



**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
AUGUST 4, 2015, 5:30 PM**

Call to Order

Roll Call

**ORAL COMMUNICATIONS**

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

**CITY COUNCIL CLOSED SESSION:**

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 262-150-001. Agency Negotiator: John Lollis and Jenni Byers. Negotiating Parties: City of Porterville and Rafael D. Aguilo. Under Negotiation: Terms and Price.
- 2** - 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.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Sharyn Redwine. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Robert Nuckols and dba Nuckols Farming v. City of Porterville and Rick Perigo, Tulare County Superior Court Case No. 261084.
- 5** - 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.
- 6** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Three Cases.

**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**

- Employee of the Month - Nick Saucedo
- 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 Economic Development Corp. (TCEDC) - July 22, 2015
2. Tulare County Association of Governments (TCAG) - Rail Advisory Committee - July 28, 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 - July 22, 2015
  4. Animal Control Commission - July 28, 2015
  5. Youth Commission - Summer Hiatus
  6. Transactions and Use Tax Oversight Committee (TUTOC)
  
- II. Staff Informational Reports
  1. Porterville Golf Course 4th Quarter Report (April, May, June)
  2. Building Permit Activity - 4th Quarter Report (April, May, June)
  3. Street Performance Measure - 4th Quarter Report (April, May, June)
  4. Attendance Report for City Commissions and Committees - 4th Quarter Report - FY 2014/15
  5. Report on Charitable Car Washes
  6. Code Enforcement 4th Quarter Report (April, May, June)

## **ORAL COMMUNICATIONS**

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

## **CONSENT CALENDAR**

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

1. **City Council Minutes of February 17, 2015**
2. **Emergency Replacement of HVAC Unit at Airway Cafe Located at the Porterville Municipal Airport**  
Re: Considering acceptance of the emergency expenditure for the replacement of the HVAC unit at the Airway Cafe, and authorizing payment in the amount of \$9,250 to Darrell's Air Conditioning.
3. **Budget Adjustments for Fiscal Year 2015-2016**  
Re: Considering approval of budget adjustments in the amount of \$399,000 to accommodate an increase in staffing for the 2015-2016 school year for the Youth Experiencing Success (YES) Program, to be reimbursed by Porterville Unified School District.
4. **Authorization to Purchase Equipment by Negotiation**  
Re: Considering approval to begin negotiations for the purchase of equipment for various departments.
5. **Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge**  
Re: Considering approval to purchase water shares or surface water during the 2015/2016 fiscal year up \$150,000.
6. **Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2014-2015**  
Re: Considering approval of a resolution authorizing the Finance Director to sign and submit a claim to TCAG for RSTP funds in the amount of \$559,536 for the Fiscal Year 2014-2015.
7. **Housing-Related Parks Grant Program**  
Re: Considering approval of a draft resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure the Housing-Related Parks Program grant in an amount not to exceed \$322,550 from the State of California.

8. **Selective Traffic Enforcement Program (STEP) Grant Award**  
Re: Considering acceptance of STEP Grant funding from the California Office of Traffic Safety in the amount of \$69,000.
9. **Cooperative Agreement with Lindsay Police Department for Use of the Police Firing Range**  
Re: Considering approval of an agreement with the Lindsay Police Department for use of the Police Firing Range.
10. **Interim Financial Status Reports**  
Re: Considering acceptance of the interim financial status reports for the year ended June 30, 2015.
11. **Quarterly Portfolio Summary**  
Re: Considering acceptance of the Quarterly Portfolio Report reflecting the investment portfolio of the City of Porterville as of June 30, 2015.
12. **Approval for Community Civic Event - American Cancer Society - Rally for a Cure - August 15, 2015**  
Re: Considering approval of an event to take place on August 15, 2015, at Veteran's Park, from 5:00 a.m. to 5:00 p.m.

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

### **PUBLIC HEARINGS**

13. **Annexation of County Island, Annexation 475**  
Re: Consideration of a resolution approving Annexation 475; and authorization to work with property owners requesting connection to City services prior to the official conclusion of the annexation process.
14. **Vacation of Portions of Jaye Street between Poplar Avenue and Brown Avenue**  
Re: Considering adoption of a Resolution of Vacation, including reservations, for portions of Jaye Street between Poplar Avenue and Brown Avenue; and authorizing the City Clerk to record the Resolution of Vacation.

### **SCHEDULED MATTERS**

15. **Bid Results for the Wilson Place Concrete Repair Project**  
Re: Consideration of bid results for the project consisting of the removal and installation of curb, gutter, pavement and related appurtenances at the cul-de-sac of Wilson Place off Mulberry Avenue.

**16. Status and Review of Declaration of Local Drought Emergency**

Re: Consideration of the continuance of the Declaration of Local Emergency, and any modifications to the draft Agreement between the City and County of Tulare.

**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 August 18, 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](http://www.ci.porterville.ca.us).



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: 1. Porterville Golf Course 4th Quarter Report (April, May, June)

SOURCE: Parks and Leisure Services

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

RECOMMENDATION: Information only

ATTACHMENTS: 1. FY 2014/15 4th Quarter Golf Stats

Appropriated/Funded: MB

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

## PORTERVILLE GOLF COURSE STATISTICS

	Apr-14	Apr-15	May-14	May-15	Jun-14	Jun-15
9-hole	388	333	364	266	373	207
18-hole	49	42	49	87	36	76
Repeat 9	641	764	546	812	404	432
Monthly tickets	60	59	68	65	63	89
9-hole cart	197	204	196	212	204	204
18-hole cart	64	40	53	86	79	61
Repeat cart	248	254	207	276	155	195
Golfers	2228	2203	2221	2493	1916	1786
<b>Total</b>	<b>\$20,052.00</b>	<b>\$18,995.00</b>	<b>\$20,139.00</b>	<b>\$21,145.00</b>	<b>\$17,679.00</b>	<b>\$16,868.00</b>

## FOOTGOLF

	Apr-15	May-15	Jun-15
18-hole adult	34	64	27
18-hole youth	8	3	6
Cart rental	6	6	3
Ball rental	10	0	4
Party	0	0	0
<b>Total</b>	<b>\$464.00</b>	<b>\$709.00</b>	<b>\$339.00</b>

<b>GRAND TOTAL</b>	<b>\$19,459.00</b>	<b>\$21,854.00</b>	<b>\$17,207.00</b>
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CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: 2. Building Permit Activity - 4th Quarter Report (April, May, June)

SOURCE: Public Works

COMMENT: The Building Permit Activity Report (BPAR) presented herein to the City Council covers the months of April, May, and June 2015. The two main categories include new residential permits issued and new commercial permits issued.

4th Quarter of FY 2014/2015 compared to 4th Quarter of FY 2013/2014

New residential permits issued during the 4th quarter of 2015 (19) are up 211% from the 4th quarter of 2014 (9). No commercial permits were issued during the 4th quarter of 2015 and no commercial permits were issued during the same period last fiscal year.

Year to Date (July 2014 to June 2015)

New residential permits issued this fiscal year (51) are up 50% as compared to the same period last fiscal year (34). New commercial permits issued this fiscal year (3) are down 25% as compared to the same period last fiscal year (4).

RECOMMENDATION: Informational Report

ATTACHMENTS: 1. April 2015 Building Activity Report  
2. May 2015 Building Activity Report  
3. June 2015 Building Activity Report

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



**CITY OF PORTERVILLE - BUILDING DIVISION  
REPORT FOR THE PERIODS OF  
7/1/2013 - 4/30/2014 AND  
7/1/2014 - 4/30/2015**

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	APRIL 2015	APRIL 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	APRIL 2015	APRIL 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	APRIL 2015	APRIL 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	5	4	37	29	1,031,573	736,255	15,753,408	5,404,678	10,437	8,084	130,151	60,738
NEW COMM	0	0	3	4	0	0	7,975,000	3,200,000	0	0	13,894	15,506
RESID IMPROV	10	16	94	104	49,900	219,260	1,547,620	1,461,294	3,635	6,263	41,270	41,919
COMM IMPROV	1	7	66	40	20,000	6,392,500	7,378,430	16,499,167	1,005	7,949	56,269	53,066
OTHER	28	24	249	185	369,991	230,198	2,958,680	1,630,681	6,070	4,933	50,367	36,109
ELECT	52	20	360	148	690,400	262,948	5,146,319	2,463,066	10,156	3,529	67,991	26,777
PLUMB	27	40	348	378	9,000	1,875	13,000	19,903	3,631	5,038	44,946	48,373
TOTALS	123	111	1,157	888	2,170,864	7,843,036	40,772,457	30,678,789	34,933	35,797	404,888	282,488

	NEW DWELLING UNITS TOTALS			
	APRIL 2015	APRIL 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	5	4	35	29
MULTI FAMILY	0	0	80	0
TOTAL	5	4	115	29

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CHIEF BUILDING OFFICIAL

CITY OF PORTERVILLE - BUILDING DIVISION  
 REPORT FOR THE PERIODS OF  
 7/1/2013 - 5/31/2014 AND  
 7/1/2014 - 5/31/2015

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	MAY 2015	MAY 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	MAY 2015	MAY 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	MAY 2015	MAY 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	5	2	42	31	1,191,782	387,329	16,945,190	5,792,007	9,934	3,528	140,085	64,266
NEW COMM	0	0	3	4	0	0	7,975,000	3,200,000	0	0	13,894	15,506
RESID IMPROV	8	5	102	109	48,085	57,300	1,595,705	1,518,594	2,312	1,972	43,582	43,891
COMM IMPROV	2	3	68	43	29,673	127,000	7,408,103	16,626,167	869	1,745	57,138	54,810
OTHER	31	23	280	208	320,803	327,813	3,279,483	1,958,494	6,669	5,429	57,036	41,538
ELECT	48	22	408	170	644,682	247,856	5,791,001	2,710,922	9,501	3,737	77,492	30,514
PLUMB	42	44	390	422	0	0	13,000	19,903	4,798	5,337	49,744	53,710
TOTALS	136	99	1,293	987	2,235,025	1,147,298	43,007,482	31,826,087	34,082	21,748	438,971	304,236

	NEW DWELLING UNITS TOTALS			
	MAY 2015	MAY 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	5	2	40	31
MULTI FAMILY	0	0	80	0
TOTAL	5	2	120	31

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 CHIEF BUILDING OFFICIAL

**CITY OF PORTERVILLE - BUILDING DIVISION  
 REPORT FOR THE PERIODS OF  
 7/1/2013 - 6/30/2014 AND  
 7/1/2014 - 6/30/2015**

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	JUNE 2015	JUNE 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	JUNE 2015	JUNE 2014	THIS YEAR TO DATE	LAST YEAR TO DATE	JUNE 2015	JUNE 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	9	3	51	34	2,149,664	11,521,507	19,094,854	17,313,514	19,142	111,941	159,226	176,207
NEW COMM	0	0	3	4	0	0	7,975,000	3,200,000	0	0	13,894	15,506
RESID IMPROV	20	15	122	124	152,677	204,373	1,748,382	1,722,967	5,790	4,988	49,372	48,879
COMM IMPROV	8	6	76	49	228,300	82,500	7,636,403	16,708,667	9,452	1,596	66,590	56,406
OTHER	30	23	310	231	288,175	307,036	3,567,658	2,265,530	6,173	4,794	63,209	46,332
ELECT	96	26	504	196	1,309,111	542,904	7,100,112	3,253,826	19,428	4,428	96,920	34,942
PLUMB	39	46	429	468	0	0	13,000	19,903	4,737	5,460	54,481	59,170
<b>TOTALS</b>	<b>202</b>	<b>119</b>	<b>1,495</b>	<b>1,106</b>	<b>4,127,927</b>	<b>12,658,320</b>	<b>47,135,409</b>	<b>44,484,407</b>	<b>64,722</b>	<b>133,207</b>	<b>503,693</b>	<b>437,443</b>

	NEW DWELLING UNITS TOTALS			
	JUNE 2015	JUNE 2014	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	9	2	49	33
MULTI FAMILY	0	168	80	168
<b>TOTAL</b>	<b>9</b>	<b>170</b>	<b>129</b>	<b>201</b>

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 CHIEF BUILDING OFFICIAL



## CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** 3. Street Performance Measure - 4th Quarter Report (April, May, June)

**SOURCE:** Public Works

**COMMENT:** The purpose of this staff report is to provide Council with an update on the progress made on street reconstruction, overlay, micro-surfacing, and pothole repair efforts for the 4th quarter (4/01/2015 through 6/30/2015) of FY 2014/2015.

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

Major reconstruction of West North Grand Avenue is underway and staff anticipates reporting the completion of this project during the next quarterly report. The Lime Street reconstruction project is now scheduled for the spring of FY 15/16. Plano Street between SR 190 and Henderson Avenue is still under design. Most of the design efforts are focused on removal and replacement of street intersection ADA ramps, which is now a Federal requirement for all micro-surfacing projects.

**RECOMMENDATION:** Informational Report

**ATTACHMENTS:**

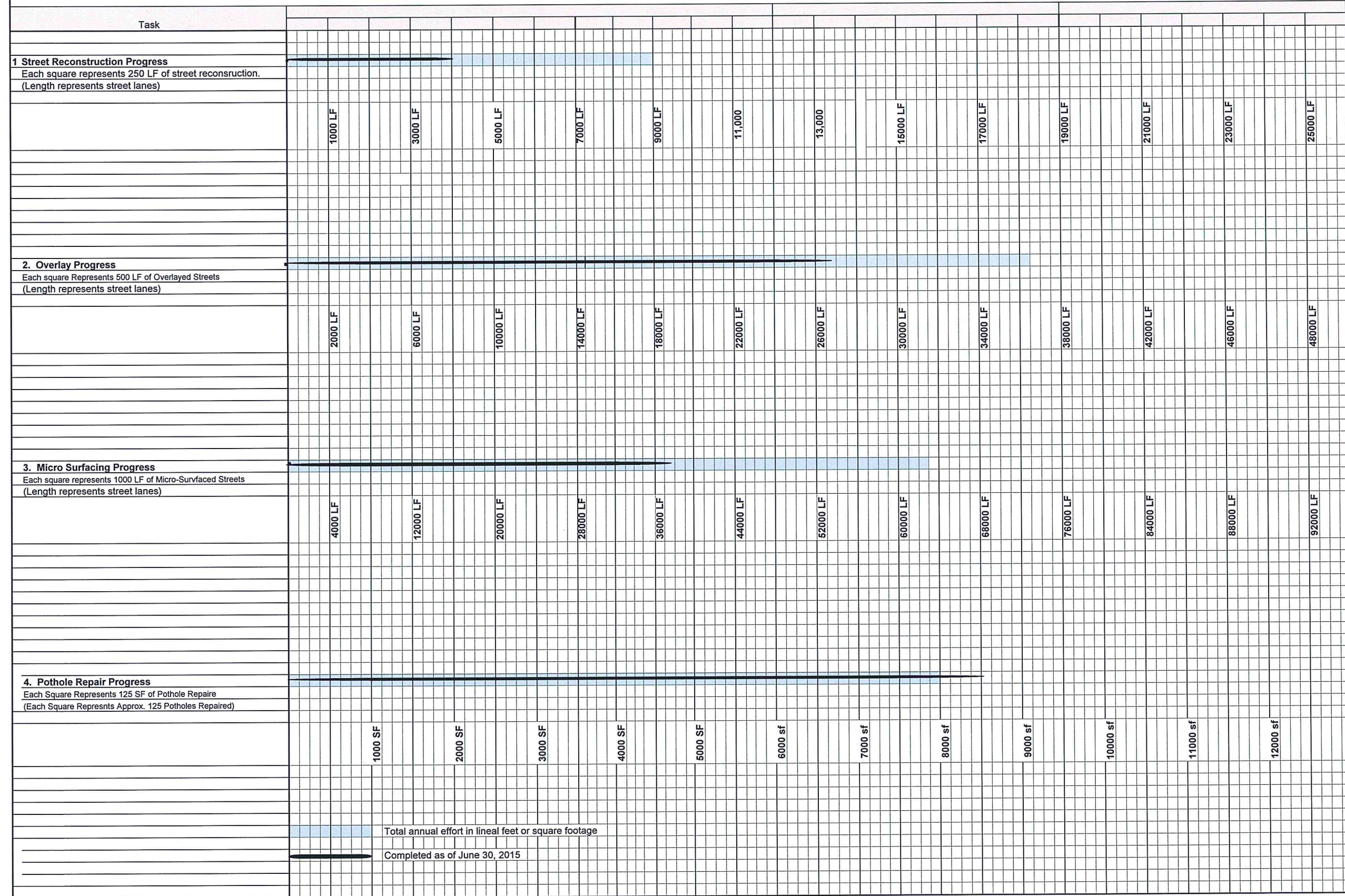
1. 4th Quarter Street Performance Chart
2. 3rd Quarter Street Performance Chart

Appropriated/Funded: MB

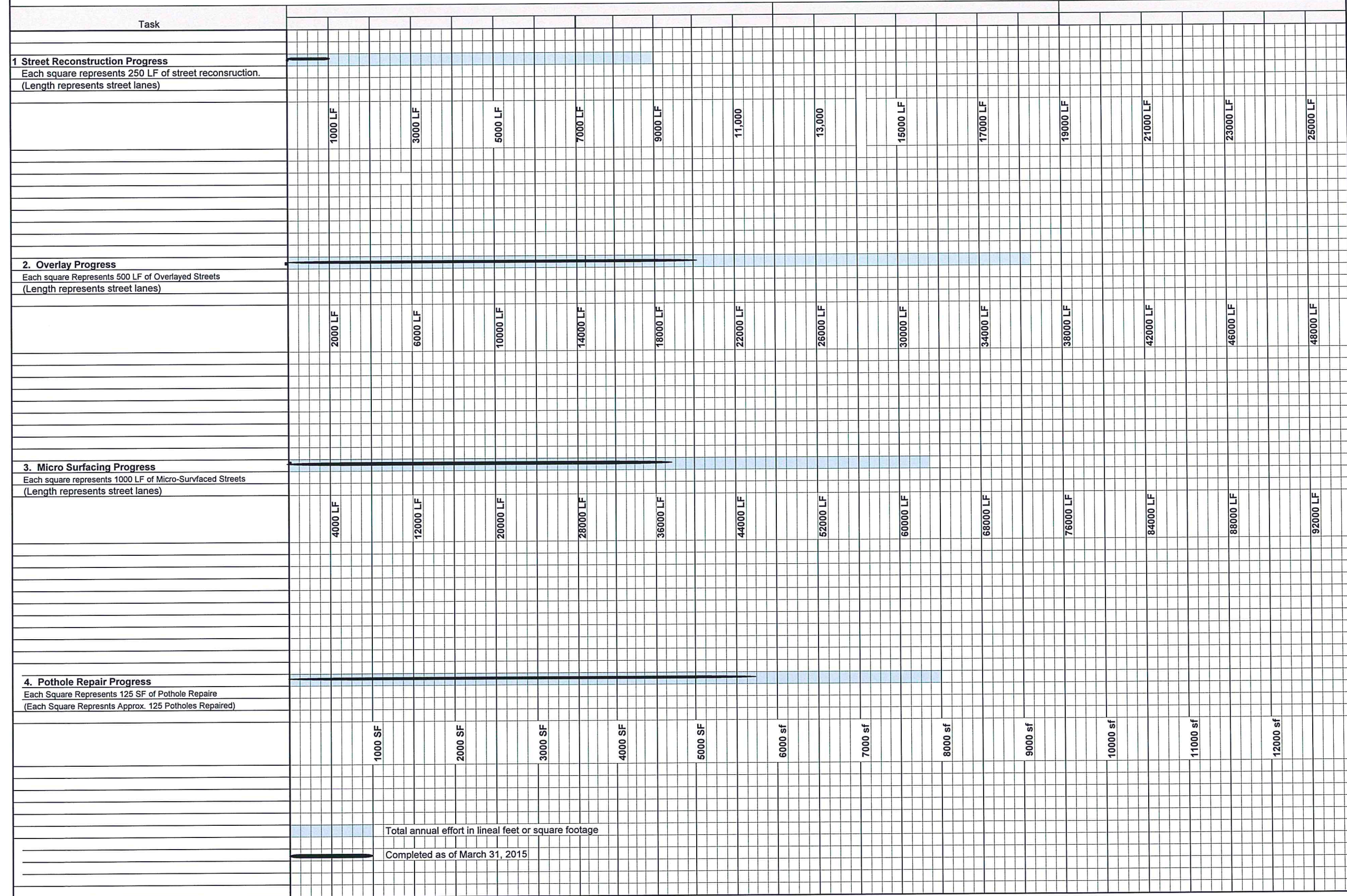
Review By:

Department Director:  
Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



4th QUARTER REPORT April 1, 2015 - June 30, 2015



3rd QUARTER REPORT January 1, 2015 - March 31, 2015



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: 4. Attendance Report for City Commissions and Committees - 4th Quarter Report  
- FY 2014/15

SOURCE: Administrative Services

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

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

RECOMMENDATION: Informational Report only.

- ATTACHMENTS:
1. Parks & Leisure Services Commission
  2. Library & Literacy Commission
  3. Arts Commission
  4. Animal Control Commission
  5. CDBG Advisory & Housing Opportunity Committee
  6. TUTOC-Measure H

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

**Transactions and Use Tax Oversight Committee  
Attendance Records**

As of: June 30, 2015

	2014 7-Aug	2014 22-Oct	2014 12-Nov	2015 14-Jan	2015 11-Feb	2015 6-May	2015 25-Jun		
Khris Saleh	A	P	P	P	P	P	A	Re-apptd thru 05/2016	
John Simonich	P	P	A	A	P	P	P	Apptd. 01/2011 thru 05/2014.	
Raheel Mann	P	P	A	A	P	A	A	Apptd 2014	
Gail Lemmen	P	P	P	P	P	P	P	Re-apptd thru 05/2016.	
Margaret Stinson	P	P	P	P	P	P	P	Apptd 05/2012.	
Janet Meister	P	A	P	A	P	P	P	Apptd 08/2012.	
Bill Nebeker	A	A	Resigned effective 10/30/14						Apptd. 02/12; Resigned 10/14.
Kathleen "Kat" Harris	P	P	P	P	A	P	P	Apptd. 06/13.	
Russell "Buck" Fletcher	P	P	P	P	P	P	P	Apptd. 08/13.	
Salvador Estrada, Jr.	A	P	P	P	P	P	P	Apptd. 07/14.	

\*\* No meeting held due to lack of quorum.

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

\*\* No meeting held due to lack of quorum.

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



**LIBRARY & LITERACY COMMISSION - Attendance Record**

As of: June 30, 2015

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

= Summer Hiatus

	2015 Jan 13	2015 Feb 10	2015 Mar 10	2015 Apr 8	2015 May 12	2015 June	2015 July	2015 Aug 11	2015 Sept 8	2015 Oct 13	
Catherine May	P	P	P	P	P						Re-appt. 10/10
Allan Bailey	P	P	P	P	P						Appt. 9/11
Esther Figueroa	P	P	P	E	P						Appt. 4/12
Tamara Bishop	P	P	P	P	P						Appt. 11/12
Edith La Vonne	P	P	P	P	P						Appt. 11/12
Jennifer Biagio	A	E	P	P	E						Appt. 10/13
Patience Christenson	E	E	P	P	E						Appt. 11/14

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

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

**Arts Commission  
Attendance Records**

As of: June 30, 2015

	2015 29-Apr	2015 20-May	2015 24-Jun*	2015	2015	2015	2015	2015
Deana Worthington	P	P						
Joan Givan	P	P						
Judith Halloway	A	P						
Mel Gosage	P	P						
<b>Vacant</b>								
<b>Vacant</b>								
<b>Vacant</b>								

\* No meeting due to lack of quorum.

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

\* No meeting due to lack of quorum.

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

\*Notes:

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

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

*\*Meeting cancelled.*

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

*\*Joint Meeting with Library & Literacy Commission*



**CDBG Citizens' Advisory and Housing Opportunity Committee  
Attendance Report as of June 30, 2015**

Committee Member	Reg. Mtg 4/27/2015	Reg. Mtg	Reg. Mtg	Reg. Mtg	Reg. Mtg
Pat Contreras	P				
Linda Mendez	P				
Grace Munoz-Rios	P				
Doug Heusdens	P				
Rebecca Vigil	P				
Kelle Jo Lowe	P				
Maria Gonzalez	P				

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

*This Committee typically meets on an annual basis in March.*

**Transactions and Use Tax Oversight Committee  
Attendance Records**

As of: June 30, 2015

	2014 7-Aug	2014 22-Oct	2014 12-Nov	2015 14-Jan	2015 11-Feb	2015 6-May	2015 25-Jun		
Khris Saleh	A	P	P	P	P	P	A	Re-apptd thru 05/2016	
John Simonich	P	P	A	A	P	P	P	Apptd. 01/2011 thru 05/2014.	
Raheel Mann	P	P	A	A	P	A	A	Apptd 2014	
Gail Lemmen	P	P	P	P	P	P	P	Re-apptd thru 05/2016.	
Margaret Stinson	P	P	P	P	P	P	P	Apptd 05/2012.	
Janet Meister	P	A	P	A	P	P	P	Apptd 08/2012.	
Bill Nebeker	A	A	Resigned effective 10/30/14						Apptd. 02/12; Resigned 10/14.
Kathleen "Kat" Harris	P	P	P	P	A	P	P	Apptd. 06/13.	
Russell "Buck" Fletcher	P	P	P	P	P	P	P	Apptd. 08/13.	
Salvador Estrada, Jr.	A	P	P	P	P	P	P	Apptd. 07/14.	

\*\* No meeting held due to lack of quorum.

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

\*\* No meeting held due to lack of quorum.

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



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: 5. Report on Charitable Car Washes

SOURCE: Finance

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

For the period January 1 to June 30, 2015, only 3 car wash permits were issued compared to the 13 that were issued for the same period in 2014.

<u>Event Date</u>	<u>Name of Organization</u>	<u>Location of Car Wash</u>
February 2, 2015	Porterville Gleaning Seniors, Inc.	Porterville Gleaning Seniors, Inc. – 680 S Main St
March 8, 2015	Harmony Academy Key Club	Roscoe Melton's Discount Tires – 921 W Olive Ave
April 11, 2015	Burton Pathways Charter Academy	Burton Pathways Charter Academy – 1414 W Olive

RECOMMENDATION: Information only.

ATTACHMENTS:

Appropriated/Funded: N/A

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: 6. Code Enforcement 4th Quarter Report (April, May, June)

SOURCE: Fire

COMMENT: This information report utilizes data from the “myPorterville” application for tracking code enforcement activity between April 1 and June 30, 2015. During this quarter, City departments recorded seven hundred ninety-eight (798) code enforcement issues. Six hundred and forty (640) were corrected through voluntary compliance and twenty-three (23) administrative citations were issued.

The focus for this quarter was weed abatement and water conservation. A total of eleven hundred thirty-five (1135) properties have been abated of weeds by the property owners and fourteen (14) were assigned to the City contractor for completion. The City issued three hundred fifty-one (351) notices of violation and 11 administrative citations for violation of the water conservation plan. Code enforcement relating to the water conservation plan began on June 1, 2015, the last month of the reporting quarter. The completion rate for all reported code enforcement issues this quarter was 77.59%.

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Code Enforcement FY14-15 Q4

Appropriated/Funded: N/A

Review By:

Department Director:  
Glenn Irish, Fire Chief

Final Approver: John Lollis, City Manager



<b>Code Enforcement Category</b>	<b># Requests</b>	<b># Completed</b>	<b>% Closed</b>
Water Waste NOV	351	272	77.49
Water Waste	165	149	90.3%
Water Waste Tracking	127	127	100%
Weed Abatement	17	15	88.24
Community Development, General or MULTIPLE violations	14	8	57.14%
Vehicles- inoperable vehicles	12	0	0%
Water Waste Admin Cite	11	11	100%
Health Hazard	10	6	60%
Neglected property/trash & debris	10	1	10%
Vehicles- RVs/boats/etc	9	1	11.11%
Garbage Collection/ Illegal Dumping	8	8	100%
Animals- roosters	8	8	100%
Fire Hazard	7	7	100%
Landscaping/trees- private property	7	1	14.29%
Animals- keeping too many or unauthorized species	6	5	83.33%
Sidewalk Condition	6	1	16.67%
Abandoned Vehicle (Street)	5	5	100%
Animals- barking dogs	5	5	100%
Outdoor Storage	4	1	25%
Fences and freestanding walls	4	0	0%
Animals- agricultural animals	2	2	100%
Signs- other	2	1	50%
Car wash- unpermitted	2	2	100%
CEO, Improper Vehicle Storage	1	1	100%
Signs- in public right of way	1	0	0%
CEO, Vagrant/Tresspass	1	1	100%
Parking Issue	1	1	100%
Noise Complaint	1	1	100%
Signs- illegal/prohibited	1	0	0%
Q4 Total	798	640	80.20%
YTD Total	1247	956	76.66%

<b>Q4 Aministrative Citations</b>	<b>\$100</b>	<b>\$200</b>	<b>\$500</b>	<b>\$1,000</b>	<b>\$1,500</b>
	23	1	0	0	0
<b>YTD Administrative Citations</b>					
Q 1	4	0	0	0	17
Q 2	2	0	0	0	0
Q 3	0	0	0	0	0
Q 4	23	1			
Subtotal Assesment	\$2,900	\$200	0	0	\$25,500

YTD FY 14-15 Total Assesment \$28,600



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: City Council Minutes of February 17, 2015

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft minutes for the City Council meeting of February 17, 2015, for the Council's review and consideration.

RECOMMENDATION: That the City Council approve the draft minutes of February 17, 2015.

ATTACHMENTS: 1. Draft Minutes

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Patrice Hildreth, Administrative Services Dir

**CITY COUNCIL MINUTES  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
FEBRUARY 17, 2015, 5:30 P.M.**

Called to Order at 5:30 p.m.

Roll Call: Council Member Reyes, Council Member Ward (arrived late), Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

Absent: None

**ORAL COMMUNICATIONS**

None

**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: 247-030-043. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Mary McClure. 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; and Porterville City Firefighters Association.

**4-** 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.

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

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

City Attorney Lew indicated that there was no reportable action.

The Pledge of Allegiance led by Council Member Virginia Gurrola.

Invocation – a moment of silence was observed.

**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): February 17, 2015  
Council Member Gurrola reported on discussion in opposition to several transportation-related fees being proposed to generate funds for transportation.

2. Local Agency Formation Committee (LAFCO): February 4, 2015  
Vice Mayor Hamilton reported on the review of Visalia's Urban Development Boundary and Municipal Service Review.

## **REPORTS**

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

- I. City Commission and Committee Meetings:
  1. Parks & Leisure Services Commission: February 5, 2015  
Chair Vafeades reported on the parking lot improvements at the Sports Complex, the removal of mistletoe, adult volleyball and basketball programs, youth baseball and girls' softball programs, the SF Giants Trophy Tour, and park of the month for February (Murry Park).
  2. Library & Literacy Commission: February 10, 2015  
Vice Chair Bailey spoke of the Commission's upcoming tour of the Tulare Library, their review of library services proposed by staff for the Centennial Plaza suites, and January highlights.
  3. Arts Commission: none.
  4. Animal Control Commission: none.
  5. Youth Commission: February 9, 2015: none.
  6. Transactions and Use Tax Oversight Committee (TUTOC): February 11, 2015  
Chair Fletcher reported that the motion to approve the expenditures failed on a 4/4 vote and that the action triggered a public hearing, tentatively scheduled for March 17.
- II. Staff Informational Reports
  1. Water Conservation Phase II, Water System Status

## **ORAL COMMUNICATIONS**

- Teri Irish, spoke with regard to Item No. 13 and the proposed water rate increase.
- Gail Semple, expressed several concerns regarding traffic on Villa Street, and requested that the City red curb both sides of the street to alleviate some of the safety hazards.
- Sheila Pickrel, Porterville Museum, encouraged the Council to sign up for a museum membership, and spoke of upcoming events and fundraisers.
- Rick Perrigo, spoke of the 2015 Crop Plan and Biosolids Plan, and claimed that the current reclamation area farmer had failed to comply with said plans.

## **CONSENT CALENDAR**

Item No. 9 was pulled for further discussion. Council Members Gurrola and Ward noted that they would be abstaining from Item No. 7 due to conflicts of interest pertaining to real property.

**COUNCIL ACTION:**      MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve Item Nos. 1 through 8, and 10

through 14, with the noted abstentions. The motion carried unanimously.

1. MINUTES OF JUNE 3, 2014, AND JANUARY 20, 2015

Recommendation: That the City Council approve the Minutes of June 3, 2014, and January 20, 2015.

Documentation: M.O. 01-021715

Disposition: Approved.

2. AUTHORIZATION TO ADVERTISE FOR BIDS – SEWER ANNEXATION AREA 455A (ADDITIONAL WORK ON WESTFIELD AVENUE AND CASTLE AVENUE) PROJECT

Recommendation: That the City Council:

1. Approve staff's recommendation Plans and Project Manual;
2. Authorize staff to advertise for bids on the project;
3. Authorize the City Engineer to negotiate construction surveying services with one on the firms as approved by Council M.O. 02-100714; and
4. Authorize the Finance Director to appropriate \$148,113 from the Sewer Revenue Bonds (COP) to fund this project.

Documentation: M.O. 02-021715

Disposition: Approved.

3. AUTHORIZATION TO ADVERTISE FOR BIDS – WELL NO. 32 PROJECT (PHASE 2 – PUMPING PLANT)

Recommendation: That the City Council:

1. Approve Staff's recommendation Plans and Project Manual;
2. Authorize the City Engineer to negotiate construction serving service with one of the firms as approved by Council MO #02-100714; and
3. Authorize staff to advertise for bids on the project.

Documentation: M.O. 03-021715

Disposition: Approved.

4. WATER AUTHORIZATION TO ADVERTISE FOR BIDS – LIME STREET WATER AND LAUREL AVENUE SEWER AND PROJECT

Recommendation: That the City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project;
3. Authorize the City Engineer to negotiate construction surveying

services with one of the firms as approved by Council MO #02-100714; and

4. Authorize the Finance Director to appropriate \$100,941 from the Water Replacement Fund and \$112,147 from the Sewer Revolving Fund to fully fund this project.

Documentation: M.O. 04-021715

Disposition: Approved.

5. AWARD OF CONTRACT – MISCELLANEOUS REPAIR OF THE DOWNTOWN PARKING LOTS

Recommendation: That the City Council

1. Award the Miscellaneous Repair to the Downtown Parking Lots to Brush Engineering, in the amount of \$445,217;
2. Authorize progress payments up to 100% of the contract amount;
3. Authorize a 25% contingency to cover unforeseen costs to install nostalgic style parking lot lights;
4. Authorize the City Engineer to negotiate a cost to install nostalgic style lights with Brush Engineering with the stipulation that all work, including the installation of the nostalgic style lights, is not to exceed the contract amount plus 25%;
5. Direct the City Engineer to discontinue negotiations with Brush Engineering if recommendation #4 cannot be satisfied and direct the City Engineer to complete all work as originally designed at a cost not to exceed the contract amount plus 10% (\$44,541);
6. Authorize an additional 8% for construction management, construction surveying, quality control, and inspection services; and
7. Authorize the City Engineer to negotiate construction surveying service with one of the firms as approved by Council M.O. 02-100714.

Documentation: M.O. 05-021715

Disposition: Approved.

6. ACCEPTANCE OF FINAL SUBDIVISION MAP – NADER HOMES (MOHAMMAD DAVARIFAR)

Recommendation: That the City Council:

1. Approve the final subdivision map of the Nader Homes;
2. Accept all offers of dedication showing on the final map; and
3. Authorize the City Clerk to file said map with the County Recorder.

Documentation: M.O. 06-021715

Disposition: Approved.

7. FINAL BALLOT RESULTS – AREA 459 SEWER UTILITY DISTRICT

Recommendation: That the City Council accept the voting results of Area 459 Sewer Utility District and adopt the resolution approving the Formation of Sewer Utility District No. 459.

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

Documentation: Resolution No. 17-2015

Disposition: Approved.

8. RATIFICATION OF EXPENDITURE – RELOCATION OF SCE FACILITIES FOR THE NEWCOMB STREET SHOULDER STABILIZATION PROJECT

Recommendation: That the City Council:  
1. Approve the costs associated with the relocation of SCE facilities; and  
2. Authorize the City Engineering to sign the SCE application and request the issuance of a \$42,927.49 payment.

Documentation: M.O. 07-021715

Disposition: Approved.

10. REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH CHARTER FIBERLINK CA-CCO, LLC (“CHARTER”) FOR POINT TO POINT VIRTUAL WAN (WIDE AREA NETWORK)

Recommendation: That the City Council authorize the Finance Director or the IT Manager to enter to an agreement with Charter Fiberlink CACCO, LLC, for point to point virtual WAN service for a term of 60 months.

Documentation: M.O. 08-021715

Disposition: Approved.

11. REQUEST FOR APPROVAL TO REPAIR/REPLACE ROOF ON RENTAL STORAGE UNIT AT THE AIRPORT

Recommendation: That the City Council:  
1. Award the reroofing of the airport rental storage unit to Brand’In Crew in the amount of \$6,500;  
2. Authorize a 10% contingency (\$650) to pay for unforeseen

construction issues; and

3. Authorize payment of 100% of bid upon satisfactory completion of the project.

Documentation: M.O. 09-021715

Disposition: Approved.

12. REQUEST FOR PROCLAMATION – “PATRIOTISM WEEK” – FEBRUARY 18-24, 2015

Recommendation: That the City Council consider approval of the request to proclaim February 18-24, 2015, as “Patriotism Week.”

Documentation: M.O. 10-021715

Disposition: Approved.

13. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN – FIRE OFFICER SERIES

Recommendation: That the City Council approve the draft resolution amending the Employee Pay and Benefit Plan.

Documentation: Resolution No. 18-2015

Disposition: Approved.

14. ADDENDUM NO. 3 TO CITY MANAGER EMPLOYMENT AGREEMENT

Recommendation: That the City Council consider and approve Addendum No. 3.

Documentation: M.O. 11-021715

Disposition: Approved.

**PUBLIC HEARINGS**

15. VACATION OF A PORTION OF CLEVELAND AVENUE EAST OF VILLA STREET (SEQUOIA MEDICAL CENTER)

Recommendation: That the City Council;

1. Adopt the Resolution of Vacation, including reservations, for a portion of Cleveland Avenue from Villa Street to a point approximately 300 feet east of Villa Street; and
2. Authorize the City Clerk to record the Resolution of Vacation.

City Manager Lollis introduced the item, and the staff report was presented by Public Works Director Baldo Rodriguez.



The public hearing was opened at 7:09 p.m.

- Gail Semple, requested clarification regarding the vacation of a portion of Cleveland, and inquired about the applicant's plans.
- Jim Winton, business address 150 W. Morton Avenue, spoke on behalf of the applicant, stating that the vacation was critical to the development of a parking lot.
- Gail Semple, accused the applicant of playing a game and encouraged the Council to beware.

The public hearing was closed at 7:21 p.m.

Vice Mayor Hamilton agreed with Ms. Semple that there were traffic and parking issues out on Villa Street, but indicated that there was no reason to keep the proposed portion of Cleveland Avenue.

A discussion followed regarding the current condition of the parking lot and the planned upgrade and expansion of Sequoia Medical Center's parking lot. In response to concerns raised by the Council and Ms. Semple, Mr. Rodriguez stated that he would look into the feasibility of red curbing that area of Villa Street.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council adopt the Resolution of Vacation, including reservations, for a portion of Cleveland Avenue from Villa Street to a point approximately 300 feet east of Villa Street; and authorize the City Clerk to record the Resolution of Vacation.

Documentation: Resolution No. 19-2015

Disposition: Approved.

16. VACATION OF EASEMENT FOR TEMPORARY TURNAROUNDS RELATED TO NADER HOMES SUBDIVISION (NADER DEVELOPMENT, INC.)

Recommendation: That the City Council:

1. Conduct a Public Hearing;
2. Adopt the Resolution of Vacation for the easement described in the legal description; and
3. Authorize the City Clerk to record the Resolution of Vacation.

The City Manager introduced the item, and the staff report was presented by Public Works Director Baldo Rodriguez.

The public hearing was opened at 7:39 p.m.

- Jim Winton, elaborated on the purpose of a temporary turnaround easement as a cul de sac, until a street was fully extended and developed with residences.

The public hearing was closed at 7:40 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council adopt the Resolution of Vacation for the easement described in the legal description; and authorize the City Clerk to record the Resolution of Vacation. The motion carried unanimously.

Documentation: Resolution No. 20-2015

Disposition: Approved.

17. DRAINAGE BASIN 18 – GENERAL PLAN AMENDMENT AND ZONE CHANGE

Recommendation: That the City Council:

1. Adopt the draft resolution approving the Mitigated Negative Declaration for the Drainage Basin 18 Project;
2. Adopt the draft resolution approving the General Plan Amendment to modify the land use designation from Retail Centers to Public /Institutional for that 4.6 acre site of the proposed basin;
3. Approve the draft ordinance amending the zone district for that 4.6 acre site or the proposed basin from CR-Retail Centers to PS-Public and Semi-Public and give first reading to the draft ordinance; and
4. Waive further reading and order the ordinance to print.

City Manager Lollis introduced the item, and the staff report was presented by Acting Community Development Director Jenni Byers. Council Member Ward expressed concern with the proposed site, which he believed could be used in the future for retail; and a discussion followed regarding the zoning history.

The public hearing was opened at 7:54 p.m. Seeing no one, the Mayor closed the public hearing at 7:55 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council adopt the draft resolution approving the Mitigated Negative Declaration for the Drainage Basin 18 Project; adopt the draft resolution approving the General Plan Amendment to modify the land use designation from Retail Centers to Public/Institutional for that 4.6 acre site of the proposed basin; approve the draft ordinance amending the zone district for that 4.6 acre site or the proposed basin from CR-Retail Centers to PS-Public and Semi-Public and give first reading to the draft ordinance, being 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; and waive further reading and order the ordinance to print.

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

The ordinance was read by title only.

Documentation: Resolution No. 21-2015; Resolution No. 22-2015; and Ordinance No. 1821

Disposition: Approved.

The Council took a ten minute break at 7:58 p.m.

### **SCHEDULED MATTERS**

#### 18. CARGO CONTAINER APPLICATION – 1813 THUNDERBOLT DRIVE

Recommendation: That the City Council adopt the draft resolution approving the Cargo Container Permit to allow four cargo containers located at 1813 Thunderbolt Drive.

The City Manager introduced the item, and the staff report was presented by Acting Community Development Director Jenni Byers.

**COUNCIL ACTION:** MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council adopt the draft resolution approving the Cargo Container Permit to allow four cargo containers located at 1813 Thunderbolt Drive. The motion carried unanimously.

Documentation: Resolution No. 23-2015

Disposition: Approved.

#### 19. REQUEST FOR DIRECTION RELATED TO POTENTIAL SIGN ORDINANCE MODIFICATIONS

Recommendation: That the City council consider the noted signage-related issues and provide direction to staff as to the extent and timing of possible code amendments.

City Manager Lollis introduced the item, and Acting Community Development Director Jenni Byers presented the staff report.

Following the staff report, City Attorney Lew advised of a case before the U.S. Supreme Court. A discussion followed regarding whether the Council wished to proceed with the drafting of regulations pertaining to the more general placement of signs, including distance requirements from sensitive uses, versus content-related regulations which could be affected by the Supreme Court's decision.

Staff then addressed questions regarding electronic/digital signs, advertising on transit buses, sign twirlers, and spoke of potential issues pertaining to mobile signs. The Council directed staff to bring back draft regulations for the Council's consideration.

Documentation: None.  
Disposition: Direction given.

City Attorney Lew reported that Mayor Stowe and Acting Community Development Director Byers would be abstaining from Item No. 20 due to conflicts of interest pertaining to real property. The both exited the Council chambers.

20. ASSISTANCE OPTIONS RELATED TO PROVISION OF WATER WITHIN COUNTY ISLANDS

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

The City Manager introduced the item, and Project Manager Julie Phillips presented the staff report.

Following the staff report, staff addressed questions regarding the options presented. Vice Mayor Hamilton spoke in support of the annexation, and City initiation of the CEQA document pending receipt of the water study. Council Member Ward spoke against the annexation and the added strain on City resources. Council Member Reyes identified Option No. 2 as a good compromise.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve the City initiation of the CEQA document.

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

Documentation: M.O. 12-021715  
Disposition: Approved.

Mayor Stowe and Ms. Byers returned to the Council chambers.

21. CONSIDERATION OF WATER RATE INCREASE

Recommendation: That the City Council:

1. Consider the scheduling of a Public Hearing for May 19, 2015, to consider a water rate increase; and
2. Direct the City Clerk to place the necessary public notice into the Porterville Recorder and direct the Utilities Division to place the necessary public notice on the City utility invoices for the month of March 2015, announcing that a protest hearing, per requirements of Proposition 218, shall be held on May 19, 2015, for consideration of a water rate increase.

City Manager Lollis introduced the item, and Public Works Director Baldo Rodriguez presented the staff report. Council Member Gurrola stressed the importance of water infrastructure replacement; and City Attorney Lew spoke of the 20% water rate increase in Phase IV of the Water Conservation Plan.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council approve the scheduling of a Public Hearing for May 19, 2015, to consider a water rate increase; and direct the City Clerk to place the necessary public notice into the Porterville Record and direct the Utilities Division to place the necessary public notice on the City utility invoices for the month of March 2015, announcing that a protest hearing, per requirements of Proposition 218, shall be held May 19, 2015, for consideration of a water rate increase. The motion carried unanimously.

Documentation: M.O. 13-021715

Disposition: Approved.

The Council took a five minute recess at 9:21 p.m.

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

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 90 days; and
2. The request for purchase of portable water by Mutual Aid Agreement with the Country effective January 20, 2015, for at least twelve (12) months.

City Manager Lollis introduced the item and presented the staff report. Mr. Lollis added that should the State put together the funding sources to the satisfaction of the County it was

anticipated that the Board of Supervisors would consider the agreement within the next couple weeks.

- Andrew Lockman, Tulare County Office of Emergency Services Manager, addressed questions from the Council regarding the County's water sources, renters, and the County's commitment.

City Manager Lollis expressed concern regarding the State's regulations, and advised they be taken into consideration when drafting the agreement with the County.

**COUNCIL ACTION:** MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve the extension of the current water delivery arrangement to March 3, 2015. The motion carried unanimously.

Documentation: M.O. 14-021715

Disposition: Approved.

23. SELECTION OF NOMINEE FOR APPOINTMENT TO THE GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Recommendation: That the City Council:

1. Approve the draft resolution nominating their preferred candidate to the committee for appointment to the District's Governing Board; and
2. Direct the City Clerk to forward a copy of the signed resolution to the District by February 27, 2015.

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

**COUNCIL ACTION:** MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve the draft resolution nominating Virginia Gurrola as their preferred candidate to the committee for appointment to the District's Governing Board; and direct the City Clerk to forward a copy of the signed resolution to the District by February 27, 2015. The motion carried unanimously.

Documentation: Resolution No. 15-021715

Disposition: Approved.

**CONSENT CALENDAR**

9. AUTHORIZATION TO TRAVEL – ICSC

Recommendation: That the City Council approve travel to Las Vegas, Nevada, for the

purpose of attending the International Council of Shopping Centers Conference.

The City Manager introduced the item, and the staff report was waived at the Council's request. Council Member Ward, who pulled the item, spoke in support of staff attendance at ICSC.

**COUNCIL ACTION:** MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve travel to Las Vegas, Nevada, for the purpose of attending the International Council of Shopping Centers Conference.

Documentation: M.O. 15-021715  
Disposition: Approved.

The City Council Meeting adjourned at 9:51 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 17, 2015**

Roll Call: Member Reyes, Member Ward, Member Gurrola, Vice Chair Hamilton, Chair Stowe  
Absent: None

**WRITTEN COMMUNICATIONS**

**ORAL COMMUNICATIONS**

None

**SUCCESSOR AGENCY SCHEDULED MATTERS**

SA-1. SUCCESSOR AGENCY REVIEW AND APPROVAL OF PROPOSED ADMINISTRATIVE BUDGET

Recommendation: That the Successor Agency adopt a Resolution approving the Administrative Budget for the period of July 1, 2015, through December 31, 2015; and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board.

City Manager Lollis introduce the item, and Acting Community Development Director Byers presented the staff report.

**AGENCY ACTION:** MOVED by Vice Chair Hamilton, SECONDED by Agency Member Ward that the Successor Agency adopt a resolution approving the Administrative Budget for the period of July 1, 2015, through

December 31, 2015; and direct Successor Agency staff to submit the Administrative Budget to the Oversight Board. The motion carried unanimously.

Documentation: Successor Agency Resolution No. 2015-01  
Disposition: Approved.

**SA-2. REVIEW AND APPROVAL OF DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)**

Recommendation: That the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 15-16A for the period of July 1, 2015, through December 31, 2015, provided that should any modification be required to the ROPS 15-16A by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 15-16A to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 15-16A to the Oversight Board.

City Manager Lollis introduced the item, and Acting Community Development Director Byers presented the staff report. During the staff report Ms. Byers noted the need to correct an attachment subsequent to Council's receipt of the agenda packet, and indicated that copies were available to the public and the information had been posted on the City's website.

**AGENCY ACTION:** MOVED by Vice Chair Hamilton, SECONDED by Agency Member Ward that the Successor Agency adopt a resolution approving the Recognized Obligation Payment Schedule 15-16A for the period of July 1, 2015, through December 31, 2015, provided that should any modification be required to the ROPS 15-16A by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 15-16A to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 15-16A to the Oversight Board. The motion carried unanimously.

Documentation: Successor Agency Resolution No. 2015-02  
Disposition: Approved.

The Successor Agency to the Porterville Redevelopment Agency meeting adjourned at 9:54 p.m. to a meeting of the Porterville City Council.

**ORAL COMMUNICATIONS**

None

**OTHER MATTERS**

- Council Member Gurrola thanked Public Works Director Baldo Rodriguez for his many



years of dedicated service to the City.

- Vice Mayor Hamilton also thanked Mr. Rodriguez; and expressed condolences to the families of Officer Daniel Green and Chandler Jones who had both recently passed.
- Mayor Stowe, also expressed his condolences to the Green and Jones families.
- Acting Community Development Director Byers showed a video of Mr. Rodriguez jumping into the City pool.
- City Manager Lollis announced the following upcoming events: the City Budget Retreat to take place Thursday and Friday, a retirement party on the Friday in honor of various Police Department personnel, and a Meet the New Police Chief event on Thursday morning at the Police Department. He then noted the absence of City Engineer Mike Reed and indicated that Mr. Reed's mother was in poor health.

**ADJOURNMENT**

The Council adjourned at 10:02 p.m. to the meeting of March 3, 2015.

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Luisa M. Zavala, Deputy City Clerk

SEAL

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Milt Stowe, Mayor



CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Emergency Replacement of HVAC Unit at Airway Cafe Located at the Porterville Municipal Airport

**SOURCE:** Finance

**COMMENT:** On July 20, 2015, the HVAC unit at the airport restaurant, Airway Cafe, quit working. A serviceman was called and, upon inspection, reported that the compressor is no longer serviceable. The unit is 35 years old and needs to be replaced. The restaurant turned away customers and had to close the business due to the heat.

In order to minimize the disruption to the operations of the restaurant, staff requested an emergency expenditure for the replacement of the HVAC unit. Staff received three bids for the removal of the old unit and the installation of a new 5-ton 14 SEER package unit as follows:

Darrell's Air Conditioning	\$9,250
Prosperity Air Conditioning	\$9,250
Zone Air Conditioning	\$9,500

Pursuant to City Code Section 2-38, the City Manager requested and obtained the approval of the Mayor for the emergency expenditure. Staff chose the bid from Darrell's Air Conditioning. They had initially been called in for service. Funds are available in the Airport's operating fund.

The new HVAC unit was installed and passed inspection on Friday, July 24, 2015. Airway Cafe reopened for business on the same day.

**RECOMMENDATION:** That the City Council accept the emergency expenditure for the replacement of the HVAC unit at the Airway Cafe and direct the Finance Director to make payment to Darrell's Air Conditioning.

**ATTACHMENTS:** 1. Bid proposals

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

# PROPOSAL

**Darrell's Air Conditioning**  
**Lic. No. 455865**  
**1510 S. Westwood**  
**Porterville, CA 93257**  
**Phone (559) 781-1343 Fax (559) 781-1301**

Proposal Submitted To: **City of Porterville**

Date: **7/21/15**

Address:

Phone:

Job Name: **Airway Cafe**

Fax:

Address: **Porterville Airport**

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We hereby submit the following:

Furnish and install a new 5-ton 14 SEER roof mounted A/C.

- Rheem equipment (m/n RGEA14060AJT10XAA)
- Fully modulating economizer (m/n AXRD-CAM10)
- Duct mounted smoke detector
- Remove the old A/C and elbows, install the new A/C in the down shot position
- Connect the gas and electrical
- Duct testing
- Prevailing wage

We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:  
**Nine Thousand Two Hundred Fifty** Dollars (**\$9,250.00**).

1<sup>st</sup> Phase Rough – in \_\_\_\_\_ 2<sup>nd</sup> Phase Rough – in \_\_\_\_\_ Completion **100%**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature \_\_\_\_\_  
Darrell Blasingame, Owner

Acceptance of proposal – The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above

Signature \_\_\_\_\_ Date \_\_\_\_\_

# PROSPERITY AIR CONDITIONING

1650 S Leggett St Porterville, CA. 93257 Contractors State Lic 803762  
Ph. (559) 781-1224

July 22, 2015

City of Porterville  
1893 S Newcomb  
Porterville, Ca. 93257  
Airway Cafe

### We Will Provide and Install the Following:

- 1- 5 ton 14 seer Rheem Dual pack Unit
- We will remove existing unit
- Install new Angle iron stand
- New control thermostat
- Install new unit using existing duct work
- Reconnect gas and electrical
- 1- city of Porterville permit
- 1 - Programmable thermostat
- 1- Gas flex With shut off valve

- 1-Year Warranty on Labor
- 10-Year Warranty on all Parts
- 10Year Warranty on Compressor
- 20-Year Warranty on Heat Exchanger

All Materials, Tax, Permit, Labor, and crane are included

For the sum of \$ 8,250.00 + 1000<sup>00</sup> = 9250<sup>00</sup> *gr*  
(Bid is based on prevailing wage rate)

Payment is to be made 100% upon completion

Accepted by: \_\_\_\_\_ Date \_\_\_\_\_

Proposed by: *Margarito Rodriguez* Date: 07/22/2015  
Margarito Rodriguez, (Owner)

7/22/2015

*7-22-15*  
doesn't not believe  
economizer is  
required, not in bid  
1000<sup>00</sup> more w/  
economizer

# Contractor Invoice 101

From: <b>Zone Air Conditioning</b> 1882 West Cheryl Ave. Porterville Ca.93257	<b>Lic.# 885323</b>
To: City of Porterville	Work Performed at. Porterville Air port Porterville Ca 93257

Date: 7/23/2015 Fax \_\_\_\_\_ Phone# \_\_\_\_\_  
Your Work Order No.: E mail  
Our Bid No.: 1  
Make payment to Zone Air Conditioning  
Cell (559) 350-3345 Fax# (559)781-3345

Work Performed: 5 ton Trane change out 14 seer package unit 1 ph.

Remove old unit and install a new elbow on the roof  
Reconnect duct work to new unit and seal duct work  
Build new stand for the new unit  
Fresh air damper(ECONOMIZER)  
Pull city Crane fee  
Prevailing Wage

Warranty 10 years on all parts 2 years labor

5 ton Trane package unit 14 seer 9,500.00



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Budget Adjustments for Fiscal Year 2015-2016

SOURCE: Finance

COMMENT: During the course of the fiscal year, budget information becomes available that more accurately identifies revenue projections and project costs. Once known, budget modifications are necessary to complete projects and record revenues.

The Porterville Unified School District (PUSD) has requested an increase in staffing for the 2015-2016 school year for the Youth Experiencing Success (YES) Program due to the new Kindergarten/First Grade open enrollment process. In order to serve the number of students that have applied for the program at all PUSD elementary schools, it is necessary to add forty-two additional staff members. The projected budgetary impact which will be fully reimbursed by PUSD is \$399,000.

RECOMMENDATION: That the City Council approve the attached budget adjustments and authorize staff to modify the revenue and expenditure estimates as described on the attached schedule.

ATTACHMENTS: 1. Schedule of Budget Adjustments  
2. Letter from PUSD

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

**CITY OF PORTERVILLE**  
**Budget Adjustments**

**Date: August 4, 2015**

<b>FUND - ACCT</b>	<b>NO.</b>	<b>DESCRIPTION</b>	<b>FUNDING SOURCE</b>	<b>DOLLAR AMOUNT</b>
001-4836-63	1	Y.E.S. Elementary Program Revenue	PUSD Reimbursement	\$399,000
001-5050-063-020	2	Y.E.S. Elementary Program Expenditure	PUSD Reimbursement	\$399,000

Modification No:1-15/16



**PORTERVILLE UNIFIED SCHOOL DISTRICT**

*Creating Opportunities: Changing Lives*

DISTRICT BOARD OF TRUSTEES

LILLIAN DURBIN  
President

HAYLEY BUETTNER  
Vice President

SHARON GILL  
Clerk

600 West Grand Avenue  
Porterville, CA 93257  
(559) 793-2400

---

JOHN SNAVELY, Ed.D.  
DISTRICT SUPERINTENDENT  
(559) 793-2455  
(559) 793-1088 FAX

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DISTRICT BOARD OF TRUSTEES

PAT CONTRERAS  
Member

DAVID DePAOLI  
Member

PETE LARA, JR.  
Member

KEN GIBBS, Ed.D.  
Asst. Superintendent  
Business Services  
(559) 793-2450  
(559) 781-8386 FAX

NATE NELSON, Ed.D.  
Asst. Superintendent  
Human Resources  
(559) 793-2480  
(559) 791-0401 FAX

MARTHA STUEMKY, Ed.D.  
Asst. Superintendent  
Instructional Services  
(559) 793-2452  
(559) 793-1083 FAX

FELIPE MARTINEZ  
Member

July 10, 2015

City of Porterville  
291 North Main Street  
Porterville, CA 93257

Attn: Donnie Moore

This letter is to share with you the changes we hope to implement in regards to the YES after school program. As you may be aware, there is high demand for the program and limited enrollment. For the upcoming school year, we hope to open enrollment to all incoming kinder and first grade students. In order to accomplish this, we are requesting an increase in staffing at all PUSD elementary programs, through our collaboration with the City of Porterville.

We estimate that, in order to serve the number of students that have applied for the program, it is necessary to add forty two additional staff members. The additional staff will allow us to better serve the students of our district and ensure that we are aligned with state guidelines. This increase is also reflected in our budget designated to reimburse the City of Porterville for more After School Assistant III positions at the elementary level.

Effective July 1, 2015, the district budget for elementary after school employees reflects an increase of \$399,000 for the addition for forty two new positions, including processing fees, uniforms, orientation and training. This will allow for appropriate payment when services have been rendered and billed to Porterville Unified by the City of Porterville.

Our students and community continue to benefit from the results of this collaborative effort between our two agencies. It is our hope that we will be able to increase the quantity and quality of resources our programs have to offer.

Should you have questions in regards to our request to expand, please do not hesitate to contact me; I can be reached at (559)793-2497.

Respectfully,

*L. Hernandez*  
Lily Hernandez  
District Coordinator

\*REVISED



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Authorization to Purchase Equipment by Negotiation

SOURCE: Finance

COMMENT : In accordance with the City's Purchasing Policy and Procedure Manual, as amended by Resolution No. 122-87 adopted by Council on October 20, 1987, staff hereby requests approval to begin negotiations for the purchase of the following equipment for the various departments:

<u>Department</u>	<u>Equipment Description</u>	<u>Estimated Cost</u>
Fire	radios and pagers	\$ 5,000
	fire fighting and rescue equipment	\$ 35,000
	station and grounds	\$ 55,000
Sports Complex	4WD mower	\$ 91,000
Streets	1-ton pickup with liftbed and crane	\$ 52,000
Sewer	portable generator	\$ 5,000
Water Distribution	self-propelled spray rig	\$ 90,000
	1-ton 4x4 pickup	\$ 30,000
	portable generator	\$ 5,000
	utility trailer	\$ 5,000
	computer/misc equipment	\$ 5,000
	SCADA system upgrade	\$ 420,000
	chlorine generation upgrades	\$ 60,000
Solid Waste	loader	\$ 200,000
	automated containers	\$ 110,000
	commercial bins and rolloff containers	\$ 200,000
Equipment Maintenance	hoist	\$ 90,000
	parts washer	\$ 6,000
	engine analyzer software	\$ 2,000

Funds for the purchase of these equipment are available in the Equipment Replacement Funds as approved in the FY2015-2016 budget.

RECOMMENDATION: That the City Council authorize the purchase by negotiation of the equipment listed and authorize payment for said equipment upon satisfactory delivery.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge

**SOURCE:** Public Works

**COMMENT:** For several years, Council has approved the purchase of surface water and/or water shares, when available, from surrounding water entities to be used for groundwater recharge.

The City currently owns 466 shares of Pioneer Water Company (PWC) and it has been Council's direction to increase the City's holdings and water rights when the opportunities arise. If approved, when water shares become available, the Public Works Director will submit bids. Also, irrigation districts may have water available for sale this year as they don't have enough surface water to make full deliveries to their customers.

Staff recommends that City Council authorize the Public Works Director to purchase or bid on any available shares in the 2015/2016 fiscal year with PWC or other water entities and purchase surface water being offered for sale at his discretion. The City Water Operating Fund has \$150,000 available for water purchases of this type.

**RECOMMENDATION:** That City Council authorize the Public Works Director to purchase water shares or surface water during the 2015/2016 fiscal year up \$150,000.

**ATTACHMENTS:**

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2014-2015

**SOURCE:** Finance

**COMMENT:** Every year, the City receives an apportionment of Regional Surface Transportation Program (RSTP) funds in exchange for State Highway Account funds from the Tulare County Association of Governments (TCAG). For Fiscal Year 2014-2015, the amount of RSTP funds available to claim is \$559,536.

In order for the City to receive distribution of the RSTP funds, TCAG requires a resolution of the City Council authorizing a specific person to file the claim form. Attached is a draft resolution authorizing the Finance Director to sign and submit the claim to TCAG for RSTP funds in the amount of \$559,536 for the Fiscal Year 2014-2015.

**RECOMMENDATION:** That the City Council authorize and direct the Finance Director to sign and submit the FY2014-2015 RSTP Exchange Program fund claim on behalf of the City of Porterville in the amount of \$559,536.

**ATTACHMENTS:** 1. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:  
Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

RESOLUTION NO. \_\_\_-2015

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PORTERVILLE AUTHORIZING THE FINANCE DIRECTOR  
TO FILE A REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)  
EXCHANGE FUND CLAIM FORM FOR FISCAL YEAR 2014-2015

WHEREAS: The Tulare County Association of Governments (TCAG) and the California Department of Transportation (Caltrans) have entered into a Standard Agreement contract to exchange unobligated balances of federal Regional Surface Transportation Program (RSTP) funds with non-federal State Highway Account funds; and

WHEREAS: Caltrans Division of Programming releases a 5-year ESTIMATE of RSTP Exchange Program apportionments for inclusion in the Federal Transportation Improvement Program (FTIP) Programming document every 2 years to California Metropolitan Planning Organizations (MPOs); and

WHEREAS: TCAG is the designated MPO for Tulare; and

WHEREAS: The Annual RSTP Exchange Program fund apportionment is an ESTIMATE and subject to change during the Fiscal Year 2014-2015 due to many Federal Surface Transportation Bill variables including the annual appropriations act as well as other Congressional actions (i.e., rescissions); and

WHEREAS: The FINAL RSTP Exchange apportionment amount is published at the end of Fiscal Year 2014-2015 and can be different than the ESTIMATE of RSTP Exchange apportionment figure; and

WHEREAS: Annually, Caltrans sends TCAG a Standard Agreement contract that includes and RSTP Exchange Program apportionment figure; and

WHEREAS: TCAG applies a population-based distribution formula using current Department of Finance (DOF) population estimates (January 2015) to the RSTP apportionment to determine the amount of RSTP Exchange funds to be distributed to TCAG member jurisdictions; and

WHEREAS: The ESTIMATE of RSTP Exchange Program fund apportionment amount available to claim in Fiscal Year 2014-2015 for the City of Porterville is \$559,536; and

WHEREAS: Payment of the ESTIMATE of RSTP Exchange fund claim will be subject to all conditions specified in the fully executed standard contract agreement between TCAG and Caltrans, as well as the TCAG RSTP Exchange claim form requirements: Projects to be funded with this claim are only those projects that are defined under Sections 133(b) and 133(c) of Title 23 of the United States Code and Article XIX of the California State Constitution, implemented in accordance with the requirements of Section 182.6(d)(1) of the Streets and Highways Code; and

WHEREAS: If the FINAL RSTP Exchange apportionment figure is higher for Fiscal Year 2014-2015 than the ESTIMATE of RSTP Exchange apportionment figure, Caltrans would have to revise the RSTP Exchange Standard Agreement contract with the higher RSTP figure before TCAG could instruct the Tulare County Auditor-Controller's Office to distribute a greater amount of RSTP Exchange Program funds to member agencies, than identified in this resolution; and

WHEREAS: If the FINAL RSTP Exchange apportionment figure is lower for Fiscal Year 2014-2015 than the ESTIMATE of RSTP Exchange apportionment amount, Caltrans does not have to revise the RSTP Exchange contract with the lower amount before TCAG could recalculate the available RSTP Exchange Program funds using the same population-based formula and then instruct the Tulare County Auditor-Controller's Office to distribute the lower Fiscal Year 2014-2015 FINAL RSTP Exchange Program fund amount to member agencies; and

WHEREAS: The City of Porterville has established special gas tax street improvement fund as a requirement to receive the RSTP Exchange Program funds; and

WHEREAS: It is deemed in the best interest of the City of Porterville to authorize the Finance Director to sign the Fiscal Year 2014-2015 RSTP Exchange Program fund claim form and to submit said claim form to TCAG for processing.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby authorize and direct the Finance Director to sign and submit the above described Fiscal Year 2014-2015 RSTP Exchange Program fund claim on behalf of the City of Porterville in the amount of \$559,536.

PASSED, APPROVED AND ADOPTED this 4th day of August, 2015.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Housing-Related Parks Grant Program

**SOURCE:** Community Development

**COMMENT:** On December 10, 2014, the Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the 2015 grant funding round for the Housing-Related Parks Program (HRP) with the application due February 5, 2015. The HRP is an innovative program designed to reward local governments that approve housing for low-income households with grant funds for the creation, development, or rehabilitation of parks and recreation facilities.

On January 20, 2015, the City Council directed staff to submit an application to the HCD for the Housing-Related Parks Program Grant. The project submitted is for the development of an eight feet (8') wide concrete ADA compliant Class I multi-use and walking circuit trail throughout the interior of Veterans' Park. The new trail would essentially follow the route of an existing degraded trail of decomposed granite. The trail could potentially include the addition of solar lighting, tables, benches, shade, and drinking fountains which would enhance the usability and extend the daily hours of service for this trail located in one of the city's most frequented parks. The proposed project is part of Porterville's park master plans providing pedestrian and bicycle connectivity to shopping, living, office and recreational destinations in the western part of the city. The trail would also connect to existing bike lanes that are part of Porterville's and the Tulare County Regional Bicycle Transportation Plan.

The City of Porterville was awarded the HRP grant in the amount of \$322,550. However, staff received notice that Resolution 02-2015 did not include the grant amount. At the time the original application was submitted, staff anticipated receiving up to \$300,000 in grant funds. The submission of a resolution stating the grant amount of \$322,550 is necessary before the Standard Agreement can be issued.

As typical with this type of state contract, the Mayor is authorized to sign the application, the Standard Agreement, and all other participation documents, while the Community Development Director is authorized to execute all drawdown requests and other administrative documents for the program.



RECOMMENDATION:

That the City Council:

1. Approve the draft Resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure the Housing-Related Parks Program grant in the amount not to exceed \$322,550 from the State of California; and
2. Authorize the Mayor to sign the application, the Standard Agreement and all other participation documents, and the Community Development Director to sign all drawdown requests and other administrative documents required for the Housing-Related Parks Program grant.

ATTACHMENTS:

1. Housing Related Parks Grant Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. \_\_\_-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
AUTHORIZING APPLICATION FOR HOUSING-RELATED PARKS GRANT

WHEREAS: The State of California, Department of Housing and Community Development (the “Department”) has issued a Notice of Funding Availability dated December 10, 2014, (the “NOFA”) under its Housing Related Parks (HRP) Program; and

WHEREAS: The City of Porterville (“Applicant”) desires to apply for a HRP Grant and submit the Application Package released by the Department for the HRP Program; and

WHEREAS: The Department is authorized to approve funding allocations for the HRP Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. Applicant is hereby authorized and directed to apply for and submit to the Department the Application Package released December 2014 for the 2015 Program Year in the amount of \$322,550. If the application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (the “Standard Agreement”), and any and all other documents required or deemed necessary or appropriate to secure a HRP Grant from the Department, and all amendments thereto (collectively, the “HRP Grant Documents”).

2. Application shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement in the amount not to exceed \$322,550.00. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.

3. That the Mayor is authorized to execute in the name of the City of Porterville the Application Package and the HRP Grant Documents as required by the Department for participation in the HRP Program, and that the Community Development Director is authorized to execute in the name of the City of Porterville grant drawdown requests, and all other administrative documents required by the Department for administration of the HRP program.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of August, 2015

---

Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

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Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Selective Traffic Enforcement Program (STEP) Grant Award

**SOURCE:** Police

**COMMENT:** In April 2015, the Porterville Police Department submitted a grant proposal/application to the California Office of Traffic Safety (OTS) requesting funding for personnel costs (overtime) associated with Selective Traffic Enforcement Program (STEP). The goal of this program is to reduce the persons killed or injured in vehicle crashes involving alcohol, speed, red light violations, and other recurring primary collision factors within the city of Porterville.

On June 1, 2015, the Porterville Police Department received notification from OTS that funding in the amount of \$69,000 has been approved for the City of Porterville's STEP program. The funding will cover personnel costs (overtime) associated with multiple DUI/license check points, special saturation patrols, and targeted enforcement of areas of repeated traffic collisions and "court sting" operations that target individuals driving away from court after having their drivers license revoked and/or suspended.

The proposed grant will fund the STEP program for the period of October 1, 2015, through September 30, 2016.

**RECOMMENDATION:** That the City Council:

- 1) Accept the STEP Grant funding from the California Office of Traffic Safety in the amount of \$69,000; and
- 2) Authorize a budget adjustment for the Police Department in the Special Safety Grants Fund for FY2015/2016 in the amount of \$69,000.

**ATTACHMENTS:** 1. OTS Grant approval letter

Appropriated/Funded: MB

Review By:

Department Director:  
Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager



STATE OF CALIFORNIA

**OFFICE OF TRAFFIC SAFETY**

2208 KAUSEN DRIVE, SUITE 300  
ELK GROVE, CA 95758  
www.ots.ca.gov  
(916) 509-3030  
(800) 735-2929 (TT/TDD-Referral)  
(916) 509-3055 (FAX)

EDMUND G. BROWN JR., GOVERNOR



June 1, 2015

Grant No. PT16131

Jake Castellow, Lieutenant  
Porterville Police Department  
350 North D Street  
Porterville, CA 93257

Dear Lieutenant Castellow:

Congratulations! Through a competitive process, the Office of Traffic Safety (OTS) has tentatively approved your funding request for the proposal titled "Selective Traffic Enforcement Program (STEP)" in the amount of approximately \$69,000.00.

Your OTS Coordinator will contact you, to discuss your proposal and explain the Grant Agreement process. It is our goal to have all new grants start no later than October 1, 2015. If approval from a City Council or the Board of Supervisors is required, you should begin that process now. Do not incur grant reimbursable costs prior to the receipt of your official approval packet from OTS or before your grant start date.

OTS will initiate a statewide media news release regarding 2016 proposals selected for funding. Your agency *should not* publically announce this tentative award until the grant agreement is fully negotiated and signed by OTS.

Again, congratulations on the success of your proposal. If you have any questions, please contact Mitch Zehnder, Operations Coordinator, at (916) 509-3026 or e-mail at [mitch.zehnder@ots.ca.gov](mailto:mitch.zehnder@ots.ca.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Rhonda L. Craft".

RHONDA L. CRAFT  
Director

MZ:cc



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Cooperative Agreement with Lindsay Police Department for Use of the Police Firing Range

SOURCE: Police

COMMENT: The Porterville Police Department weapons range became operational in May of 2011 for live fire training. Currently, the Lindsay Police Department is utilizing the range for training and qualifications of their personnel. The prior agreement expired June 30, 2015. The Porterville Police Department and the Lindsay Police Department would like to renew the agreement.

Lindsay Police Department has agreed to pay a sum of \$1,200 to the City of Porterville in compensation for facility usage, upkeep, and maintenance over the next fiscal year. This amount is based on their estimated use per year. This agreement will be re-evaluated at the end of the agreement period.

RECOMMENDATION: That the City Council:

- 1) Approve the Agreement for the period of 07/01/15 thru 06/30/16; and
- 2) Authorize the Chief of Police to execute the Agreement on behalf of the City of Porterville.

ATTACHMENTS: 1. Police Firing Range Cooperative Agreement

Appropriated/Funded: MB

Review By:

Department Director:  
Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager



## POLICE FIRING RANGE COOPERATIVE AGREEMENT

This Agreement is entered into as of July 1, 2015, between the CITY OF PORTERVILLE ("CITY"), and the CITY OF LINDSAY ("LINDSAY"), (each a "Party," and collectively, the "Parties"), with reference to the following:

- A. The Parties desire to allow the use of the CITY Police Firing Range ("Range") by the Lindsay Police Department ("LPD").
- B. The Parties are willing to enter into this Agreement on the terms and conditions set forth below.

ACCORDINGLY, IT IS AGREED:

1. The term of this Agreement shall be for one (1) year, commencing on July 1, 2015, and ending on June 30, 2016.
2. LPD desires use of the Range approximately twelve (12) times per agreement year, at the frequency of approximately one (1) use per month.
3. The cost per agreement year shall be twelve hundred (\$1,200) dollars.
4. The CITY shall furnish use of the Range to the LPD including restroom facilities if available, and shall pay all taxes, insurance, maintenance fees, and all other costs required to provide use of the Range in accordance with this Agreement.
5. LPD shall have the use of on-site firearms buildings located at the Range for training programs. Any available classroom facility may be used on a case-by-case basis, without additional charge, when arranged through the Porterville Police Department ("PPD") Range Supervisor.
6. PPD and LPD agree the Range shall be open and usable by members of LPD at such times that are mutually agreeable to both parties. Exclusive use of the facilities by LPD must be coordinated with, and scheduled by the PPD Range Supervisor.



7. Prior to exclusive use of the Range, LPD will submit their training agenda and course of fire to the PPD Range Supervisor for approval.
8. LPD agrees that its members using the Range under this Agreement shall be governed by the range safety rules established by PPD. (Firearms Range Rules and Regulations, attached.)
9. On their scheduled training days, the LPD Range Master shall contact PPD Watch Commander upon their arrival and departure from the RANGE.
10. After use of the facility, LPD agrees to ensure the Range is cleaned properly of all debris resulting from their use, including brass. Brass will be left in containers (containing only brass) at the Range for disposal by PPD.
11. Both the PPD and LPD reserve the right to cancel this Agreement with thirty (30) days advance written notice to the other.
12. The amount to be paid by LINDSAY will be due and payable as follows: LINDSAY shall pay the amount as invoiced by the CITY on an annual basis of the agreed-upon cost within thirty days of receiving said invoice(s).
13. The Parties shall hold harmless, defend and indemnify each other, their agents, officers, and employees from and against all liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, arising out of their activities or those of their agents, officers, or employees under this Agreement. This indemnification obligation shall survive the expiration or termination of this Agreement.
14. Except as otherwise required by law, any notice to be given shall be in writing and shall be either personally delivered, sent by facsimile transmission, or sent by first-class mail, postage prepaid, and addressed as follows:

CITY OF PORTERVILLE:

City Clerk of the City of Porterville  
291 N. Main Street  
Porterville, CA 93257  
Phone: 559-782-7447  
Fax: 559-782-7452

CITY OF LINDSAY:

City Clerk of the City of Lindsay  
251 East Honolulu Street  
Lindsay, CA 93247  
Phone: 559-562-7103  
Fax: 559-562-7100

Notice personally delivered is effective when delivered. Notice sent by facsimile transmission shall be deemed received upon successful transmission. Notice sent by first class mail shall be deemed received on the fifth day after mailing. Any Party may change the above address, phone number, or fax number by giving written notice pursuant to this paragraph.

15. No part of this Agreement may be assigned by any of the Parties without the prior written consent of the other Party(ies).

16. Termination.

a. The right to terminate this Agreement under this provision may be exercised without prejudice to any other right or remedy to which the terminating Party may be entitled to by law or under this Agreement.

1) This Agreement may be terminated by any Party should another Party:

- a) be adjudged bankrupt;
- b) become insolvent or have a receiver appointed;
- c) make a general assignment for the benefit of creditors;
- d) suffer any judgment which remains unsatisfied for 30 days and which would substantively impair the ability of the judgment debtor to perform under this Agreement; or
- e) materially breach this Agreement.

2) For any occurrences except item e), termination may be effected upon written notice by the terminating Party specifying the date of termination.

3) Upon a material breach, the Agreement may be terminated following the failure of the defaulting Party to remedy the breach to the satisfaction of the non-defaulting Party(ies) within five (5) days of written notice specifying the breach. If

the breach is not remedied within the five (5) day period, the non-defaulting Party may terminate the Agreement on further written notice specifying the date of termination.

4) If the nature of the breach is such that it cannot be cured within a five (5) day period, the defaulting Party may submit a written proposal within that period which sets forth a specific means to resolve the default. If the non-defaulting parties consent to that proposal in writing, which consent shall not be unreasonably withheld, the defaulting Party shall immediately embark on its plan to cure. If the default is not cured within the time agreed, the non-defaulting Party(ies) may terminate upon written notice specifying the date of termination.

b. Effects of Termination. Termination of this Agreement shall not terminate any obligations to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports or pre-termination contract activities.

17. This Agreement represents the entire Agreement between the Parties as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of all Parties.

18. This Agreement reflects the contributions of all Parties and accordingly the provisions of Civil Code Section 1654 shall not apply to address and interpret any uncertainty.

19. Unless specifically set forth, the Parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

20. The failure of any Party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for the breach or any subsequent breach. The acceptance by any Party of either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by any other Party.

21. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the Parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a

material benefit of the Agreement to either Party is lost, the Agreement may be terminated at the option of the affected Party.

- 22. Each Party agrees to execute any additional documents and to perform any further acts that may be reasonably required to effect the purposes of this Agreement.
  
- 23. It is expected that this agreement will continue into coming years. In June of each year of the agreement, the Porterville Chief of Police and the Lindsay City Manager, or their designees, shall convene a meeting to discuss the agreement. If the agreement is continued, the Porterville Chief of Police shall provide the new cost (if applicable), and the new agreement will indicate the amount of funding each party shall be responsible for.

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

CITY OF PORTERVILLE:

\_\_\_\_\_  
Eric Kroutil, Chief of Police

\_\_\_\_\_  
Date

CITY OF LINDSAY:

\_\_\_\_\_  
Chris Hughes. Acting Police Chief

\_\_\_\_\_  
Date



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Interim Financial Status Reports

SOURCE: Finance

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

In accordance with Council Minute Order #10-011607, the interim financial status reports for the year ended June 30, 2015, are submitted. The reports submitted are preliminary as accruals of both revenues and expenditures are still being processed.

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

ATTACHMENTS: 1. Preliminary interim financial reports

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

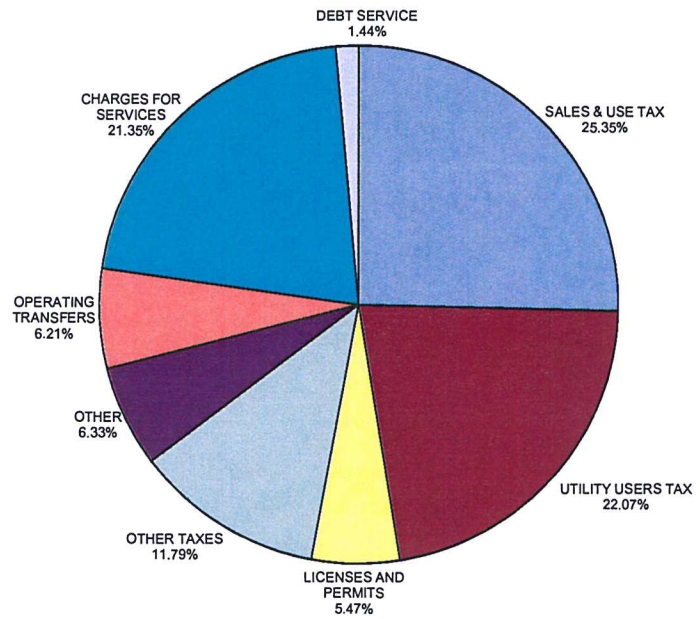
Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

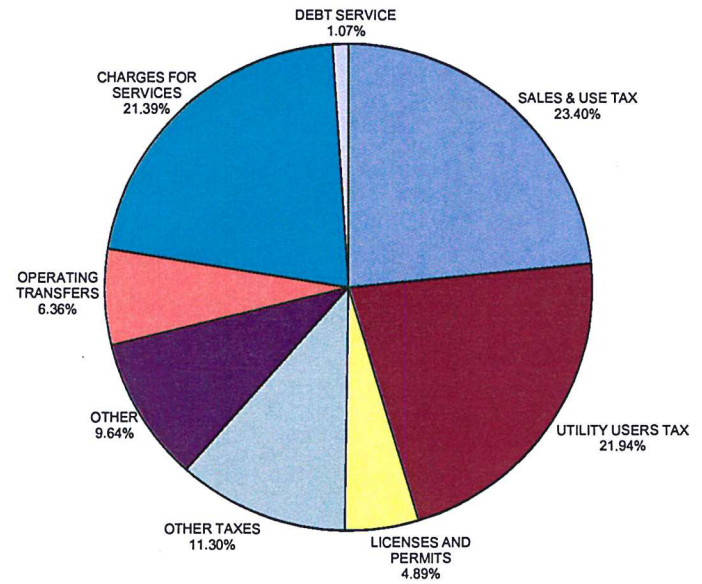
REVENUE STATUS REPORT - GENERAL FUND  
FOR THE YEAR ENDED  
JUNE 30, 2015 AND JUNE 30, 2014  
PRELIMINARY

REVENUE SOURCE	2014-2015 ESTIMATED REVENUE	2014-2015 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2013-2014 ESTIMATED REVENUE	2013-2014 YEAR-TO-DATE REVENUE	% OF ESTIMATE
PROPERTY TAXES	\$ 7,023,442	\$ 7,314,404.00	104.14%	\$ 6,980,762	\$ 7,314,932	104.79%
OTHER TAXES:						
SALES AND USE TAX	4,266,959	4,266,605	99.99%	4,032,651	4,015,567	99.58%
UTILITY USERS TAX	4,000,000	3,903,035	97.58%	4,000,000	3,955,357	98.88%
TRANSIENT OCCUPANCY TAX	350,000	396,886	113.40%	315,000	370,999	117.78%
PROPERTY TRANSFER TAX	50,000	72,317	144.63%	50,000	63,679	127.36%
FRANCHISE TAX	1,476,134	1,566,041	106.09%	1,471,134	1,551,762	105.48%
SALES TAX - PUBLIC SAFETY	165,000	216,513	131.22%	150,000	202,813	135.21%
LICENSES AND PERMITS:						
BUSINESS LICENSES	427,000	459,016	107.50%	411,200	436,370	106.12%
CONSTRUCTION PERMITS	325,000	507,896	156.28%	310,800	445,162	143.23%
REVENUE FROM AGENCIES-TAXES:						
MOTOR VEHICLE IN-LIEU TAX	23,000	22,825	99.24%	29,379	23,542	80.13%
OTHER TAXES	27,000	26,935	99.76%	28,000	27,802	99.29%
REVENUE FROM AGENCIES-GRANTS	67,516	384,507	569.51%	1,976,005	1,308,812	66.24%
USE OF MONEY AND PROPERTY	214,401	412,956	192.61%	227,277	271,902	119.63%
FINES AND FORFEITURES	65,000	55,153	84.85%	65,000	74,151	114.08%
CHARGES FOR SERVICES:						
PLANNING AND ENGINEERING	95,000	122,541	128.99%	96,100	95,823	99.71%
POLICE	385,000	248,838	64.63%	374,000	407,366	108.92%
FIRE	28,000	39,511	141.11%	28,000	60,172	214.90%
LIBRARY	40,000	43,029	107.57%	40,000	42,251	105.63%
RECREATIONAL	1,830,147	1,637,838	89.49%	1,751,922	1,600,988	91.38%
INTERDEPARTMENTAL	1,600,000	1,668,680	104.29%	1,600,000	1,637,849	102.37%
OTHER	10,636	15,504	145.77%	8,748	12,073	138.01%
OTHER REVENUES	64,500	265,926	412.29%	67,150	83,312	124.07%
<b>SUBTOTALS</b>	<b>\$ 22,533,735</b>	<b>\$ 23,646,958</b>	<b>104.94%</b>	<b>\$ 24,013,128</b>	<b>\$ 24,002,685</b>	<b>99.96%</b>
OPERATING TRANSFERS	1,150,790	1,097,654	95.38%	1,108,131	1,147,063	103.51%
DEBT SERVICE TRANSFERS	168,700	253,940	150.53%	170,828	193,108	113.04%
<b>TOTALS</b>	<b>\$ 23,853,225</b>	<b>\$ 24,998,552</b>	<b>104.80%</b>	<b>\$ 25,292,087</b>	<b>\$ 25,342,855</b>	<b>100.20%</b>

**CITY OF PORTERVILLE  
GENERAL FUND REVENUES  
Year Ended June 30, 2015  
PRELIMINARY**



**CITY OF PORTERVILLE  
GENERAL FUND REVENUES  
Year Ended June 30, 2014  
PRELIMINARY**



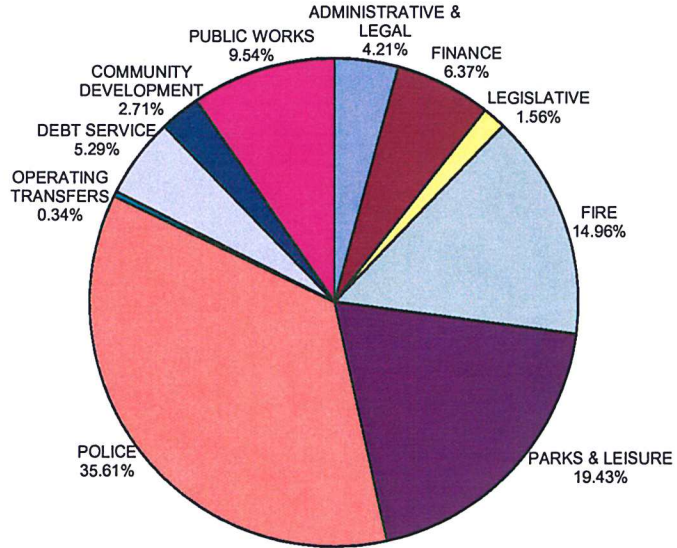
CITY OF PORTERVILLE

EXPENDITURE STATUS REPORT - GENERAL FUND  
FOR THE YEAR ENDED  
JUNE 30, 2015 AND JUNE 30, 2014  
PRELIMINARY

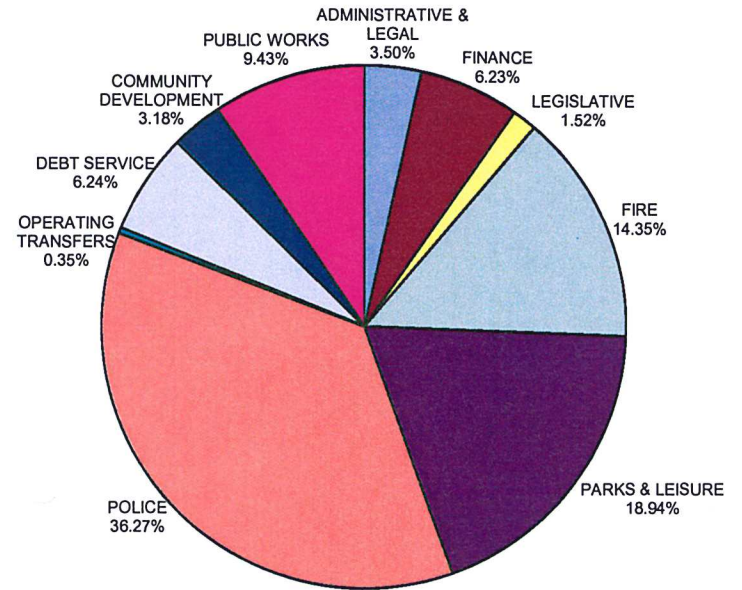
	2014-2015 AMENDED APPROP	2014-2015 YEAR-TO-DATE EXPEND	% OF APPROP	2013-2014 AMENDED APPROP	2013-2014 YEAR-TO-DATE EXPEND	% OF APPROP
LEGISLATIVE:						
CITY COUNCIL	\$ 227,917	\$ 163,875	71.9%	\$ 137,917	\$ 132,945	96.4%
COMMUNITY PROMOTION	209,080	200,173	95.7%	213,645	213,615	100.0%
ADMINISTRATIVE & LEGAL:						
CITY MANAGER	252,067	248,122	98.4%	243,511	241,750	99.3%
CITY CLERK	232,101	213,093	91.8%	168,151	146,063	86.9%
HUMAN RESOURCES	253,532	299,131	118.0%	276,175	276,175	100.0%
CITY ATTORNEY	180,000	221,915	123.3%	152,400	135,575	89.0%
FINANCE:						
FINANCE & ACCOUNTING	783,296	780,085	99.6%	789,835	750,193	95.0%
INFORMATION SERVICES	410,428	385,413	93.9%	404,265	360,319	89.1%
ADMINISTRATIVE SERVICES	365,036	319,801	87.6%	358,904	313,482	87.3%
POLICE PROTECTION	8,856,918	8,306,850	93.8%	6,075,606	8,293,438	136.5%
FIRE PROTECTION	3,773,801	3,489,311	92.5%	2,413,978	3,281,823	136.0%
COMMUNITY DEVELOPMENT:						
PLANNING & ZONING	516,294	381,801	74.0%	516,294	459,102	88.9%
ECONOMIC DEVELOPMENT	294,233	250,096	85.0%	294,233	266,943	90.7%
PUBLIC WORKS:						
ENGINEERING & BUILDING	1,010,254	941,866	93.2%	1,010,225	802,027	79.4%
STREET MAINTENANCE	411,653	346,100	84.1%	385,772	366,489	95.0%
SIGNALS, SIGNING & STRIPING	360,224	329,029	91.3%	372,259	372,258	100.0%
STREET LIGHTING	484,322	505,521	104.4%	494,548	494,548	100.0%
STORM DRAINS	90,094	57,088	63.4%	79,138	76,027	96.1%
PARKING LOTS	47,186	45,963	97.4%	47,144	44,316	94.0%
PARKS & LEISURE:						
PARK MAINTENANCE & OPERATION	1,744,348	1,598,531	91.6%	1,625,304	1,504,394	92.6%
STREET TREES & PARKWAYS	183,211	172,322	94.1%	187,395	149,717	79.9%
COMMUNITY CENTERS	214,522	216,507	100.9%	220,850	226,300	102.5%
LEISURE SERVICES	226,501	252,884	111.6%	250,166	250,165	100.0%
LEISURE SERVICES - SPECIAL PROG	1,662,906	1,457,882	87.7%	1,586,600	1,372,983	86.5%
SWIMMING POOL	157,119	142,677	90.8%	158,971	151,166	95.1%
LIBRARY OPERATIONS	707,836	670,000	94.7%	682,505	661,024	96.9%
SPECIAL PROJECTS	17,000	21,985	129.3%	17,154	14,692	85.6%
SUB TOTALS	23,671,879	\$ 22,018,022	93.0%	19,162,944	\$ 21,357,530	111.5%
OPERATING TRANSFERS	79,000	79,000	100.0%	79,000	79,000	100.0%
DEBT SERVICE	1,231,178	1,233,296	100.2%	1,202,422	1,426,527	118.6%
	<u>\$ 24,982,057</u>	<u>\$ 23,330,318</u>	93.4%	<u>\$ 20,444,366</u>	<u>\$ 22,863,056</u>	111.8%



**CITY OF PORTERVILLE  
GENERAL FUND EXPENDITURES  
Year Ended June 30, 2015  
PRELIMINARY**



**CITY OF PORTERVILLE  
GENERAL FUND EXPENDITURES  
Year Ended June 30, 2014  
PRELIMINARY**

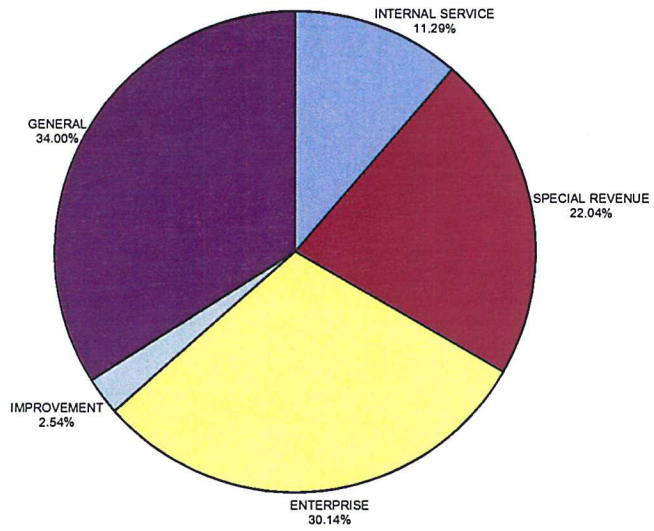


CITY OF PORTERVILLE

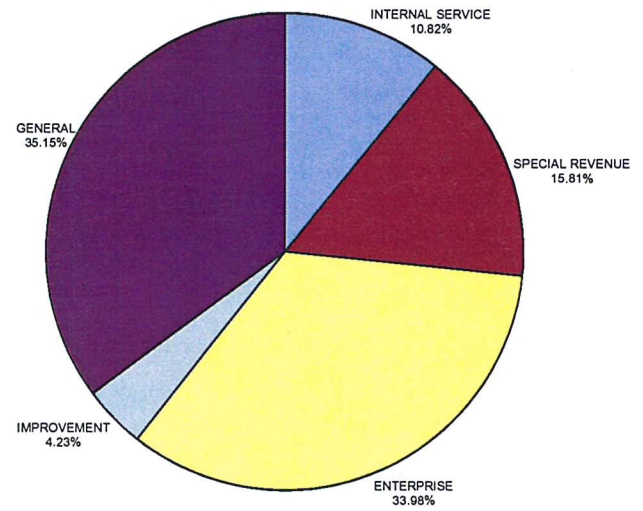
REVENUE STATUS REPORT - ALL OTHER FUNDS  
FOR THE YEAR ENDED  
JUNE 30, 2015 AND JUNE 30, 2014  
PRELIMINARY

REVENUE SOURCE	2014-2015 ESTIMATED REVENUE	2014-2015 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2013-2014 ESTIMATED REVENUE	2013-2014 YEAR-TO-DATE REVENUE	% OF ESTIMATE
MEASURE H SALES TAX	\$ 3,272,754	\$ 3,143,725	96.1%	\$ 2,974,507	\$ 3,229,732	108.6%
SPECIAL GAS TAX	2,162,439	2,075,788	96.0%	2,083,576	2,295,521	110.2%
LOCAL TRANSPORTATION FUNDS (LTF)	6,038,259	7,743,723	128.2%	6,250,900	3,126,613	50.0%
TRAFFIC SAFETY FUND	150,200	166,023	110.5%	150,300	206,170	137.2%
ZALUD ESTATE	5,000	6,345	126.9%	6,300	4,300	68.3%
COMMUNITY DEVELOPMENT BLOCK GRANT	1,459,621	1,498,146	102.6%	1,039,716	1,175,299	113.0%
TRANSIT	8,003,143	2,083,238	26.0%	6,265,851	4,033,946	64.4%
SPECIAL SAFETY GRANTS	222,817	358,811	161.0%	267,917	310,405	115.9%
SEWER OPERATING	6,740,454	6,916,600	102.6%	6,697,754	6,780,517	101.2%
REFUSE REMOVAL	5,698,000	5,760,595	101.1%	5,590,000	5,699,932	102.0%
AIRPORT OPERATIONS	1,421,888	1,360,433	95.7%	1,556,271	1,439,821	92.5%
GOLF COURSE	220,700	204,705	92.8%	225,400	213,749	94.8%
WATER OPERATING	4,904,000	4,628,015	94.4%	4,887,000	5,031,187	103.0%
RISK MANAGEMENT	4,220,066	4,822,994	114.3%	4,742,076	4,199,868	88.6%
EQUIPMENT MAINTENANCE	3,120,500	3,028,591	97.1%	2,811,000	3,189,729	113.5%
LANDSCAPE MAINTENANCE DISTRICT	81,628	75,310	92.3%	44,362	49,924	112.5%
WATER REPLACEMENT	1,791,388	592,642	33.1%	382,946	628,692	164.2%
SOLID WASTE RESERVE	432,362	345,179	79.8%	1,564,646	1,515,651	96.9%
SEWER REVOLVING	215,114	274,347	127.5%	238,614	246,950	103.5%
TRANSPORTATION DEVELOPMENT	158,000	93,513	59.2%	205,000	139,496	68.0%
PARK DEVELOPMENT	20,000	71,563	357.8%	20,000	40,396	202.0%
TREATMENT PLANT RESERVE	587,792	552,684	94.0%	535,340	493,945	92.3%
STORM DRAIN DEVELOPMENT	115,000	92,888	80.8%	115,000	214,835	186.8%
BUILDING CONSTRUCTION	4,000	7,810	195.2%	6,000	9,545	159.1%
TOTALS	\$ <u>51,045,125</u>	\$ <u>45,903,667</u>	89.9%	\$ <u>48,660,476</u>	\$ <u>44,276,224</u>	91.0%

CITY OF PORTERVILLE  
REVENUE BY FUND TYPE  
Year Ended June 30, 2015  
PRELIMINARY



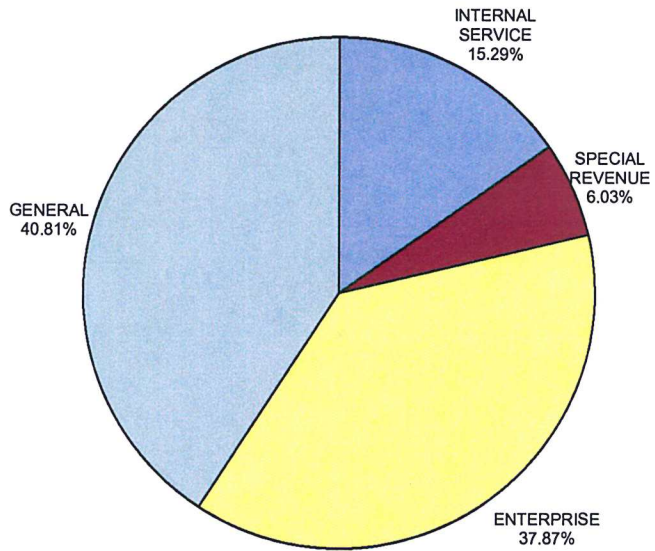
CITY OF PORTERVILLE  
REVENUE BY FUND TYPE  
Year Ended June 30, 2014  
PRELIMINARY



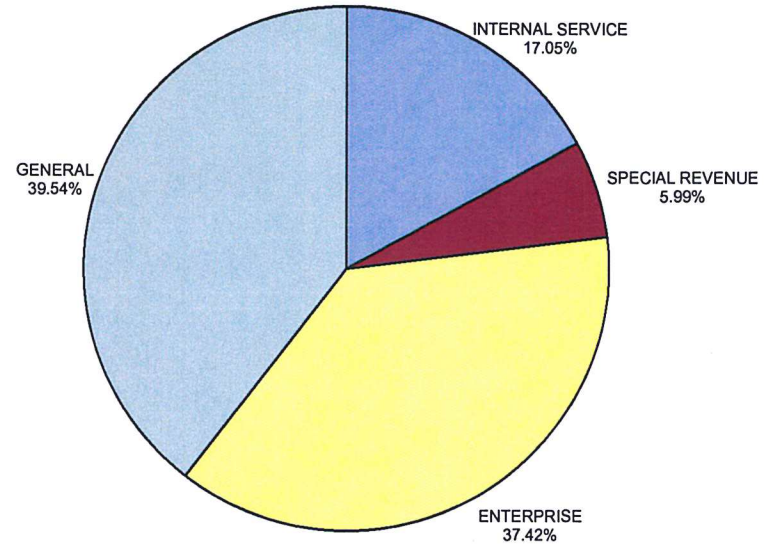
**CITY OF PORTERVILLE**  
**EXPENDITURE STATUS REPORT - ALL OTHER FUNDS**  
**FOR THE YEAR ENDED**  
**JUNE 30, 2015 AND JUNE 30, 2014**  
**PRELIMINARY**

	<u>2014-2015</u> <u>AMENDED</u> <u>APPROP</u>	<u>2014-2015</u> <u>YEAR-TO-DATE</u> <u>EXPEND</u>	<u>% OF</u> <u>APPROP</u>	<u>2013-2014</u> <u>AMENDED</u> <u>APPROP</u>	<u>2013-2014</u> <u>YEAR-TO-DATE</u> <u>EXPEND</u>	<u>% OF</u> <u>ACTUAL</u>
MEASURE H SALES TAX	\$ 2,939,142	\$ 2,615,321	89.0%	\$ 2,785,632	\$ 2,645,059	95.0%
ZALUD ESTATE	27,235	17,737	65.1%	29,235	25,623	87.6%
COMMUNITY DEVELOPMENT BLOCK GRANT	509,006	155,123	30.5%	499,138	152,566	30.6%
TRANSIT	4,209,353	3,587,080	85.2%	3,644,232	3,443,172	94.5%
SPECIAL SAFETY GRANTS	367,764	282,101	76.7%	425,272	263,900	62.1%
SEWER OPERATING	6,025,645	5,581,014	92.6%	5,993,712	5,541,139	92.4%
REFUSE REMOVAL	5,641,766	5,054,764	89.6%	5,392,910	5,005,632	92.8%
AIRPORT	1,309,285	1,274,360	97.3%	1,318,522	1,259,837	95.5%
GOLF COURSE	366,188	338,876	92.5%	355,513	362,967	102.1%
WATER OPERATING	4,639,775	4,576,275	98.6%	4,300,615	4,571,217	106.3%
RISK MANAGEMENT	6,357,273	5,373,997	84.5%	5,985,699	6,097,490	101.9%
EQUIPMENT MAINTENANCE	3,091,857	2,873,413	92.9%	2,791,933	3,112,928	111.5%
LANDSCAPE MAINTENANCE DISTRICT	214,705	199,526	92.9%	170,080	171,792	101.0%
<b>TOTALS</b>	<b>\$ <u>35,698,994</u></b>	<b>\$ <u>31,929,586</u></b>	<b>89.4%</b>	<b>\$ <u>33,692,493</u></b>	<b>\$ <u>32,653,323</u></b>	<b>96.9%</b>

**CITY OF PORTERVILLE  
EXPENDITURES BY FUND TYPE  
Year Ended June 30, 2015  
PRELIMINARY**



**CITY OF PORTERVILLE  
EXPENDITURES BY FUND TYPE  
Year Ended June 30, 2014  
PRELIMINARY**



**CITY OF PORTERVILLE**  
**INTERIM PERFORMANCE REPORT - MEASURE H**  
**For the Year Ended June 30, 2015 and June 30, 2014**  
**PRELIMINARY**

	<u>FY 2014-15</u>	<u>FY 2013-14</u>
<b>REVENUES</b>		
Sales Tax - Measure H	\$ 3,112,998	3,182,807
Interest	27,204	46,498
Police Services	3,523	427
TOTAL REVENUES	<u>3,143,725</u>	<u>3,229,732</u>
<b>EXPENDITURES</b>		
Police Department	1,362,921	1,335,347
Fire Department	840,583	903,736
Library & Literacy	411,817	405,976
TOTAL EXPENDITURES	<u>2,615,321</u>	<u>2,645,059</u>
<b>CAPITAL PROJECTS</b>		
Public Safety Station	<u>3,591,982</u>	<u>300,348</u>
REVENUE OVER/(UNDER) EXPENDITURES	<u>\$ (3,063,578)</u>	<u>\$ 284,325</u>

**CITY OF PORTERVILLE  
INTERIM PERFORMANCE REPORT - ENTERPRISE FUNDS  
For the Year Ended June 30, 2015 and June 30, 2014  
PRELIMINARY**

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENSES</u>	<u>6/30/2015 NET PROFIT (LOSS)</u>	<u>6/30/2014 NET PROFIT (LOSS)</u>
Zalud Estate	\$ 6,345	\$ (17,737)	\$ (11,393)	\$ (21,323)
Sewer Operating	6,916,600	(5,581,014)	1,335,586	1,239,378
Solid Waste	5,760,595	(5,054,764)	705,831	694,300
Airport	1,360,433	(1,274,360)	86,073	179,984
Golf	204,705	(338,876)	(134,171)	(149,218)
Water Operating	4,628,015	(4,576,275)	51,740	459,970

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



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Quarterly Portfolio Summary

SOURCE: Finance

COMMENT: This report reflects the investment portfolio of the City of Porterville as of June 30, 2015, and is in compliance with California Government Code Section 27000, etc., Section 53600, etc., and the City of Porterville's Statement of Investment Policy. Investments are selected based on the statutory objectives of safety, liquidity and yield.

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

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

ATTACHMENTS: 1. Quarterly Portfolio Summary

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



**CITY OF PORTERVILLE  
PORTFOLIO SUMMARY AS OF JUNE 30, 2015**

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1006	LOCAL AGENCY INVESTMENT FUND	\$ 9,163,154	\$ 9,166,599	0.280%	DAILY	DAILY	1
1007	CSJVRMA INVESTMENT FUND	6,469,211	6,612,188	1.210%	DAILY	DAILY	30
866	TULARE COUNTY INVESTMENT POOL	8,657,990	8,657,990	1.130%	DAILY	DAILY	30
	PROSPECT-HENDERSON PARTNERS, L	2,620,221	2,620,221	2.850%	12/29/2009	10/27/2020	1,946
	TULARE COUNTY JUNIOR LIVESTOCK SHOW AND COMMUNITY FAIR	1,200,000	1,200,000	4.000%	1/15/2015	7/15/2039	8,781
313382FP3	FEDERAL HOME LOAN BANKS	997,500	989,430	1.000%	3/20/2013	3/20/2018	994
3134G46D5	FEDERAL HOME LN MTG CORP	1,000,000	996,870	1.200%	6/12/2013	6/12/2018	1,078
313388G21	FEDERAL HOME LOAN BANKS	1,000,000	997,220	1.200%	6/20/2013	6/20/2018	1,086
3133EAB72	FEDERAL FARM CR BANKS	495,000	499,695	1.180%	3/14/2014	5/1/2018	1,036
3135G0TF0	FEDERAL NATL MTG ASSN	998,000	993,070	1.710%	5/14/2015	1/15/2020	1,660
3136G2H34	FEDERAL NATL MTG ASSN	1,000,000	991,830	1.750%	5/20/2015	5/20/2020	1,786
3134G6T45	FEDERAL HOME LN MTG CORP	1,000,000	996,850	2.000%	6/30/2015	6/30/2020	1,827
4812VUL2	JP MORGAN CHASE BANK NA	1,000,000	997,790	1.000%	4/27/2012	4/27/2017	667
4042K1U68	HSBC USA INC	1,000,000	994,880	2.200%	7/5/2012	7/5/2017	736
89233P6S0	TOYOTA MOTORS CRD CORP	1,000,000	1,002,550	1.250%	3/13/2013	10/5/2017	828
24422ESW0	JOHN DEERE CAP CORP	1,000,000	989,110	2.050%	3/10/2015	3/10/2020	1,715
00206RBM3	AT&T INC	1,004,830	993,440	1.400%	1/22/2013	12/1/2017	885
94974BFG0	WELLS FARGO CO	1,006,910	998,120	1.500%	1/22/2013	1/16/2018	931
	UBS MONEY MARKET	2,007,828	2,007,828	0.010%	6/30/2015	6/30/2015	0
02587DKB3	CERTIFICATE OF DEPOSIT	240,000	241,670	1.750%	12/22/2011	12/22/2015	175
9819961J0	CERTIFICATE OF DEPOSIT	200,000	200,598	2.000%	9/14/2011	9/14/2016	442
36160WH51	CERTIFICATE OF DEPOSIT	240,000	244,702	2.100%	12/16/2011	12/16/2016	535
33764JRP2	CERTIFICATE OF DEPOSIT	240,000	241,603	1.100%	1/25/2013	1/25/2017	575
17284A2U1	CERTIFICATE OF DEPOSIT	240,000	243,965	1.500%	7/18/2012	7/18/2017	749
795450PA7	CERTIFICATE OF DEPOSIT	240,000	243,641	1.700%	8/22/2012	8/22/2017	784
36160NS83	CERTIFICATE OF DEPOSIT	245,000	246,200	2.000%	5/23/2014	5/23/2019	1,423
06740KFX0	CERTIFICATE OF DEPOSIT	247,000	248,573	1.900%	1/19/2012	1/19/2017	569
856284C77	CERTIFICATE OF DEPOSIT	247,000	252,041	2.050%	1/27/2012	1/27/2017	577
05568PZ26	CERTIFICATE OF DEPOSIT	248,000 #	248,516	1.000%	9/21/2012	9/21/2015	83
20451PBT2	CERTIFICATE OF DEPOSIT	247,000	247,291	1.800%	7/31/2013	7/31/2018	1,127
38143A2U8	CERTIFICATE OF DEPOSIT	250,000	251,108	1.050%	12/27/2012	12/27/2016	546
02587CAF7	CERTIFICATE OF DEPOSIT	246,383	247,704	1.950%	7/17/2014	7/17/2019	1,478
74267GUQ8	CERTIFICATE OF DEPOSIT	247,000	247,657	2.000%	7/22/2014	7/22/2019	1,483
29266NB30	CERTIFICATE OF DEPOSIT	247,000	247,422	2.050%	8/28/2014	8/28/2019	1,520
254672NN4	CERTIFICATE OF DEPOSIT	247,000	244,118	2.000%	5/13/2015	5/13/2020	1,779
20033AKP0	CERTIFICATE OF DEPOSIT	249,000	245,917	1.900%	5/26/2015	5/26/2020	1,792
140420RT9	CERTIFICATE OF DEPOSIT	247,380	244,836	1.850%	6/3/2015	6/3/2020	1,800
46147UQL7	CERTIFICATE OF DEPOSIT	248,378	245,638	1.900%	6/17/2015	6/17/2020	1,814
981571BN1	CERTIFICATE OF DEPOSIT	200,000	197,706	2.300%	6/25/2015	6/25/2020	1,822
29976DYV6	CERTIFICATE OF DEPOSIT	246,382	245,251	1.950%	6/30/2015	6/30/2020	1,827
1192	CERTIFICATE OF DEPOSIT	99,000	99,000	1.490%	9/18/2012	9/18/2017	811
1195	CERTIFICATE OF DEPOSIT	99,000	99,000	1.350%	11/5/2012	11/5/2017	859
1198	CERTIFICATE OF DEPOSIT	99,000	99,000	1.250%	1/9/2013	1/9/2018	924
1200	CERTIFICATE OF DEPOSIT	99,000	99,000	1.580%	2/26/2013	2/26/2018	972
1204	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/9/2013	4/9/2018	1,014
1208	CERTIFICATE OF DEPOSIT	122,408	122,408	1.100%	5/9/2013	5/9/2018	1,044
1209	CERTIFICATE OF DEPOSIT	99,000	99,000	1.050%	5/16/2013	5/16/2018	1,051
1224	CERTIFICATE OF DEPOSIT	250,000	250,000	1.950%	10/14/2013	10/14/2018	1,202
1228	CERTIFICATE OF DEPOSIT	250,000	250,000	1.850%	10/30/2013	10/30/2018	1,218
1239	CERTIFICATE OF DEPOSIT	250,000	250,000	1.000%	10/2/2013	10/2/2017	825
1243	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	6/19/2012	6/19/2016	355
1248	CERTIFICATE OF DEPOSIT	100,002	100,002	1.260%	5/8/2015	5/8/2018	1,043
1253	CERTIFICATE OF DEPOSIT	247,000	247,000	3.190%	8/2/2010	8/2/2015	33
1254	CERTIFICATE OF DEPOSIT	250,000	250,000	2.100%	9/8/2014	9/8/2019	1,531
1258	CERTIFICATE OF DEPOSIT	150,000	150,000	1.650%	1/13/2013	1/13/2016	197
1260	CERTIFICATE OF DEPOSIT	250,000	250,000	1.840%	4/4/2012	4/4/2017	644
1261	CERTIFICATE OF DEPOSIT	257,942	257,942	1.500%	7/13/2012	1/13/2016	197
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.440%	9/5/2012	9/5/2017	798
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.540%	12/12/2012	12/12/2017	896
1263	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	2/1/2013	3/1/2017	610

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1264	CERTIFICATE OF DEPOSIT	150,000	150,000	1.250%	2/14/2013	2/14/2018	960
1264	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/28/2013	1/28/2018	943
1265	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/30/2013	1/30/2018	945
1266	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	5/8/2013	5/8/2018	1,043
1278	CERTIFICATE OF DEPOSIT	250,000	250,000	1.000%	4/29/2013	4/29/2016	304
1280	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	5/21/2013	5/21/2018	1,056
1281	CERTIFICATE OF DEPOSIT	250,000	250,000	1.390%	5/14/2013	5/14/2018	1,049
1282	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	6/21/2013	6/21/2018	1,087
1283	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	5/9/2013	5/8/2018	1,043
1284	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	4/23/2013	4/23/2018	1,028
1285	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/29/2013	4/29/2018	1,034
1286	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	6/25/2013	6/25/2018	1,091
1287	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	7/19/2013	7/19/2018	1,115
1288	CERTIFICATE OF DEPOSIT	250,000	250,000	1.590%	7/24/2013	7/24/2018	1,120
1289	CERTIFICATE OF DEPOSIT	256,261	256,261	1.980%	9/18/2013	9/18/2018	1,176
1290	CERTIFICATE OF DEPOSIT	250,000	250,000	2.030%	10/11/2013	10/11/2018	1,199
1291	CERTIFICATE OF DEPOSIT	250,000	250,000	2.250%	2/7/2014	2/7/2019	1,318
1292	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	7/31/2014	7/31/2019	1,492
1293	CERTIFICATE OF DEPOSIT	250,000	250,000	1.940%	7/18/2014	7/18/2019	1,479
1294	CERTIFICATE OF DEPOSIT	250,000	250,000	2.030%	4/3/2015	4/3/2020	1,739
1295	CERTIFICATE OF DEPOSIT	250,000	250,000	2.084%	4/20/2015	4/20/2020	1,756
1296	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	5/8/2015	5/8/2020	1,774
1297	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	5/14/2015	5/14/2020	1,780
TOTALS		\$ 56,911,779	\$ 57,010,450				
WEIGHTED AVERAGE RATE OF EARNINGS							WEIGHTED
ONE YEAR HISTORY				CURRENT			AVERAGE
6/30/2014	9/30/2014	12/31/2014	3/31/2015	6/30/2015	% OF LIQUID		DAYS TO
1.223%	1.517%	1.368%	1.441%	1.328%	PORTFOLIO		MATURITY
					HOLDINGS		
					42.681%		807

**Comments:**

Portfolio holdings as of June 30, 2015, are in compliance with the current Investment Policy. With 42.681% of the portfolio being held in liquid instruments, the cash needs of the City will be met. The next portfolio report will be calculated for the third calendar quarter ending September 30, 2015, and will be presented during the November 3, 2015 Council meeting.



CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Approval for Community Civic Event - American Cancer Society - Rally for a Cure - August 15, 2015

**SOURCE:** Finance

**COMMENT:** The American Cancer Society, Inc., is requesting approval to hold a community civic event fundraiser and car show, Rally for a Cure, on August 15, 2015, at Veterans' Park, from 5:00 a.m. to 5:00 p.m. There is no request for street closures.

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

**RECOMMENDATION:** That the City Council approve the attached Community Civic Event Application and Agreement submitted by the American Cancer Society, subject to the stated requirements contained in the Application, Agreement, and Exhibit A.

**ATTACHMENTS:**

1. Community Civic Event Application, Agreement, Exhibit A, Map, Outside Amplifier Permit and Certificate of Liability Insurance.

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

# CITY OF PORTERVILLE

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



(Incomplete applications can delay permit process)

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

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

Application date: 7/21/15    Event date: August 15, 2015  
7/24/15 @ 4:30pm    Event time: 5am - 5pm

Name of Event: Rally for a Cure

Sponsoring organization: American Cancer Society Phone # 559-451-0163  
 Address: 2222 W. Shaw Ave Ste 201 Fresno, CA 93711

Authorized representative: Jennifer Arnold Phone # 559-451-0163  
 Address: 2222 W. Shaw Ave Ste 201 Fresno, CA 93711

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

Location of event: Veterans Park Arbor 1-2  
1501 W. Henderson Ave (Location map must be attached) Porterville, CA

Type of event: Community event / fundraiser / Car Show for  
Relay For Life of Porterville / American Cancer Society

Non-profit organization status: \_\_\_\_\_

(IRS Determination)

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

Barricades (quantity):	<u>N/A</u>	Street sweeping	Yes _____	No <u>X</u>
Police protection	Yes _____ No <u>X</u>	Refuse pickup	Yes _____	No <u>X</u>

Other: \_\_\_\_\_

Parks facility application required:    Yes \_\_\_\_\_ No \_\_\_\_\_ Attached \_\_\_\_\_

Assembly permit required:    Yes \_\_\_\_\_ No \_\_\_\_\_ Attached \_\_\_\_\_

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

<u>Appr.</u>	<u>Deny</u>		
_____	_____	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/](http://www.ci.porterville.ca.us/govt/CityClerk/), Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.


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

 Authorized Representative Initials


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

 Authorized Representative Initials

**Health permit:** Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6932; or visit their website: [www.tularehhsa.org](http://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 (Name of Organization)	 (Signature)	7/21/15 (Date)
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## 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: Rally For A Cure  
 Sponsoring organization: American Cancer Society  
 Location: Veterans Park Arbor 1-2 Event date: 8/15/15 Event time: 5a-5p

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.**

Vendor name	Address/Telephone	Business License required?	Type of Activity
The Anvill BBD	1302 W. Olive, Porterville		
Los Grullenses Tacos	Porterville		
Garata's Corn	709 S. Burl Ave Porterville		
Mimis Fresh Eats	Porterville		
Rondap Bistro	1549 W. Olive Porterville		

**\*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: Rally for a Cure

Sponsoring organization: Amer. Cancer Society

Event date: 8-15-15 Hours: 5am-5pm

**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>

None

Requirements for Community Civic Event

American Cancer Society, Inc.

Rally for a Cure

August 4, 2015

Finance Director:

*M. Bemis*

Deputy Public Works Director:

*M. Reed*

Community Development Manager:

*J. Phillips*

Deputy Public Works Director:

*B. Styles*

No comments.

Fire Chief:

*G. Irish*

No comments.

Parks and Leisure Services Director:

*D. Moore*

Vehicles to remain on park trail until reaching their designated car show spot. Vehicles to be cognizant of valve boxes and sprinkler heads.

Police Lieutenant:

*C. Contreras*

No comments.

Administrative Services Director:

*P. Hildreth*

See Exhibit A, Page 2.



## Requirements for Community Civic Event

Sponsor: American Cancer Society, Inc.  
Event: Rally for a Cure  
Event Chairman: Rhonda Szeles  
Location: Veteran's Park  
Date of Event: August 21, 2015

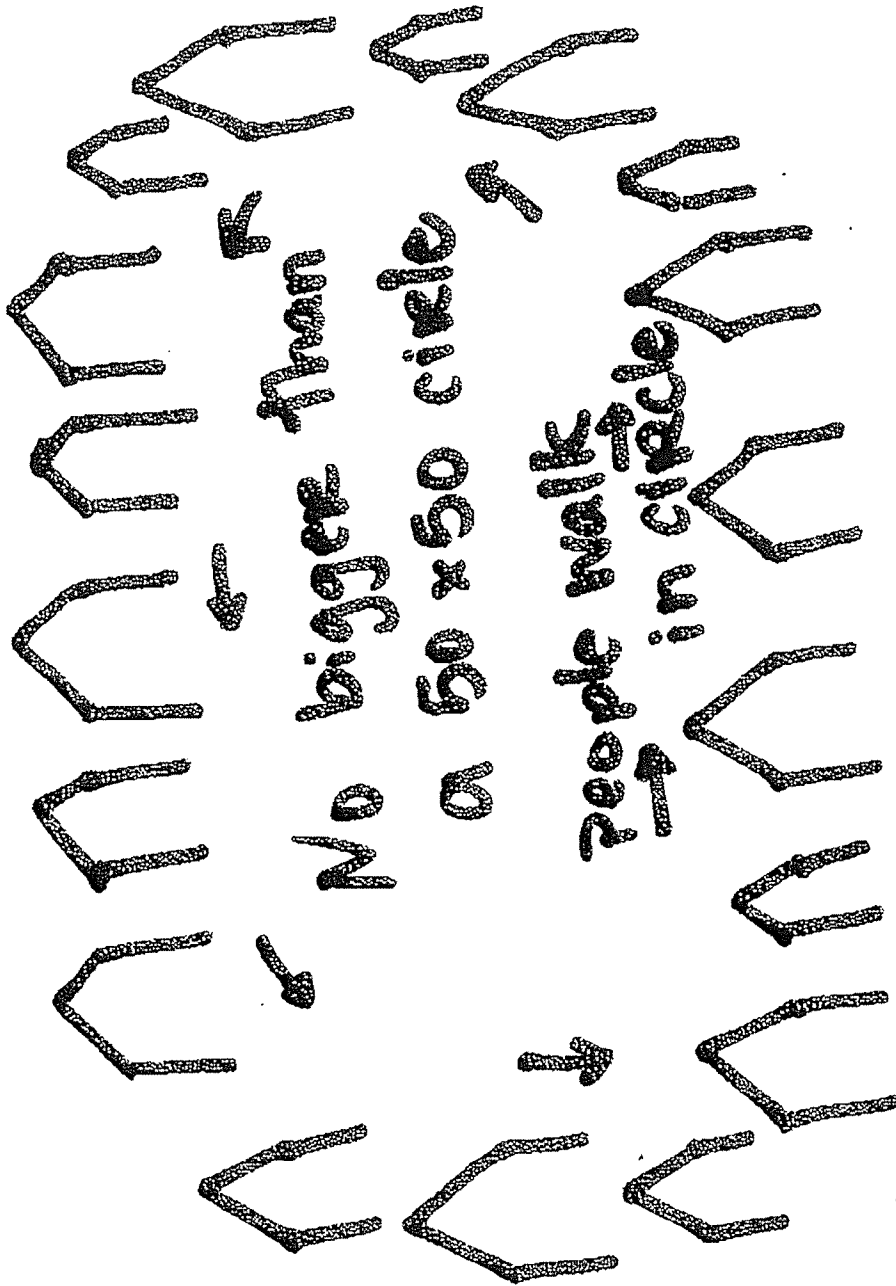
### RISK MANAGEMENT: Conditions of Approval

That the American Cancer Society, Inc., 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 and Successor Agency to the Porterville Redevelopment Agency, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the Permitted operation and sponsorship of the aforementioned Community Civic Event. If the event is located in the City of Porterville's Redevelopment Agency area, the same conditions apply.

- 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.

# • Helicopter Memorial •

Area of PROOF 1



Small pop ups for teams with information

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: Rally for a Cure, 2222 W. Shaw #201  
Fresno, CA 93711

2 Address where amplification equipment is to be used: Veteran's Park Airport-2

3 Names and addresses of all persons who will use or operate the amplification equipment: Ricardo Cisneros  
15305 Cedar Rd Porterville, CA 93257

4 Type of event for which amplification equipment will be used: Community event, Fundraiser/  
Carshow for Relay for Life of Porterville, American Cancer Society

5 Dates and hours of operation of amplification equipment: August 15, 2015, 8am-1pm

6 A general description of the sound amplifying equipment to be used: 2ct. 15" self power speakers

Section 18-9

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

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

Section 18-14

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

Penal Code Section 416 (2)

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

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

[Signature]  
Signature of Applicant

7/27/15  
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

7-29-15  
Date



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 7/24/2015
--------------------------------

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).**

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

**COVERAGES**
**CERTIFICATE NUMBER: 9385975**
**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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		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 - COMP/OP AGG	\$ 2,000,000
								\$
								\$
								\$
								\$
	AUTOMOBILE LIABILITY  <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE  DED     RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						Y / N	N / A
							PER STATUTE	\$
							OTH-ER	\$
								\$

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

Re: COIR000077 Rally For A Cure Veterans Memorial Park Porterville August 15, 2015

Certificate holder and Successor Agency to the Porterville Redevelopment Agency are included as additional insured in accordance with the terms and conditions of the general liability policy.

**CERTIFICATE HOLDER**
**CANCELLATION**

City of Porterville Successor Agency to the Porterville Redevelopment Agency 291 N. Main Street Porterville, CA 93257	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	---

## ***Liability Insurance***

### *Endorsement*

SEPTEMBER 1, 2014 TO SEPTEMBER 1, 2015 *Policy Period*

JULY 27, 2015 *Effective Date*

3594-34-63 RMG *Policy Number*

AMERICAN CANCER SOCIETY INC *Insured*

FEDERAL INSURANCE COMPANY *Name of Company*

JULY 27, 2015 *Date Issued*

This Endorsement applies to the following forms:

GENERAL LIABILITY

#### ***Who Is An Insured***

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

*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 Insurance*

*Additional Insured – Schedule Person or Organization*

**Liability Endorsement**

*(continued)*

**Conditions**

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

*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  
Successor Agency to the Porterville Redevelopment Agency  
291 N. Main Street  
Porterville, Ca 93257

Re: COIR000077 Rally For A Cure Veterans Memorial Park  
Porterville August 15, 2015

All other terms and conditions remain unchanged.

*Authorized Representative*



## CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Annexation of County Island, Annexation 475

**SOURCE:** Community Development

**BACKGROUND:**

At its meeting on July 21, 2015, the City Council directed staff to move forward with two annexation applications. One of them was a county island which was island “D” in Annexation 475, recently proposed in April 2015. A property owner on the western border of the island had initiated conversations with staff about possible methods to allow for water connection and annexation due to his residence having a dry well. Due to the island annexation having recently been considered, and all relevant materials and applications already prepared, the application was ready to bring back to the Council at the next regularly scheduled meeting, which is the August 4, 2015, meeting.

As was discussed at the July 21st meeting, if the Council had chosen to proceed with the annexation of only a portion of the subject island as the property owner proposed, the timeframe to complete the effort would have been extended. In addition, the cost to complete the smaller annexation are counterintuitively greater. Fees to LAFCo are increased due to the annexation not greatly reducing the island, and the City absorbing the cost of hiring a consultant to write the map and legal description for the area a second time. In total, the cost of the smaller annexation for the parcel in question as opposed to the entire island is approximately an additional \$1,500.

**COMMENT:** This 114± acre area is known as Mulberry Island. Generally, the boundaries include the unincorporated properties west of North Main Street, east of Shadowood Street, south of Pioneer Avenue, and north of West Henderson Avenue. This area includes a previously purchased water company and, as a result, approximately 130 of the 168 parcels currently have City water connections.

**ANALYSIS:** The subject area, which is now the only island included in Annexation 475, meets the criteria identified in California Government Code Section 56375.3, commonly known as “the island provisions” of the Local Agency Formation Commission (LAFCo) law. Because the application meets the island provisions, the LAFCo protest proceedings are waived, and LAFCo shall approve the annexation if the City adopts a resolution to approve.

The subject territory is a substantially developed, completely surrounded, and inhabited island of County jurisdiction within the city of Porterville. Most of the



properties within the subject island already receive City services, such as municipal water service, sewer, and emergency response. In addition to provision of water as requested by the aforementioned property owner, the reasons supporting annexation of these islands include creation of a more definitive and organized city boundary, efficient provision of government services, and to ensure the provision of services and facilities needed to accommodate planned population densities in the project area.

The islands that were annexed as a part of the April 2015 effort officially became a part of the city on July 15. The new total area of the city of Porterville is approximately 11,194 acres (17.5± square miles). Annexation of this area would increase the total area to approximately 17.67 square miles.

**ENVIRONMENTAL REVIEW:**

On April 7, 2015, the City Council adopted a resolution to approve a Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for areas identified as islands within that report. Annexation of the subject area was evaluated in that report. No further environmental review is required.

**RECOMMENDATION:**

That the City Council:

1. Conduct the Public Hearing;
  2. Consider approval of Annexation 475;
  3. If approved, adopt the resolution to approve Annexation 475;
- and
4. Authorize staff to work with property owners to initiate connection to City services, when requested by a property owner, in advance of the official conclusion of the annexation process for those areas which are approved.

**ATTACHMENTS:**

1. Map of Annexation Area 475
2. Draft Resolution to approve Annexation 475

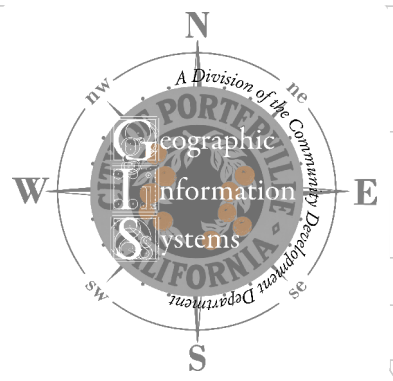
Appropriated/Funded: MB

Review By:

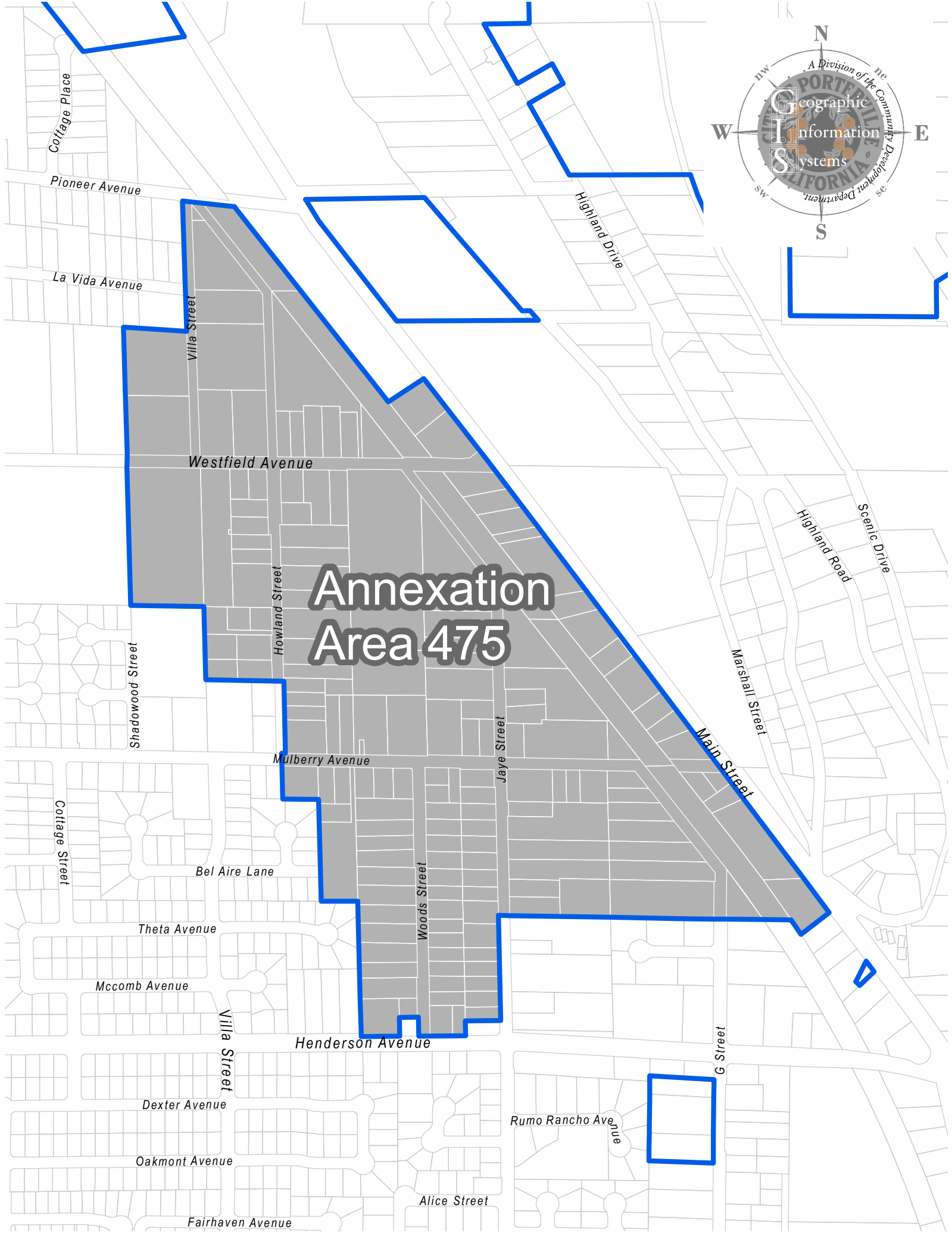
Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



# Annexation Area 475



RESOLUTION NO. \_\_\_\_-2015

A RESOLUTION OF APPLICATION BY THE CITY OF PORTERVILLE REQUESTING  
THAT THE LOCAL AGENCY FORMATION COMMISSION TAKE PROCEEDINGS FOR  
ANNEXATION 475

WHEREAS, the City of Porterville desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for Annexation 475; and

WHEREAS, the territory proposed to be annexed to the city totals approximately 114± acres, is substantially developed, surrounded, and is inhabited, and a description of the external boundary of the territory is set forth in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the Sphere of Influence for the affected city; and

WHEREAS, notice of this proposal was published in a newspaper of general circulation, *The Porterville Recorder*, and individually mailed to all property owners within and within a 300-foot radius surrounding the subject areas on July 23, 2015, which is 13 days in advance of the scheduled public hearing; and

WHEREAS, this proposal is made pursuant to Sections 56654 and 56375.3 of the California Government Code, inasmuch as

1. the subject territory does not exceed 150 acres in area
2. the territory constitutes a number of individual unincorporated islands
3. the territory is substantially surrounded by the City of Porterville
4. the territory is substantially developed or developing
5. the territory is not prime agricultural land as defined by Section 56064
6. the territory will benefit from the change of organization and some properties within the territory already receive benefits in the form of utilities and services from the City of Porterville; and

WHEREAS, the reasons for this proposal are as follows:

1. To create a more definitive and organized city boundary. The City surrounds more than a square mile of islands as defined in §56375.3 of the Government Code. 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.
2. To efficiently provide government services in a manner consistent with the City's Annexation and Municipal Services Objectives, Policies, and Procedures (Resolutions 74-2014 and 75-2014). 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.

3. To ensure the provision of services and facilities needed to accommodate planned population densities in the project area. By annexing previously developed county islands, the City of Porterville will have a more proactive role in monitoring changes to urbanized land use in these areas and will be able to anticipate and coordinate development as areas experience infill development or modification to land uses.

WHEREAS, the conditions of the proposed annexation are limited to compliance with the Porterville Municipal Code and Porterville General Plan.

NOW, THEREFORE, BE IT RESOLVED, this Resolution of Application is hereby adopted and approved by the City Council of the City of Porterville. The Local Agency Formation Commission of Tulare County is hereby requested to take proceedings for the territory as described in Exhibit A, according to the terms and conditions stated above, and in the manner provided for by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED, APPROVED AND ADOPTED this 4th day of August, 2015.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

BY \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

**City of Porterville  
Annexation No. 475**

**Description for Annexation**

That portion of Section 23, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, more particularly described as follows:

**Beginning** at a point of intersection of the south right of way line of Mulberry Avenue (55 feet wide) with the southerly prolongation of the east right of way line of Howland Street (40 feet wide) said point of intersection being an angle point in the existing City Limit line;

Thence, along said City Limit line the following thirty-one (31) courses:

D1) Northerly along said southerly prolongation and along the east right of way line of Howland Street, 371.50 feet more or less, to a point in the easterly prolongation of the north line of the south one-third of Lot 13 of Price Palm Acres per map recorded in Book 17, page 53 of Maps, Tulare County Records, thence;

D2) Westerly along said easterly prolongation and along the north line of the south one-third of said Lot 13, 340.95 feet more or less, to a point in the east line of Lot 155 of Pioneer Land Company's First Subdivision per map recorded in Book 3, page 34 of Maps, Tulare County Records, thence;

D3) Northerly along the east line of said Lot 155, a distance of 319.90 feet more or less, to the Northeast corner of the Southeast quarter of said Lot 155, thence;

D4) Westerly along the north line of the Southeast quarter of said Lot 155, a distance of 321 feet more or less, to the Southeast corner of the Northwest quarter of said Lot 155, thence;

D5) Northerly along the east line of the Northwest quarter of said Lot 155 and the northerly prolongation thereof, 659.11 feet more or less, to a point in the north right of way line of Westfield Avenue, said point also being in the east line of the Southwest quarter of Lot 174 of said Pioneer Land Company's First Subdivision, thence;

D6) Northerly along the east line of the Southwest quarter of said Lot 174, a distance of 558.63 feet, more or less, to a point in the south line of Deciduous Tract per map recorded in Volume 12, page 12 of Maps, Tulare County Records, thence;

D7) Easterly along the south line of said Deciduous Tract, 283 feet, more or less, to the Southeast corner of Deciduous Tract thence;

D8) Northerly along the east line of said Deciduous Tract, 570.18 feet more or less, to the Northeast corner of said Deciduous Tract, said corner being a point in the south right of way line of Pioneer Avenue (50 feet wide), thence;

D9) Easterly along the south right of way line of Pioneer Avenue, 229 feet, more or less, to the Northwest corner of Lot 176 of said Pioneer Land Company's First Subdivision, thence;

D10) Southeasterly along the west line of said Lot 176, a distance of 1,083.87 feet, more or less, to a point which is 349.73 feet northwesterly of the Southwest corner of said Lot 176, thence;

D11) Northeasterly 200 feet, more or less, to a point in the west right of way line of Main Street and the east line of said Lot 176, said point being 480 feet northwesterly of the Southeast corner of said Lot 176, thence;

D12) Southeasterly along the west right of way line Main Street, 2,946 feet, more or less, to a point in the east line of said Lot 150, said point being distant 885.43 feet northwesterly from the Southeast corner of said Lot 150, as measured along the easterly line of said Lot 150, thence;

D13) Southwesterly, 158.45 feet, more or less, to a point in the westerly line of said Lot 150, said point also being the Northwest corner of Parcel One of Parcel Map No. 2252 recorded in Book 23, Page 53, of Parcel Maps, Tulare County Records, said point also being in the easterly right of way line of the Southern Pacific Railroad, thence;

D14) Northwesterly along the easterly right of way of the Southern Pacific Railroad, 80 feet, more or less, to a point in the easterly prolongation of the north line of Lot 24 of Blacherne Tract per map recorded in Volume 8, page 78 of Maps, Tulare County Records, thence;

D15) Westerly along the easterly prolongation of the north line of said Lot 24, the north line of Lot 24, the easterly prolongation of the north line of Lot 13 of said Blacherne Tract, the north line of Lot 13, the north line of Lot 4 of said Blacherne Tract and the westerly prolongation of the north line of said Lot 4, a distance of 1,281.2 feet, more or less, to a point in the west right of way line of Jaye Street (50 feet wide), thence;

D16) Southerly along the west right of way line of said Jaye Street, 458 feet, more or less, to a point which is 50 feet North of the North right of way line of Henderson Avenue (82 feet wide) thence;

D17) Westerly parallel with the north right of way line of said Henderson Avenue, 154 feet, more or less, thence;

D18) Southerly parallel with the west right of way line of said Jaye Street, 50 feet, more or less to a point in the north right of way line of said Henderson Avenue, thence;

D19) Westerly along the north right of way line of said Henderson Avenue, 154 feet, more or less, to a point in the east right of way line of Woods Street (50 feet wide) thence;

D20) Continuing westerly along the north right of way line of said Henderson Avenue, 50 feet more or less, to a point in the west right of way line of Woods Street, thence;

D21) Northerly, 68 feet, more or less, thence;

D22) Westerly, 85 feet, more or less, thence;

D23) Southerly, 68 feet more or less, to a point in the north right of way line of Henderson Avenue, thence;

D24) Westerly along the north right of way line of Henderson Avenue, 168 feet, more or less, to a point in the east line of Lot 147 of said Pioneer Land Company's First Subdivision, thence;

D25) Northerly along the east line of said Lot 147, 282 feet, more or less, to the Southeast corner of Walnut Gardens East Unit No. 2 recorded in Volume 26, page 34 of Maps, Tulare County Records, thence;

D26) Northerly along the east line of said Walnut Gardens East, Unit No. 2 and along the east line of said Lot 147, a distance of 294.58 feet more or less, to the Northeast corner of said Walnut Gardens East, Unit No. 2, said point also being the Northeast corner of the south half of said Lot 147, thence;

D27) Westerly along the north line of said Walnut Gardens East, Unit No. 2 and along the north line of the south half of said Lot 147, a distance of 159.85 feet more or less, to the Southeast corner of Parcel 2 of Parcel Map No. 2087 per map recorded in Book 21, page 88 of Parcel Maps, Tulare County Records, thence;

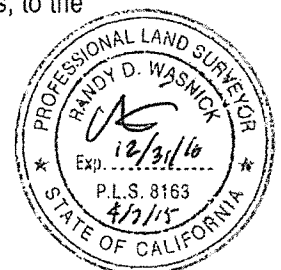
D28) Northerly, 445.37 feet more or less, to the Northeast corner of said Parcel 2, thence;

D29) Westerly, 160.21 feet more or less, to the Northwest corner of said Parcel 2, said point also being the Southwest corner of Parcel 1 of said Parcel Map No 2087, thence;

D30) Northerly along the west line of said Parcel 1, a distance of 144.15 feet more or less, to the Northwest corner of said Parcel 1, said point also being in the south right of way line of Mulberry Avenue, thence;

D31) Easterly along the south right of way line of Mulberry Avenue 20 feet, more or less, to the **Point of Beginning.**

Containing 114 acres more or less.





CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Vacation of Portions of Jaye Street between Poplar Avenue and Brown Avenue

SOURCE: Public Works

COMMENT: This is the time and place set for the public hearing on the proposed vacation of segment portions of Jaye Street generally located between Poplar Avenue and Brown Avenue. Completion of the Jaye Street/ Montgomery Roundabout improvements left pockets of excess right of way. The adjacent land owners to the right of way pockets have petitioned for the vacation and have paid the required fees for the process.

Easements will be reserved for maintaining existing sanitary sewer and water pipelines, all within the segments of the proposed vacation. It is the City's intent to retain maintenance rights on behalf of all utility companies. Exhibit "C" of the attached Resolutions reserve these rights.

RECOMMENDATION: That City Council:

1. Adopt the Resolution of Vacation, including reservations, for portions of Jaye Street between Poplar Avenue and Brown Avenue; and
2. Authorize the City Clerk to record the Resolution of Vacation.

ATTACHMENTS:

1. Jaye at Montgomery North Resolution Exhibits A B & C
2. Jaye at El Rancho North Resolution Exhibits A B & C
3. Jaye at El Rancho South Resolution Exhibits A B & C

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PORTERVILLE  
ORDERING THE VACATION AND CLOSING TO PUBLIC USE OF A  
PORTION OF JAYE STREET NORTH OF MONTGOMERY AVENUE

WHEREAS, by Resolution No. 71-2015, passed on July 7, 2015, the Council of the City of Porterville declared its intention to vacate a portion of Jaye Street, generally located west of Jaye Street and north of Montgomery Avenue, hereinafter more particularly described, and set the hour of 6:30 p.m. on the 4th day of August 2015, in the Council Chambers of said City as the time and place for hearing all persons objecting to the proposed vacation; and

WHEREAS, such public hearing has been held at said time and place, and there were no protests, oral or written, to such vacation;

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

SECTION 1: The Council hereby finds, from all the evidence submitted, that the street right-of-way hereinafter described is unnecessary for present or prospective right-of-way, and the City Council hereby makes its order vacating said portion of Jaye Street, which is described in the legal description and shown on the map attached hereto, marked Exhibit "A" Legal Description Exhibit "A" Legal Description Montgomery Avenue (North) and Exhibit "B" Map of Vacation Montgomery Avenue (North) and by reference made a part hereof.

SECTION 2: The subject street vacation shall be subject to the reservations and exceptions set forth in Exhibit "C" which is attached hereto and by reference made a part hereof.

SECTION 3: The City Clerk shall cause a copy of this resolution to be recorded in the office of the County Recorder of Tulare County, California.

SECTION 4: The City Clerk shall certify to the passage and adoption of this resolution and it shall thereupon take effect and be in force.

PASSED, ADOPTED AND APPROVED this 4<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

\_\_\_\_\_  
By: Patrice Hildreth, Chief Deputy City Clerk

## LEGAL DESCRIPTION

### Exhibit "A"

#### Jaye Street Vacation (N. of Montgomery Ave.)

That portion of the north half of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California, according to the Official Plat thereof, more particularly described as follows:

**BEGINNING AT** a point on the south line of Lot 1 of Tract 269 per map recorded in Volume 22, page 36 of Maps in the Office of the County Recorder of said County, said point being on the North right of way line of Montgomery Avenue and the beginning of a tangent curve concave northwesterly, having a radius of 20.00 feet;

**THENCE**, northeasterly along said curve, through a central angle of  $89^{\circ}47'33''$ , an arc length of 31.34 feet, to a point on the West right of way line of Jaye Street;

**THENCE**, North  $00^{\circ}26'47''$  East along said West right of way line, a distance of 251.07 feet, to the beginning of a non-tangent curve concave easterly, having a radius of 590.00 feet;

**THENCE**, southeasterly along said curve, through a central angle of  $11^{\circ}03'21''$ , an arc length of 113.85 feet;

**THENCE**, South  $13^{\circ}03'31''$  East, a distance of 94.02 feet, to the beginning of a tangent curve concave northwesterly, having a radius of 49.50 feet;

**THENCE**, southwestwardly along said curve, through a central angle of  $74^{\circ}47'06''$ , an arc length of 64.61 feet;

**THENCE**, South  $61^{\circ}43'35''$  West, a distance of 2.91 feet, to the beginning of a tangent curve concave southeasterly, having a radius of 45.50 feet;

**THENCE**, southwestwardly along said curve, through a central angle of  $5^{\circ}28'42''$ , an arc length of 4.35 feet, to the beginning of a reverse curve concave northwesterly, having a radius of 50.00 feet;

**THENCE**, southwestwardly along said curve, through a central angle of  $34^{\circ}33'42''$ , an arc length of 30.16 feet, to the **POINT OF BEGINNING**.

**RESERVING** unto the City of Porterville, an easement for sanitary sewer purposes, over, across, through and within the East 10 feet of the West 25 feet thereof.

**CONTAINING:** 5,346 square feet (0.12 acres) more or less.

**BASIS OF BEARINGS** being the east line of the Northwest quarter of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, taken as **North 00°26'47" East** per Record of Survey filed in Book 21 of Licensed Surveys at Page 68 in the Office of the Tulare County Recorder.

**END OF DESCRIPTION**

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

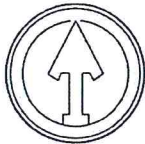
Signature: Michael K. Reed  
Michael K. Reed, Licensed Land Surveyor

Date: 6/30/2015



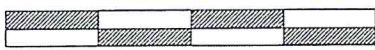
# JAYE STREET VACATION MAP

EXHIBIT "B"



NORTH  
SCALE 1"=40'

0 20 40 80



SCALE: 1"=40'

## LEGEND

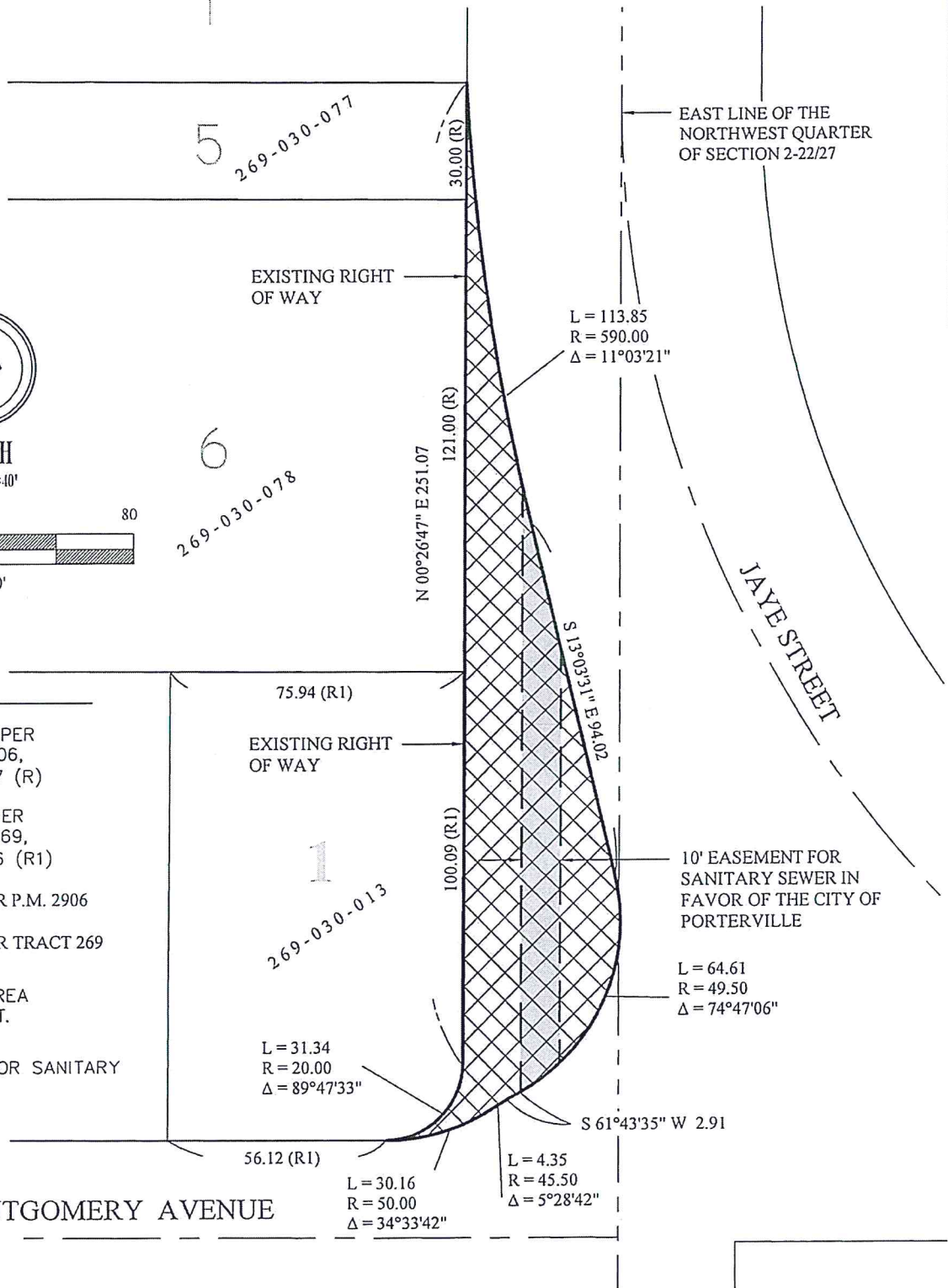
- 5 PARCEL # PER P.M. 2906, R.M. 30-7 (R)
- 1 LOT # PER TRACT 269, R.M. 22-36 (R1)
- (R) RECORD PER P.M. 2906
- (R1) RECORD PER TRACT 269



VACATION AREA  
5,346 SQ. FT.



EASEMENT FOR SANITARY SEWER



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

That portion of the north half of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California.

OWNER	PUBLIC RIGHT OF WAY
APH	N/A
AREA	5,346 +/- S.F.
ACRES	.12 +/- AC.
SCALE	1" = 40'
DATE	6-1-15
DRAWN BY	CAL
CHECKED BY	DB

## EXHIBIT "C"

### Reservations and Exceptions:

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PORTERVILLE  
ORDERING THE VACATION AND CLOSING TO PUBLIC USE OF A  
PORTION OF JAYE STREET NORTH OF EL RANCHO AVENUE

WHEREAS, by Resolution No. 71-2015, passed on July 7, 2015, the Council of the City of Porterville declared its intention to vacate a portion of Jaye Street, generally located west of Jaye Street and north of El Rancho Avenue, hereinafter more particularly described, and set the hour of 6:30 p.m. on the 4th day of August 2015, in the Council Chambers of said City as the time and place for hearing all persons objecting to the proposed vacation; and

WHEREAS, such public hearing has been held at said time and place, and there were no protests, oral or written, to such vacation;

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

SECTION 1: The Council hereby finds, from all the evidence submitted, that the street right-of-way hereinafter described is unnecessary for present or prospective right-of-way, and the City Council hereby makes its order vacating said portion of Jaye Street, which is described in the legal description and shown on the map attached hereto, marked Exhibit "A" Legal Description Exhibit "A" Legal Description El Rancho Avenue (North) and Exhibit "B" Map of Vacation El Rancho Avenue (North) and by reference made a part hereof.

SECTION 2: The subject street vacation shall be subject to the reservations and exceptions set forth in Exhibit "C" which is attached hereto and by reference made a part hereof.

SECTION 3: The City Clerk shall cause a copy of this resolution to be recorded in the office of the County Recorder of Tulare County, California.

SECTION 4: The City Clerk shall certify to the passage and adoption of this resolution and it shall thereupon take effect and be in force.

PASSED, ADOPTED AND APPROVED this 4<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

\_\_\_\_\_  
By: Patrice Hildreth, Chief Deputy City Clerk

## LEGAL DESCRIPTION

### Exhibit "A"

#### Jaye Street Vacation (N. of El Rancho Ave.)

That portion of the north half of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California, according to the Official Plat thereof, more particularly described as follows:

**BEGINNING AT** a point on the south line of Lot 17 of Tract 269 per map recorded in Volume 22, page 36 of Maps in the Office of the County Recorder of said County, said point being on the North right of way line of El Rancho Avenue and the beginning of a tangent curve concave northwesterly, having a radius of 20.00 feet;

**THENCE**, northeasterly along said curve, through a central angle of  $89^{\circ}47'29''$ , an arc length of 31.34 feet, to a point on the West right of way line of Jaye Street;

**THENCE**, North  $00^{\circ}26'47''$  East along said West right of way line, a distance of 200.22 feet, to the beginning of a tangent curve concave southwesterly, having a radius of 20.00 feet;

**THENCE**, northwesterly along said curve, through a central angle of  $90^{\circ}12'27''$ , an arc length of 31.49 feet, to a point on the South right of way line of Montgomery Avenue said point being also the beginning of a non-tangent curve concave southwesterly, having a radius of 32.00 feet;

**THENCE**, southeasterly along said curve, through a central angle of  $63^{\circ}36'50''$ , an arc length of 35.53 feet;

**THENCE**, South  $25^{\circ}28'19''$  East, a distance of 41.92 feet, to the beginning of a tangent curve concave southwesterly, having a radius of 133.50 feet;

**THENCE**, southwesterly along said curve, through a central angle of  $17^{\circ}00'01''$ , an arc length of 39.61 feet, to the beginning of a compound curve concave southwesterly, having a radius of 412.50 feet;

**THENCE**, southeasterly along said curve, through a central angle of  $4^{\circ}42'52''$ , an arc length of 33.94 feet, to the beginning of a compound curve concave westerly, having a radius of 925.00 feet;

**THENCE**, southerly along said curve, through a central angle of  $3^{\circ}09'41''$ , an arc length of 51.04 feet;

**THENCE**, South  $00^{\circ}34'39''$  West, a distance of 38.49 feet, to the beginning of a tangent curve concave northwesterly, having a radius of 20.00 feet;

**THENCE**, southwesterly along said curve, through a central angle of 80°25'44", an arc length of 28.07 feet, to the beginning of a compound curve concave northerly, having a radius of 300.00 feet;

**THENCE**, westerly along said curve, through a central angle of 9°02'54", an arc length of 47.38 feet, to the **POINT OF BEGINNING**.

**RESERVING** unto the City of Porterville, an easement for sanitary sewer purposes, over, across, through and within the East 10 feet of the West 18 feet thereof.

**ALSO RESERVING** unto the City of Porterville, an easement for water line purposes, over, across, through and within the East 10 feet of the West 40 feet thereof.

**CONTAINING**: 8,232 square feet (0.19 acres) more or less.

**BASIS OF BEARINGS** being the east line of the Northwest quarter of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, taken as **North 00°26'47" East** per Record of Survey filed in Book 21 of Licensed Surveys at Page 68 in the Office of the Tulare County Recorder.

**END OF DESCRIPTION**

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Michael K. Reed  
Michael K. Reed, Licensed Land Surveyor

Date: 6/30/2015



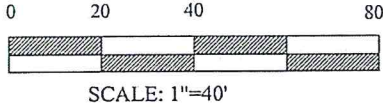


# JAYE STREET VACATION MAP

EXHIBIT "B"

JAYE STREET


MONTGOMERY AVENUE



## LEGEND

**1** LOT #  
PER TRACT 269,  
R.M. 22-36

(R1) RECORD PER TRACT 269

 VACATION AREA  
8,232 SQ. FT.

 EASEMENT FOR SANITARY  
SEWER

 EASEMENT FOR WATER

16

17

EL RANCHO AVENUE

56.02 (R1)

120.00 (R1)

120.00 (R1)

76.20 (R1)

56.38 (R1)

L = 31.49  
R = 20.00  
 $\Delta = 90^\circ 12' 27''$

L = 35.53  
R = 32.00  
 $\Delta = 63^\circ 36' 50''$

N  $00^\circ 26' 47''$  E 200.22

99.93 (R1)

100.09 (R1)

L = 31.34  
R = 20.00  
 $\Delta = 89^\circ 47' 29''$

L = 47.38  
R = 300.00  
 $\Delta = 9^\circ 02' 54''$

L = 28.08  
R = 20.00  
 $\Delta = 80^\circ 25' 44''$

S  $25^\circ 28' 19''$  E  
41.92

L = 39.61  
R = 133.50  
 $\Delta = 17^\circ 00' 01''$

L = 33.94  
R = 412.50  
 $\Delta = 04^\circ 42' 52''$

10' EASEMENT FOR  
WATER IN FAVOR OF  
CITY OF PORTERVILLE

L = 51.04  
R = 925.00  
 $\Delta = 03^\circ 09' 41''$

10' EASEMENT FOR  
SANITARY SEWER IN  
FAVOR OF THE CITY OF  
PORTERVILLE

S  $00^\circ 34' 39''$  W  
38.49

EXISTING RIGHT  
OF WAY

EAST LINE OF THE  
NORTHWEST QUARTER  
OF SECTION 2-22/27

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

That portion of the north half of Section 2,  
Township 22 South, Range 27 East, Mount  
Diablo Base and Meridian, in the City of  
Porterville, County of Tulare, State of  
California.

OWNER	PUBLIC RIGHT OF WAY
APN	N/A
AREA	8,232 +/- S.F.
ACRES	.19 +/- AC.
SCALE	1" = 40'
DATE	6-1-15
DRAWN BY	CAL
CHECKED BY	DB

## EXHIBIT "C"

### Reservations and Exceptions:

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PORTERVILLE  
ORDERING THE VACATION AND CLOSING TO PUBLIC USE OF A  
PORTION OF JAYE STREET SOUTH OF EL RANCHO AVENUE

WHEREAS, by Resolution No. 71-2015, passed on July 7, 2015, the Council of the City of Porterville declared its intention to vacate a portion of Jaye Street, generally located west of Jaye Street and south of El Rancho Avenue, hereinafter more particularly described, and set the hour of 6:30 p.m. on the 4th day of August 2015, in the Council Chambers of said City as the time and place for hearing all persons objecting to the proposed vacation; and

WHEREAS, such public hearing has been held at said time and place, and there were no protests, oral or written, to such vacation;

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

SECTION 1: The Council hereby finds, from all the evidence submitted, that the street right-of-way hereinafter described is unnecessary for present or prospective right-of-way, and the City Council hereby makes its order vacating said portion of Jaye Street, which is described in the legal description and shown on the map attached hereto, marked Exhibit "A" Legal Description Exhibit "A" Legal Description El Rancho Avenue (South) and Exhibit "B" Map of Vacation El Rancho Avenue (South) and by reference made a part hereof.

SECTION 2: The subject street vacation shall be subject to the reservations and exceptions set forth in Exhibit "C" which is attached hereto and by reference made a part hereof.

SECTION 3: The City Clerk shall cause a copy of this resolution to be recorded in the office of the County Recorder of Tulare County, California.

SECTION 4: The City Clerk shall certify to the passage and adoption of this resolution and it shall thereupon take effect and be in force.

PASSED, ADOPTED AND APPROVED this 4<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

\_\_\_\_\_  
By: Patrice Hildreth, Chief Deputy City Clerk

## LEGAL DESCRIPTION

### Exhibit "A"

#### Jaye Street Vacation (S. of El Rancho Ave.)

That portion of the north half of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California, according to the Official Plat thereof, more particularly described as follows:

**BEGINNING AT** a point on the east line of Lot 32 of Tract 269 per map recorded in Volume 22, page 36 of Maps in the Office of the County Recorder of said County, said point being on the West right of way line of Jaye Street and the beginning of a tangent curve concave southwesterly, having a radius of 20.00 feet;

**THENCE**, northwesterly along said curve, through a central angle of  $90^{\circ}12'31''$ , an arc length of 31.49 feet, to a point on the South right of way line of El Rancho Avenue, said point being also the beginning of a non-tangent curve concave southerly, having a radius of 300.00 feet;

**THENCE**, easterly along said curve, through a central angle of  $8^{\circ}59'31''$ , an arc length of 47.08 feet, to the beginning of a compound curve concave southwesterly, having a radius of 20.00 feet;

**THENCE**, southeasterly along said curve, through a central angle of  $81^{\circ}40'05''$ , an arc length of 28.51 feet;

**THENCE**, South  $00^{\circ}25'37''$  West, a distance of 51.54 feet, to the beginning of a tangent curve concave northwesterly, having a radius of 533.50 feet;

**THENCE**, southwesterly along said curve, through a central angle of  $15^{\circ}56'59''$ , an arc length of 148.51 feet, to the beginning of a reverse curve concave southeasterly, having a radius of 666.00 feet;

**THENCE**, southwesterly along said curve, through a central angle of  $11^{\circ}23'53''$ , an arc length of 132.49 feet, to a point on the West right of way line of Jaye Street;

**THENCE**, North  $00^{\circ}26'47''$  East, 331.23 feet, to the **POINT OF BEGINNING**.

**RESERVING** unto the City of Porterville, an easement for sanitary sewer purposes, over, across, through and within the East 10 feet of the West 18 feet thereof.

ALSO RESERVING unto the City of Porterville, an easement for water line purposes, over, across, through and within the East 10 feet of the West 40 feet thereof.

CONTAINING: 9,874 square feet (0.23 acres) more or less.

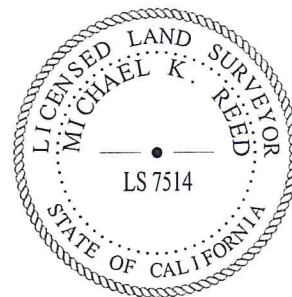
**BASIS OF BEARINGS** being the east line of the Northwest quarter of Section 2, Township 22 South, Range 27 East, Mount Diablo Base and Meridian, taken as **North 00°26'47" East** per Record of Survey filed in Book 21 of Licensed Surveys at Page 68 in the Office of the Tulare County Recorder.

**END OF DESCRIPTION**

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Michael K. Reed  
Michael K. Reed, Licensed Land Surveyor

Date: 6/30/2015



# JAYE STREET VACATION MAP

EXHIBIT "B"

EL RANCHO AVENUE

EAST LINE OF THE  
NORTHWEST QUARTER  
OF SECTION 2-22/27

30

31

32

L = 28.51  
R = 20.00  
 $\Delta = 81^\circ 40' 05''$

JAYE STREET

L = 31.49  
R = 20.00  
 $\Delta = 90^\circ 12' 31''$

L = 47.08  
R = 300.00  
 $\Delta = 8^\circ 59' 31''$

S  $00^\circ 25' 37''$  W  
51.54

99.93 (R1)

10' EASEMENT FOR  
WATER IN FAVOR OF  
THE CITY OF  
PORTERVILLE

L = 148.51  
R = 533.50  
 $\Delta = 15^\circ 56' 59''$

EXISTING RIGHT  
OF WAY

EXISTING RIGHT  
OF WAY

10' EASEMENT FOR  
SANITARY SEWER  
IN FAVOR OF THE  
CITY OF  
PORTERVILLE

N  $00^\circ 26' 47''$  E 331.23

193.52 (R2)

L = 132.49  
R = 666.00  
 $\Delta = 11^\circ 23' 53''$

## LEGEND

1

LOT #  
PER TRACT 269,  
R.M. 22-36

2

LOT #  
PER P.M. 2557,  
R.M. 26-58

(R1) RECORD PER TRACT 269

(R2) RECORD PER PARCEL MAP 2557



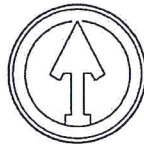
VACATION AREA  
9,874 SQ. FT.



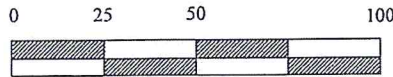
EASEMENT FOR SANITARY  
SEWER



EASEMENT FOR WATER



NORTH  
SCALE 1"=50'



SCALE: 1"=50'

## CITY OF PORTERVILLE

ENGINEERING DIVISION

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

That portion of the north half of Section 2,  
Township 22 South, Range 27 East, Mount  
Diablo Base and Meridian, in the City of  
Porterville, County of Tulare, State of  
California.

OWNER	PUBLIC RIGHT OF WAY
APN	N/A
AREA	9,874 +/- S.F.
ACRES	.23 +/- AC.
SCALE	1" = 50'
DATE	6-1-15
DRAWN BY	CAL
CHECKED BY	DB

## EXHIBIT "C"

### Reservations and Exceptions:

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



CITY COUNCIL AGENDA – AUGUST 4, 2015

SUBJECT: Bid Results for the Wilson Place Concrete Repair Project

SOURCE: Public Works

COMMENT: On July 23, 2015, staff received three (3) bids for the Wilson Place Concrete Repair Project. The project is located in the cul-de-sac of Wilson Place near the intersection of Mulberry Avenue. The project includes the removal and installation of curb, gutter, pavement, and related appurtenances in order to alleviate a drainage issue. The bids received are as follows:

<u>Contractor</u>	<u>Amount</u>
1. Todd Companies Visalia, CA	\$ 21,500
2. Dalain Construction Bakersfield, CA	\$ 24,950
3. Hobbs Construction Fresno, CA	\$ 32,575

The Estimate of Probable Cost for construction was \$17,050. The lowest responsive bid is 26.10% over the estimate. An additional \$2,150 is necessary for the construction contingency (10%), and it is anticipated that an additional \$5,000 is needed for construction management, quality control, and inspection services for a total estimated project cost of \$28,650.

It has been a policy of the City Council to reject all bids when the bid exceeds the Engineer's Estimate by more than 10%. Funding was approved in the 2015/2016 Annual Budget and is available from Special Gas Tax funds, including the additional funds needed (\$6,895) to complete the project. Should the Council elect to rebid the project, the necessary time would cause the project to likely be constructed in the October/November timeframe instead of August/September, closer to the potentially wet weather that is currently being forecasted for this winter.

RECOMMENDATION: That City Council:

1. Reject all bids, and direct the Public Works Department to re-advertise the project; or



2. Award the Wilson Place Miscellaneous Concrete Repair Project to Todd Companies in the amount of \$21,500;
3. Authorize a 10% contingency to cover unforeseen construction costs;
4. Authorize \$5,000 for construction management, quality control and inspection services; and
5. Authorize progress payments up to 95% of the contract amount.

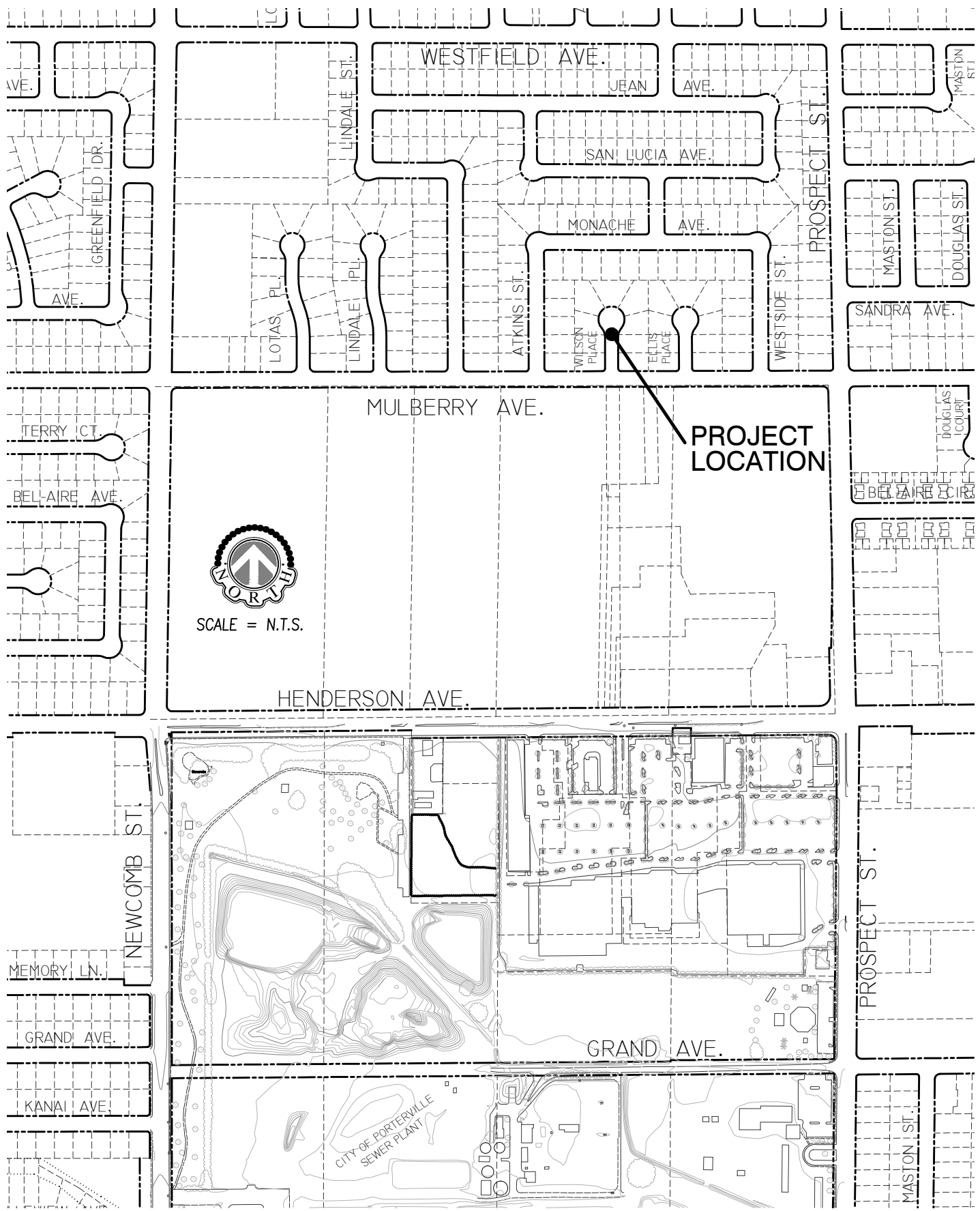
ATTACHMENTS:            1.    Locator Map - Wilson Place

Appropriated/Funded: MB

Review By:

Department Director:  
Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



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

WILSON PLACE  
 CONCRETE REPAIR  
 PROJECT

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



## CITY COUNCIL AGENDA – AUGUST 4, 2015

**SUBJECT:** Status and Review of Declaration of Local Drought Emergency

**SOURCE:** City Manager's Office

**COMMENT:** As previously reported to the City Council, on Wednesday, April 1, 2015, Governor Brown issued Executive Order B-29-15, which established drought-related mandates and restrictions, in addition to those already stipulated in previous Executive Orders B-26-14 and B-28-14. Of significance, the Governor directed the State Water Resources Control Board to impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016, in comparison to the amount used in 2013, and with consideration given to per capita usage as a basis. The Governor further directed the Board to impose additional restrictions on commercial, industrial, and institutional properties with significant landscaping (cemeteries, golf courses, parks, schools, etc.), to also achieve a 25% reduction in potable water usage. Also of significance, the Board is directed to prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

At the City Council's last meeting on July 21st, the City Council took action in the continued affirmation of the adoption of a Resolution of Declaration of Local Emergency, due to local residences within the city having been identified as having wells that are now dry as a result of the drought. At least fifteen (15) residences in the vicinity of E. Vandalia Avenue have now been determined to currently have dry wells, and it is anticipated that more could likely occur through the summer months. City staff has submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry. In addition, City staff has also resubmitted the E. Vandalia water connection project to the State for funding consideration, and another survey of this area has been undertaken to determine if there are additional residences in the area with dry wells.

At the City Council's July 7th meeting, the Council continued its authorization for the County to purchase up to 500,000 gallons of City water over the next thirty (30) days in support of the County's Household Tank Program in East Porterville, requiring that the water continue to be drawn exclusively from the City's "Jones Corner" water system. County OES has continued to work toward developing additional water sources, which representatives indicate that an additional two (2) sources are being secured, to assist in an ultimate goal to place 700 tanks in the East Porterville area. Also, as previously reported to Council, County OES has indicated that it will likely soon terminate its Mutual Aid Request with the City for the filling of tanks placed by PACC, due to 2,500-

gallon tanks having been placed to replace the 300-gallon tanks.

City staff has been in continued coordination with both State and County representatives on the funding and development of the new well, with the Draft Agreement between the City and the County having been approved by the Council at its July 7th meeting. The County is still reviewing the draft Agreement, which the Board of Supervisors may consider at their August 4th meeting.

RECOMMENDATION: That the City Council:

1. Receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration; and
2. Review any modifications to the draft Agreement between the City and County of Tulare.

ATTACHMENTS:

1. Resolution 49-2015 - Declaration of Local Emergency
2. Governor's Executive Order
3. Draft Agreement

Appropriated/Funded: MB

Review By:

Department Director:  
Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF PORTERVILLE DECLARING A DROUGHT EMERGENCY  
WITHIN THE CITY OF PORTERVILLE

WHEREAS: in response to the ongoing severe drought, the State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement; and

WHEREAS: as we enter the fourth year of severe drought, long-term forecasts indicate no relief of the current drought conditions, and suggest a warmer-than-average summer, resulting in increased domestic demand for water; and

WHEREAS: public and private potable water supplies continue to be threatened due to decreasing supplies of groundwater caused by the precipitation deficit and an extended state of groundwater overdraft; and

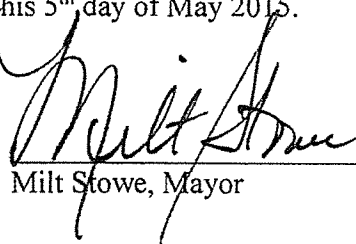
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

NOW, THEREFORE, BE IT RESOLVED: that the City Council of the City of Porterville does hereby proclaim that, due to drought conditions, a Local Emergency now exists in the city of Porterville and shall remain in effect for the duration of the emergency; and

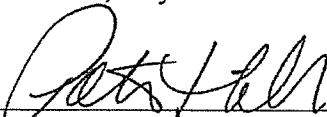
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, to include a Presidential Declaration of Emergency and Individual Assistance and Public Assistance programs as applicable; and

BE IT FURTHER RESOLVED: that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services.

PASSED, APPROVED, AND ADOPTED this 5<sup>th</sup> day of May 2015.

  
\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

  
\_\_\_\_\_  
By: Patrice Hildreth, Chief Deputy City Clerk

**Executive Department**  
State of California

**EXECUTIVE ORDER B-29-15**

**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** California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

**WHEREAS** the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

**WHEREAS** a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

**WHEREAS** new expedited actions are needed to reduce the harmful impacts from 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 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; 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 orders and provisions contained in my January 17, 2014 Proclamation, my April 25, 2014 Proclamation, and Executive Orders B-26-14 and B-28-14 remain in full force and effect except as modified herein.

**SAVE WATER**

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.
3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.
4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.
5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.
6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

#### **INCREASE ENFORCEMENT AGAINST WATER WASTE**

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.



13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

#### **INVEST IN NEW TECHNOLOGIES**

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

#### **STREAMLINE GOVERNMENT RESPONSE**

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

20. The Department shall take actions required to plan and, if necessary, implement Emergency Drought Salinity Barriers in coordination and consultation with the Water Board and the Department of Fish and Wildlife at locations within the Sacramento - San Joaquin delta estuary. These barriers will be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for essential human health and safety uses in 2015 and in the future.
21. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals for the purpose of installation of the Emergency Drought Salinity Barriers.
22. The Department shall immediately consider voluntary crop idling water transfer and water exchange proposals of one year or less in duration that are initiated by local public agencies and approved in 2015 by the Department subject to the criteria set forth in Water Code section 1810.
23. The Water Board will prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages. As the Department of Public Health's drinking water program was transferred to the Water Board, any reference to the Department of Public Health in any prior Proclamation or Executive Order listed in Paragraph 1 is deemed to refer to the Water Board.
24. The California Department of Forestry and Fire Protection shall launch a public information campaign to educate the public on actions they can take to help to prevent wildfires including the proper treatment of dead and dying trees. Pursuant to Government Code section 8645, \$1.2 million from the State Responsibility Area Fire Prevention Fund (Fund 3063) shall be allocated to the California Department of Forestry and Fire Protection to carry out this directive.
25. The Energy Commission shall expedite the processing of all applications or petitions for amendments to power plant certifications issued by the Energy Commission for the purpose of securing alternate water supply necessary for continued power plant operation. Title 20, section 1769 of the California Code of Regulations is hereby waived for any such petition, and the Energy Commission is authorized to create and implement an alternative process to consider such petitions. This process may delegate amendment approval authority, as appropriate, to the Energy Commission Executive Director. The Energy Commission shall give timely notice to all relevant local, regional, and state agencies of any petition subject to this directive, and shall post on its website any such petition.

26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.

31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

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 1<sup>st</sup> day of April 2015.

---

EDMUND G. BROWN JR.  
Governor of California

**ATTEST:**

---

ALEX PADILLA  
Secretary of State

## TULARE COUNTY – CITY OF PORTERVILLE WELL AGREEMENT

THIS AGREEMENT is entered into this day of, 2015, between the COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, with reference to the following:

- A. WHEREAS, East Porterville/Doyle Colony area properties within the COUNTY's jurisdiction and within the CITY's Urban Development Boundary are experiencing serious water shortages due to the historical drought conditions. Attached hereto as Exhibit 'A' is a map defining the East Porterville/Doyle Colony area; and
- B. WHEREAS, CITY and COUNTY have been and are collaborating to jointly develop a new municipal water well; and
- C. WHEREAS, COUNTY shall secure complete funding for a new well to be solely owned, operated and maintained by the CITY for the purpose of providing a short-term emergency water supply for COUNTY's Household Tank Program and providing long-term capacity to enable permanent water connections to single family residential properties that comply with CITY'S Annexation and Extension of Municipal Services procedures. These procedures are defined by two Resolutions, 74-2014 and 75-2014, which are attached hereto as Exhibit 'B'. A review of properties in the East Porterville/Doyle Colony area show approximately 115 single family residences meet these parameters; and
- D. WHEREAS, COUNTY AND CITY have defined three potential well sites, two of which are CITY owned, and one which is COUNTY owned. Location of the potential municipal well sites are attached hereto as Exhibit 'C'. The COUNTY owned parcel is the preferred site as the site is more conducive to providing the required capacity and water quality. Further, should this site become the agreed upon location, the COUNTY shall convey the land to CITY at a cost of \$1; and
- E. WHEREAS, CITY operates an existing municipal water system, with limited infrastructure already established in the East Porterville/Doyle Colony area, and has experience and qualifications necessary to provide such services; and
- F. WHEREAS, CITY and COUNTY mutually agree that a regional, collaborative solution to leverage and expand CITY'S municipal water system into the East Porterville/Doyle Colony area is the most feasible means to address the area's water needs; and

- G. WHEREAS, CITY is willing to enter into this Agreement with COUNTY upon terms and conditions set forth herein; and
- H. WHEREAS, CITY and COUNTY mutually understand that due to the limited resources of the CITY's municipal water system, all future connections must comply with the CITY's Annexation and Extension of Municipal Services procedures, attached hereto and made a part thereof as Exhibit 'B'; and

**ACCORDINGLY, IT IS AGREED:**

1. **TERM:** This agreement shall become effective as of the date the agreement is fully executed by both agencies.
2. **SERVICES TO BE PERFORMED & PAYMENT FOR SERVICES – WELL CONSTRUCTION:**  
Refer to attached Exhibit 'D'.
3. **SERVICE TO BE PERFORMED IN PERPETUITY:** The services described below shall be performed in perpetuity upon completion of all tasks enumerated in Exhibit 'D' and upon COUNTY securing the funds for equipping the well to CITY standards and requirements:
  - A. CITY shall sell to COUNTY, upon COUNTY's request, water from the well provided under this Agreement, for the purposes of meeting emergency water needs in COUNTY's jurisdiction. CITY shall charge COUNTY the water rate effective as of the date the agreement is fully executed for all water sold to COUNTY. CITY shall provide a maximum of 3,000,000 gallons per month to the COUNTY for the household tank program from the CITY's water system upon integration of the new well into the system.
  - B. CITY shall utilize water produced by the well provided under this Agreement as source capacity for new residential service connections and agreements in East Porterville/Doyle Colony area. CITY agrees to provide source water for up to one hundred fifteen (115) new residential connections in the East Porterville/Doyle Colony area that are in compliance with the CITY'S Annexation and Extension of Municipal Services procedures. CITY agrees to authorize permanent connection of prequalified properties upon termination and cessation of the COUNTY's household tank program. A list and map of the qualifying properties are attached hereto as Exhibit 'E'. The listed properties will be exempt from payment of CITY water impact fees, but will be subject to standard fees, such as, but not limited to, water service and meter installation and associated monthly

fees. CITY shall have sole discretion to determine the number of connections, if any, above the minimum number of residential properties provided herein.

- C. CITY expressly agrees to own, operate, maintain, repair and otherwise care for the well provided under this Agreement, in the same fashion as CITY's other wells, for the duration of the well's useful life.
- D. If the well provided under this agreement is situated on COUNTY property, COUNTY shall grant the relevant portion to the CITY by Grant Deed at a cost of \$1. A 50-foot control zone around the well site is a requirement of the California Department of Public Health, therefore establishing the minimum parcel size to be conveyed to the CITY. Existing COUNTY infrastructure may encroach through or conflict with the subject parcel and if so, ownership, maintenance, repair and replacement of these facilities shall remain COUNTY jurisdiction by execution of easements
- E. CITY shall not be entitled to compensation by COUNTY, or any State or Federal agency providing funding for the activities enumerated in Exhibit 'D', for any ongoing costs related to owning, operating, maintaining, repairing, or replacing of this well. CITY and COUNTY expressly agree that CITY's ongoing compensation for such ongoing costs shall be the use of the well for CITY's unrestricted use within its water system. No part of this paragraph shall be construed to limit or restrict in any way CITY's ability to seek any grant funding or collect rates and fees from users of CITY's water system.
- F. All recipients of water, whether permanent or temporary sources, are subject to CITY water policies, such as, but not limited to, water conservation and watering schedules.

4. This Agreement represents the entire agreement between CITY and COUNTY as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

5. Except as may be otherwise required by law, any notice to be given shall be written and shall be either personally delivered, sent by facsimile transmission or sent by first class mail, postage prepaid and addressed as follows:

COUNTY: County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

Administrative Building  
2800 W. Burrel Avenue  
Visalia, CA 93291

(Fax No.: (559) 733-6318 / Phone No. (559) 636-5005)

CITY: City Manager  
291 N. Main St.  
Porterville, CA 93257

(Fax No.: (559) 715-4013/ Phone No. (559) 782-7466)

Notice delivered personally or sent by facsimile transmission is deemed to be received upon receipt. Notice sent by first class mail shall be deemed received on the fourth day after the date of mailing. Either party may change the above address by giving written notice pursuant to this paragraph.

6. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.

7. Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

8. This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. This Agreement is entered into and shall be performed in Tulare County, California. CITY waives the removal provisions of California Code of Civil Procedure Section 394.

9. The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party or either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.

10. The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.



12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.

13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.

///

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///

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

BY \_\_\_\_\_  
Steve Worthley Chairman,  
Board of Supervisors

ATTEST: Jean M. Rousseau,  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form  
County Counsel

By \_\_\_\_\_  
Deputy

CITY OF PORTERVILLE

BY \_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
City Clerk of the City of Porterville

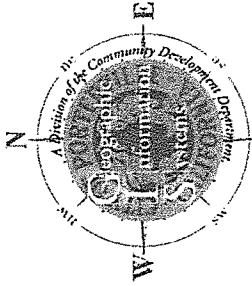
BY \_\_\_\_\_  
John Lollis, City Manager

Approved as to Form



BY \_\_\_\_\_  
City Attorney

EXHIBIT 'A'

# East Porterville Properties



## Legend

-  Boundary
-  East Porterville (1,361)

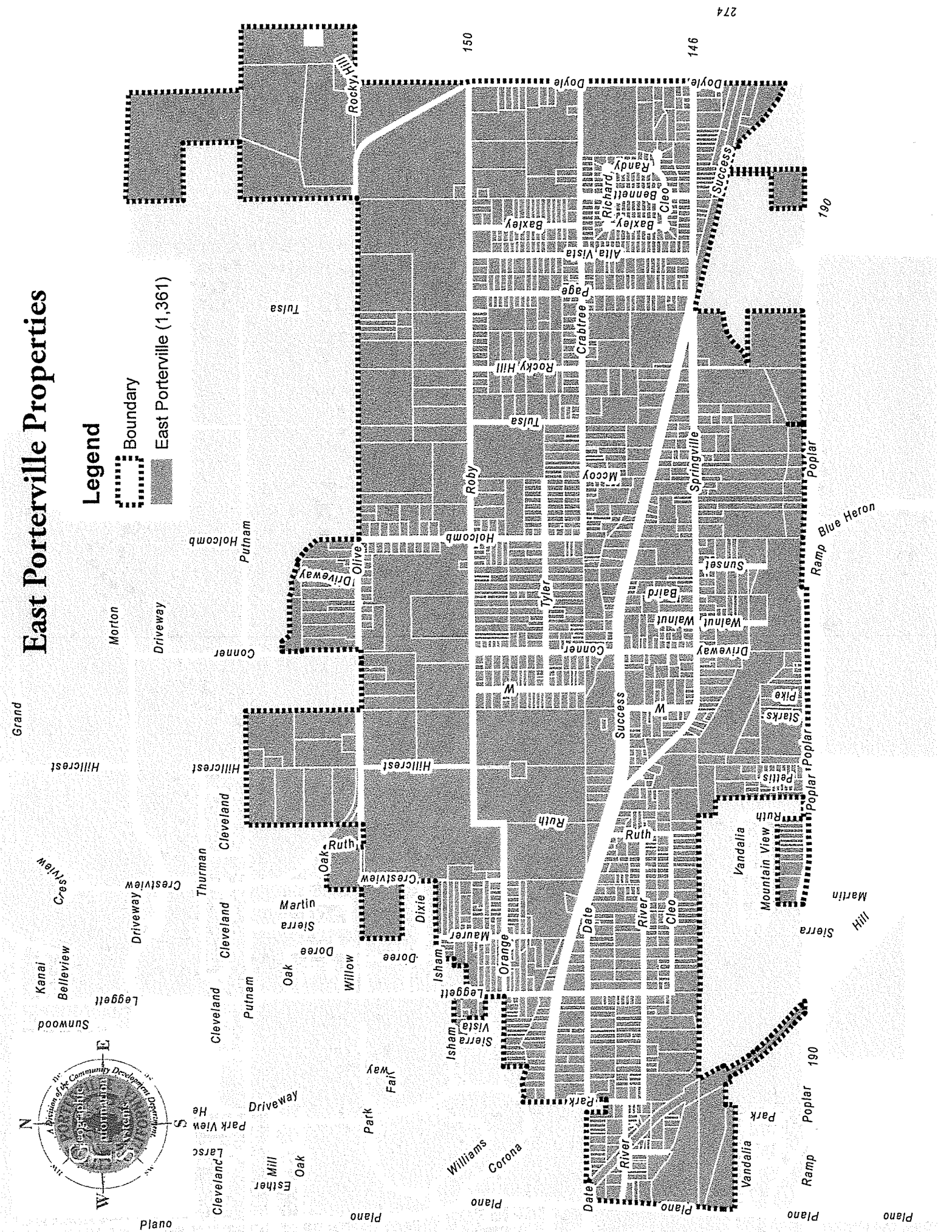


EXHIBIT 'B'

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:

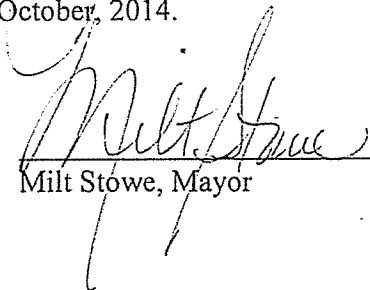
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, 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).

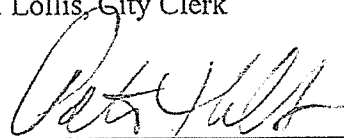
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, 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 21<sup>st</sup> day of October, 2014.

  
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By:   
Patrice Hildreth, Chief Deputy City Clerk

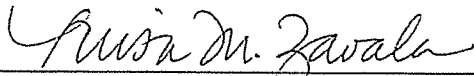
STATE OF CALIFORNIA )  
 CITY OF PORTERVILLE ) SS  
 COUNTY OF TULARE )

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 21<sup>st</sup> day of October, 2014.

THAT said resolution was duly passed, approved, and adopted by the following vote:

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:		X			
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk

  
 By: Luisa M. Zavala, 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 21<sup>st</sup> day of October, 2014.

  
\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By:   
\_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

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.

STATE OF CALIFORNIA )  
 CITY OF PORTERVILLE ) SS  
 COUNTY OF TULARE )

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 21<sup>st</sup> day of October, 2014.

THAT said resolution was duly passed, approved, and adopted by the following vote:

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:		X			
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk

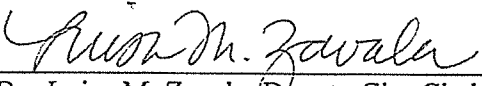
  
 By: Luisa M. Zavala, Deputy City Clerk

EXHIBIT 'C'

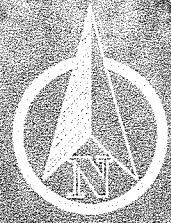
OLIVE AVENUE

176±

245±

502±

TULE RIVER



SCALE: 1" = 50'



TULE RIVER

125±

398±

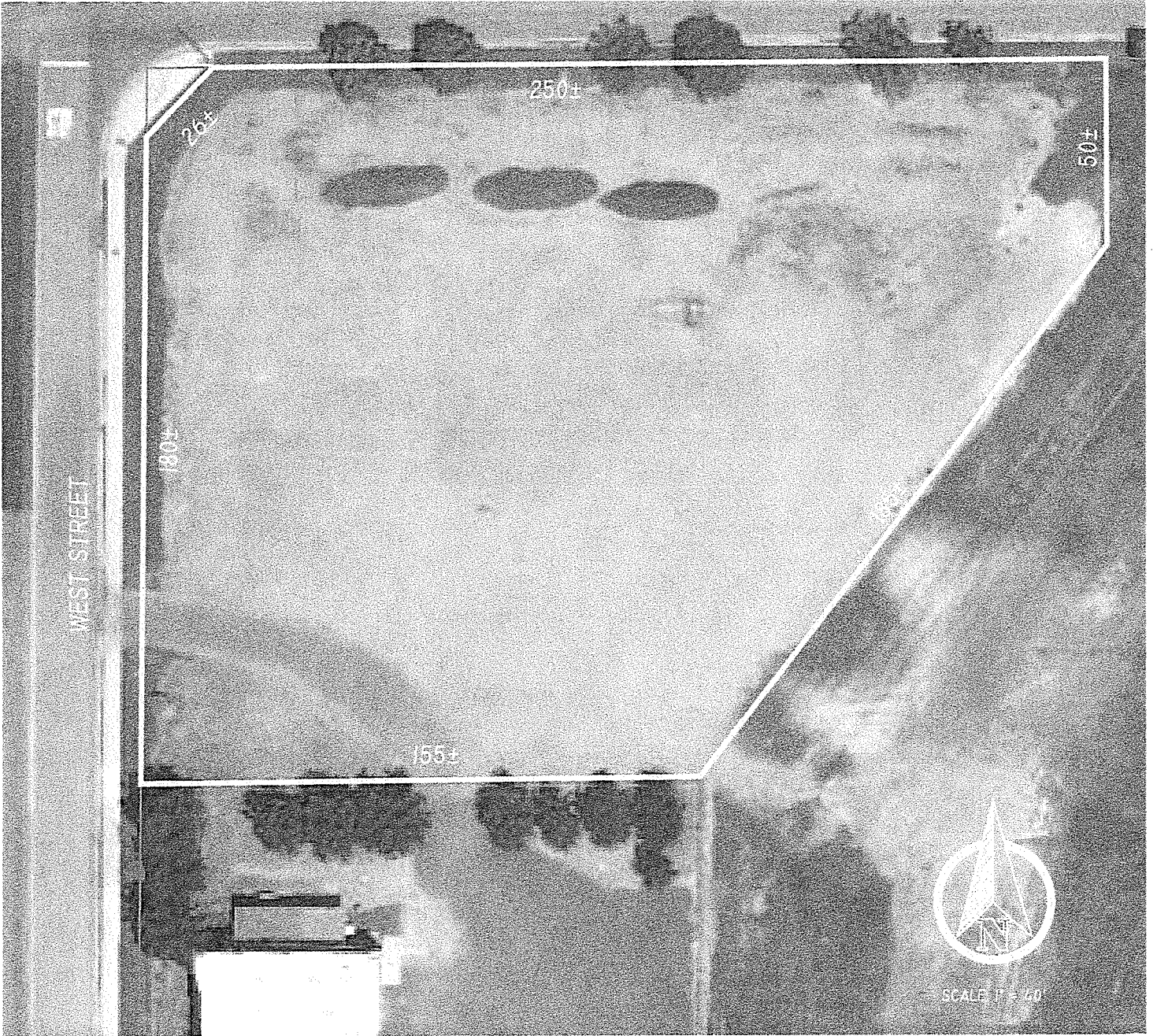
390±

MAIN STREET



SCALE: 1" = 50'

52±



WEST STREET

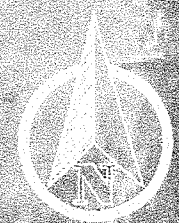
250±

50±

26±

80±

155±



SCALE 1" = 40'

EXHIBIT 'D'

**SERVICES TO BE PERFORMED & PAYMENT FOR SERVICES  
WELL CONSTRUCTION**

(insert Dee Jaspar work plan, add City/County division of responsibilities)

**CITY Scope of Work**

Task	Description	Cost
1.2	Review prepared Well Drilling Plans, Specifications, and Estimates	\$468.00
3.2	Review prepared Well Equipping Plans, Specifications, and Estimates	\$1,526.00
5	Construction Management	\$1,357.43
<b>CITY Total:</b>		<b>\$3,351.43</b>

Consulting Engineering work will be reimbursed directly to **Dee Jaspar & Associates** under Tulare County Agreement No.#####, including the following tasks:

**Dee Jaspar & Associates Fiscal Year 2015 Scope of Work**

Task	Description	Cost
1.1	Project Evaluation and Pre-Design Engineering	\$6,168.00
1.2	Prepare Well Drilling Plans, Specifications, and Estimates	\$9,360.00
3.1	Project Evaluations and Field Surveying	\$3,298.00
3.2	Prepare Well <i>Equipping</i> Plans, Specifications, and Estimates	\$30,520.00
3.3	Prepare and Assist with SCE Application & Telephone Service	\$2,114.00
3.4	Bid Assistance	\$4,332.00
5.1	Ph. 1 Preconstruction Meeting	\$1,114.00
5.2	Ph. 1 Construction Surveying	\$1,932.00
5.3	Ph. 1 Construction Inspection & Administration	\$33,342.00
<b>FY 2015 Total:</b>		<b>\$92,180.00</b>

**Deliverables**

1.1	Pre-Design
1.2	Plans, Specs, & Estimates
3.1	Field Logs, Notes, or Reports
3.2	Plans, Specs, & Estimates
3.3	SCE Application & Telephone Service Application
5.2	Field Logs, Notes, or Reports

**Dee Jaspar & Associates Fiscal Year 2016 Scope of Work**

Task	Description	Cost
5.4	Ph. 1 Water Quality Testing	\$7,000.00
5.5	Ph. 1 Project Close Out	\$1,346.00
5.6	Ph. 2 Project Meetings and Correspondence	\$18,876.00
5.7	Ph. 2 Submittal Review, RFI Responses, Change Order Review, & Progress Payment Review	\$14,304.00
5.8	Ph. 2 Construction Surveying	\$3,864.00
5.9	Ph. 2 Construction Inspection and Quality Control	\$47,931.00
5.10	Ph. 2 Start-up, Testing, and Troubleshooting	\$3,864.00
5.11	Ph. 2 Project Close Out and As-Builts	\$2,754.00

Contingency	\$61.00
Task Total	\$99,939.00
<b>Total FY 2016 Contract: \$100,000.00</b>	

**Deliverables**

5.3	Field Reports
5.4	Test Results
5.5	Close Out Documents
5.9	Field Logs, Notes, or Reports
5.10	Field Logs, Notes, or Reports
5.11	As Builts

The COUNTY will be the lead agency on the project. The COUNTY has executed State of California Department of Water Resources Grant Agreement No. 20150518-1 to be reimbursed for the work described herein as well as work to be performed by a well drilling contractor.

EXHIBIT 'E'



ID	APN	AREA	ADDRESS	ID	APN	AREA	ADDRESS	ID	APN	AREA	ADDRESS
1	262091028	8,929.45	NO SITE ADDRESS	40	262023001	8,038.96	907 E ORANGE AVE	79	263150006	7,770.54	2173 E SPRINGVILLE DR
2	263010049	8,322.27	1629 E ROBY AVE	41	262023007	9,023.71	965 E ORANGE AVE	80	263120029	14,068.21	2277 E CLEO AVE
3	263010050	18,376.21	226 S HOLCOMB ST	42	262023014	11,476.01	991 E ORANGE AVE	81	263120020	10,473.73	2186 E SPRINGVILLE AVE
4	261012017	21,929.52	518 E RIVER AVE	43	262024001	9,982.88	831 E ORANGE AVE	82	263100017	20,912.37	2292 E CRABTREE AVE
5	263050018	15,552.02	1911 E ROBY AVE	44	262024003	3,991.14	843 E ORANGE AVE	83	263070046	17,829.96	2069 E ROBY AVE
6	263050019	15,631.45	1911 E ROBY AVE	45	262024013	13,967.44	861 E ORANGE AVE	84	263170052	8,886.05	2061 E CRABTREE AVE
7	263050020	15,626.31	NO SITE ADDRESS	46	262024014	11,961.07	261 S MAURER ST	85	263162028	9,134.32	2157 E CLEO AVE
8	263050021	15,621.24	1949 E ROBY AVE	47	262024011	20,056.93	280 S LEGGETT ST	86	263162007	8,149.61	2168 E CRABTREE AVE
9	263050022	15,616.14	1963 E ROBY AVE	48	262022008	14,064.17	994 E ORANGE AVE	87	263100015	20,831.65	2308 E CRABTREE AVE
10	263050001	15,611.05	1975 E ROBY AVE	49	262022009	7,032.06	978 E ORANGE AVE	88	263070026	18,194.63	2075 E ROBY AVE
11	263050002	15,605.94	1989 E ROBY AVE	50	262022010	10,529.88	960 E ORANGE AVE	89	263150005	7,080.46	2167 E SPRINGVILLE AVE
12	263050026	10,238.64	1995 E ROBY AVE	51	262021003	21,846.36	224 S LEGGETT ST	90	263120028	10,608.61	2263 E CLEO AVE
13	263040024	16,908.53	1863 E ROBY AVE	52	261251002	18,771.64	304 S PARK ST	91	263120027	11,862.07	2251 E CLEO AVE
14	263030032	20,000.14	1643 E OLIVE AVE	53	261243019	19,878.98	287 S LEGGETT ST	92	263120025	9,930.29	2229 E CLEO AVE
15	263050056	20,800.75	1478 E OLIVE AVE	54	261243012	19,512.38	739 E ORANGE AVE	93	263120021	9,894.27	2275 E CLEO AVE
16	263020009	10,727.83	1703 E TYLER AVE	55	261243011	13,865.77	729 E ORANGE AVE	94	263070045	17,805.15	2186 E SPRINGVILLE AVE
17	263020010	11,347.61	1705 E TYLER AVE	56	261243010	11,130.20	721 E ORANGE AVE	95	263070019	15,591.77	2042 E ROBY AVE
18	263020008	22,350.60	1706 E CRABTREE AVE	57	261243009	21,564.88	711 E ORANGE AVE	96	263060023	17,427.95	366 BAXLEY ST
19	263010048	10,067.12	NO SITE ADDRESS	58	261243008	12,481.75	703 E ORANGE AVE	97	263060015	17,886.82	350 ALTA VISTA ST
20	263010047	19,211.22	NO SITE ADDRESS	59	261243006	15,465.49	675 E ORANGE AVE	98	263120026	11,564.19	2237 CLEO AVE
21	263010046	19,164.39	248 S HOLCOMB ST	60	261243018	6,224.92	275 S LEGGETT ST	99	263163023	12,461.65	570 ALTA VISTA ST
22	263020041	14,152.20	1640 E CRABTREE AVE	61	261260033	23,839.14	460 S PARK ST	100	263163018	8,704.92	554 ALTA VISTA ST
23	263020044	14,152.18	1674 E CRABTREE AVE	62	261013006	6,009.86	577 E RIVER AVE	101	263163005	9,268.01	436 ALTA VISTA ST
24	262101019	7,822.17	1411 E ROBY AVE	63	261013013	4,073.53	478 S LARSON ST	102	263163003	9,245.70	422 ALTA VISTA ST
25	262282002	12,512.48	NO SITE ADDRESS	64	261015007	22,466.00	475 E RIVER AVE	103	263162034	9,519.39	2186 E SPRINGVILLE AVE
26	262290003	15,056.68	121 S HOLCOMB ST	65	261015008	6,692.02	NO SITE ADDRESS	104	263162027	10,315.76	2143 E CLEO AVE
27	262101006	18,962.56	1419 E ROBY AVE	66	261012018	21,161.90	510 E RIVER AVE	105	263162013	9,824.18	2164 E RICHARD AVE
28	262101007	19,444.23	1431 E ROBY AVE	67	261012005	19,360.32	505 E DATE AVE	106	263162008	9,441.85	2168 E CRABTREE AVE
29	262091024	6,812.13	1593 E ROBY AVE	68	261012001	6,775.68	451 E DATE AVE	107	263110033	8,040.99	483 S RANDY ST
30	262091001	8,833.48	1557 E ROBY AVE	69	261012024	24,599.32	448 E RIVER AVE	108	263110031	8,609.81	494 S RANDY ST
31	262091003	8,816.34	227 S HOLCOMB ST	70	261012025	15,095.24	935 E RIVER AVE	109	263070041	9,091.82	NO SITE ADDRESS
32	262091004	19,207.92	235 S HOLCOMB ST	71	262220062	19,761.17	1094 E POPLAR AVE	110	263070013	8,380.13	271 BAXLEY ST
33	262091005	19,538.90	245 S HOLCOMB ST	72	262220061	18,112.05	1088 E POPLAR AVE	111	263070008	18,100.87	223 ALTA VISTA ST
34	262091006	19,193.11	253 S HOLCOMB ST	73	262220059	16,131.13	1056 E POPLAR AVE	112	263060016	18,005.03	345 BAXLEY ST
35	262091020	19,520.59	1503 E ROBY AVE	74	262220058	16,459.29	1056 E POPLAR AVE	113	262091027	19,280.15	1565 E ROBY AVE
36	262091022	7,172.30	1493 E ROBY AVE	75	263162029	7,896.00	2165 E CLEO AVE	114	262091026	8,141.19	1565 E ROBY AVE
37	262071001	6,929.42	1373 E ROBY AVE	76	263162011	8,279.43	NO SITE ADDRESS	115	262091025	6,792.49	213 S HOLCOMB ST
38	262071020	14,836.29	1353 E ROBY AVE	77	263162006	8,195.29	2168 E CRABTREE AVE				
39	262071021	7,068.23	1343 E ROBY AVE	78	263161003	8,667.06	479 BENNETT ST				