governor's Executive Order for California Disaster Assistance Act Funding, and the Provision of Water to East Porterville Residents**
Re: Consideration of a request for the continuation of water delivery service for at least 120 days; and a request to purchase potable water for at least 12 months.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

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

ADJOURNMENT - to the meeting of March 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.

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET AND
657 VILLAGE GREEN STREET
PORTERVILLE, CALIFORNIA
JUNE 17, 2014, 5:30 P.M.**

Called to Order at 5:30 p.m.

Roll Call: Council Member Shelton, Council Member Gurrola, Vice Mayor Ward, Mayor Hamilton, Council Member McCracken (entered at 7:00 p.m. via teleconference)

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 AND 657 VILLAGE GREEN STREET
PORTERVILLE, CALIFORNIA**

Roll Call: Agency Member Shelton, 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: APNs 253-192-006, 253-192-007, 253-192-008, 253-192-009 and 253-192-010. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Smith Commercial Properties, Inc. Under Negotiation: Terms and Price.
2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 8.20 miles/line of railroad between Strathmore, CA milepost 268.60 and Porterville, CA milepost 276.80 in Tulare County. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Union Pacific Railroad. 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 Claim: Claimant: Elpidio Cortez. Agency claimed against: City of Porterville.

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 CLAIM: CLAIMANT: ELPIDIO CORTEZ. 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 Elpidio Cortez.

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

Documentation: M.O. 01-061714

Disposition: Claim rejected.

Pledge of Allegiance Led by Vice Mayor Brian Ward
Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month – Tallen Speck
Swearing in New Police Officer
Introduction of New Employees

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): June 4, 2014 – no report.
2. Tulare County Association of Governments (TCAG): June 16, 2014 – Council Member Gurrola reported on a Federal Securities Law workshop attended by City staff, and an action item authorizing the execution of Bond and Disclosure documents.
3. Local Agency Formation Committee (LAFCO): June 4, 2014 – Mayor Hamilton reported on an action item approving a salary adjustment for the Executive Officer.

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 (Summer Hiatus) – none.
 2. Library & Literacy Commission (Summer Hiatus) – none.
 3. Arts Commission – none.
 4. Youth Commission (Summer Hiatus) – none.
 5. Transactions and Use Tax Oversight Committee (TUTOC) – Committee member Fletcher reported that he was actively recruiting applicants for the committee, and spoke of their upcoming meeting on August 7th.
- II. Staff Informational Reports
 1. Water Conservation Phase II, Water System Status – Public Works Director Baldo Rodriguez provided an update on conversations with the Department of Public Health regarding the 19-unit mobile home park at 40 E. Vandalia, the extension of water along East Vandalia, and the construction of a water delivery station.

ORAL COMMUNICATIONS

- Russell Fletcher, spoke of the Council’s decision to rescind a resolution observing LGBT Pride Month one year ago and stated that movements cannot be so easily squashed.
- Jessica Mahoney, expressed discontent with the pay rates of reserve firefighters (Item 13); and spoke of City Charter requirements regarding the City Manager’s residency (Item 17) and Pride Month.
- Martha Flores, spoke regarding street improvements on Indiana Street, and lauded City staff and the contractor for a pleasant experience. She also thanked the Police Department for the work they do.

The Council took a ten minute recess at 7:00 p.m. to allow Council Member McCracken the opportunity to participate via telephone.

CONSENT CALENDAR

Item Nos. 3, 6, 16 and 17 were removed for further discussion. Council Member Shelton noted conflicts of interest relative to Item Nos. 18 and 19, and indicated that he’d be abstaining from those items.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Vice Mayor Ward, that the City Council approve Item Nos. 1, 2, 4 through 5, 7 through 15, 18, and 19. The motion carried unanimously, with the aforementioned abstentions.

1. CITY COUNCIL MINUTES OF OCTOBER 15, 2013, AND DECEMBER 17, 2013

Recommendation: That the City Council approve the Minutes of October 15, 2013, and December 17, 2013.

Documentation: M.O. 02-061714

Disposition: Approved.

2. AUTHORIZATION TO PURCHASE TWO (2) REPLACEMENT CNG BUSES

Recommendation: That the City Council authorize the purchase of two (2) replacement CNG transit buses from Creative Bus Sales; and authorize payment for said equipment upon satisfactory delivery.

Documentation: M.O. 03-061714

Disposition: Approved.

4. AWARD OF CONTRACT – 2013/2014 FISCAL YEAR MICRO-SURFACING PROJECT

Recommendation: That the City Council:

1. Award the 2013/2014 Fiscal Year Micro-Surfacing Project Base Bid to Contractor, in the amount of \$324,000;
2. Authorize progress payments up to 95% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs and 5.83% for construction management, quality control and inspection.

Documentation: M.O. 04-061714

Disposition: Approved.

5. ACCEPTANCE OF PROJECT – MAIN STREET & PLANO STREET BUS TURNOUTS

Recommendation: That the City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the immediate release of final payment, provided no stop notices have been filed.

Documentation: M.O. 05-061714

Disposition: Approved.

7. APPROVAL OF ANNUAL TRANSPORTATION AGREEMENT WITH COUNTY OF TULARE

Recommendation: That the City Council enter into an agreement with the County of Tulare for FY 2014/2015 to provide service to County residents within the Service Area Boundary, and authorize the Mayor to execute the agreement on behalf of the City.

Documentation: M.O. 06-061714

Disposition: Approved.

8. RENEWAL OF STANDARD AGREEMENT ALLOWING USE OF POLICE WEAPONS RANGE FACILITY BY STAFF OF PORTERVILLE COLLEGE

Recommendation: That the City Council:

1. Approve the Agreement between the City of Porterville and Porterville College for the period of 07/04/14 through 06/30/15; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 07-061714

Disposition: Approved.

9. RENEWAL OF STANDARD AGREEMENT ALLOWING USE OF POLICE WEAPONS RANGE FACILITY BY STAFF OF THE LINDSAY POLICE DEPARTMENT

Recommendation: That the City Council:

1. Approve the Agreement between the City of Porterville and the City of Lindsay for the period of 07/01/14 through 06/30/15; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 08-061714

Disposition: Approved.

10. RENEWAL OF STANDARD AGREEMENT ALLOWING USE OF POLICE WEAPONS RANGE FACILITY BY STAFF OF THE WOODLAKE POLICE DEPARTMENT

Recommendation: That the City Council:

1. Approve the Agreement between the City of Porterville and the City of Woodlake for the period of 07/01/14 through 06/30/15; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 09-061714

Disposition: Approved.

11. PRELIMINARY ANNUAL ENGINEER'S REPORT OF ASSESSMENTS FOR LIGHTING & LANDSCAPE MAINTENANCE DISTRICTS AND SETTING A PUBLIC HEARING

Recommendation: That the City Council:

1. Adopt Resolutions:

- a. Ordering the preparation of an Engineer's Report for the Landscape and Lighting Maintenance Districts for the Fiscal Year 2014-2015;
 - b. Giving preliminary approval to the Engineer's Report for the Landscape and Lighting Maintenance Districts for Fiscal Year 2014-2015; and
 - c. Declaring the intent to levy and collect assessments for Fiscal Year 2014-2015, and offering a time and place for hearing objections thereto.
2. Further, that the City Council set a public hearing for 6:30 PM on July 15, 2014, regarding the Engineer's Report and proposed assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2014-2015.

Documentation: Resolution No. 34-2014; Resolution No. 35-2014; Resolution No. 36-2014
Disposition: Approved.

12. RENEWAL OF AGREEMENT WITH COOPERATIVE PERSONNEL SERVICES

Recommendation: That the City Council:

1. Approve the draft resolution authorizing the renewal of the Test Security Agreement with Cooperative Personnel Services; and
2. Authorize the Administrative Services Director to sign said Agreement on behalf of the City.

Documentation: Resolution No. 37-2014
Disposition: Approved.

13. AMENDMENT TO THE SEASONAL AND PART-TIME PAY RATES

Recommendation: That the City Council:

1. Adopt the draft Resolution Amending the City's Employee Pay and Benefit Plan, Seasonal and Part-time Rates for FY 2014-15; and
2. Authorize the Mayor to execute these and other documents necessary to implement the provisions hereof.

Documentation: Resolution No. 38-2014
Disposition: Approved.

14. APPROVAL FOR COMMUNITY CIVIC EVENT – WALK WITH ME FAMILY SERVICES AND BUILT 4 LIFE, INC. – OLYMPIC DAY 2014 – JUNE 28, 2014

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Walk with Me Family Services and Built 4 Life, Inc. subject to the Restrictions and Requirements contained in the Application and Exhibit A of the Community Civic Event Application.

Documentation: M.O. 10-061714
Disposition: Approved.

15. CONSIDERATION OF PROCLAMATION – NATIONAL PARKS & RECREATION MONTH – JULY 2014

Recommendation: That the City Council consider approval of the request to proclaim July 2014, as National Parks and Recreation Month.

Documentation: M.O. 11-061714
Disposition: Approved.

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

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

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

Documentation: M.O. 12-061714
Disposition: Approved.

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

Recommendation: That the City Council:

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

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

Documentation: M.O. 13-061714
Disposition: Approved.

PUBLIC HEARINGS

20. ADOPTION OF FISCAL YEAR 2014-2015 BUDGET

Recommendation: The City Manager recommends that the City Council consider adoption of the proposed 2014-15 Fiscal Year Budget, including any modifications and for the time designated by Council, subject to the ratification of a newly-seated City Council at the July 1, 2014, meeting.

Administrative Services Director Patrice Hildreth introduced the item and presented the staff report.

The public hearing was opened at 7:16 p.m. Seeing no one, the Mayor closed the public hearing at 7:17 p.m.

The Council discussed, at length, the operating costs and revenues of the municipal golf course and various other leisure services. Vice Mayor Ward inquired about the costs and benefits of the golf course, and questioned how revenues could be increased. Council Member Gurrola stated that she would like to see a plan developed for new activities at the golf course with quarterly revenue reports presented to the Council.

Council Member Shelton expressed his opposition to the budget allocation for the Chamber of Commerce.

Council Member Gurrola made a motion to adopt the proposed 2014-15 Fiscal Year Budget through July 30, 2014. Mayor Hamilton seconded the motion.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Shelton, that the City Council bifurcate the Chamber of Commerce allocation from the budget for separate consideration.

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

Documentation: M.O. 14-061714
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Hamilton, that the City Council adopt the proposed 2014-15 Fiscal Year Budget through July 30, 2014, excluding the Chamber of Commerce allocation. The motion carried unanimously.

Documentation: Resolution No. 39-2014; Resolution No. 40-2014
Disposition: Approved.

Vice Mayor Ward made a motion to reduce the Chamber of Commerce allocation in tandem with reductions in City department budgets. Council Member Shelton seconded the motion. After a lengthy discussion regarding the Porterville Chamber of Commerce and the community services they

provided, Vice Mayor Ward withdrew his motion.

COUNCIL MOTION: MOVED by Mayor Hamilton, SECONDED by Council Member Shelton, that the City Council approve the \$35,000 allocation to the Porterville Chamber of Commerce, and reduce Mayor Hamilton's budget in tandem with City department budget reductions.

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

Documentation: M.O. 15-061714
Disposition: Approved.

Council Member McCracken left the meeting at 8:01 p.m.

21. COMMUNITY DEVELOPMENT BLOCK GRANT 2014/2015 ACTION PLAN

Recommendation: That the City Council:

1. Adopt the draft resolution approving the 2014/2015 Action Plan and the proposed program models; and
2. Direct staff to submit the 2014/2015 Action Plan to the Department of Housing and Urban Development.

Administrative Services Director Patrice Hildreth introduced the item, and Interim Community Development Director Jenni Byers presented the staff report.

The public hearing was opened at 8:04 p.m. Seeing no one, the Mayor closed the public hearing at 8:05 p.m.

The Council inquired about various aspects of the Action Plan, including: funding sources and amounts; the City's qualifications and entitlements; high-density housing; assistance for low-income and elderly residents; and the City's outreach efforts.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Shelton, that the City Council adopt the draft resolution approving the 2014/2015 Action Plan and the proposed program models, and direct staff to submit the 2014/2015 Action Plan to the Department of Housing and Urban Development.

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

Documentation: Resolution No. 41-2014
Disposition: Approved.

The Council took a ten minute recess at 8:20 p.m.

SCHEDULED MATTERS

22. AMENDMENT TO CHAPTER 13 OF THE PORTERVILLE MUNICIPAL CODE
BY ADDING A HOME-GENERATED SHARPS DISPOSAL PROGRAM

Recommendation: That the City Council adopt Ordinance 1814 amending Chapter 13 of the Porterville Municipal Code by establishing a Home-Generated Sharps Waste Management Program; give first and second reading to said Ordinance; and waive further reading.

Administrative Services Director Patrice Hildreth introduced the item, and Public Works Director Baldo Rodriguez presented the staff report.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Council Member Gurrola, that the City Council adopt Ordinance 1814, being AN ORDINANCE OF THE COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 13 OF THE PORTERVILLE MUNICIPAL CODE BY ESTABLISHING A HOME GENERATED SHARPS WASTE MANAGEMENT PROGRAM; give first and second reading to said Ordinance; and waive further reading.

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

Documentation: Ordinance No. 1814
Disposition: Approved.

The ordinance was read by title only.

23. REQUEST FOR WAIVER OF SIDEWALK INSTALLATION AT 925 E.
VANDALIA AVENUE

Recommendation: That the City Council provide direction to staff on this matter.

Administrative Services Director Patrice Hildreth introduced the item, and Public Works Director Baldo Rodriguez presented the staff report.

The Mayor recognized the property owner and invited her to address the Council.

The Council discussed various options for the installation of a sidewalk and the removal of

impeding trees on the homeowner's property. The homeowner expressed her desire to pay for the sidewalk installation herself in order to prevent the trees from being removed.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council direct the Public Works Director to meet with the homeowner and contractor to devise an appropriate agreement, contingent upon review and approval of the City Attorney.

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

Documentation: M.O. 16-061714
Disposition: Approved.

24. AUTHORIZATION TO MODIFY DEVELOPMENT FEE PAYMENT PLAN AGREEMENT – PACIFIC RIM MIXED-USE PROJECT (01-2014)

Recommendation: That the City Council:

1. Determine whether to approve or deny the requested amendment, making the first recurring payment due at the time of final occupancy with a time limit not to exceed three years to Payment Plan 01-2014 and authorize the Mayor to sign all necessary documents, if approved.
2. Provide staff direction regarding altering the terms of the Development Fee Payment Plan (Resolution 37-2012), making the next payment due at the time of final occupancy with a time limit not to exceed three years (and subsequent installments paid annually thereafter).

Administrative Services Director Patrice Hildreth introduced the item, and Development Associate Jason Ridenour presented the staff report. The Council discussed the several modifications that had already been approved for the project in question, and expressed their disapproval of yet another modification request.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Council Member Shelton, that the City Council reject the requested amendment, and direct staff to research options for future payment deferment plans.

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

Documentation: M.O. 17-061714

Disposition: Request denied and direction given.

25. CALHOME PROGRAM APPLICATION

Recommendation: That the City Council:

1. Adopt the draft resolution approving the submittal of a CalHome Program funding application to the California Department of Housing and Community Development;
2. Authorize the Mayor to execute all documents pertaining to the CalHome Program; and
3. Authorize the Community Development Director to execute, in the name of the City of Porterville, project drawdown requests, and all other administrative documents required by the California Department of Housing and Community Development for administration of the CalHome Program.

Administrative Services Director Patrice Hildreth introduced the item, and Interim Community Development Director Jenni Byers presented the staff report. Council Member Gurrola inquired about the ability to use the funds on mobile homes.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Shelton, that the City Council adopt the draft resolution approving the submittal of a CalHome Program funding application to the California Department of Housing and Community Development; authorize the Mayor to execute all documents pertaining to the CalHome Program; and authorize the Community Development Director to execute, in the name of the City of Porterville, project drawdown requests, and all other administrative documents required by the California Department of Housing and Community Development for administration of the CalHome Program.

AYES: Shelton, Gurrola, Ward, Hamilton

NOES: None

ABSTAIN: None

ABSENT: McCracken

Documentation: Resolution No. 42-2014

Disposition: Approved.

26. ORDINANCE REPEALING PORTERVILLE MUNICIPAL CODE CHAPTER 18, ARTICLE V RELATING TO REGISTERED SEX OFFENDER RESTRICTIONS

Recommendation: That the City Council adopt the draft Ordinance Repealing Chapter 18, Article V of the Porterville Municipal Code Relating to Registered Sex Offender Restrictions; give first reading; and order the ordinance to print.

Administrative Services Director Patrice Hildreth introduced the item, and City Attorney Julia Lew presented the staff report.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Shelton, that the City Council adopt the draft ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE REPEALING CHAPTER 18, ARTICLE V OF THE PORTERVILLE MUNICIPAL CODE RELATING TO REGISTERED SEX OFFENDER RESTRICTIONS; give first reading; and order the ordinance to print.

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

City Attorney Lew read the ordinance by title only.

Documentation: Ordinance No. 1815
Disposition: Approved; restrictions repealed.

CONSENT CALENDAR (ITEMS REMOVED FOR FURTHER DISCUSSION)

3. AWARD OF CONTRACT – ON-CALL ENVIRONMENTAL SERVICES

Recommendation: That the City Council:

1. Authorize staff to negotiate an on-call contract with Crawford and Bowen Planning, Inc.;
2. Authorize the Mayor to sign contract documents;
3. Authorize the Community Development Director to sign task orders; and
4. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

Administrative Services Director Patrice Hildreth introduced the item, and Interim Community Development Director Jenni Byers presented the staff report.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council authorize staff to negotiate an on-call contract with Crawford and Bowen Planning, Inc.; authorize the Mayor to sign contract documents; authorize the Community Development Director to sign task orders; and authorize staff to make payments up to 100% upon satisfactory completion of tasks.

AYES: Shelton, Gurrola, Ward, Hamilton

NOES: None
ABSTAIN: None
ABSENT: McCracken

Documentation: M.O. 18-061714
Disposition: Approved.

6. AMENDMENT TO TRAFFIC RESOLUTION NO. 10-2001 – INTERSECTION SAFETY IMPROVEMENT – DESIGNATION OF A PORTION OF MATHEW STREET AS A THROUGH STREET

Recommendation: That the City Council:

1. Adopt the draft resolution amending Traffic Resolution No. 10-2001, designating Mathew Street from Heritage Court to Morton Avenue as a through Street;
2. Authorize the City Engineer to notify the public, by an effective means, of pending ruling; and
3. Authorize the City Engineer to install traffic control devices, namely stop signs where none exist, at all intersections along Mathew Street from Heritage Court to Morton Avenue.

Administrative Services Director Patrice Hildreth introduced the item. Vice Mayor Ward inquired as to which streets would have new stop signs.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Shelton, that the City Council adopt the draft resolution amending Traffic Resolution No. 10-2001, designating Mathew Street from Heritage Court to Morton Avenue as a through Street; authorize the City Engineer to notify the public, by an effective means, of pending ruling; and authorize the City Engineer to install traffic control devices, namely stop signs where none exist, at all intersections along Mathew Street from Heritage Court to Morton Avenue.

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

Documentation: Resolution No. 43-2014
Disposition: Approved.

16. REQUEST FOR A LETTER OF SUPPORT FOR THE TULE RIVER INDIAN TRIBE

Recommendation: That the City Council authorize the Mayor to sign the draft letter supporting

the Tule River Indian Tribe's request for the conveyance of land from the Bureau of Land Management to the Bureau of Indian Affairs.

Administrative Services Director Patrice Hildreth introduced the item, and Interim Community Development Director Jenni Byers addressed the Council's questions.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member Gurrola, that the City Council authorize the Mayor to sign the draft letter supporting the Tule River Indian Tribe's request for the conveyance of land from the Bureau of Land Management to the Bureau of Indian Affairs.

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

Documentation: M.O. 19-061714
Disposition: Approved.

17. ADDENDUM NO. 2 – MINOR AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT

Recommendation: That the City Council consider and approve the proposed Addendum.

Administrative Services Director Patrice Hildreth introduced the item, and City Attorney Julia Lew addressed the Council's questions.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Hamilton, that the City Council approve Addendum No. 2 – Minor Amendment to City Manager's Employment Agreement.

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

Documentation: M.O. 20-061714
Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Gurrola reported on her participation in the Walk for Kindness event.
- Council Member Shelton spoke of the recent Kindness Walk, an upcoming Rocky Hill event, Chamber Mixer, and Freedom Fest.

- Vice Mayor Ward, congratulated Council Member McCracken for his re-election, Council Member Elect Milt Stowe, and Council Member Gurrola for her run-off for County Supervisor.
- Mayor Hamilton stated that he too was in attendance at the Walk for Kindness event; and acknowledged that Development Associate Jason Ridenour could probably beat him in a car race.
- Administrative Services Director Hildreth reported that the EMS crew had returned safely from the Shirley fire.

ADJOURNMENT

The Council adjourned at 9:29 p.m. to the meeting of July 1, 2014.

SEAL

Luisa M. Zavala, Deputy City Clerk

Cameron J. Hamilton, Mayor

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

Called to Order at 5:30 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

ORAL COMMUNICATIONS

- Bob Sweeney, spoke with regard to Closed Session Item A-2.

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**

The following action was reported:

- A-4. GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: CAROL MILLS. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

COUNCIL ACTION: On a MOTION by Council Member Gurrola, SECONDED by Council Member Ward, the Council rejected the claim filed by Carol Mills. The motion carried unanimously.

Documentation: M.O. 01-020315

Disposition: Claim rejected.

- A-8. GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – INITIATION OF LITIGATION: ONE CASE.

COUNCIL ACTION: On a MOTION by Vice Mayor Hamilton, SECONDED by Council Member Ward, the Council deemed documents received from Perrigo to constitute a claim and rejected the claim. The motion carried unanimously.

Documentation: M.O. 02-020315

Disposition: Claim rejected.

Pledge of Allegiance Led by Vice Mayor Cameron Hamilton
Invocation – a moment of silence was observed.

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
Council Member Gurrola reported on the Local Motion Awards received for the Jaye and Montgomery Roundabout Project and Public Works Director Baldo Rodriguez.
2. Tulare County Economic Development Corp. (TCEDC): January 28, 2015
Economic Development Associate Jason Ridenour reported on discussion of prospects.
3. Council of Cities: January 21, 2015
Vice Mayor Hamilton reported on a presentation regarding water sustainability.
4. Joint City/School Committee: January 26, 2015
Council Member Ward reported on discussion pertaining to construction projects and crosswalks.

REPORTS

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

informational items.

- I. City Commission and Committee Meetings:
 1. Parks & Leisure Services Commission – no report.
 2. Library & Literacy Commission – no report.
 3. Arts Commission: January 28, 2015 (cancelled) – no report.
 4. Animal Control Commission: February 2, 2015 – Commission Chair Guinn reported on the review of the animal control ordinance, and indicated that information had been provided to the Council regarding 501(c)3 organizations.
 5. Youth Commission – no report.
 6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.
- 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

- Fred and Elva Beltran, Porterville Area Coordinating Council, indicated that there has been little action from the County with regard to the drought situation; communicated their support of the Council’s action; thanked the Council and City staff for their efforts thus far; and announced that they would be speaking in Sacramento about the drought.

CONSENT CALENDAR

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve Item Nos. 1 through 14. The motion carried unanimously.

1. MINUTES OF MAY 20, 2014, AND JANUARY 13, 2015

Recommendation: That City Council approve the Minutes of May 20, 2014, and January 13, 2015.

Documentation: M.O. 03-020315

Disposition: Approved.

2. AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICE AGREEMENT – PORTERVILLE HOTEL SITE PREPARATION

Recommendation: That City Council 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.

Documentation: M.O. 04-020315

Disposition: Approved.

3. AUTHORIZATION TO APPLY FOR PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT AND SERVICE ENHANCEMENT ACCOUNT FUNDING

Recommendation: That City Council:

Authorize staff to apply for cycle two FY 2014/2015 PTMISEA funding; and

1. Approve and authorize the Mayor to sign the draft Resolution authorizing Staff to purchase automatic passenger counters.

Documentation: Resolution No. 12-2015

Disposition: Approved.

4. AUTHORIZATION TO APPLY FOR CALIFORNIA ENERGY COMMISSION FUNDING

Recommendation: That City Council:

1. Authorize staff to apply for FY 2014/2015 ARFVTP funding; and
2. Approve and authorize the Mayor to execute the draft resolution.

Documentation: Resolution No. 13-2015

Disposition: Approved.

5. AUTHORIZATION TO TRAVEL – OUT OF STATE TRAINING

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

Documentation: M.O. 05-020315

Disposition: Approved.

6. COMMUNITY CLEAN-UP EVENTS

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.

Documentation: M.O. 06-020315

Disposition: Approved.

7. FIELD USE AGREEMENT FOR ZALUD PARK BETWEEN THE CITY OF PORTERVILLE AND PORTERVILLE LITTLE LEAGUE

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

Documentation: M.O. 07-020315

Disposition: Approved.

8. MONSTER ENERGY DRINK MOTOCROSS RACE PROPOSAL

Recommendation: That 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.

Documentation: M.O. 08-020315

Disposition: Approved.

9. NATIONAL MOTOCROSS CHAMPIONSHIP QUALIFIER RACE PROPOSAL

Recommendation: That 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.

Documentation: M.O. 09-020315

Disposition: Approved.

10. INTERIM FINANCIAL STATUS REPORTS

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

Documentation: M.O. 10-020315

Disposition: Approved.

11. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That City Council accept the quarterly Portfolio Summary.

Documentation: M.O. 11-020315

Disposition: Approved.

12. CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 2015-2016

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

Documentation: M.O. 12-020315

Disposition: Approved.

13. APPROVAL FOR COMMUNITY CIVIC EVENT – GALAXY 9 THEATERS AND SPECIAL OLYMPICS OF TULARE COUNTY – MCFARLAND USA 5K RUN – FEBRUARY 21, 2015

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

Documentation: M.O. 13-020315

Disposition: Approved.

14. MANAGEMENT & CONFIDENTIAL EMPLOYEES' ELECTION OF STATE DISABILITY INSURANCE

Recommendation: That 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.

Documentation: Resolution No. 14-2015

Disposition: Approved.

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

Recommendation: That 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.

Administrative Services Director Patrice Hildreth presented the item, and Community Development Director Jenni Byers presented the staff report.

The public hearing was opened at 7:02 p.m.

- Brock Neeley, Porterville, asked how many permits would qualify as an oversaturation, and expressed concerns regarding the sale of alcohol in low-income communities and its effect on the economy.

The public hearing closed at 7:03 p.m.

Council Members Gurrola, Ward, and Mayor Stowe indicated that they were comfortable approving the item because it was a dine-in restaurant as opposed to a bar.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2014-021-C) subject to conditions of approval; and authorize the Mayor to sign the Letter of Public Convenience or Necessity. The motion carried unanimously.

Documentation: Resolution No. 15-2015

Disposition: Approved.

Council Member Gurrola noted a conflict of interest pertaining to property ownership for Item No. 16, and exited the Council Chambers. Vice Mayor Ward inquired about his previous ownership of a property, and was advised by the City Attorney that previous ownership did not qualify as a conflict.

16. FORMATION OF THE SEWER UTILITY DISTRICT AREA 459

Recommendation: That 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 the Community Development and Public Works departments, at 1:30 p.m. and report to the Council the outcome of the voting at the February 17, 2015, Council meeting.

Administrative Services Director Patrice Hildreth presented the item, and Public Works Director Baldo Rodriguez presented the staff report.

Following the staff report, Council Member Ward indicated that he owned a house that appeared to be close to the subject area on the map. Staff took a moment to research the distance of the property, and indicated that it was close enough to qualify as a conflict. He recused himself and exited the Council Chambers.

The public hearing was opened at 7:13 p.m., and closed at 7:14 p.m. when no one came forward.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council instruct the City Clerk to receive all ballots, and count said votes on February 4, 2015, in the North Conference Room, located in the Community Development and Public Works departments, at 1:30 p.m., and report to the Council the outcome of the voting at the February 17, 2015, Council meeting.

AYES: Reyes, Hamilton, Stowe
NOES: None
ABSTAIN: Gurrola, Ward
ABSENT: None

Documentation: M.O. 14-020315

Disposition: Approved.

SCHEDULED MATTERS

17. CONSIDERATION OF APPOINTMENT TO THE PARKS AND LEISURE SERVICES COMMISSION

Recommendation: That 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.

Administrative Services Manager Hildreth introduced the item and presented the staff report. The applicants in attendance were invited to say a few words.

- Derric Salazar, Porterville, spoke of his return from the military and his eagerness to get involved in the community.
- Rachel Lucero, Porterville, expressed her desire to give back to the community.

Staff indicated that ballots had been prepared should the Council wish to utilize the McCracken Method, which required that three votes in favor of a candidate be received for appointment. The ballots were passed out, collected, and read aloud as follows:

- Mayor Stowe – Salazar
- Vice Mayor Hamilton – Salazar

- Council Member Ward – Salazar
- Council Member Reyes – Salazar
- Council Member Gurrola - Salazar

Ms. Lucero was thanked for her interest and encouraged to apply for other vacancies as they become available.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council appoint Derric Salazar to fill the vacancy on the Parks and Leisure Services Commission with a term to expire in October 2015. The motion carried unanimously.

Documentation: M.O. 15-020315

Disposition: Appointment made.

18. CONSIDERATION OF APPOINTMENT TO THE ANIMAL CONTROL COMMISSION

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

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, the applicants in attendance were invited to say a few words.

- Deborah Arthur, Porterville, spoke of her involvement with the Animal Control Commission, her experience as a professional dog trainer and groomer, and working with non-profits and small businesses in the community.

Ballots were again passed out, collected, and read aloud as follows:

- Council Member Reyes – Arthur
- Council Member Ward – Arthur
- Mayor Stowe – Arthur
- Vice Mayor Hamilton – Harris
- Council Member Gurrola – Harris

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council appoint Deborah Arthur to fill the vacancy on the Animal Control Commission with a term to expire in September of 2016. The motion carried unanimously.

Documentation: M.O. 16-020315

Disposition: Appointment made.

19. CONSIDERATION OF PREPAYING 2013 RABOBANK LEASE AGREEMENT

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

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, members of the Council spoke in favor of approval and of savings to the City.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve the draft resolution authorizing proceeding with the refunding of the Rabobank lease with the issue of new Certificates of Participation. The motion carried unanimously.

- Ben Levine, Wulff, Hansen & Co., spoke of advantageous interest rates, and commended the Council for their approval of the draft resolution.

Documentation: Resolution No. 16-2015

Disposition: Approved.

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

Recommendation: That 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 Aide Agreement with the County effective January 10, 2015, for at least 120 days; and
3. The request to purchase potable water by Mutual Aide Agreement with the County effective January 20, 2015, for at least twelve (12) months.

Administrative Services Manager Hildreth introduced the item and presented the staff report. Following the staff report, the Council took a five minute recess at 7:37 p.m.

Staff noted that there were representatives from the County Administrator's Office, Tulare County Office of Emergency Services (OES) and Cal OES in attendance.

Council Members Ward and Gurrola expressed frustrations regarding efforts made to date, a lack of commitment on the part of the County, and use of City resources. They also spoke of the importance of collaboration and the need to identify a long-term solution.

Council Member Reyes and Mayor Stowe requested clarification regarding varying tank sizes and a water source; and County representatives were invited to address the Council's questions and comments.

- Andrew Lockman, Tulare County OES Manager, indicated that the County has been advised not to service the tanks placed by the Porterville Area Coordinating Council (PACC) directly due to an issue of liability, but would reimburse the City for continued service to the tanks. He stated that the County did not have another water source within Tulare County; spoke of timelines associated with long-term solutions; and added that the County would be requesting 1.5 to 2 million gallons of City water per month.
- Eric Lamoureux, Regional Administrator for CalOES, explained that rental properties are considered businesses and posing a problem where funding and program participation was concerned.
- Andrew Lockman, responded to Council comments and apologized for a lack of follow through after the meeting in October. He also spoke of challenges, the plan for placement of potable tanks, water conservation, and outreach efforts to citizens.
- Denise England, Tulare County Water Analyst, spoke of discussion at the October meeting, and provided an update regarding permanent solutions.

Public Works Director Baldo Rodriguez reported on discussion at the October meeting and the importance of the City receiving a commitment from the County to provide an additional water source. He cautioned that the City's system did not have the capacity to continue serving the tanks through the summer without adversely effecting service to City residents.

The Council discussed the use of City resources and costs to date, the request for continued provision of water, and stress to the City system.

- Eric Lamoureux, CalOES, requested that the Council postpone their decision to allow the opportunity to meet and discuss the City's request for a new water source with City, County and State representatives present.

A discussion followed regarding facilitation of the proposed meeting and the identification of participants.

- Fred and Elva Beltran, PACC, indicated that they would continue to try to help families, but not at the same level; thanked the City for the help they have provided to date; and expressed their support for the Council's decision, whatever it may be.

The Council requested that the meeting be scheduled to take place before their next meeting on February 17, 2015, and thanked State and County representatives for their attendance.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve a 30-day extension of the current water delivery arrangement; and direct staff to bring back a report of meetings with the County and State representatives. The motion carried unanimously.

Documentation: M.O. 16-020315
Disposition: Approved.

The Mayor adjourned the City Council meeting at 9:16 p.m. to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY MINUTES
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
FEBRUARY 3, 2015**

Roll Call: Member Reyes, Member Ward, Member Gurrola, Vice Chair Hamilton, Chair Stowe

WRITTEN COMMUNICATIONS
ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTER

SA-01. MODIFICATION TO AGREEMENT LANGUAGE FOR VILLA SIENA
DEVELOPMENT

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

Administrative Services Manager Hildreth introduced the item and the staff report was waived at the Council's request. Community Development Director Byers addressed questions regarding the need for the proposed amendment.

AGENCY ACTION: MOVED by Vice Chair Hamilton, SECONDED by Member Gurrola that the Successor Agency approve the proposed addendum to the Easement Maintenance and Use Agreement. The motion carried unanimously.

Documentation: Successor Agency M.O. 01-020315
Disposition: Approved.

The Mayor adjourned the Successor Agency to the Porterville Redevelopment Agency meeting at 9:19 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

- Andy Medina, commented that the discussion regarding the provision of water to County residents reminded him of labor negotiations between management and union representatives; and commended the Council for sticking to their guns.

OTHER MATTERS

- Council Member Gurrola thanked Public Works Director Rodriguez for looking after the City's

interests.

- Mayor Stowe, noted the passing of City Manager Lollis' grandfather.
- Vice Mayor Hamilton, congratulated the Mayor on his first hole-in-one.

At 9:22 p.m. the Council took a five-minute recess then reconvened in Closed Session.

CLOSED SESSION

There was no reportable action.

ADJOURNMENT

The Council adjourned at 9:45 p.m.to the meeting of February 17, 2015.

Luisa M. Zavala, Deputy City Clerk

SEAL

Milt Stowe, Mayor

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - FARE COLLECTION SYSTEM

SOURCE: Public Works Department – Transit Division

COMMENT: The Plans and Project Manual have been prepared for a new Fare Collection System. The fare collection system will be installed on all fixed route vehicles and will upgrade or replace each vehicle's existing fare collection system with a modern, flexible, and expandable system, which is capable of web-based and mobile ticketing.

The primary objectives for the fare collection system are to identify appropriate solutions to take advantage of web-based and mobile ticketing payment options, 802.11 wireless networking and CAD/AVL capabilities, and to improve the back office system so that it integrates with the new farebox, reduces dependence on legacy systems, and maintains data accuracy.

Staff has estimated and budgeted \$678,898 for the fare collection system project. Project funding consists of \$243,883 in Prop 1B PTMISEA funds, \$148,012 in FTA Section 5339 funding, \$200,000 in FTA Section 5307 funding, and \$87,003 in local transportation funding (LTF) as the local match.

The plans and project manual are available in the Pete V. McCracken Conference Room.

RECOMMENDATION: That the City Council:

1. Approve staff's recommended plans and project manual; and
2. Authorize staff to advertise for bids for the Fare Collection System.

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Dir B82 Appropriated/Funded MB CM J

Item No. 2

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - AUTOMATIC PASSENGER COUNTING SYSTEM

SOURCE: Public Works Department – Transit Division

COMMENT: The Plans and Project Manual have been prepared for an Automatic Passenger Counting (APC) system. The APC system will be installed on all fixed route vehicles to improve operational efficiency by delivering the most complete and accurate passenger count data. APCs also improve National Transit Database (NTD) reporting to over 95% accuracy, while reducing the need for manual staff sampling.

On January 15, 2015, staff submitted an APC allocation request for fiscal year 2014/15 Prop 1B Public Transportation Modernization, Improvement and Service Enhancement Program (PTMISEA) funding to Caltrans. Staff has estimated and budgeted \$324,695 for the APC project. Prop 1B PTMISEA funding will cover 100% of the project cost.

The plans and project manual are available in the Pete V. McCracken Conference Room.

RECOMMENDATION: That the City Council:

1. Approve staff's recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids for the purchase of software and hardware equipment required to install Automatic Passenger Counting system on all fixed route vehicles.

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Item No. 3

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: AWARD OF CONTRACT – TRANSIT MAINTENANCE & CNG FUELING FACILITY EXPANSION PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On February 18, 2015, staff received three (3) bids for the Transit Maintenance & CNG Fueling Facility Expansion Project. The Base Bid includes constructing a minimum of twenty (20) new "time fill" CNG dispenser locations for use by the City's expanding CNG-vehicle fleet. The expansion will include connections to existing upstream CNG-supply headers, routing of new distribution headers, location and configuration of new time-fill stations, supporting electrical work for under canopy lighting, and emergency shutdown buttons at the new dispensing areas.

The expansion project will include civil construction work as well as structural work. The civil elements of the project will include grading, infill and paving of existing ponds, concrete improvements, installation of storm drainage system, and water main for fire protection. The structural aspect of the project will consist of installing two new pre-engineered canopies. The new canopies will generally match existing canopies. There will also be construction of structural support for the new CNG-fueling dispensers. The CNG Expansion Project includes installation of solar panels on the pre-engineered canopies; however, these solar panels or Solar Photovoltaic Systems are intended as add alternates. The add alternates are listed as follows:

CNG Fueling Facility Expansion Project Add Alternates.

- Add Alternate A – Installation of "Solar Photovoltaic System 1" 40 kilowatt system.
- Add Alternate B - Installation of "Solar Photovoltaic System 2" 40 kilowatt system.
- Add Alternate C - Installation of "Solar Photovoltaic System 3" 40 kilowatt system.
- Add Alternate D – Installation of "Solar Photovoltaic System 4" 40 kilowatt system.

Unfortunately, after a thorough review of all of the received bids, it was determined that the high bid is the only responsive bidder. The low bidder did not comply with the "Self Performance" clause, which requires the prime contractor to perform fifty (50) percent of the contract with his/her forces. The low bidder also failed to meet the requirements of the City's Disadvantaged Business Enterprise (DBE) program requirements. The

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Item No. 4

second low bidder also failed to meet the City's DBE program requirements.

This project is partially funded by a Federal Transit Administration grant, which requires the City to establish a DBE goal specific to the construction trades involved in this project. The DBE goal for this project was 7.5%. In order to meet the DBE federal requirements, bidders need to provide both the achieved DBE obtained percentage and/or "Good Faith" effort. In other words, if the responsive low bidder meets the DBE goal, then a "Good Faith" effort is not required. If the DBE goal is not met, then the low bidder must prove to the agency that a "Good Faith" effort was attempted during the bidding process. The responsive bidder exceeded the City's DBE goal by documenting that DBE contractors will perform 42.89% of the construction project, far exceeding the established 7.5%.

The Engineer's Estimate of probable cost for the Base Bid is \$1,081,617.20 and \$2,141,383.60, including all add alternates. The add alternates, if awarded, will establish a solar photovoltaic system that will assist in offsetting some of the electrical costs for the entire CNG facility. The responsive bidder is 5% under the Base Bid Engineer's Estimate and 1.9% above the Engineer's Estimate for the complete bid.

The responsive bidder's bid for the project is \$2,183,212.75. An additional \$218,321.28 is required for construction contingency (10%). It is anticipated that an additional \$109,160.64 is required for construction management, quality control, inspection services, and construction surveying (5%). The total estimated cost for the project is \$2,510,694.66.

Partial funding was approved in the 2014/2015 Annual Budget for CNG Facility Expansion and the Council approved a budget augmentation of \$300,000 of Solid Waste Funds to provide a total budget amount of \$1,821,228, which includes Local Transportation Funds (LTF) that are typically slated for Transit. Staff is recommending approval of the entire project, Base Bid plus all Add Alternates. In order to accomplish this, the Transit Operator was successful in obtaining an additional \$400,000 in Federal Transportation Funds (Section 5309 and 5307 Federal Funding), which requires a \$100,000 local match of LTF funds. There is still a need of \$189,467 to fully fund the project.

The following is a summary of current available funding:

Current Available Funds

Federal Transit Administration:	\$1,535,228
Local Transportation Funds:	\$ 386,000
Solid Waste Fund:	<u>\$ 300,000</u>
Current Available Fund Total:	\$2,221,228

Proposed Budget Augmentation

Solid Waste Fund:	\$ 100,000
Local Transportation Fund:	<u>\$ 189,467</u>
Proposed Augmentation:	\$ 289,467

Proposed total amount: \$2,510,695

The bids are as follows:

	<u>Contractor</u>	<u>Amount</u>
1.	Diversified Project Services* Bakersfield, CA	\$2,107,320.35
2.	RJ Berry* Selma, CA	\$2,130,280.00
3.	Lee's Paving Visalia, CA	\$2,183,212.75

*Non-responsive bid

Staff has found the responsive bidder's bid acceptable and in compliance with the specification requirements for the project. It should be noted that all three bidders were within 3.47% of each other.

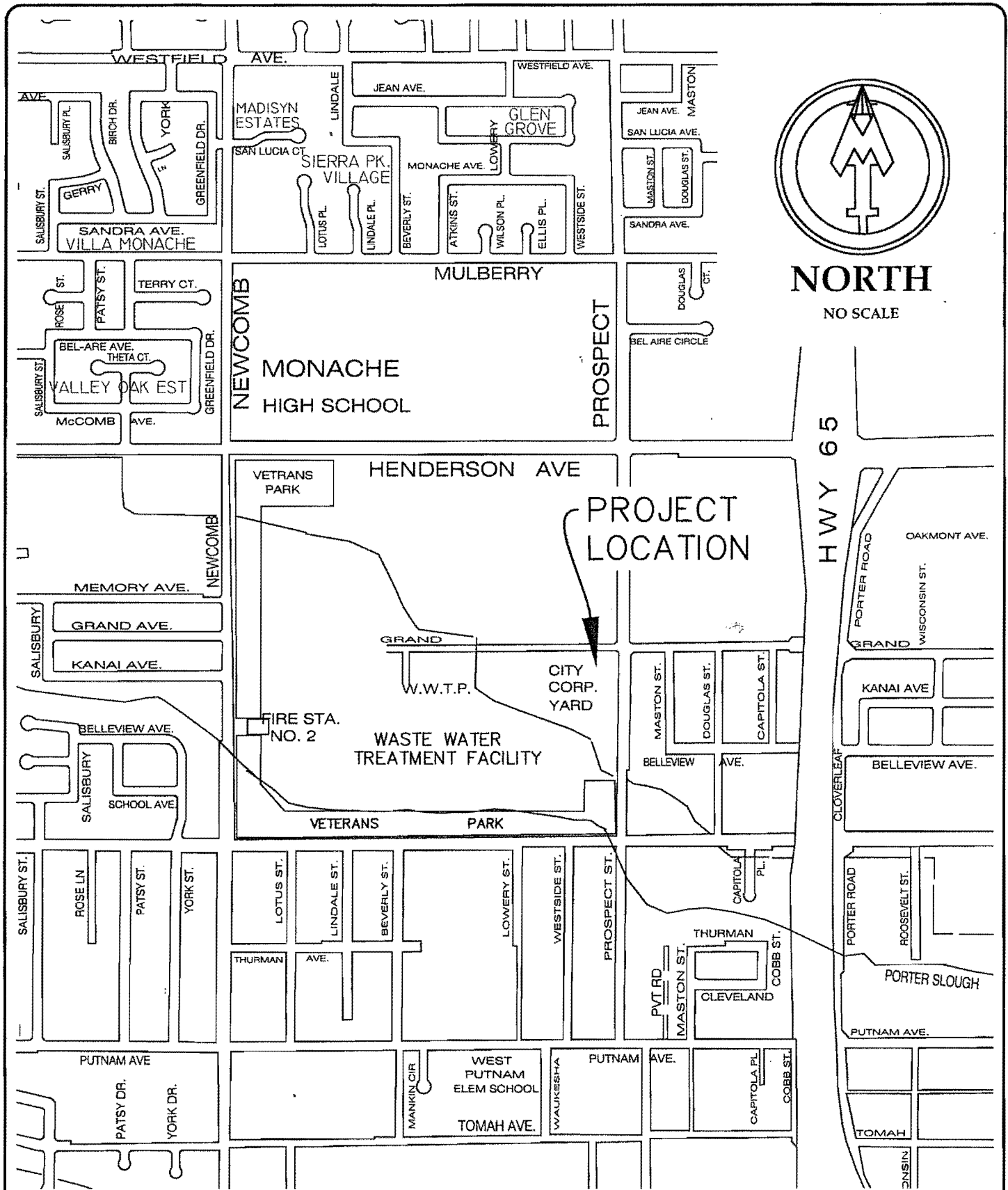
RECOMMENDATION: That City Council:

1. Award the Transit Maintenance & CNG Fueling Facility Expansion Project to Lee's Paving in the amount of \$2,183,212.75;
2. Authorize a 10% contingency to cover unforeseen construction costs and 5% for construction management, quality control, inspection services, and construction surveying;
3. Re-affirm the \$300,000 Solid Waste Fund appropriation;
4. Authorize the Finance Director to appropriate an additional \$100,000 from Solid Waste Funds and \$189,467 from the Local Transportation Fund;

5. Authorize progress payments up to 100% of the contract amount; and
6. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council MO #02-100714.

ATTACHMENT: Locator Map

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

Transit CNG
Fueling Facility
Expansion Project

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: AWARD OF CONTRACT – WASHER GRINDER EQUIPMENT REPLACEMENT PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On February 24, 2015, staff received six (6) bids for the Washer Grinder Equipment Replacement Project. The project consists of the construction/installation of a washer compactor at the City of Porterville Wastewater Treatment Facility

The Engineer's Estimate of probable cost for the construction is \$194,589. The low bid for the project is below the Engineer's estimate of probable cost by 12%. An additional \$17,091.70 is required for construction contingency (10%). It is anticipated that an additional \$8,545.35 is required for construction management, quality control, and inspection services (5%). The total estimated cost for the project is \$196,554.05.

Funding was approved in the 2014/2015 Annual Budget from the Wastewater Treatment Facility Capital Reserve Account.

The bids are as follows:

<u>Contractor</u>	<u>Amount</u>
1. Smith Construction Company, Inc. Fresno, CA	\$170,917.00
2. Cushman Contracting Corporation Goleta, CA	\$172,500.00
3. Ellison Environmental, Inc. dba Fluid Resource Management Grover Beach, CA	\$179,952.46
4. TNT Industrial Contractors, Inc. Sacramento, CA	\$192,269.00
5. Hobbs Construction Inc. Fresno, CA	\$207,800.00
6. Western Water Constructors, Inc. Sacramento, CA	\$227,000.00

Staff has found the low bid acceptable.

Dir BSC Appropriated/Funded MB CM 1

Item No. 5

RECOMMENDATION: That City Council:

1. Award the Washer Grinder Equipment Replacement Project to Smith Construction Company, Inc. in the amount of \$170,917;
2. Authorize a 10% contingency to cover unforeseen construction costs and 5% for construction management, quality control, and inspection services; and
3. Authorize progress payments up to 95% of the contract amount.

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: ACCEPTANCE OF PROJECT – MISCELLANEOUS CONCRETE AND STREET REPAIR PROJECT (PUTNAM ALLEY BETWEEN D STREET AND HOCKETT STREET AND SECOND STREET BETWEEN MILL AVENUE AND OAK AVENUE)

SOURCE: Public Works Department - Engineering Division

COMMENT: JT2 dba Todd Companies has completed the Miscellaneous Concrete and Street Repair Project per plans and specifications. The project consisted of reconstructing the south Putnam Avenue alley between Hockett Street and D Street and repairing asphalt, curb, gutter and sidewalk along Second Street between Mill Avenue and Oak Avenue.

Staff carefully tracks construction costs of all Capital Improvements Projects and reports project construction expenditures when the project is accepted by the City Council. On October 7, 2014, City Council authorized expenditure of \$44,322.10 for construction, construction management, quality control services and in-house surveying for the Miscellaneous Concrete and Street Repair Project. The following itemizes the construction-related costs in two categories: 1) the construction contract, and 2) a combination of construction management, quality control and in-house surveying.

- 1) Final construction cost is \$36,035.86.
- 2) Construction management, quality control and in-house surveying costs are \$7,497.35.

Total project construction costs equate to \$43,533.21, which is less than the \$44,322.10 overall budget approved by Council at the time of award. Funding for the project was allocated in the Miscellaneous Curb and Gutter Project as approved in the 2014/2015 Annual Budget and is coming from Special Gas Tax Funds.

Todd Companies requests that the City accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and

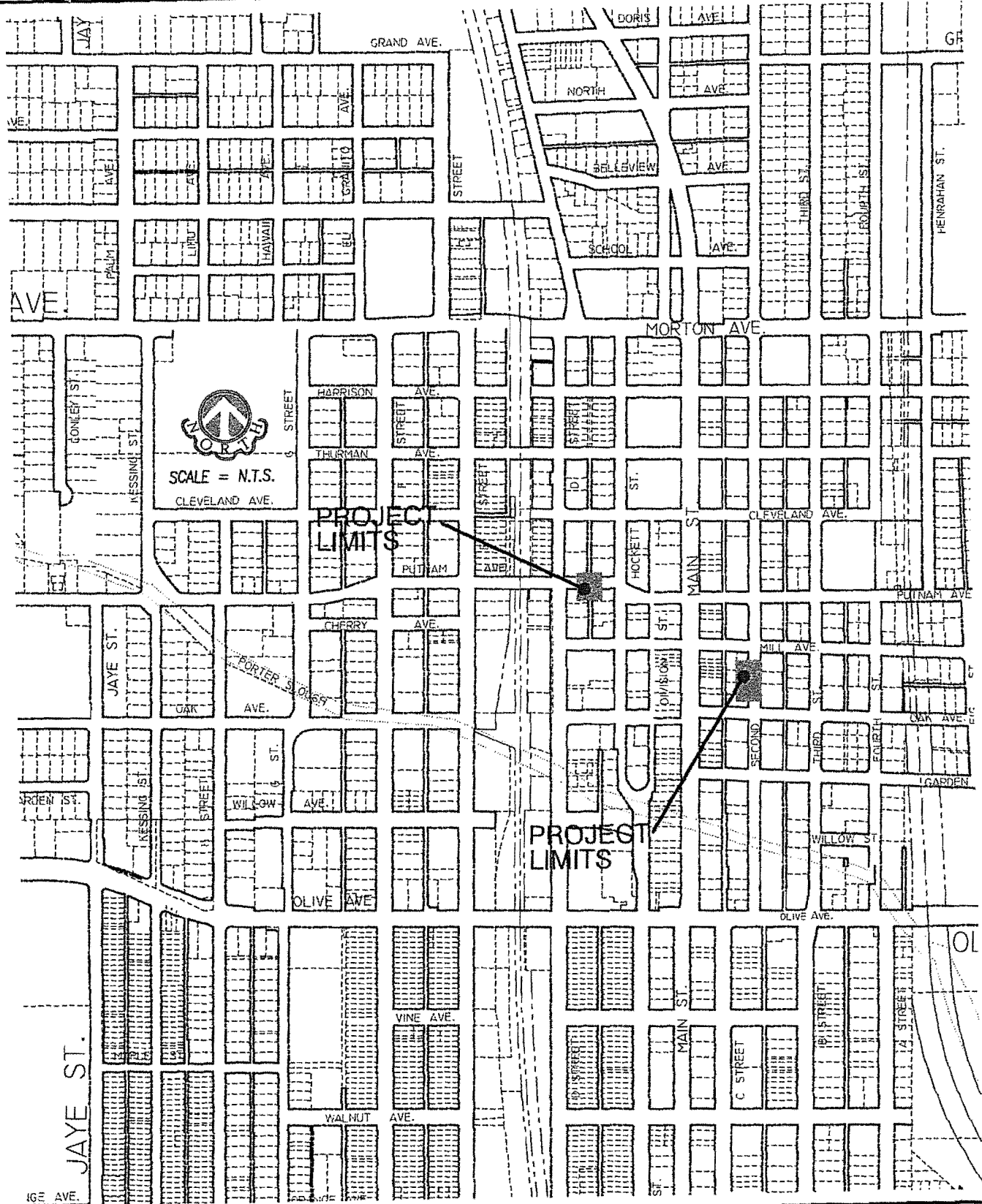
Dir BSC Appropriated/Funded MB CM J

Item No. 6

3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENT: Locator Map

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

MISCELLANEOUS CONCRETE REPAIR AND STREET PROJECT

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

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: AUTHORIZATION TO AMEND AECOM'S SERVICE AGREEMENT FOR THE SLUDGE DEWATERING AND ELECTRIC BLOWERS PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On June 4, 2013, Council approved the pre-selection of a screw press dewatering machine and three electric blowers. Both pieces of equipment have been delivered to the City's Wastewater Treatment Plant. The City is advertising for a General Contractor to modify and properly prepare the Blower Room to receive the three electric blowers and to make the proper modifications to an adjacent building to receive the sludge drying screw press. The Engineer's Estimate of Probable Cost is \$2.8 million.

Staff respectfully requests that the City Council approve a \$10,000 augmentation to AECOM's original service agreement in the amount of \$353,918 to design upgrades to the existing electrical panel installed in 1978. The existing electrical panel was deemed adequate to handle the three new electrical blowers, but the electrical panel will be the weak link in the system. The decades old panel lacks the built-in safeguards common in the industry today and it makes sense to match the new electric blower technology with a modern electrical panel that meets today's electrical codes. The plans and specifications relative to the electrical panel can be designed immediately and incorporated into the project as the project advertises for construction.

Staff further requests that the City Council approve an amendment to AECOM's existing service agreement to include construction support services at a "not to exceed" cost of \$65,000. The requested services will include the review of all technical submittals, respond to Contractor "Request for Information" (RFI) questions during the bid process, respond to questions or concerns during construction and the preparation of supplemental plans as needed to correct or clarify the original plans to achieve the desired product.

Funding for the project will come from the Wastewater Treatment Facility Capital Reserve account and was approved in the 2014/2015 Annual Budget.

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Item No. 7

RECOMMENDATION: That the City Council:

1. Approve a \$10,000 augmentation to AECOM's "Electric Blower & Screw Press" design contract for the purpose of designing upgrades to the Blower Room electrical panel; and
2. Approve an amendment to AECOM's service agreement in an amount "not to exceed" \$65,000 for construction support services during the bid and construction of the "Sludge Dewatering and Electric Blowers" Project.

CITY COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: RATIFICATION OF EMERGENCY EXPENDITURE - REPAIR OF ROWLAND WELL #11

SOURCE: PUBLIC WORKS - FIELD SERVICES

COMMENT: Rowland Well #11 (R-11), located at 21065 W. Iris Avenue, experienced an operational failure. While the demand on the water system is currently low, it is imperative that we restore operation to this pump before the demand for water increases in the next few months. Failure to correct the issue will not only compromise the Jones Corner overall water system, but will leave residents within the subdivision west of Friant Canal without water should their primary well, Rowland Well #12 (R-12), fail.

City Code 2-38, Emergency Expenditures/Appropriations, authorizes an expenditure of up to \$100,000 in an extraordinary emergency for the preservation of public peace, health, or safety. Pursuant to City Code 2-38, these circumstances were communicated to the Mayor by the City Manager and the expenditure was approved by the Mayor due to the extraordinary emergency of the situation. A copy of City Code 2-38 is attached for your reference.

Because of the need for an emergency repair, the normal sealed bid process was not used; and an emailed quote was obtained from Valley Pump & Dairy Systems (Valley Pump). Valley Pump estimates that the cost of repair will total, and shall not exceed, \$14,000 (inclusive of all parts, taxes, and labor); they are able to begin work upon approval of their quote, which expires fifteen (15) days upon receipt.

The urgency to get this well operational has necessitated the approval of an emergency repair. Therefore, emergency authorization to engage the services of Valley Pump was obtained from the City Manager by the Public Works Director. Funding is available in the Water Operating Fund.

RECOMMENDATION: That the City Council:

1. Ratify that the emergency repair of Rowland Well #11 was necessary and met the emergency criteria as promulgated in Article VII, Section 2-38 of the City Code;
2. Direct the Finance Director to initiate a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed \$14,000; and

Dir BS Appropriated/Funded MB CM J

Item No. 8

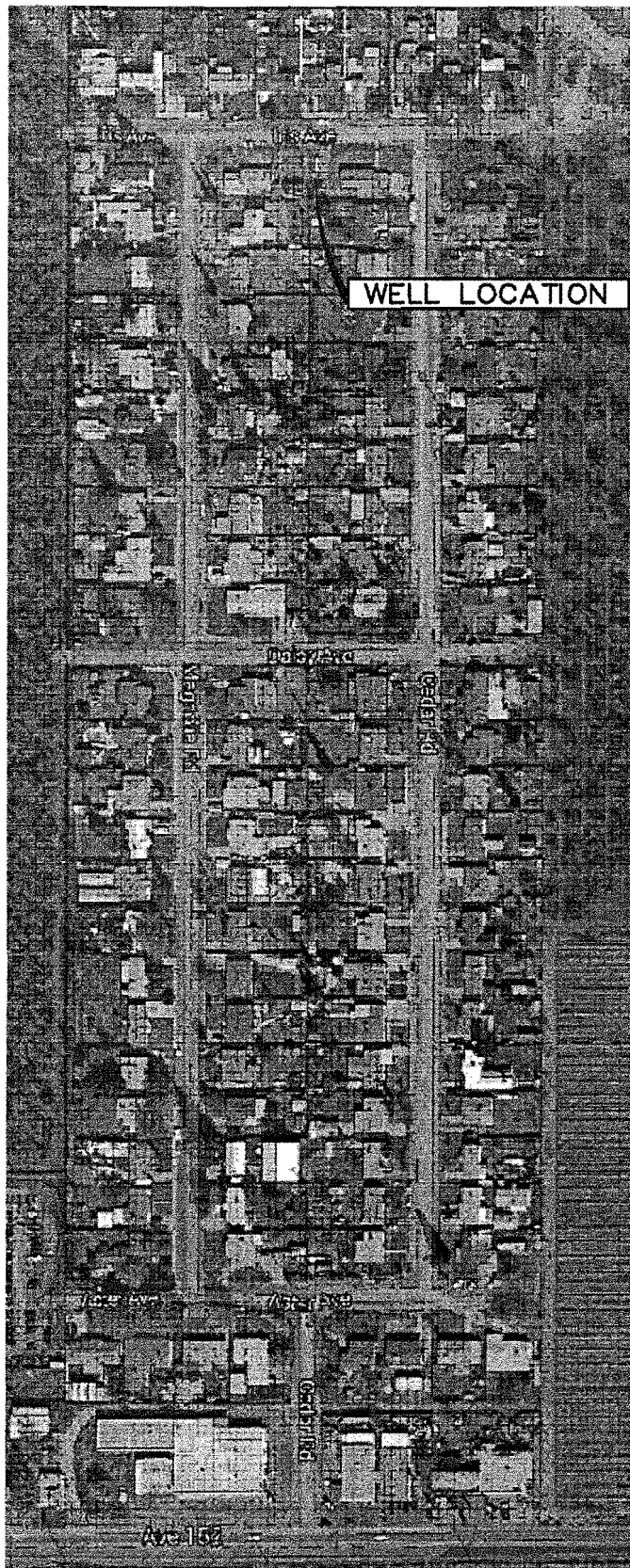
3. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoices approved by the Public Works Director.

ATTACHMENT: City Code 2-38, Emergency Expenditures/Appropriations
Locator Map

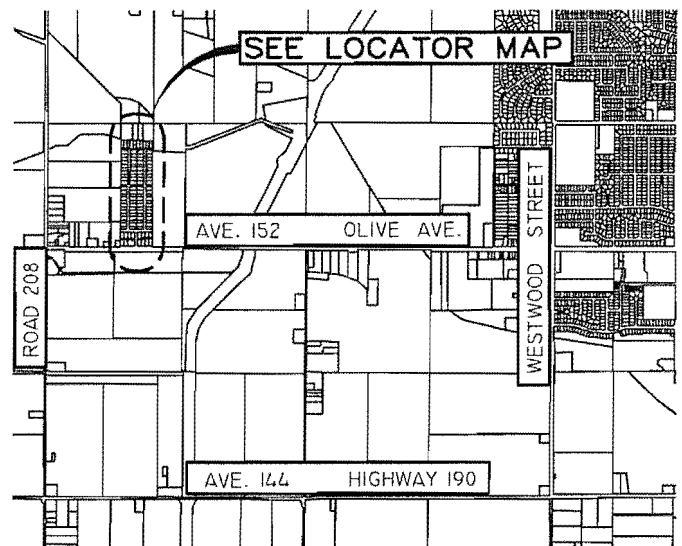
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2-38: EMERGENCY EXPENDITURES/APPROPRIATIONS

An appropriation and/or expenditure of up to one hundred thousand dollars (\$100,000.00) is authorized without additional prior council approval, if: a) the city manager has requested that such an appropriation/expenditure be made; b) the mayor has determined that the circumstances for the request constitute an extraordinary emergency, meaning that there is an immediate need to make such appropriation/expenditure for the preservation of the public peace, health or safety; and c) the city manager notifies the council of the specific appropriation/expenditure in writing. (Ord. 1704 § 1, 10-3-2006)



LOCATOR MAP



VICINITY MAP



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

REPAIR OF ROWLAND WELL #11

COUNCIL AGENDA: MARCH 3, 2015

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE
BREAKFAST ROTARY - CANCER RUN - MAY 2, 2015

SOURCE: Finance Department

COMMENT: Porterville Breakfast Rotary is requesting approval to hold their annual 5K Cancer Run on Saturday, May 2, 2015, from 8:00 a.m. to 11 a.m. The 5K run will start at Tulsa Street and Putnam Avenue, head south to Olive Avenue, turn west on Olive Avenue, turn north on Crestview Street, then east on Morton Avenue, turn south on Conner Street, and turn east on Putnam to finish at Tulsa Street. No street closures are requested.

This request is being made under Community Civic Event Ordinance No. 1326, as amended. The application 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 Porterville Breakfast Rotary, subject to the Restrictions and Requirements contained in Application, Agreement, Exhibit A and Exhibit B.

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

D.D. MB Appropriated/Funded MB C.M. JB Item No. 9

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: 1/15/15 Event date: 5/2/15

Event time: 8:00 AM

Name of Event: Porterville Breakfast Rotary Cancer Run/Walk

Sponsoring organization: Porterville Breakfast Rotary Phone # 788-6104

Address: 934 W. Henderson #222 Porterville, CA 93257

Authorized representative: Ramona Chiapa Phone # 783-2610

Address: 64 S. Holcomb St. Porterville, CA 93257

Event chairperson: Ray Rangel Phone # 3

Location of event: Granite Hills High School

(Location map must be attached)

Type of event: 5K Run/Walk

Non-profit organization status: _____

(IRS Determination)

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

Barricades (quantity): _____ Street sweeping Yes _____ No ☒

Police protection Yes _____ No _____ Refuse pickup Yes _____ No ☒

Other: _____

Parks facility application required: Yes _____ No ☒ Attached _____

Assembly permit required: Yes _____ No ☒ Attached _____

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

Appr. Deny

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at www.ci.porterville.ca.us/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)

R.C. 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.**

R.C. Authorized Representative Initials

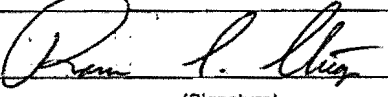
Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health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

R.C. 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.

R.C. 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.

Porterville Breakfast Rotary		1/15/15
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Porterville Breakfast Rotary 5K Run/Walk

Sponsoring organization: Porterville Breakfast Rotary

Location: Granite Hills High School Event date: 5/2/15 Event time: 6AM-11AM

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

[illegible]

***Municipal Code 15-20(E) Community Civic Events (16): Business License Fees:** Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm, concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16.

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

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: Porterville Breakfast Rotary Cancer Run/Walk 5K

Sponsoring organization: Porterville Breakfast Rotary

Event date: May 2, 2015 Hours: 6AM - 11AM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed			
Street Name	From	To	Activity
Putnam Ave.			5K Run/Walk
Olive Ave.			
Crestview Ave.			
Morton Ave.			
Conner St.			
Sidewalks	From	To	Activity
Putnam Ave.			5K Run/Walk
Olive Ave.			
Crestview Ave.			
Morton Ave.			
Conner St.			
Parking lots and spaces	Location		Activity
Granite Hills High School			Participant Parking

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

PORTERVILLE BREAKFAST ROTARY

CANCER RUN/WALK

MAY 2, 2015

Finance Director:

M. Bemis

Public Works Director:

B. Rodriguez

Community Development Manager:

J. Phillips

Field Services Manager:

B. Styles

No comments.

Fire Chief:

G. Irish

No comments.

Parks and Leisure Services Director:

D. Moore

No comments.

Police Lieutenant:

J. Hall

See Conditions/Requirements for
Special Event in Exhibit B.

Administrative Services Director:

P. Hildreth

See attached Exhibit A, page 2.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Breakfast Rotary
Event: 5 K Cancer Run
Event Chairman: Ramona Chiapa
Location: Granite Hills High School
Date of Event: May 2, 2015
Time of Event: 8:00 a.m. to 11:00 a.m.

RISK MANAGEMENT: Conditions of Approval

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

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

Porterville Breakfast Rotary Cancer Run May 2, 2015

- ▶ Aid stations and check points must be out of the roadway and not in a position to interfere with traffic.
- ▶ Staff at aid stations and check points should have a means of communication by which they may summon assistance in the event of an emergency.
- ▶ Event staff on the race route should wear highly visible attire.
- ▶ Participants should be directed to stay to the side of the roadway and not disrupt the normal flow of traffic.
- ▶ Event organizers should contact the Police Dept. (Special Events Coordinator) to obtain police support and/or assistance, with the goal of ensuring a safe event. Please contact Officer in Charge Mark Azevedo at 782-7408 if you have any questions or require further assistance.

John Hall, Lieutenant
Porterville Police Department

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



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

- 1 Name and home address of the applicant: Ramona Chiapa
64 S. Holcomb St., Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Granite Hills High School
1701 E Putnam Ave. Porterville, CA 93257
- 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: 5K Run / Walk
- 5 Dates and hours of operation of amplification equipment: May 2, 2015 6AM to 11AM
- 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 § 8311)

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 § 8312)

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.

Ramona L. Chiapa
Signature of Applicant

1/15/15
Date

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

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

2/25/15
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/19/2015

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	LOCKTON COMPANIES, LLC-K CHICAGO 525 W. Monroe, Suite 600 CHICAGO IL 60661 (312) 669-6900	CONTACT NAME: Lockton Companies PHONE (A/C, No, Ext): 1-800-921-3172 FAX (A/C, No): 1-312-681-6769 E-MAIL ADDRESS: Rotary@lockton.com
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Westchester Fire Insurance Company
		INSURER B:
		INSURER C:
		INSURER D:
		INSURER E:
		INSURER F:

COVERAGES ROTIN01

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR 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 <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		PMI G23861355 006	7/1/2014	7/1/2015	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMPOP AGG \$ 4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		PMI G23861355 006	7/1/2014	7/1/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	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	NOT APPLICABLE			PER STATUTE E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

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

The Certificate Holder is included as Additional Insured where required by written and signed contract or permit subject to the terms and conditions of the General Liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

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.

POLICY NUMBER: PMI G23861355 006
ENDORSEMENT NUMBER: 8

COMMERCIAL GENERAL LIABILITY
CG 20 26 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):
Where required by written contract provided that such was executed prior to the date of loss
per schedule on file with Company

The City of Porterville and
Successor Agency to the Porterville Redevelopment Agency
291 N. Main Street
Porterville, CA 93257

RE: Rotary Club of Porterville Breakfast (CA)
Cancer Walk/Run, May 2, 2015

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

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

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

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; 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: MARCH 3, 2015

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – AMERICAN
CANCER SOCIETY – BARK FOR LIFE – MARCH 14, 2015

SOURCE: Finance Department

COMMENT: The American Cancer Society is requesting approval to hold a dog show, Bark for Life, at the Centennial Plaza on Saturday, March 14, 2015, from 8:00 a.m. to 12:00 p.m.

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

RECOMMENDATION: That the Council approve the Community Civic Event Application and Agreement from the American Cancer Society, subject to the Restrictions and Requirements contained in the Application, Exhibit A and Exhibit B of the Community Civic Event Application.

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

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

Item No. 10

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: 1/21/15 Event date: March 14, 2015
Event time: 8:00am-12pm

Name of Event: Bark For Life of Porterville

Sponsoring organization: American Cancer Society, Inc Phone # 559-451-0163

Address: 2222 W. Shaw Ave #201, Fresno, CA 93711

Authorized representative: Jessica Chamberlain Phone # 559-451-0163

Address: 2222 W. Shaw Ave #201 Fresno, CA 93711

Event chairperson: Rhonda Szeeles Phone # 559-359-1587

Location of event Centennial Plaza

(Location map must be attached)

Type of event: Community event / fundraiser for Relay for Life of Porterville and the American Cancer Society

Non-profit organization status: _____

(IRS Determination)

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

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

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

Other: _____

Parks facility application required: Yes _____ No _____ Attached _____

Assembly permit required: Yes _____ No _____ Attached _____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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


Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. **The 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

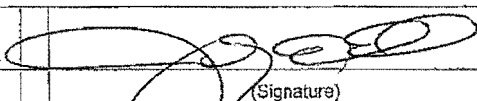
Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health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

American Cancer Society, Inc.		2/18/15
(Name of Organization)	(Signature)	(Date)

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: Bark for life of Porterville

Sponsoring organization: American Cancer Society

Event date: 3/14/15 Hours: _____

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Parking lots and spaces</u>	<u>Location</u>	<u>Activity</u>	

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

AMERICAN CANCER SOCIETY BARK FOR LIFE

MARCH 14, 2015

Finance Director:

M. Bemis

Public Works Director:

B. Rodriguez

Community Development Manager:

J. Phillips

No comments.

Field Services Manager:

B. Styles

No comments

Fire Chief:

G. Irish

No comments.

Parks and Leisure Services Director:

D. Moore

Vehicles to remain off the grass. Dog owners are asked to clean up after their dog.

Police Lieutenant:

J. Hall

Please see Exhibit B.

Administrative Services Director:

P. Hildreth

Please see Exhibit A, page 2. Certificate and endorsement shall name both City of Porterville and the Successor Agency to the Redevelopment Agency as additional insureds. It would be beneficial to have dog owners sign waivers in event their dog bites someone or another dog.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: American Cancer Society
Event: Bark for Life
Event Chairman: Rhonda Szeles
Location: Centennial Plaza
Date of Event: March 14, 2015
Time of Event: 9:00 a.m. to 12:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

CITY OF PORTERVILLE
Community Civic Event Application

Bark for Life/American Cancer Society
March 14, 2015

Proposed Conditions/Requirements of Police Department

- Ensure that participants do not interfere with the normal flow of pedestrian/vehicle traffic in the area of the event.
- All animals must be in compliance with City Ordinances at all times, which includes no animals running at large and animals must be properly licensed.

John Hall, Lieutenant
Police Department- Investigations/Services Division

EXHIBIT B

N/A

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

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

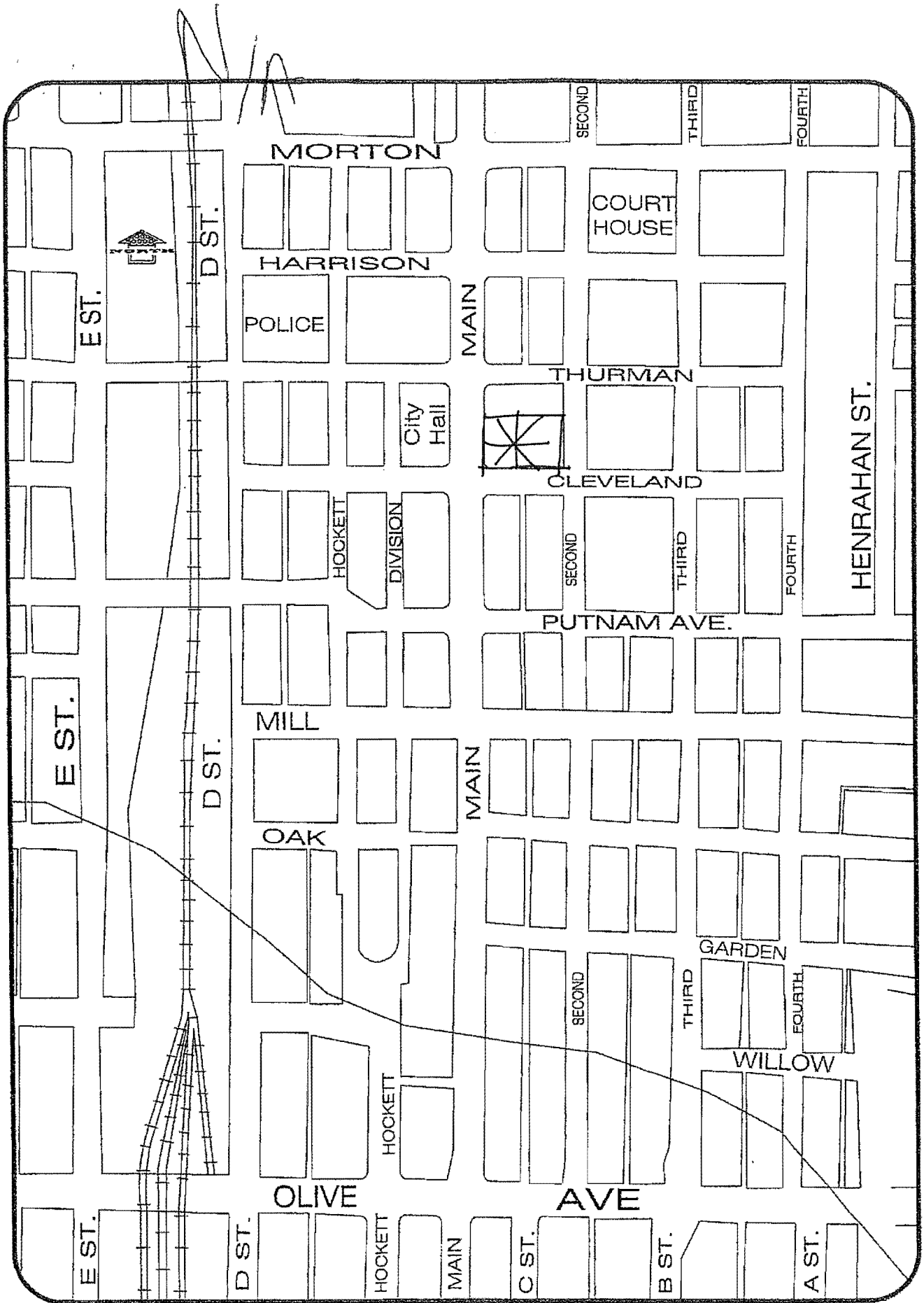
Signature of Applicant

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)
2/13/2015

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PRODUCER Commercial Lines - (404) 923-3700 Wells Fargo Insurance Services USA, Inc. 3475 Piedmont Road NE, Suite 800 Atlanta, GA 30305-2886	CONTACT NAME: Alexander Mortimer PHONE (A/C, No, Ext): 404-923-3732 FAX (A/C, No): 877-362-9069 E-MAIL ADDRESS: alexander.mortimer@wellsfargo.com														
INSURED American Cancer Society, Inc. 250 Williams Street Atlanta, GA 30303	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A : Federal Insurance Company</td> <td>20281</td> </tr> <tr> <td>INSURER B : Catlin Specialty Insurance Company</td> <td>15989</td> </tr> <tr> <td>INSURER C : Pacific Indemnity Company</td> <td>20346</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Federal Insurance Company	20281	INSURER B : Catlin Specialty Insurance Company	15989	INSURER C : Pacific Indemnity Company	20346	INSURER D :		INSURER E :		INSURER F :	
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COVERAGES
CERTIFICATE NUMBER: 8729173

REVISION NUMBER: See below

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:		35943463	9/1/2014	9/1/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 25,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		73563471	09/01/2014	09/01/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		UMB969950914	09/01/2014	09/01/2015	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
C	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 N/A	71741355	09/01/2014	09/01/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

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

Re: Relay for Life of Porterville / Centennial Plaza / 3/14/2015 / ACS contract #22923

City of Porterville and successor agency to the Porterville Redevelopment Agency are included as an additional insured in accordance with the terms and conditions of the general liability policy.

CERTIFICATE HOLDER

 City of Porterville
 Attn: finance Dept
 291 N Main Street
 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

Liability Insurance

Endorsement

Policy Period SEPTEMBER 1, 2014 TO SEPTEMBER 1, 2015
Effective Date FEBRUARY 13, 2015
Policy Number 3594-34-63 RMG
Insured AMERICAN CANCER SOCIETY INC

Name of Company FEDERAL INSURANCE COMPANY
Date Issued FEBRUARY 13, 2015

This Endorsement applies to the following forms:

GENERAL LIABILITY

Under Who Is An Insured, the following provision is added.

Who Is An Insured

Additional Insured - Scheduled Person Or Organization

Persons or organizations shown in the Schedule are **insureds**; but they are **insureds** only if you are obligated pursuant to a contract or agreement to provide them with such insurance as is afforded by this policy.

However, the person or organization is an **insured** only:

- if and then only to the extent the person or organization is described in the Schedule;
- to the extent such contract or agreement requires the person or organization to be afforded status as an **insured**;
- for activities that did not occur, in whole or in part, before the execution of the contract or agreement; and
- with respect to damages, loss, cost or expense for injury or damage to which this insurance applies.

No person or organization is an **insured** under this provision:

- that is more specifically identified under any other provision of the Who Is An Insured section (regardless of any limitation applicable thereto).
- with respect to any assumption of liability (of another person or organization) by them in a contract or agreement. This limitation does not apply to the liability for damages, loss, cost or expense for injury or damage, to which this insurance applies, that the person or organization would have in the absence of such contract or agreement.

Liability Endorsement
(continued)

Under Conditions, the following provision is added to the condition titled Other Insurance.

Conditions

*Other Insurance –
Primary, Noncontributory
Insurance – Scheduled
Person Or Organization*

If you are obligated, pursuant to a contract or agreement, to provide the person or organization shown in the Schedule with primary insurance such as is afforded by this policy, then in such case this insurance is primary and we will not seek contribution from insurance available to such person or organization.

Schedule

Persons or organizations that you are obligated, pursuant to a contract or agreement, to provide with such insurance as is afforded by this policy.

**City of Porterville and its successor agency and
Porterville Redevelopment Agency
Attn: Finance Dept
291 N Main Street
Porterville, CA 93257**

**Relay for Life of Porterville
Centennial Plaza
3/14/2015
ACS Contract # 22923**

All other terms and conditions remain unchanged.

Authorized Representative



CITY COUNCIL AGENDA: MARCH 3, 2015

PUBLIC HEARING

SUBJECT: REQUEST FOR A CONDITIONAL USE PERMIT (PRC 2014-033-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 LOS PORTALES LOCATED AT 377 E. ORANGE AVENUE

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT- PLANNING DIVISION

COMMENT: On October 27, 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 Los Portales located at 377 E. Orange Avenue.

During the PRC meeting, the Planning Division indicated that the associated parking lot located immediately north of the restaurant lacked sufficient lighting to adequately light the parking lot for the safety of their patrons. It was noted that as a condition of approval the applicant shall be required to install sufficient exterior security lighting to illuminate the parking lot during night-time business hours to meet the satisfaction of the Porterville Police Department and Section 306.07 (b) (Lighting and Glare) of the Porterville Development Ordinance.

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 41.01; this tract contains sixteen licenses for alcohol sales: five on-sale and eleven off-sale. In Census Tract 41.01, seven on-sale and nine off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the sixth on-sale license. Due to the under-concentration of on-sale licenses, a Letter of Public Convenience or Necessity will not 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 Santa Fe Elementary School (276 feet from property line to property line), alcohol advertisement visible from the outside of the proposed building shall not be allowed. The maintenance of existing lighting and the installation of additional security lighting on the exterior of the building and in the associated parking lot shall be sufficient to allow reasonable surveillance of the parking area to the satisfaction of the Porterville Police Department. The maintenance of the existing fencing shall be kept in good condition at all times to prevent entry from the alley way and residential use.

DD 93

Appropriated/Funded N/A

CM 1

Item No. 11

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 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.

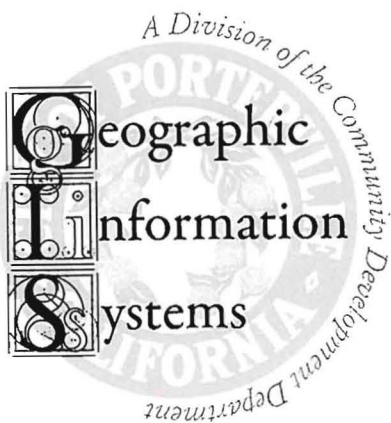
The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for Retail Centers (CR). The CR designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone 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 February 17, 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.

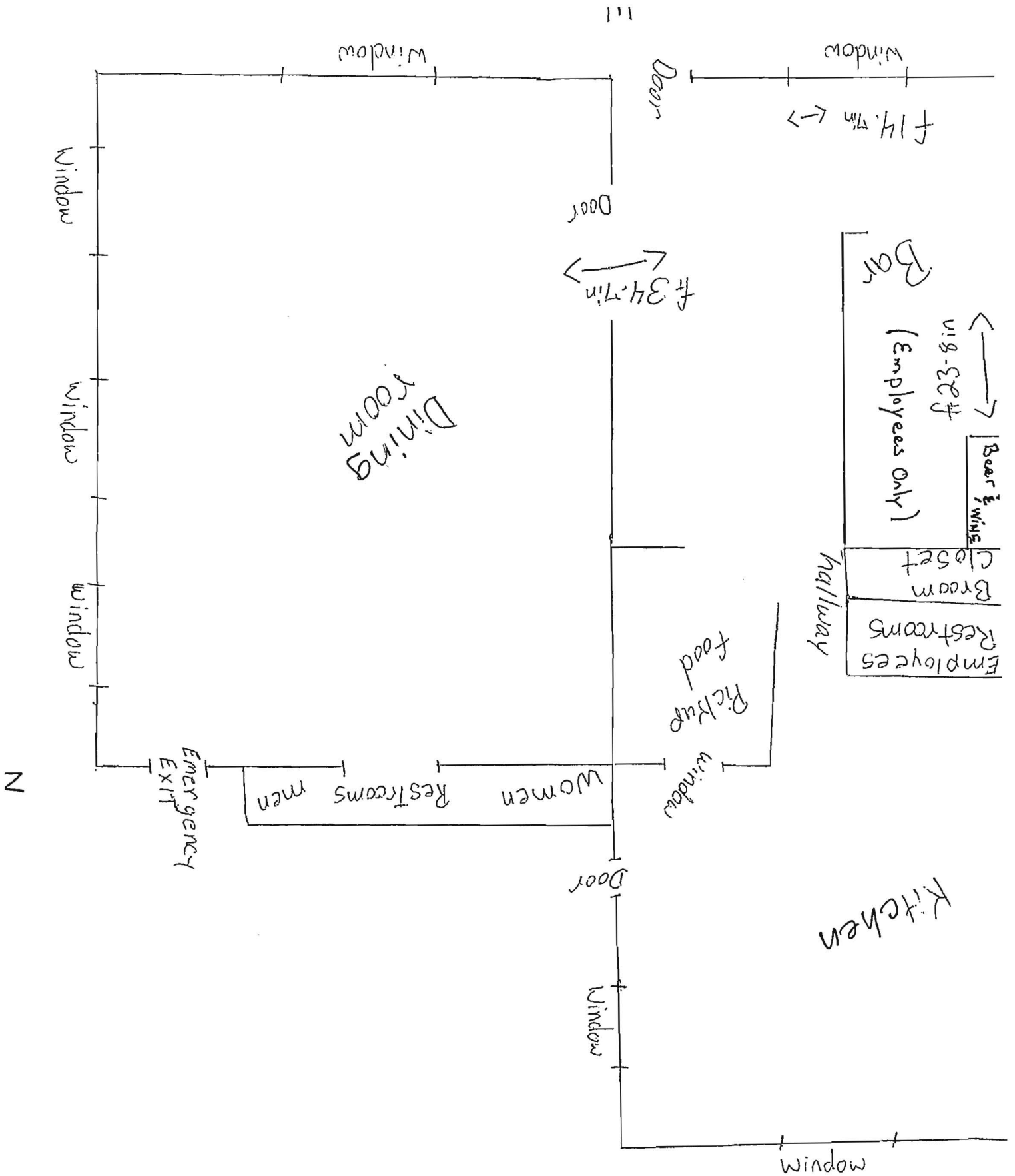
RECOMMENDATION: That the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2014-033-C) subject to conditions of approval.

ATTACHMENTS:

1. Locator Map
2. Floor Plan
3. Existing licenses in Census Tract 41.01
4. Draft Resolution



PRC 2014-083
 Los Portales CUP
 @ 377 E Orange Ave
 Project Vicinity Map
 1" = 300 ft. ATTACHMENT
 ITEM NO. 1



ATTACHMENT
ITEM NO. 2



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF THE CONDITIONAL USE
PERMIT (PRC 2014-033-C) TO ALLOW FOR A TYPE 41 ON-SALE BEER AND WINE
LICENSE FOR A BONA-FIDE PUBLIC EATING PLACE FOR LOS PORTALES
LOCATED AT 377 E. ORANGE AVENUE

WHEREAS: On February 17, 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 regularly scheduled meeting of March 3, 2015, conducted a public hearing to consider Conditional Use Permit (PRC 2014-033-C) to allow for a Type 41 On-Sale Beer and Wine license for a Bona-Fide Public Eating Place for Los Portales located at 377 E. Orange Avenue; 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 (Retail Centers) 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 that has been well maintained since its original development. Further, all landowners within the city of Porterville are held to performance standards identified in Chapter 306 of the Development Ordinance. Specifically, Section 306.03 (General Standards) 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 Categorical 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 effect on 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 41.01. This tract contains sixteen licenses for alcohol sales: five on-sale and eleven off-sale. In Census Tract 41.01, five on-sale and seven off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the sixth on-sale license. Due to the under concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be not required.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit (PRC 2014-033-C) subject to the following conditions:

1. 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 (Revocation of Approvals) of the Porterville Development Ordinance.
2. The applicant shall install and 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 Porterville Police Department and Section 306.07 (b) (Lighting and Glare) of the Porterville Development Ordinance.
3. 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.
4. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner.
5. No alcohol advertising shall be displayed and/or viewed from the outside of the building.
6. 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 could result in revocation of the Conditional Use Permit.

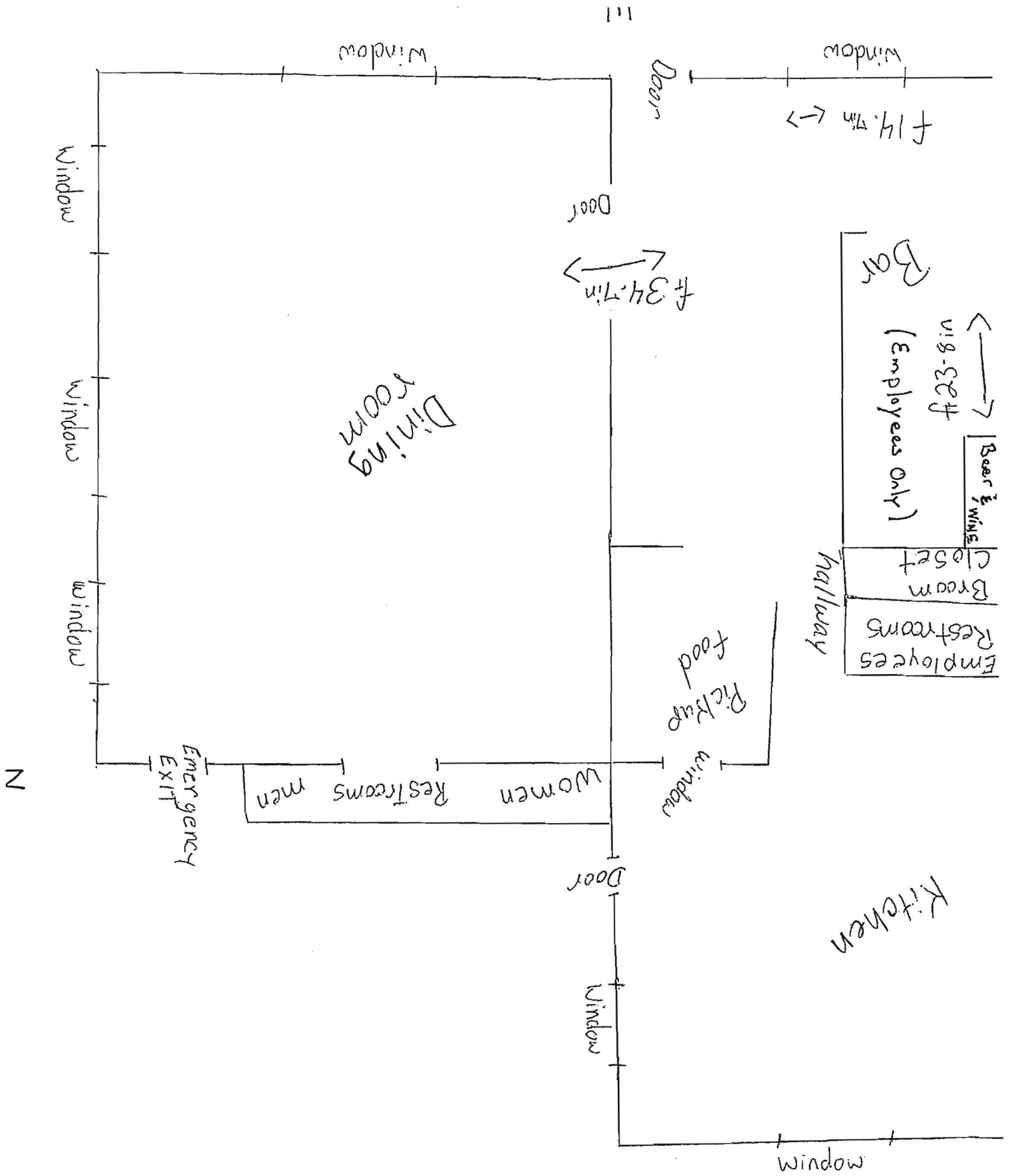
7. Unless an extension of time is granted by the City Council, the conditional use permit shall expire two (2) years after the date of approval of the on-sale Type 41 Beer and Wine Alcohol License for a Bona-Fide Eating Place if it is not active or actively pursued. The alcohol license permits sale of beer and wine in conjunction with the serving of meals.
8. The applicant shall keep beer and wine in a secure place with access only available to the employees, shown herein as the bar 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.
9. 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.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk



COUNCIL AGENDA – MARCH 3, 2015

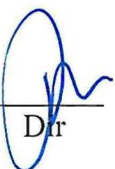


SUBJECT: SECOND READING – ORDINANCE 1821, APPROVING A ZONE CHANGE FROM CR (RETAIL CENTERS) TO PS (PUBLIC AND SEMI-PUBLIC) FOR THAT 4.6 ± ACRE SITE DESCRIBED HEREIN GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WEST NORTH GRAND AVENUE AND STATE ROUTE 65

SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT/CITY CLERK DIVISION

COMMENT: Ordinance No. 1821, An Ordinance of the City Council of the City of Porterville approving a Zone Change from CR (Retail Centers) to PS (Public and Semi-Public) for that 4.6± Acre Site Described Herein Generally Located at the Southwest Corner of West North Grand Avenue and State Route 65, was given first reading on February 17, 2015, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1821, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1821

 Dir	 Approp./ Funded	 CM
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Item No. 12

ORDINANCE NO. 1821

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING A ZONE CHANGE FROM CR (RETAIL CENTERS) TO PS (PUBLIC AND
SEMI-PUBLIC) FOR THAT 4.6± ACRE SITE DESCRIBED HEREIN GENERALLY
LOCATED AT THE SOUTHWEST CORNER OF WEST NORTH GRAND AVENUE AND
STATE ROUTE 65

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of February 17, 2015, conducted a public hearing to approve findings and consider a Zone Change from CR (Retail Centers) to PS (Public and Semi-Public) for development of a master planned storm drain basin generally located at the southwest corner of West North Grand Avenue and State Route 65; and

WHEREAS: The City Council of the City of Porterville determined that the proposed Zone Change is consistent with the guiding and implementation policies of the adopted 2030 General Plan, particularly LU-G-17, which guides the City to provide sufficient land for civic and institutional uses such as water facilities and infrastructure to meet future demand; and

WHEREAS: Development of the basin would be subject to the City's development standards and the General Plan Land Use Implementation Policies, including, but not limited to, perimeter improvements; and

WHEREAS: That a Mitigated Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran from January 16, 2015 to February 17, 2015; and

WHEREAS: The City Council made the following findings 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.

- a. The project supports and complies with the following General Plan guiding policies:
 - LU-G-1: Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.
 - LU-G-3: Promote sustainability in the design and development of public and private development projects.
 - LU-G-17: Provide sufficient land for civic and institutional uses such as police and fire services, water and sanitary facilities, infrastructure and other City services to meet future demand.
- b. Development of the basin would be subject to the City's development standards.

- c. An amendment to the General Plan designation is being processed concurrently with this Zone Change request. Approval of the Zone Change is contingent upon the approval of General Plan Amendment for Drainage Basin 18, to ensure consistency between the General Plan and Zoning.
- d. The subject Zone Change will not create adverse environmental impacts on the biological resources or adjacent neighborhood when mitigation measures are implemented and standards of the Development Ordinance and General Plan are applied to the project.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does ordain as follows:

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, is hereby rezoned from CR (Retail Centers) to PS (Public and Semi-Public) for the parcel described herein as Assessor's Parcel Number 243-210-065, generally located at the southwest corner of W. North Grand Avenue and State Route 65; and

Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show the above-described real property is rezoned from CR (Retail Centers) to PS (Public and Semi-Public) for the site described above, more particularly shown on the attached map as Exhibit "A"; and

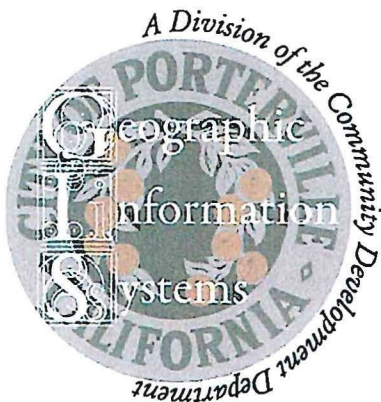
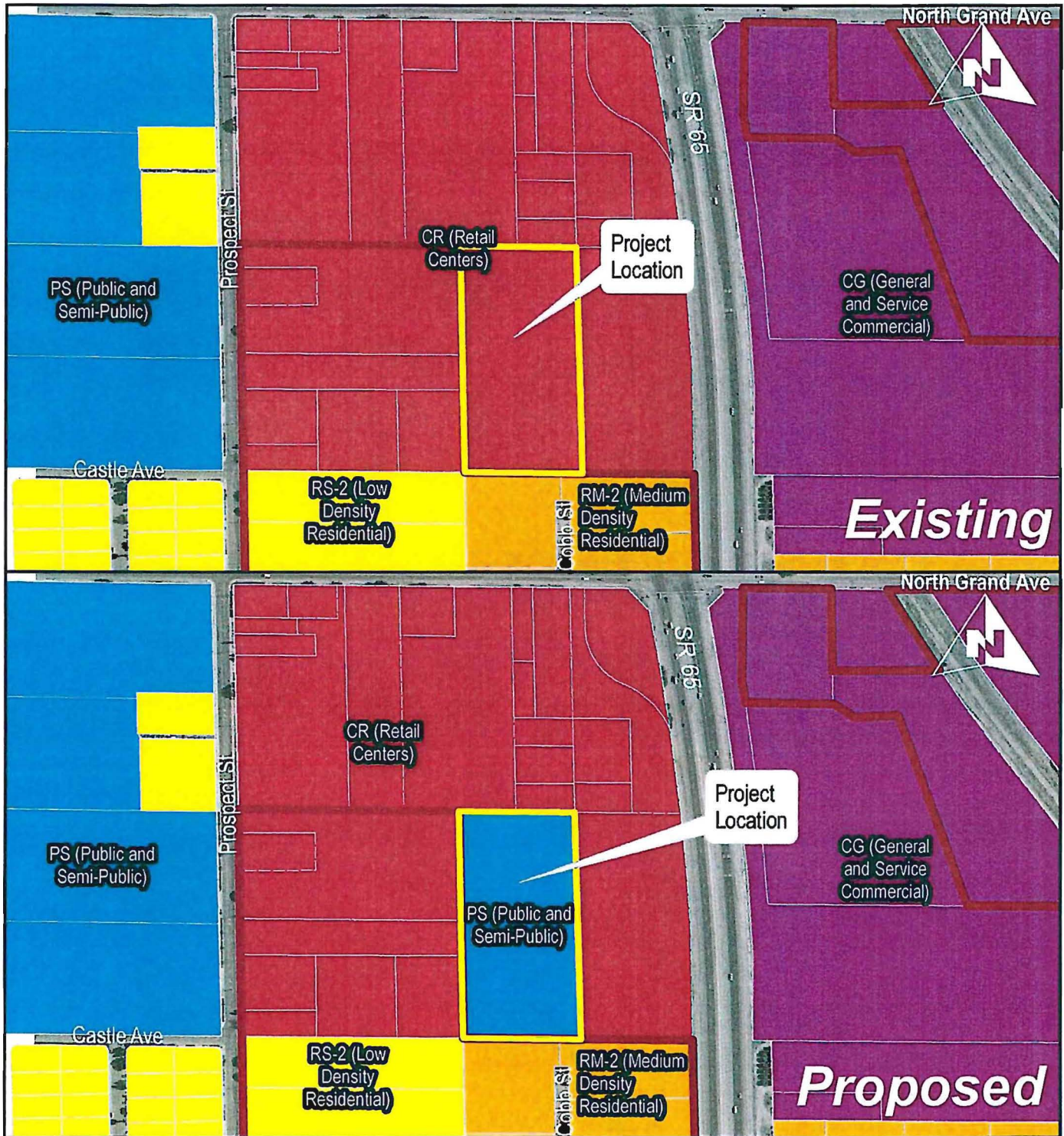
Section 3: This ordinance shall be in full force and effect not sooner than thirty (30) days from and after the ordinance's publication and passage.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



Drainage Basin 18
 Zone change and
 General Plan Amendment
 Zoning Use Map
 1" = 400 ft.

ATTACHMENT NO. 4

CITY COUNCIL AGENDA: MARCH 3, 2015

SCHEDULED MATTER

SUBJECT: ASSISTANCE OPTIONS RELATED TO PROVISION OF WATER WITHIN COUNTY ISLANDS

SOURCE: Community Development Department – Planning Division

COMMENT: At the meeting of February 17, 2015, the City Council (Council) considered options that could assist property owners in county islands proposing to annex in order to connect to city water. During discussion, the Council authorized staff to initiate efforts to prepare environmental documentation for the eventual annexation of those areas identified in Attachment 1 - Qualifying Islands. Further, Council directed staff to bring forward more information related to the costs associated with two of the defined options: City Funded CEQA Document - For Reimbursement, and City Funded Island Annexation Effort.

Whichever option is selected, the area of benefit would be nearly city-wide, assisting all qualifying islands west of Plano Street. Using the parameters defined by Government Code Section 56375.3, the area of benefit would encompass sixteen county islands, totaling approximately 675 acres, or one square mile.

ANALYSIS: As noted above, the Council asked for more detail relative to implementation of two of the four options identified during the meeting of February 17, 2015. Information was collected from all applicable departments and summarized below.

City Funded CEQA Document - For Reimbursement. If the Council chooses to fund the CEQA document, a fee could be established that applies only to eligible islands, and those future applications for annexation would reimburse the City as applications are submitted. It should be noted that environmental documents aren't valid forever. In time, CEQA laws change, physical settings change, and the document may only be good for one to ten years before it needs to be updated.

In this scenario, the City would be reimbursed only if applications to annex are received. Approximately 70% of the properties in the subject islands are already connected to City water, due to the City's past acquisition of private water systems. As a result, only 30% of properties would likely initiate an annexation application.

Costs associated with approval of this option would include:

Preparation of CEQA document, includes direct administrative costs such as mailing of notices	\$10,000
Posting fees for CEQA document	\$2,268
Notice of Public Hearing to adopt new fee	\$200
Total estimated cost	\$12,468

DD


ACTING

Appropriated/Funded



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Item No.

13

At an estimated cost of \$12,500 associated with this option, and assuming that the islands could be annexed with five applications, the City could expect to be reimbursed approximately \$2,500 with each application submitted. Alternatively, the Council could require reimbursement of only a proportionate share of the environmental costs, for example, per square foot of the property owned by an applicant. In this case, the square foot rate would be \$0.0009975 per square foot. While it may seem more fair, this method results in less reimbursement of cost, and may result in confusion of how much area is to be annexed. Single parcel annexations would not be supported by City or LAFCo policies.

City Funded Island Annexation Effort. Similar to the effort undertaken in 2006, the City could select to initiate the annexation of all applicable islands. Annexation entitles property owners to water and other municipal services such as police and fire protection. It is relevant to note that a water study to identify the City's available water resources is still a few months from completion. However, as noted above, approximately 70% of those developed properties in the subject islands are already connected to City water, due to the City's past acquisition of private water systems. For this reason, it is not anticipated that annexation would have a significant impact to the City's water supply.

An annexation effort of this magnitude could be completed within five applications for a total estimated cost of under \$60,000, which includes preparation of environmental documents, maps and legal descriptions, LAFCo application fees, and Board of Equalization fees. While this cost certainly must be considered, it is in the City's ultimate best interest to annex properties that receive municipal services, as well as gain the Utility Users Tax and property tax revenue for those properties. There is, arguably, a public benefit to proceeding with the annexation of these areas.

Preparation of CEQA document, includes direct administrative costs such as mailing of notices	\$10,000
Posting fees for CEQA document	\$2,268
Notice of Public Hearing to process annexations	\$200
Preparation of maps and legal descriptions (for all islands)	\$20,000
LAFCo Application fees (for all islands)	\$8,955
Board of Equalization fees (for all islands)	\$15,000
Total Cost to annex all islands west of Plano Street	\$56,423

Costs associated with providing services to these areas once incorporated are a separate matter. Based on conversations with the Public Works, Police, and Fire Departments, staff estimates the following financial liabilities would be absorbed by the City as a result of annexation. It should be made clear that costs identified for Public Works improvements would not be expended immediately, but as funds are made available. Further, the estimates outlined below would fund full reconstruction of lacking infrastructure. Similar deficiencies exist elsewhere

throughout the city, but costs to complete equal infrastructure improvements city-wide were not calculated for this report. It is important to make note of this disparity, and to be clear that these costs are not immediate requirements, nor are improvements of this magnitude limited to the island areas. Neither the Police nor the Fire Departments have expressed that additional personnel would be required to provide service to the annexed areas.

Public Works Physical Improvements	
Road rehabilitation	\$18,482,600
Curb, gutter, sidewalks, streetlights	\$6,518,986
Water, including hydrants	\$2,626,162
Sewer	\$5,544,780
Police Department Response Increase	6% increase in calls anticipated overall
Fire Department Response Increase	6% increase in calls anticipated overall

Long term fiscal effects related to absorbing responsibilities for these areas are more difficult to estimate. Costs of efforts such as increased street sweeping, road maintenance, and animal control, for example, would be funded through the City's General Fund, which would be offset by the additional property tax revenues generated by the subject properties.

Revenue increase resulting from annexation of all islands west of Plano Street were estimated based on the current tax share rate average of 11.8%, plus an additional 3%, which is the County's share of the tax rate as granted in the Settlement Agreement. The total calculated assessed value of all properties in the subject area is \$102,049,320; at a tax rate of 14.8% of 1%, this amounts to annual property taxes directed to the City totaling \$151,033. Additionally, Utility Users Taxes would be assessed for houses within the subject islands. Estimates based on Assessor's data show 1,055 housing units within the subject area. Estimating \$250 per month of eligible utility bills, an additional \$15 per month would be assessed to each household within the annexation area. This results in \$189,900 per year of Utility Users Tax. The total annual increased tax income would be approximately \$340,000.

If desired, a reimbursement fee could be established and charged for those areas within islands still not yet connected to city services. While such options would not result in full cost recovery, it would offset the City's initial expenditure toward an annexation effort. Conversely, the expense of establishing and monitoring such fees may make any reimbursement negligible. If so desired, staff could identify options related to this concept for consideration at a future meeting.

While annexation of already developed and distressed areas is an understandable concern, much of the time the City is already fiscally responsible for the infrastructure and services within those areas. Staff's position is that the most effective solution to the needs of the developed unincorporated communities within

and surrounding the city limits is to annex the areas and manage land uses to the standards expected of the City of Porterville.

RECOMMENDATION: That the City Council consider the concepts outlined and provide direction to staff.

ATTACHMENTS:

1. Map of eligible islands
2. February 17, 2015 Staff Report

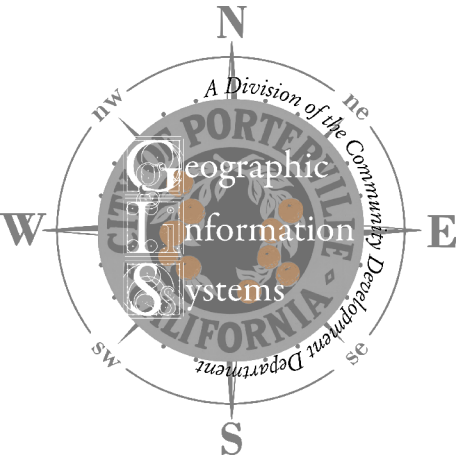
Legend

- Urban Development Boundary
- City Limits
- Qualifying Islands

City of Porterville Parcels

- DOWNTOWN
- CITY
- UDB (Urban Development Boundary)
- UAB (Urban Area Boundary)
- COUNTY

City of Porterville Qualifying Islands | 02.11.2015



ID	Name	RD C/L Miles	PARCELS	DUC	Water Accounts	Acreage	Est. Valuation	Housing Units	Population
1	Johns	0.00	2		0	2.54	\$ 401,106	1	3
2	Beverly Grand	1.42	160	X	13	96.7	\$ 14,874,708	161	515
3	Newcomb-Castle	0.00	6		1	8.51	\$ 950,507	5	16
4	Cobb	0.23	25		2	33.37	\$ 3,382,782	46	147
5	North Main	0.15	7		2	32.46	\$ 2,953,187	0	0
6	Highland 1	0.00	2		0	1	\$ 61,923	2	6
7	Highland 2	0.00	2		1	1.53	\$ 372,271	2	6
8	Lime	0.06	17		6	28.62	\$ 2,654,790	12	38
9	Mulberry-Main	2.52	166	X	130	113.16	\$ 16,090,297	193	618
10	Main 1	0.00	1		0	0.08	\$ 21,192	0	0
11	G-Henderson	0.00	3		3	2.38	\$ 307,386	3	10
12	Dogwood	1.68	188	X	166	85.65	\$ 21,582,421	205	656
13	Prospect-Newcomb	2.76	232	X	223	89.52	\$ 19,394,529	239	765
14	Tract 41	0.96	69	X	62	56	\$ 9,647,522	65	208
15	Gibbons-Plano	2.08	121	X	0	121.94	\$ 9,213,477	120	384
16	Airport-Newcomb	0.00	1		0	4.74	\$ 141,222	1	3
		11.87	1002		609	678.20	\$ 102,049,320	1055	3375

ATTACHMENT
ITEM NO.

CITY COUNCIL AGENDA: FEBRUARY 17, 2015

SCHEDULED MATTER

SUBJECT: ASSISTANCE OPTIONS RELATED TO PROVISION OF WATER WITHIN COUNTY ISLANDS

SOURCE: Community Development Department – Planning Division

HISTORY: At a series of meetings through the fall of 2014, the City Council addressed and updated policies and procedures for annexation and municipal services. The Council identified the need to more proactively monitor extension of services outside the city limits and, with the new policy, required that annexation be attempted prior to approval of an Extraterritorial Service Agreement where such annexation is feasible.

In light of new policy and procedures, the extension of municipal services such as water into an area qualified as an island per Gov't Code Section 56375.3 can only be approved after annexation. The city of Porterville hosts the greatest number of unincorporated islands in Tulare County. At the Local Agency Formation Commission (LAFCo) meeting of February 4, 2015, the Commission approved a modification requested by the City of Porterville in concert with the recent annexation policy update. The modification to *Policy C-9: County Islands* redefined "substantially surrounded" from 65% surrounded to 51% surrounded. The city of Porterville now has six new areas that are considered islands per the provisions of Gov't Code §56375.3, for a total of 23 eligible islands, at a total of 773.4 acres. There are other substantially surrounded areas adjacent to or wholly surrounded by city limits, but those do not meet all the criteria of Gov't Code §56375.3.

In the recently approved Municipal Services Review (Tulare LAFCo, October 1, 2014), LAFCo recommended that the City continue to pursue the annexation of the remaining County islands, as administratively feasible, to establish a more definitive and organized city limit boundary. It was to assist in this goal that LAFCo approved the recent modification to Policy C-9.

COMMENT: In light of the City's and LAFCo's policies, any property within an island is required to annex prior to provision of water. Staff is noting an increased number of residents asking about how to initiate the process because they want to connect to City water before summer, and are anticipating that their wells are nearly dry. Staff has prepared cost breakdowns for individual property owners, and the most expensive component of the required process in each case is the California Environmental Quality Act (CEQA) document preparation, which is over half the total cost of annexation. Estimated at \$8,000 to \$10,000 for document preparation, this isn't considered terribly expensive as far as environmental compliance documents go, but is far more than an average property owner is able to pay.

DD JB

Appropriated/Funded MB

CM J

Item No. 20

**ATTACHMENT
ITEM NO. 2**

Looking for ways to reduce costs, staff has determined that efficiencies could be found to address all islands together, either for preparation of a single environmental document or by grouping islands into a smaller number of total applications. One resulting question then becomes how to share the cost of the document preparation and/or applications among parties that may not submit applications at or near the same time.

APPROACH: Staff has defined some conceptual approaches for Council's consideration. All concepts assume that the Council agrees that one environmental document can be prepared to address all eligible islands. Additionally, it is very important to note that all concepts exclude the six islands identified in the East Porterville area. The reason for this is that the City continues to work with the State to find funding to provide a new water source, either a well or otherwise, with the intent to identify a permanent solution to East Porterville's water problem. In order to avoid jeopardizing the coordination with the State, East Porterville must remain unincorporated. Until such time that the State and the City are able to work out an arrangement to provide a permanent solution to the water problem in East Porterville, it is recommended that the City defer possible annexation in that area.

The potential alternatives for assisting 17 remaining eligible islands, totaling approximately 675 acres, are as follows:

1. Establish a reimbursement agreement for CEQA costs. This option would function similar to how Public Works coordinates a reimbursement agreement for infrastructure, such as sewer trunk lines. A developer is required to fully fund extension of the trunk line, and then adjacent property owners benefitting from (connecting to) the trunk line within a defined time frame pay a proportional share that goes back to the initial developer.

This method would require the first annexation applicant to come up with the money - approximately \$10,000 to \$12,000 including County and State filing fees. In turn, any future island annexation application would pay a portion back to the initial applicant. With this option, rather than look at each island area individually, it would be best to group islands in an efficient manner to limit the number of shares - increasing the chances that all shares would be reimbursed. For example, the 17 eligible islands could be grouped into five applications, so the first person would pay in full, then the next would repay 1/5th the cost, the next 1/5th, etc. The risk to the initial applicant is that the City does not require island annexations unless property owners are requesting service, so the other shares may never materialize.

2. City Funded CEQA Document - For Reimbursement. If the Council chooses to fund the CEQA document, a fee could be established that applies only to eligible islands, and those future applications for annexation would reimburse the City as applications are submitted. It should be noted that environmental documents aren't valid forever. In time, CEQA laws change, physical settings

change, and the document may only be good for one to ten years before it needs to be updated.

3. City Funded CEQA Document – Without Reimbursement. Similar to Concept #2, the Council could choose to fund the CEQA document and not establish a fee for reimbursement. Supporting this concept is the fact that effort required to establish a fee and then monitor for reimbursement has an associated administrative cost of its own, which may not be that much less than the cost to pay for the subject environmental document. The same cautions apply here as in Concept #2: environmental documents aren't valid forever, and the document may only be good for one to ten years before it needs to be updated.
4. City Funded Island Annexation Effort. Similar to the effort undertaken in 2006, the City could select to initiate the annexation of all applicable islands. One concern here is that being annexed entitles property owners to water and other municipal services such as police and fire protection. It is relevant to note that a water study to identify the City's available water resources is still a few months from completion. That said, approximately 70% of those developed properties in the subject islands are already connected to City water, due to the City's past acquisition of private water systems.

Because the City would not be subject to its own fees, an annexation effort of this magnitude could be completed within five applications for a total estimated cost of \$70,000, which includes preparation of environmental documents, maps and legal descriptions, LAFCo application fees, and Board of Equalization fees. While this cost certainly must be considered, it is in the City's ultimate best interest to annex properties that receive municipal services, as well as gain the Utility Users Tax and property tax revenue for those properties. There is, arguably, a public benefit to proceeding with the annexation of these areas.

A reimbursement fee could be charged for those areas within islands still not yet connected to city services, if so desired. While such options would not result in full cost recovery, it would offset the City's initial expenditure. Conversely, the expense of establishing and monitoring such fees may make any reimbursement negligible. If so desired, staff could identify options related to this concept for consideration at a future meeting.

While annexation of already developed and distressed areas is an understandable concern, much of the time the City is already fiscally responsible for the infrastructure and services within those areas. Staff's position is that the most effective solution to the needs of the developed unincorporated communities within and surrounding the city limits is to annex the areas and manage land uses to the standards expected of the City of Porterville.

RECOMMENDATION: That the City Council consider the concepts outlined and provide direction to staff.

ATTACHMENTS:

1. Resolution 74-2014 defining objectives and policies for annexations and municipal services
2. Resolution 75-2014 establishing procedures for annexations and extension of municipal services
3. Map of eligible islands
4. Government Code Section 56375.3

RESOLUTION NO. 74 -2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE DEFINING OBJECTIVES AND POLICIES FOR ANNEXATIONS AND MUNICIPAL SERVICES

WHEREAS: The City of Porterville established a policy concerning annexation and provision of municipal services in 1986, noting that “the City, in order to grow for reasons of economies of scale and quality of services must expand its boundaries within reason, generally encourages the owners of properties contiguous to the city of Porterville to annex to said City of Porterville”; and

WHEREAS: Since 1990, the population of the city of Porterville has increased 53% according to the California Department of Finance, and the land area of the city proper has increased by 38% according to City annexation records; and

WHEREAS: The City of Porterville accepts its responsibility to provide municipal services to those residents, businesses, and other land uses within the limits of the city. The City of Porterville has taken the position that the costs of all physical improvements within the city have been paid by property owners, and other taxes derived in the city, and, therefore, these same people should not be required to bear the expense of additional physical improvements needed to serve newly annexed areas.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby define the following objectives related to annexations and municipal services:

1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, and where appropriate, to provide those services beyond the limits of the city within the Urban Development Boundary, and only in extreme cases to those properties beyond the Urban Development Boundary within the Urban Area Boundary.
3. To provide for land development and growth in a manner consistent with the General Plan, particularly as it relates to land use and circulation.
4. To consider an application upon its own merits, and identify what benefits would accrue to the City as an agency and service provider, to the residents of the city of Porterville, and to the applicant.
5. To identify the problems involved in any proposal considered for annexation or request for extra-territorial services and resolve them in the manner most beneficial to the properties within the city of Porterville.
6. To develop factual information to permit informed discussion between City representatives and property owners/residents of unincorporated territories.

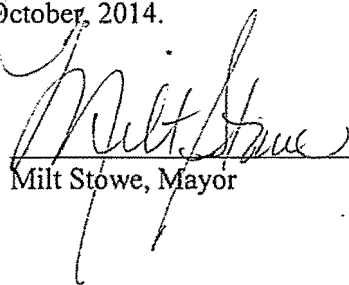
BE IT FURTHER RESOLVED, that the City Council of the City of Porterville does hereby establish the following policies for consideration of annexations and municipal services:

1. It shall be the policy of the City of Porterville to consider annexation proposals only within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County Local Area Formation Commission (LAFCo).

**ATTACHMENT
ITEM NO. 1**

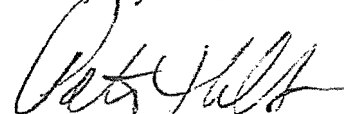
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, only where necessary in order to respond to an existing or impending threat to public health or safety of affected residents, to consider extra-territorial service requests within the Urban Area Boundary, as adopted by City Council and identified on the City of Porterville Zoning Map.
4. It shall be the policy of the City of Porterville to consider annexation proposals and extra-territorial service requests in a manner consistent with the policies and regulations adopted by the Tulare County LAFCo and the State of California, as applicable.
5. It shall be the policy of the City of Porterville to discourage single-family one (1) lot annexation proposals that may have an adverse fiscal impact on the City of Porterville.
6. It shall be the policy of the City Council that territory shall not be annexed to the city of Porterville, which as a result of such annexation, unincorporated territory is completely surrounded, or substantially surrounded by the city of Porterville.
7. It shall be the policy of the City of Porterville that annexation proposals shall be in conformance with the Cortese-Knox-Hertzberg Act of 2000, as amended.
8. It shall be the policy of the City Council to consider each petition/consent for annexation upon its relationship to what economic benefits will accrue to the City of Porterville, and to the area residents/property owners.
9. It shall be the policy of the City Council that the costs of all physical improvements will be borne by the property owners/resident or developer.
10. It shall be the policy of the City of Porterville to maintain the viability of agricultural productivity; i.e. protecting and conserving as much agricultural land as possible in the area surrounding the Porterville community.
11. It shall be the policy of the City of Porterville that the applicant for annexation present proposals to the Project Review Committee and explain the particulars of the area under consideration for possible annexation, including a plan for services.
12. It shall be the policy of the City of Porterville to consider any requests for annexation or extra-territorial services in a manner consistent with the procedures adopted by resolution of the City Council.

PASSED, APPROVED AND ADOPTED this 21st day of October, 2014.


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. 75 -2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ESTABLISHING PROCEDURES FOR ANNEXATIONS AND EXTENSION OF
MUNICIPAL SERVICES

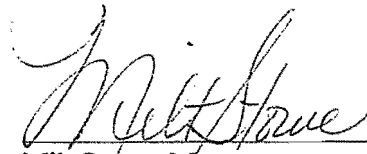
WHEREAS: The City Council of the City of Porterville, acknowledging that over time policies and procedures must be evaluated and reconsidered in light of changes to the regulatory environment and physical setting of the community, adopted a resolution defining objectives and policies for annexations and municipal services; and

WHEREAS: The evaluation of applications and service requests has long been delegated to staff, a practice that has the potential to lend itself to inconsistent implementation of succinctly defined procedures; and

WHEREAS: Local, regional, and state laws have changed since the Council's last review of policies and procedures related to annexations and extension of municipal services.

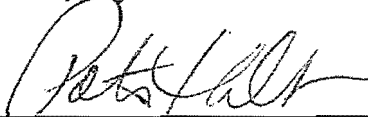
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby define procedures to submit application for annexations and municipal services, and to have said application(s) processed as outlined in Exhibit "A," attached.

PASSED, APPROVED AND ADOPTED this 21st day of October, 2014.


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

**ATTACHMENT
ITEM NO. 2**

All properties requesting annexation or extraterritorial services are subject to the procedures established below unless otherwise stated. Compliance with City of Porterville procedures does not guarantee approval by LAFCo of annexations or extra-territorial service agreements. Upon request for an annexation or extraterritorial services request, staff will evaluate whether the applicant's property is within the City's Urban Development Boundary or Urban Area Boundary and explain the process.

ANNEXATION APPLICATION PROCEDURE

1. A complete annexation application packet includes: fees, an Irrevocable Agreement to Annex, application for Development Agreement (to be enacted only in the event of failed annexation attempt), Application for Annexation, and other materials as required with those applications respectively.
2. On receipt of an application as outlined above, all materials will be considered by the Project Review Committee, who will coordinate in a pre-consultation process with LAFCo staff and the County Public Works Department for review and recommendation.
3. During review by the Project Review Committee of the necessary application and data, staff will prepare a report and findings on all aspects of the proposed action(s).
4. An environmental document will be prepared pursuant to the California Environmental Quality Act (CEQA), reviewing the potential environmental effect of the proposed activities. The Zoning Administrator will make an initial determination of the level of environmental review required.
5. After proper noticing, a public hearing will be held for the City Council to hear comments related to the project at a regularly scheduled meeting. The Council will authorize staff to initiate the application with LAFCo. Documents will be filed in accordance with the Cortese-Knox-Hertzberg Act of 2000, as amended, and submitted to the Local Agency Formation Commission for its review, recommendation and action.
6. On consummation by the City Council, the City Clerk shall submit the necessary materials to the State Board of Equalization with the appropriate acreage fees, which are paid by the Applicant.
7. In the event the annexation fails, either by dissenting votes of the City Council or at hearing at LAFCo, the City Council may approve an extraterritorial service agreement within the Urban Development Boundary, subject to conditions identified in the Development Agreement.

ANNEXATION EXEMPTION PROCEDURE

Where a certain property meets all of the following criteria, they may proceed with an Extraterritorial Service Agreement for water or storm-water drainage without first attempting annexation, subject to the conditions of Extraterritorial Service Agreements as defined below.

1. Previously developed single-family residences on parcels 24,999 square feet or smaller, OR a school developed by a State funded school district.
2. The parcel requesting services must be immediately adjacent to a municipal main providing the requested service, or the property owner shall provide for the extension of the main line to City standards at their expense.

EXHIBIT A

EXTRATERRITORIAL SERVICES APPLICATION PROCEDURE

Extraterritorial Service connections may be made subject to the following conditions. Note specific parameters and the required findings for connections in the Urban Development Boundary and the Urban Area Boundary.

1. Application: A complete extraterritorial services application packet includes: fees, an Irrevocable Agreement to Annex, application for Development Agreement, and other materials as required with those applications respectively.
2. General Plan Consistency:
 - a. Proposed Uses and Improvements: Service connections are to be withheld from proposed uses and improvements that would not be consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan.
 - b. Existing Uses and Improvements: Service connections to existing uses and improvements which are not consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan shall be considered at the discretion of the City Council, and may be subject to other restrictions.
3. Agreements and Covenants:
 - a. A Development Agreement must be approved by the property owner and the City Council, and recorded with the County of Tulare upon the property, at the applicant's expense.
 - b. An irrevocable agreement to annex must be signed by the property owner and recorded with the County of Tulare upon the property, at the applicant's expense.
4. Time Limitations: The City Manager or his designee, or the City Council may condition the approval of applications for service connections by establishing a time frame within which connections must be made to avoid re-application.
5. Improvement Plans: Applications for service connections which necessitate the extension of one or more municipal facilities to property in order to make such connections shall be conditioned by the City Manager or his designee, or the City Council to require that Construction Drawings of the intended public improvements be submitted to the City Engineer for plan check and approval. Costs incurred for the preparation of improvement plans, and certain off-site construction and/or installation costs related to extending facilities, shall be the responsibility of the applicant.
6. Fees: Prior to the issuance of a Connection Permit, payment must be made to the City of Porterville of all fees pertinent to the respective service connection, or connections, approved by the City Manager or his designee, or the City Council.

Within the Urban Development Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and, as such, an extraterritorial service request cannot be denied; however, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council to approve an extraterritorial service connection:

- That the subject property is a previously developed single-family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.
- That the subject property is not within an island as defined by Tulare LAFCo.
- That an attempt to annex the subject site is not realistic given current city limit boundaries. Specifically, the parcel is too far removed from the city limit, and/or the number and valuation of adjacent parcels would result in a failed annexation effort.

Within the Urban Area Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and, as such, an extraterritorial service request cannot be denied; however, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council to approve an extraterritorial service connection:

- That the subject property is a previously developed single-family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.









EXEMPTIONS AND EXCEPTIONS

1. PVPUD: Connections to Porterville Regional Sewage Treatment Facilities serving uses and improvements to property within the boundaries and jurisdiction of the Porter Vista Public Utility District (PVPUD) are exempted from application to the City of Porterville. Interested parties should contact the PVPUD for information on connection requirements and fees pertaining

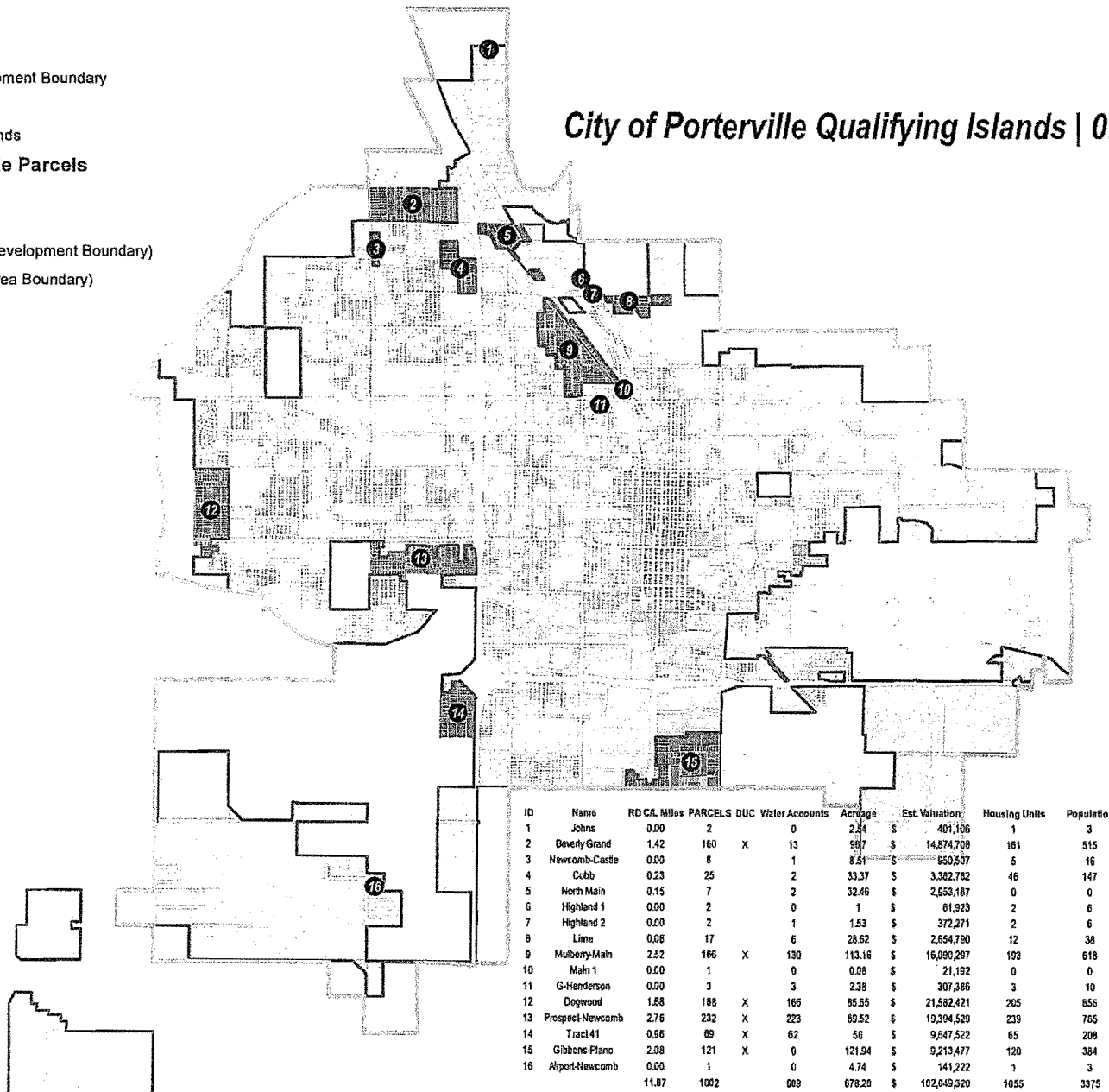
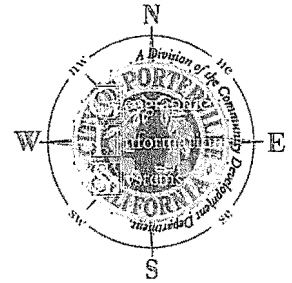
to sewer services. This exemption does not apply to requests for connection to Municipal Water and/or Master Storm Drain Facilities.

2. PRIOR APPROVALS: Porterville City Council approval of requests for connection to Regional Sewage Treatment, Municipal Water and/or Master Storm Drain Facilities as authorized prior to the adoption and effective date of the respective policies set forth herein shall remain valid and in force according to the terms and conditions initially specified at the time of approval, and re-application will not be required.

Legend

-  Urban Development Boundary
-  City Limits
-  Qualifying Islands
- City of Porterville Parcels**
-  DOWNTOWN
-  CITY
-  UDB (Urban Development Boundary)
-  UAB (Urban Area Boundary)
-  COUNTY

City of Porterville Qualifying Islands | 02.11.2015



**ATTACHMENT
ITEM NO. 3**



GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57550] (*Title 5 added by Stats. 1949, Ch. 81.*)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550] (*Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.*)

PART 2. LOCAL AGENCY FORMATION COMMISSION [56300 - 56434] (*Part 2 added by Stats. 1985, Ch. 541, Sec. 3.*)

CHAPTER 3. Powers [56375 - 56388] (*Chapter 3 added by Stats. 1985, Ch. 541, Sec. 3.*)

(a) In addition to those powers enumerated in Section 56375, a commission shall approve, after 56375.3. notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:

- (1) The change of organization or reorganization is initiated on or after January 1, 2000.
- (2) The change of organization or reorganization is proposed by resolution adopted by the affected city.
- (3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).
- (b) Subdivision (a) applies to territory that meets all of the following requirements:
 - (1) It does not exceed 150 acres in area, and that area constitutes the entire island.
 - (2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - (3) It is surrounded in either of the following ways:
 - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
 - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
 - (C) This subdivision shall not be construed to apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
 - (D) Notwithstanding any other provision of law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.
 - (4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
 - (A) The availability of public utility services.
 - (B) The presence of public improvements.
 - (C) The presence of physical improvements upon the parcel or parcels within the area.

**ATTACHMENT
ITEM NO. 4**

2/11/2015

- (5) It is not prime agricultural land, as defined by Section 56064.
- (6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.
- (c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:
 - (1) Is unincorporated territory.
 - (2) Contains at least 100 acres.
 - (3) Is surrounded or substantially surrounded by incorporated territory.
 - (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.
- (d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.

(Amended by Stats. 2013, Ch. 138, Sec. 1. Effective January 1, 2014.)

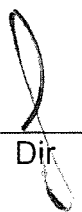
COUNCIL AGENDA: March 3, 2015


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.

At its last meeting on February 17th, the City Council again considered the Tulare Operational Area Task Requests (attached) received on January 20th from the County pursuant to Mutual Aid Agreement. The first Task Request was 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 eighty (80) of these tanks are serviced by City staff and equipment on a weekly basis. The second Task Request was for the City to provide water for purchase to fill 1,500-gallon tanks for the next twelve (12) months in East Porterville, referred to as the County Household Tank Program. Both the City Council and staff have previously expressed significant concerns relative to the provision of water, especially for the County Household Tank Program, without the commitment of a new water source to compensate for the expected impact to the City's water system. The City Council approved an extension of the current water delivery service until Wednesday, March 4th, and deferred action on the County Household Tank Program pending official written notification being received by the County from the State that the City would receive full-funding to support the development of a new municipal water well. According to the County Administrative Officer, CalOES has officially committed 75% funding of a new municipal well, and the County will be submitting a grant for USDA funding for the remaining 25%, which the County Board of Supervisors will consider at their next meeting on March 10, 2015.


Dir


App/Fund


CM

Item No. 14

Under the Task Request for the County Household Tank Program, County representatives have stated that a maximum of 2,000,000 gallons per month is requested to support the Program, though it may be up to nine (9) months before that volume of water would be necessary as the new tanks are located. A new well developed to City standards would be sufficient to support the requested volume of water, although the City may want to retain the ability to reduce the volume of water sales during the mid-summer months due to the City's water system experiencing its most taxing period, as well as the Governor's likely continued and/or enhanced mandated water conservation measures.

In a related matter, City representatives were invited to participate in a Hearing conducted by Assemblymember Luis Alejo (D-Salinas) before the Assembly Environmental Safety & Toxic Materials Committee on Wednesday, February 18th in Sacramento. The purpose of the Hearing was for local non-profit, City, County and State representatives to specifically discuss the effects of the drought on the water supply in East Porterville, as well as the response to the emergency conditions in East Porterville. Representing the City, Mayor Stowe and Councilmember Gurrola provided testimony as to the City's experience, both advocating for more diligence and urgency in addressing the issue in the consideration of both short- and long-term solutions, as well as extending existing emergency State environmental exemptions to local government.

On a final note, the most recent State Drought Briefing dated February 26, 2015, reports that the past month was one of the driest January's on historical record, though February is trending toward average. California snowpack is currently at 23% of normal to date, and 17% of the April 1 average. Additionally, major state reservoir levels are at approximately half of average to date, though Northern California reservoirs account for the most benefit. Locally, Success Lake is currently at 30% of normal storage to date (slightly ahead of last year), and 9% of total storage capacity.

RECOMMENDATION: That the City Council consider:

1. 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
2. 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. State Bi-Weekly Drought Brief: Thursday, February 19, 2015

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.

ATTACHMENT I

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.

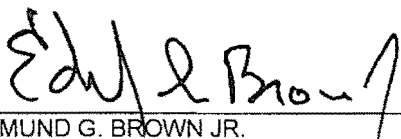
4. The State Water Resources Control Board, the Department of Water Resources, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies with the identification of acute drinking water shortages in domestic water supplies, and will work with local agencies in 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.

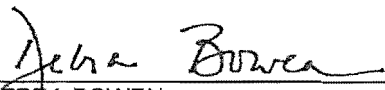
I **FURTHER DIRECT** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 18th 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-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.

ATTACHMENT 2



Office of Emergency Services

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

XTU-2015-LG-001

COMPENSATION:

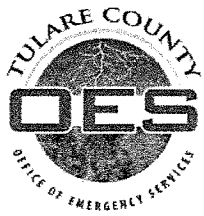
The **County of Tulare** shall reimburse the **City of Porterville** for **100%** of actual costs associated with this request, upon receipt of invoice(s) from the City of Porterville for services performed.

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



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:

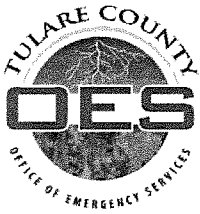
1. Provide potable water from City of Porterville municipal water system, to be purchased by County of Tulare and transported by its agents to residential tanks placed in nearby unincorporated areas as part of the County's Household Tank Program.
2. Establish parameters under which water will be provided, 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



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

cdfa
CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Water Boards
CALIFORNIA DEPARTMENT OF WATER RESOURCES



Bi-Weekly Drought Brief Thursday, February 19, 2015

CURRENT CONDITIONS

Recent Precipitation: This January finished as one of the driest Januaries on historical record, with very little precipitation throughout the state. In early February, rainfall from a major statewide storm event provided 90% of the February monthly average rainfall for the Northern Sierra, and 52% for the San Joaquin Valley. Less rain fell further south in the state during this storm.

Below are precipitation totals (in inches) from Monday, February 2 through Tuesday, February 17, and year-to-date rainfall based on the water year cycle (October 1, 2014 to September 30, 2015).

- **Bakersfield:** 0.07" (3.43")
- **Folsom Dam:** 2.05" (22.96")
- **Fresno:** 0.47" (3.87")
- **Hetch Hetchy:** 3.27" (12.56")
- **Los Angeles:** 0.02" (5.73")
- **Modesto:** 1.39" (8.79")
- **Oroville:** 3.40" (22.64")
- **Pacific House:** 7.28" (21.92")
- **Redding:** 6.32" (28.80")
- **Riverside:** 0.00" (2.88")
- **Sacramento:** 2.28" (11.60")
- **San Diego:** 0.00" (5.30")
- **Shasta Dam:** 10.44" (45.76")
- **Willits:** 6.68" (34.36")

Precipitation Forecast: High pressure over California will continue to keep weather dry and warm throughout the state this week. Slightly cooler temperatures are likely for next week but continued dry weather is expected to persist.

Snow Survey: The February manual snowpack survey recorded California snowpack at 19% of normal to date, and 12% of the April 1 average. The next statewide manual snow survey will be conducted at the beginning of March. The snowpack as measured on February 10, using automated sensors shows snowpack at 23% of average to date, and 17% of the April 1 average which is a drop of 2 percent over the past week. The automated sensor results captured the additional snowpack, resulting from the early February storms, which is not reflected in the manual survey.

Reservoir Levels (% capacity): The early February storm event brought a much needed boost in storage to the state's major Northern California reservoirs. Statewide, the storm generated net gains for reservoirs that totaled in excess of 1.0 million acre-feet. Reservoirs in the southern portion of the state did not benefit significantly from this storm event, as precipitation mostly fell further north.

Reservoir Levels as of February 16 remain low, including: Castaic Lake 34% of capacity (40% of year to date average); Don Pedro 42% of capacity (61% of average); Exchequer 8% of capacity (15% of average); Folsom Lake 54% of capacity (102% of average); Lake Oroville 46% of capacity (69% of average); Lake Perris 34% (42% of average); Millerton Lake 36% of capacity (56% of average); New Melones 25% of capacity (41% of average); Pine Flat 15% of capacity (29% of average); San Luis 58% of capacity (71% of average); Lake Shasta 53% of capacity (77% of average); and Trinity Lake 44% of capacity (62% of average). An update of water levels at other smaller reservoirs is also available.

Fire Activity: In 2014, CAL FIRE responded to almost 1,000 more wildfires than the 5-year average. Since the beginning of 2015, CAL FIRE has responded to over 150 wildfires across the state, including the Round Fire in Inyo County, which has burned over 7,000 acres and is 100% contained. CAL FIRE continues to monitor the drought situation and prepare for the wildfire season ahead while maintaining staffing that meets the current threat. Should the need arise, CAL FIRE is positioned to augment staffing as required.

Statewide Open Burn Ban Update: Due to recent rain, local outdoor burn bans have been lifted across much of the State. Most areas still require homeowners to obtain a burn permit. For those areas where the ban has been lifted, daily fire and weather conditions will dictate whether burning is permissible that day. The burn ban, issued last July, prohibits certain outdoor burning in the State Responsible Areas (SRA).

Vulnerable Water Systems: The State Water Board's Drinking Water Program continues to provide technical and funding assistance to several communities facing drinking water shortages and is monitoring water systems across the state to determine if new support is needed. As of this week, a total to date of \$14.4 million has been identified for specific emergency drinking water projects out of \$15 million appropriated in March 2014 for this purpose.

KEY ACTION ITEMS FROM THIS WEEK

- **State Water Board Approves Elements of Temporary Urgency Change Petition for SWP and CVP:** On Wednesday, February 4, the State Water Board issued an order approving most elements of the January 23 temporary urgency change petition submitted by the Department of Water Resources and U.S. Bureau of Reclamation to adjust flow and water quality requirements that govern inflows and outflows in the Sacramento-San Joaquin Delta and operation of the Delta Cross Channel Gates for the next two months. These requirements help control salinity in the Delta and protect fish and wildlife uses, and water quality for municipal, industrial and agricultural uses.

The State Water Board held a Public Workshop on Wednesday, February 18 to receive public comments on the Temporary Change Order. The workshop included panel presentations by the Department of Fish and Wildlife and stakeholder groups. The State Water Board is now reviewing all comments received to determine if changes to the Order are appropriate.

- **CDFW Approves Restoration Grants Including \$3.5 Million for Drought Projects:** On Wednesday, February 11, the Department of Fish & Wildlife announced its selection of grants to restore and protect river and estuarine habitat for coastal salmon and steelhead trout. This year's selection includes both traditional restoration projects as well as special projects to respond to the drought and improve fisheries habitat on private and state forestlands.
- **State Board Streamlines Process to Apply for Drinking Water Funds:** On Friday, February 6, the State Water Board announced that they have streamlined access to its Drinking Water State Revolving Fund (DWSRF) in order to make it easier for water systems to apply for funds. The DWSRF program, which was transferred to the State Board from the Department of Public Health in July, offers below-market-rate loans to water providers to upgrade their drinking water systems to meet state and federal safe drinking water standards.

- **State Water Board Orders More Information from Diverters Claiming Senior Delta Water Rights:** On Wednesday, February 4, the State Water Board has required individuals claiming senior water rights in the Sacramento-San Joaquin Delta watershed to provide detailed information on the water rights they claim, and the diversions associated with those rights. The order comes after the State Water Board received information that some riparian and pre-1914 water right holders may be illegally diverting stored water in the Sacramento and San Joaquin watersheds, and the Delta.
- **State Board Releases Report on Improving Oversight of Water Right Systems during Drought:** On Friday, January 30, the State Water Board released a report that outlines ways to improve the enforcement of the state's water rights system. The report addresses issues ranging from improving the accuracy and timeliness of supply and demand data to increasing public outreach. These recommendations for improvement are based on the State Water Board's review and implementation of the water rights system this past year, and is viewed as a way to improve the water rights enforcement process as California faces the likelihood of a fourth consecutive dry year.
- **\$50 million in Drought Relief for Western States Detailed during Drought Response Press Conference:** On Friday, February 2, the Department of Interior (DOI) announced the availability of \$50 million in federal grants for drought relief in the western states. The \$50 million for Western Drought Response was made available through the Consolidated and Further Continuing Appropriations Act of 2015, which will enable the U.S. Bureau of Reclamation to work with water districts and other water users to increase efficiency and conservation of available water.
- **Conservation Partners Sought for Drought-related Wind Erosion Prevention:** On Wednesday, February 11, the USDA Natural Resources Conservation Service (NRCS) in California announced that they are looking to partner with local, city, county, or irrigation districts to address wind erosion risks on fallow farmland due to California's ongoing drought. Approximately \$4 million will be available through the Emergency Watershed Protection Program (EWP) which will assist agricultural producers and rural landowners install conservation practices and limit the effects of wind erosion.
- **Emergency Food Aid, Rental and Utility Assistance:** The Department of Social Services (CDSS) has provided to date over 495,650 boxes of food to community food banks in drought-impacted counties. Approximately 435,600 boxes of food have been picked up by 231,871 households. By this Friday, February 20, an additional 12,000 boxes will be delivered to five counties. Local food banks continue to target food aid to residents most impacted by drought.

The non-profit group La Cooperativa continues to distribute the \$10 million state-funded emergency rental assistance to impacted families and individuals across counties most impacted by the drought. As of Tuesday, February 17, the Department of Housing and Community Development (HCD) has reported that a total of \$8,557,364 is committed; and \$7,338,693 in funds has been issued to 4,462 applicants in 21 counties.

The Department of Community Services and Development (CSD) created a \$600,000 program to help families pay their water bills. This program targets families through 10 agencies that are experiencing "exceptional" drought. As of January, CSD has completed the Drought Water Assistance Program Pilot.

CSD has also implemented a \$400,000 Migrant and Seasonal Farmworker (MSFW) drought assistance program, in coordination with the California Human Development (CHD), Central Valley Opportunity Center (CVOC), Center for Employment Training (CET) and Proteus, which provides assistance in employment training and placement services to individuals impacted by the drought. As of Friday, February 6, 128 clients are enrolled in employment training programs, 30 clients have obtained employment, and 128 clients are receiving employment support services. CSD has also reported that a total of \$394,653 has been spent to assist participants in completing training employment programs.

- **Californians Achieve Strong Water Conservation Gains in December:** The State Water Board announced on Tuesday, February 3, that Californians cut back on water use by 22% in December as compared with the same period last year, which is the largest water conservation gain since state officials began tracking the data last summer. The sharp climb in water conservation marks the first time the state has attained Governor Brown's goal of a 20% reduction in water use.
- **Save Our Water Message Delivered 210 Million Times in 2014:** During the February 3 State Water Board meeting, Save Our Water officials announced that the Save Our Water campaign achieved 210 million impressions delivering water conservation messages on television, radio, social media, and websites in 2014. This achievement was made possible by the additional funding given to the campaign last year, which helped to expand its reach into new channels and markets, and paid advertising.
- **Water Saving Tips Promoted Across the State:** Californians made strides in 2014 to save water during one of the worst droughts in generations. For 2015, SaveOurWater.com urges Californians to make a New Year's resolution to save water daily as a permanent lifestyle change. Save Our Water's newly revamped website makes it even easier for Californians to learn how to save water indoors, outdoors, and at work. The website features the theme "Conservation: California's Year-Round Resolution." Visitors can sign up for daily email tips and grow the public awareness campaign by sharing Save Our Water Twitter and Facebook feeds.

This campaign will expand beyond the general public to feature corporate and business efforts. Save Our Water is also building an easy-to-use digital water calculator, to be unveiled in March that will help people figure out how much water they currently use and how certain practices could cut that volume both indoors and outdoors.

- **Drought Response Funding:** The \$687 million in state drought funding that was appropriated last March through emergency legislation, as well as \$142 million provided in the 2014 Budget Act, continues to advance toward meeting critical needs. To date, \$227 million has been expended, and nearly \$625 million of the emergency funds appropriated in March came from sources dedicated to capital improvements to water systems. Since March, the Department of Water Resources has expedited grant approvals, getting \$21 million immediately allocated to grantees that were pre-approved for certain projects. As planned in March, the next \$200 million of expedited capital funding was awarded in October, and the remaining \$250 million will be granted by fall 2015. The 2014 Budget Act appropriated an additional \$53.8 million to CAL FIRE over its typical budget to enhance firefighter surge capacity and retain seasonal firefighters beyond the typical fire season. In the event drought conditions continue through next year, the proposed 2015-16 Governor's Budget includes an additional \$115 million to continue critical drought response efforts.

- **Governor's Drought Task Force:** The Task Force continues to take actions that conserve water and coordinate state response to the drought.

Local Government

- **MWD Outlines Drought Scenarios that Could Result in Mandatory Rationing This Summer:** This past December, the Metropolitan Water District (MWD) of Southern California revised its allocation plan which equally distributes water supply reductions among member agencies during shortages. On Tuesday, February 9, the MWD outlined a range of allocation actions and scenarios to its Board of Directors that may require the district to make wholesale cutbacks by July 1. MWD's Board will consider its options in April, but if a supply allocation is adopted, there is a possibility that it could result in water rationing throughout Southern California this summer.
- **Local Emergency Proclamations:** A total of 60 local Emergency Proclamations have been received to date from city, county, and tribal governments, as well as special districts:
 - **24 Counties:** Glenn, Inyo, Humboldt, Kern, Kings, Lake, Madera, Mariposa, Merced, Modoc, Plumas, Santa Barbara, San Bernardino, San Joaquin, San Luis Obispo, Shasta, Siskiyou, Sonoma, Sutter, Trinity, Tulare, Tuolumne, Yuba, and El Dorado.
 - **13 Cities:** City of Willits (Mendocino County), City of St. Helena (Napa County), City of Calistoga (Napa County), City of American Canyon (Napa County), City of Santa Barbara (Santa Barbara County), City of Montague (Siskiyou County), City of Live Oak (Sutter County), City of San Juan Bautista (San Benito County), City of Lodi (San Joaquin County), City of Portola (Plumas County), City of Ripon (San Joaquin County), City of Rio Dell (Humboldt County), and City of West Sacramento (Yolo County).
 - **9 Tribes:** Hoopa Valley Tribe (Humboldt County), Yurok Tribe (Humboldt County), Tule River Indian Tribe (Tulare County), Karuk Tribe (Siskiyou/Humboldt Counties), Sherwood Valley Pomo Indian Tribe (Mendocino County), Yocha Dehe Wintun Nation (Yolo County), Cortina Indian Rancheria (Colusa County), Kashia Band of Pomo Indians of the Stewarts Point Rancheria (Sonoma County), and Picayune Rancheria of Chukchansi Indians (Madera County).
 - **14 Special Districts:** Brooktrails Township (Mendocino County), Lake Don Pedro Community Services District (Stanislaus County), Placer County Water Agency (Placer County), Twain Harte Community Services District (Tuolumne County), Carpinteria Valley Water District (Santa Barbara County), Meiners Oaks Water District (Ventura County), Mariposa Public Utility District (Mariposa County), Goleta Water District (Santa Barbara County), Montecito Water District (Santa Barbara County), Tuolumne Utilities District (Tuolumne County), Mountain House Community Service District (San Joaquin County), Nevada Irrigation District (Nevada County), Upper San Gabriel Valley Municipal Water District (Los Angeles County), and Lake Berryessa Resort Improvement District (Napa County).

- **Water Agency Conservation Efforts:** The Association of California Water Agencies (AWCA) has identified several hundred local water agencies that have implemented water conservation actions. These water agencies are responding to the drought by implementing conservation programs, which include voluntary calls for reduced water usage and mandatory restrictions where water shortages are worst.
- **County Drought Taskforces:** A total of 29 counties have established drought task forces to coordinate local drought response. These counties include: Butte, Glenn, Humboldt, Imperial, Kern, Kings, Lake, Madera, Mendocino, Merced, Modoc, Monterey, Nevada, Orange, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Siskiyou, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, and Yolo.
- **Tribal Taskforce:** A total of 3 tribes have established drought task forces to coordinate tribal drought response. These tribes include: Hoopa Valley Tribe (Humboldt County), Yurok Tribe (Humboldt Counties) and Sherwood Valley Tribe (Mendocino County).

DROUGHT RELATED WEBSITES FOR MORE INFORMATION

Drought.CA.Gov: California's Drought Information Clearinghouse

State's Water Conservation Campaign, Save our Water
Local Government, Drought Clearinghouse and Toolkit

California Department of Food and Agriculture, Drought information
California Department of Water Resources, Current Water Conditions
California Data Exchange Center, Snow Pack/Water Levels
California State Water Resources Control Board, Water Rights, Drought Info and Actions
California Natural Resources Agency, Drought Info and Actions
State Water Resources Control Board, Drinking Water, SWRCB Drinking Water Program
California State Water Project, Information

U.S. Drought Monitor for Current Conditions throughout the Region
U.S. Drought Portal, National Integrated Drought Information System (NIDIS)
National Weather Service Climate Predictor Center
USDA Drought Designations by County CA County Designations
USDA Disaster and Drought Assistance Information USDA Programs
U.S. Small Business Administration Disaster Assistance Office: www.sba.gov/disaster

Daily Reservoir Storage Summary

ENDING AT MIDNIGHT - 02/25/2015

FOR SELECTED RESERVOIRS IN NORTHERN AND SOUTHERN CALIFORNIA

Report generated: 02/26/2015 10:02

Reservoir Name	StaID	Water Storage				% of Capacity	Average Storage	% of Average	Outflow (CFS)	Inflow (CFS)	Storage - Year Ago This Date
		Capacity (AF)	Elevation (FT)	Storage (AF)	Storage Change						
TRINITY RIVER											
TRINITY LAKE	CLE	2,447,650	2,270.10	1,139,603	1,467	47	1,807,059	63	268	1,065	1,180,699
WHISKEYTOWN	WHI	241,100	1,199.01	207,185	-891	86	207,233	100	741	299	204,621
LEWISTON	LEW	14,660	1,900.85	13,801	-73	94	13,904	99	329	296	14,061
RUSSIAN RIVER											
SONOMA (WARM SPRINGS)	WRS	381,000	440.54	218,330	----	57	229,334	95	77	95	164,599
MENDOCINO (COYOTE)	COY	122,400	737.26	68,008	----	56	72,026	94	102	108	28,479
SACRAMENTO RIVER											
SHASTA	SHA	4,552,000	989.11	2,598,321	3,898	57	3,298,368	79	2,659	4,715	1,732,474
KESWICK	KES	23,772	580.35	19,726	449	83	21,807	90	3,036	3,265	20,014
FEATHER RIVER											
OROVILLE	ORO	3,537,577	755.04	1,725,030	3,993	49	2,449,889	70	622	2,668	1,390,141
ANTELOPE	ANT	22,566	5,002.03	22,591	19	100	17,675	128	----	----	18,638
FRENCHMAN	FRD	55,477	5,558.51	20,181	-34	36	36,651	55	----	----	27,719
LAKE DAVIS	DAV	83,000	5,764.57	48,012	-30	58	60,443	79	----	----	55,138
YUBA RIVER											
BULLARDS BAR	BUL	969,600	1,865.63	592,964	1,088	61	621,262	95	----	----	472,449
ENGLEBRIGHT	ENG	70,000	521.25	65,394	----	93	66,138	99	----	-250	63,732
AMERICAN RIVER											
FOLSOM	FOL	977,000	423.96	561,022	1,015	57	539,221	104	840	1,363	292,200
UNION VALLEY	UNV	230,000	4,829.51	165,354	565	72	145,818	113	----	----	143,325
LOON LAKE	LON	76,500	6,387.88	41,689	-142	54	30,633	136	----	----	39,768
ICH HOUSE	ICH	37,120	5,431.80	32,064	40	86	21,633	148	----	----	28,717
NIMBUS	NAT	9,000	121.55	7,152	-88	79	8,101	88	847	804	7,742
CACHE CREEK											
INDIAN VALLEY	INV	300,000	1,405.71	68,293	----	23	188,434	36	10	45	15,424
STONY CREEK											
BLACK BUTTE	BLB	143,700	451.47	57,548	----	40	58,081	99	53	266	15,878
CALAVERAS RIVER											
NEW HOGAN	NHG	317,000	628.52	66,167	----	21	149,405	44	15	48	95,970
MOKELUMNE RIVER											
CAMANACHE	CMN	417,120	185.53	128,370	-308	31	251,292	51	225	11	202,770
PARDEE	PAR	210,000	558.29	177,819	250	85	179,583	99	138	256	159,000
STANISLAUS RIVER											
DONNELL'S	DON	56,893	----	18,201	173	32	14,618	125	84	----	11,693
BEARDSLEY	BRD	77,600	----	28,612	-131	37	40,756	70	198	----	22,208
TULLOCH	TUL	68,400	501.07	56,464	597	83	56,121	101	299	603	55,975
NEW MELONES	NML	2,400,000	878.75	604,868	-472	25	1,463,404	41	575	351	1,058,076
TUOLUMNE RIVER											
DON PEDRO	DNP	2,030,000	710.10	870,332	1,064	43	1,436,341	61	173	869	1,054,812
HETCH HETCHY	HTH	360,000	----	249,679	----	69	159,813	156	320	----	184,728
CHERRY VALLEY	CHV	273,500	----	190,079	----	69	103,022	185	243	----	206,304
MERCED RIVER											
MC CLURE (EXCHEQUER)	EXC	1,032,000	605.43	86,859	104	8	528,992	16	174	299	213,990
CHOWCHILLA RIVER											
EASTMAN (BUCHANAN)	BUC	150,000	469.97	12,174	----	8	71,125	17	0	4	13,150
FRESNO RIVER											
HENSLEY (HIDDEN)	HID	90,000	452.99	6,513	----	7	32,236	20	0	6	6,091

SAN JOAQUIN RIVER												
MILLERTON (FRIANT)	MIL	520,500	492.39	193,976	690	37	340,406	57	140	497	169,096	
SAN LUIS CREEK												
SAN LUIS	SNL	2,041,000	479.68	1,280,756	3,474	63	1,724,165	74	---	---	678,066	
KINGS RIVER												
PINE FLAT	PNF	1,000,000	741.68	157,728	---	16	523,837	30	110	564	186,823	
KAWEAH RIVER												
KAWEAH (TERMINUS)	TRM	185,600	625.65	41,051	---	22	24,081	170	6	241	16,432	
TULE RIVER												
SUCCESS	SCC	82,300	588.29	7,042	---	9	23,648	30	12	55	6,670	
KERN RIVER												
ISABELLA	ISB	568,000	2,530.71	47,642	---	8	183,263	26	265	224	59,484	
TRUCKEE RIVER												
STAMPEDE	STP	226,500	5,874.66	52,800	-100	23	137,054	39	---	---	110,600	
INDEPENDENCE LAKE	INP	17,295	6,945.59	14,944	13	86	13,869	108	---	---	14,788	
DONNER LAKE	DNN	9,700	5,930.00	4,703	55	48	3,746	126	---	---	4,007	
SANTA YNEZ RIVER												
CACHUMA LAKE	CCH	190,500	688.16	56,880	0	30	166,031	34	14	5	75,910	
SOUTH COAST												
PYRAMID	PYM	180,000	2,576.53	168,010	-26	93	162,474	103	---	---	167,370	
CASTAIC	CAS	325,000	1,383.50	100,179	-1,562	31	280,073	36	---	---	270,168	
LAKE PERRIS	PRR	131,452	1,544.70	43,687	447	33	109,348	40	---	---	73,634	

Total Storage (AF)	12,337,803	Total Average Storage	18,072,413	Total % Group Average	68.27%
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AF - Acre Feet CFS - Cubic Feet per Second

Note: Reservoir Flows are daily averages.

Report name: