Pledge of Allegiance Led by Council Member Kelly West
Invocation
Roll Call

PRESENTATIONS
• Employee of the Month - Jeannie Greenwood
• Youth Members of the Parks and Leisure Services Commission

ORAL COMMUNICATIONS
This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time.

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.

1. Approval of the City Council Minutes of November 10, 2003 and January 13 and 20, 2004

2. Budget Adjustments for the 2003/2004 Fiscal Year
Re: Increasing estimate in Special Police Grants for the DMV Auto Theft Prevention proceeds ($53,696); increase appropriation in the Wastewater Treatment Plant Reserve for effluent manhole replacement ($14,000).

3. Budget Calendar
Re: Submission of the 2004-2005 Fiscal Year Budget Calendar

4. Award of Contract for Effluent Manhole Replacement Project
Re: Awarding the contract to Halopoff & Sons, Inc. in the amount of $22,550.81 for removing an effluent manhole at the intersection of Avenue 128 and Road 216.

5. Acceptance of Agreement for Purchase of Easement on Property Located at 260 S. Main Street - Felburg - Orange Avenue Street Reconstruction Project
Re: Authorize payment to Robert and William Felburg in the amount of $550.00.

6. Authorization to Purchase Property from Porterville Unified School District for the Neighborhood Community Center
Re: Purchasing 16.5 acres along Orange Avenue for a sum not to exceed $1, with an agreement for cost sharing, use and maintenance of the Neighborhood Community Center.

7. Farming Operations Report

8. CDBG Citizens’ Advisory and Housing Opportunity Committee and Citizen Participation Plan
Re: Adopting the 2004 Citizen Participation Plan and reappointing six of the existing seven members of the Citizens’ Advisory and Housing Committee for a one-year term.
9. Redevelopment Agency Annual Report to Legislative Body

10. ADA Compliance Efforts
Re: Designating the Deputy City Manager as the ADA Compliance Coordinator.

11. Approval for Community Civic Event - City of Porterville’s Parks & Leisure Services Annual Sweetheart’s Run - February 14, 2004
Re: Approving the 5K run on Saturday, February 14, 2004, from 6:00 a.m. to 1:00 p.m. starting and ending at Los Robles School.

12. Status of “P” Hill Project
Re: Report on the letter from Global Drug Testing Service indicating a willingness to coordinate and fund the project.


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

PUBLIC HEARING
13. Zone Change 6-2003 (Sierra View District Hospital)
Re: Rezoning property located on the west side of Kessing Street, between Putnam and Oak, from One Family Residential to Professional Office for the intended expansion of the existing parking lot west of the site.

Re: Consideration of adopting a resolution allowing the sale of alcohol at Stan’s Restaurant, 58 East Mill Avenue, from 6:00 a.m. to 8:00 p.m., Monday through Friday, and weekends 7:00 a.m. to 3:00 p.m.

SECOND READING
15. Ordinance 1645, Zone Change 5-2003 (Zenz & O'Sullivan)
Re: Adopting the ordinance changing zoning from City R-1 (One Family Residential) to C-1 (D) (Neighborhood Commercial with a Design Review Overlay) for that site on the west side of Newcomb Street, approximately 290± feet south of Henderson Avenue.

16. Ordinance 1646, Council Meeting Times
Re: Adopting an ordinance to change the regular meeting times of the City Council to 6:00 p.m., with closed sessions to begin at 6:00 p.m. and open sessions to begin at 7:00 p.m.

SCHEDULED MATTERS
17. Sewer User Surcharge Fees for Industrial Dischargers
Re: Consideration of the revised resolution setting the Sewer User Surcharge Fees for Industrial Dischargers as first proposed at the Public Hearing of January 20, 2004.

18. Request for Special Fireworks Permit
Re: Approving the request from the Exchange Club of Porterville for Fiscal Year 2004, and approving a draft ordinance.
19. **Staff Review of the Blue Skies Coalition Bike Plan Petition**  
   Re: Consideration of the petition from the Coalition with an analysis of the proposed actions, and with a recommendation to defer action until the Circulation Element update is completed.

20. **Staff Review of the Blue Skies Coalition Energy Policy Petition**  
   Re: Consideration of the petition from the Coalition with relation to air quality concerns with a recommendation to defer action to consider planning policy changes as a component of the General Plan update.

21. **Skateboard Park Site Evaluation and Project Update**  
   Re: Review of the skateboarding site evaluation for 301 N. Hockett, with a scoring matrix for five sites.

22. **Economic Development Administration Grant Opportunities**  
   Re: Consideration of three projects which meet grant criteria for programs that revitalize, expand, and upgrade the physical infrastructure to attract new industry, expand, and upgrade the physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term, private sector jobs and investment.

Adjourn to a Meeting of the Porterville Redevelopment Agency.

**PORTERVILLE REDEVELOPMENT AGENCY AGENDA**

Roll Call: Redevelopment Agency

**WRITTEN COMMUNICATIONS**

**ORAL COMMUNICATIONS**

**SCHEDULED MATTERS**

PRA-1. **Building Facade Renovation Grant Program Variance Request for 118 N. Main Street**  
   Re: Consideration of a variance request from Brent and Gina Blasingame to allow the building at 118 North Main Street to remain an unapproved color as set by approved Design Guidelines.

The Porterville Redevelopment Agency adjourns to a Meeting of the Porterville City Council

**ORAL COMMUNICATIONS**

**OTHER MATTERS**

**ADJOURNMENT** - to the meeting of February 17, 2004

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 Deputy City Clerk at (559) 782-7442. 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.
Call to order: 11:00 a.m.

Roll Call: West, Martinez, Hamilton, Irish, Stadtherr

**ORAL COMMUNICATION**

- Michelle Hooper, Administrative Assistant to the Chamber of Commerce, was introduced.
- Victor Solomon, a student, spoke on behalf of the Afterschool Sports Program.
- Parks & Leisure Services Commissioner Smith spoke on the South Main Beautification proposed project.

**SCHEDULED MATTERS**

1. **STUDY SESSION FOR DISCUSSION AND DIRECTION TO PARKS AND LEISURE SERVICES FOR IMPLEMENTATION OF DEPARTMENT WORK PLAN**

   City Manager Longley explained the purpose of this special meeting was to review the Parks and Leisure Services Department Work Plan to prioritize the projects described therein. The Council has had the opportunity to review the Community Development Work Program and determined how priorities should be redefined. There has been a report and review of police activities. This is the third department review of the Work Plan, and it is especially beneficial as there is a new department head in this department and he has been eager to receive interest and direction from the Council. Before turning the meeting over to Director Perrine, Mr. Longley stated that the Plan indicates that the number of projects and activities are a very daunting challenge. He also stated the Plan has been very effective in the past and will be in the future to address the many programs that are presented.

   Director Perrine explained that the first table in the work plan is the work program and special project activity. The second table that is presented in the agenda is a summary of the programs that the department have ongoing and an attempt to list the varied maintenance activities and programs that the department has throughout the City along with various facilities that are maintained. Director Perrine explained that the Department is currently serving on or serving for 27 different boards and committees, interactive on nine other organizations, and administers 29 contracts and/or rental agreements, as well as 28 landscape maintenance districts.

   Director Perrine explained the Work Plan as to its administrative efforts, proposed duration, potential funding, opportunities and challenges. He also included staff comments on each program and the listed priority and proposed priority. Director Perrine also stated this Work Plan has been before the Parks and Leisure Commission and they recommended that three of the items be upgraded in priority. Director Perrine explained the Priority Rating system.
The Work Plan was reviewed and comments and questions were encouraged by Director Perrine from the Council. After reviewing all of the Work Plan, the Council went back through the Work Plan to prioritize the projects, cognizant of the demands to provide maintenance to the new projects, funding for construction, and purchase of land and time constraints.

A 45 minute lunch break was taken from 11:45 a.m. to 12:30 p.m.

Funding constraints was the reason for keeping the following projects a priority #1: Rails to Trails, In-Street Crosswalk Lights - Rails to Trails, Murry Pool Renovation and New Landscape Maintenance Districts.

City Attorney, Julia Lew, stated that a vote of the City Council was only necessary if the priority was changed.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to change the Golf Course Cart Barn and Restroom Renovation to a #4 priority. The motion carried unanimously.

Disposition: Approved

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to bring the Library Restroom Renovation to a #3 priority, stating his main concern is that the restrooms are not clean. The motion carried unanimously.

Disposition: Approved

City Manager Longley stated that a meeting with Mr. Ennis relative to the Downtown Plaza design concept was held approximately a month ago. Mr. Ennis came back last week to talk with staff and together they looked at the site. Mr. Ennis will be getting back to staff in the next three weeks or so. Mr. Longley stated he believes the project is still active. Questions: Are there any safety concerns the Council should be looking at other than the lighting? Safety of the building is ongoing, and was any asbestos found? City Manager Longley stated only a small amount of asbestos was found.

In regards to the New Landscape Maintenance Districts, City Manager Longley stated staff will be taking new Districts to PRC and perhaps the developer’s engineer can be of assistance with the engineering costs. The three new landscape districts are New Expressions III, Orchard Ridge IX and Meadowood III. In the past, former City Engineer Hal Hill and former Parks and Leisure Services Director Gil Meachum determined the engineering costs on new landscape districts.

Direction was given to staff to obtain utility service cost information on the Santa Fe Depot Senior Center. Staff is to provide the City Council with an evaluation of the utility cost for support of senior services.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to change Afterschool Sports a #2 priority.
M.O. 03-111003
AYES: West, Hamilton, Irish, Stadtherr
NOES: Martinez
ABSTAIN: None
ABSENT: None

Disposition: Approved

City Manager Longley stated the Grant Management Program would be discussed in a staff meeting and will be brought back to the City Council with what changes, if any, have been made in about a three month period of time.

The College Field Lease Agreement has expired. Porterville College wants to go month-to-month with a sixty day termination provision. City Manager Longley stated the program is important but not urgent.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Stadtherr to change the program to a #1 priority to a #2 priority. The motion carried unanimously.
M.O. 04-111003

Disposition: Approved

Mayor Stadtherr commented that he wanted to make sure that whatever termination provision is in the Agreement that it does not risk cutting into the middle of a recreation program causing the program to be cancelled mid-season. City Manager Longley stated staff will get together with Porterville College and will bring the Lease back to City Council for approval.

Tule River Park Phase II to remain a priority #1. Staff needs to do everything possible to make sure the funding remains available.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Stadtherr to advance the Skateboard Park to a priority #1, even though the location may be changed.
M.O. 05-111003
AYES: West, Stadtherr
NOES: Irish, Martinez and Hamilton
ABSTAIN: None
ABSENT: None

Disposition: Failed

Director Perrine stated that staff has previously been given direction to bring the matter back by February on the site analysis, and any additional information staff has on funding. Director Perrine stated Parks and Leisure Commission recommended the Skateboard Park be a priority #1, and he felt
if it went to a #1 priority it would increase efforts in fund-raising. Motion failed three to two with Councilmen opposing.

Councilman Hamilton stated he would like to see the Literacy Center moved to a priority #2. Councilman Irish stated he had utilized the Literacy Center with one of his employees and it was really helpful. Director Perrine stated the Parks and Recreation Services Commission recommended that the Literacy Center be a #2 priority.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to make the Literacy Center a priority #2. The motion carried unanimously.

M.O. 06-111003

Disposition: Approved

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Irish to leave the Rotary Park a priority #2. The motion carried unanimously.

M.O. 07-111003

Disposition: Approved

Parks and Leisure Services Commissioner Smith spoke on behalf of the Beautification of South Main Street. The Rotary Club proposed to sponsor and provide funding for trees to line Main Street from Highway 198 to the railroad track. The trees to be planted on the west side of the street to provide a better approach to the City. Director Perrine stated that the west side of the street is railroad property and that the City only owns a few feet behind the curb line as a City Right-of-Way. Director Perrine also stated there would not be room for planting trees or landscaping without being on railroad property and it is his experience that the railroad would want to have input and would require purchasing an easement. San Joaquin Valley Railroad owns the property.

Director Perrine asked for clarification on page 3, OHV Track and 4-Wheel Park Contract Operators. Councilman Irish stated he liked the project. Councilman Hamilton stated the project has extreme potential.

City Council took a 10 minute break at 1:25 p.m. to 1:35 p.m.

Director Perrine stated he understood that the Sports Complex Lighting remains as a priority #1.

City Manager Longley asked if the City Council would like to review the Work Plan again in another six months. It was the consensus that Council would like to review the Plan again.

Mayor Stadtherr commented on a general item that three or four months ago someone contacted him about reviewing the “P” on top of Bennett Hill and he asked City Manager Longley about it. City Manager Longley stated to him that because of the rattlesnakes the “P” would be
reviewed in November. City Manager Longley stated that could be a good Rotary Club project and that he had contacted Mr. Bennett and he had indicated an interest in it. It has probably been five or six years ago one of the high schools had cleaned it up. The College also indicated an interest in the “P”. City Manager Longley contacted Mayor Statherr and they have arranged to go up on Friday afternoon to take a look at it. There will probably be a community meeting in the manager’s conference room on the issue. There will not be any expenditure by the City. Mayor Statherr stated the Lions Club will be meeting tonight and he will present the idea to them. It was suggested that each Councilman give $25.00 each to assist with cost of materials.

City Manager Longley asked City Attorney Lew about going out to bid on the Municipal Pool. City Attorney Lew said she had been working on it. She put a plea out to all the City Attorneys and got quite a few responses back, none of them conclusive. The consensus being “yes” the work probably could be done with a “B” license if the City specifies in the bid that all subcontractors have the appropriate license(s). The City is generally thinking of proceeding in this manner. In the meantime City Attorney Lew will pursue guidance from the California State License Board. The City has a time-line and time-frame for getting the project published and getting the required notices out.

Councilman Hamilton stated he felt the City Council shouldn’t be considering whether the construction of the pool is going to interfere with the swimming season. Councilman Hamilton stated the City is building a pool that is going to last for another 50-60 years, and one swimming season shouldn’t interfere with the project.

City Public Works Director Baldo Rodriquez asked the City Attorney if, when she submits the legal documents, the contract itself, there is one portion where all subcontractors have to be listed if they are doing over one-half of one percent of the work. If the City requires the subcontractors list their subcontractors, that portion of the contract makes reference to sections in the State Code, so would it be appropriate for the City to insert any additional language? City Attorney Lew responded the State Code does not refer to the subcontractor of a subcontractor. Councilman Irish stated the only reason he requested the listing was because he knows there have been several businesses that have been built in town that the subs used subcontractors from out of town and the out of town subcontractors did not possess a Porterville City license, which is a requirement of anyone doing business in the City of Porterville. City Manager Longley stated the City would have a separate paragraph identifying subcontractors of a subcontractor’s listing. City Attorney Lew stated that if the subcontractor switched out his subcontractors she wanted everyone to understand she wasn’t sure if there was anything the City could do about it.

The City Public Works Director stated the City is going with an expedited process, however he felt the City should allow the Contractors additional time for bidding. The bidding time of two weeks versus four weeks makes a difference in the number of the bids received as well as the bid amount. The bids will be received on December 16. City Manager Longley asked about a special meeting on December 23 to award the bid. City Manager Longley is going to write a memo about not holding the first City Council meeting in January of 2004.

Page 5 of 6
ADJOURNMENT
The meeting adjourned at 2:10 p.m. until November 18, 2003.

Georgia Hawley, Deputy City Clerk
By: Leona Waggle, Secretary
Parks and Leisure Services

SEAL

Richard M. Stadtherr, Mayor
PORTERVILLE CITY COUNCIL MINUTES
ADJOURNED MEETING - JANUARY 13, 2004
CITY HALL CONFERENCE ROOM - 5:00 P.M.

Call To Order: 5:00 p.m.
Pledge of Allegiance Led by Council Member Cameron Hamilton
Invocation: Deputy City Manager Darrel Pyle
Roll Call: West, Martinez, Hamilton, Irish, Stadtherr

PRESENTATION

EMPLOYEE OF THE MONTH

Mayor Stadtherr officially recognized Denise Marchant had been selected as the January 2004 Employee of the Month. The Mayor stated that the selection would also be announced at the January 20, 2004 Council Meeting when more people would be in attendance. He then presented a letter to Ms. Marchant on behalf of the Council.

ORAL COMMUNICATIONS
None

SCHEDULED MATTERS

1. BUDGET REVIEW

The City Manager stated that the purpose of this study session was to provide some general background relative to where the City was this year with their budget, and to make some suggestions as to matters to consider in the future. He stated that the meeting was also to receive direction so that the staff could build additional budgetary information for Council consideration. The City Manager stated that staff had met for a budget retreat on January 8 and 9 to review where they were at budgetarily. He stated that the budget process was no longer linear and it is difficult to determine their status, but they have some good news to report, and some suggestions to make to the Council so they could receive further direction. These conclusions, findings and recommendations were:

- They should integrate the fiscal years and build a budget for the period through June 30, 2005. This would allow them to ascertain their needs over a significant period of time. This would require amazing flexibility and they would be doing continuous budgeting.
- The basic assumption was that the Vehicle In Lieu Fees would be received without a back fill through June 30, 2004, but would be increased to 90% of the Fiscal Year 2002/2003 amount starting July 1, 2004 through June 2005.
- The City should not allocate additional monies to increase the Reserve for Contingencies for the period July 1, 2004 through June 30, 2005. They would maintain through this fiscal year
the addition to the Reserve, and increase the amount of reserves to $1.5 million after June 30.

- Proposed for July 1, 2004 through June 30, 2005, were some specific modifications in programs:
  - Eliminate the Thunderbolt Program.
  - Phase out the Literacy Program due to diminishing grant funds.
  - Curtail training and conference expenditures in the City Manager’s Department.
  - Curtail some internal administrative services.
  - Adjust some services to public safety, including police providing arson follow-ups and discontinuing non-injury traffic responses and reports.
  - Discontinue the fleet vehicle program for non-pool, non-specialty and non-public safety vehicles and provide a vehicle allowance instead.
  - Eliminate the large volume color copier in City Hall.

The City Manager stated that staff had developed three lists of modifications—the first list being the specific recommendations presented, the second list being some significant items worthy of additional study, if the Council felt it necessary, to determine their pros and cons. The third items were discussed but it was felt they would not be on the table during this 18-month period.

The City Manager stated that some specific recommendations were:

- Increase the Franchise In Lieu Fee for City utilities beginning March 1, 2004 to an annual $990,000 from $816,000. This was projected to increase the General Fund by $58,000.
- Undertake a comprehensive fee schedule review beginning the process in March of 2004.
- Begin the General Fund process in Fiscal Year 2004/2005 to determine the City’s position in terms of development, and allocate funds for the process. The City Manager stated that the Council might provide direction on alternative approaches, but the items presented that evening would allow them to being the General Plan process the next fiscal year.

The City Manager stated that the suggested process was for the Council to review the report on the conclusions, findings and recommendations at this meeting, approve or modify the summary of conclusions for further consideration, or the Council would require further information on the strategy formulated. The City Manager stated that it was anticipated that the Council would give further consideration to budgetary recommendations on February 20 as the goal was to begin implementing actions by March 2, 2004.

Darrel Pyle, Deputy City Manager, presented the specific information formulated at the staff’s budget retreat. He reviewed the budget list and the summary of prospective expenditure curtailment and revenue supplement. Mr. Pyle stated that it was felt that funding for the vacant
positions of Firefighter, Assistant Engineer in Public Works, and Recreation Leader in Parks and Leisure Services could be recognized with savings in this current Fiscal Year and those positions could be filled. Mr. Pyle also explained Assembly Bill 7X which would increase State Sales tax and reduce Local Sales Tax. He also spoke on the loss of property tax to the City and booking fees. Mr. Pyle then briefly went through the summary of conclusions.

Council stated that they would like to discuss each item on List 1 and how staff came up with the figures.

- Police Thunderbolt Program - Police Chief Rodriguez explained the Program and questioned the effectiveness of the program.

  Council Member Hamilton stated that he would like to see the number of children referred through the Thunderbolt Program.

  Mayor Stadtherr stated that he would be willing to fund the program if it was proved with data that the Program had a correction rate.

- Literacy Program - Jim Perrine, Parks and Leisure Services Director, explained the grant funding for that program and its reduction. He stated that his recommendation was to scale the program back to match the funding received. Mr. Perrine stated that if the funding was eliminated, the Program would end and the positions eliminated.

  Mayor Pro Tem Martinez requested that staff check into charging for the Literacy Program to keep it going.

- City Manager Travel and Meeting Account - Mr. Longley stated that the $10,000 allocated for meeting expense was proposed to be reduced by $5,000.

  Council Member Irish stated that the Council’s travel and meeting account should also be cut.

  The City Manager stated that he would provide the Council with a copy of their budget for them to review.

  Council Member Irish suggested that Council cut $2,500 and the City Manager cut $2,500.

- Finance Computer Maintenance - Mr. Pyle, Deputy City Manager, explained the MIS Division function and revising their program for more efficiency.

- No Non-injury Traffic Reports: Police Chief Rodriguez stated that this was to better utilize the patrol officers and improve response times.
Council questioned hiring Community Service Officers instead of sworn officers to take those calls.

The City Manager stated that this matter would be brought back as a separate item and take it out of the budget consideration.

- Fire Department Arson Investigation - Fire Chief spoke about this as an auxiliary item that could be shifted to save time in the overtime budget. He suggested having the Fire Arson Investigation Officer do the initial crime scene and origin work and then turn over the follow-up to the Law Enforcement Detectives. This would free up an estimated $10,000 in personnel costs.

- Vehicle Allowance for Staff Vehicles - Mr. Pyle stated that the fleet of rolling stock contained nine sedans for staff use with an average cost of $700 per month. He stated that the recommendation was to discontinue that portion of the fleet and a vehicle allowance instead. This would have a cost savings of $30,000 a year and free up additional capacity in the shop for other vehicles.

In question to the Mayor’s request, the City Manager stated that staff could provide the data on mileage times .37¢

- Excellence in Business Dinner - The City Manager stated that they were recommending not funding the Chamber’s Excellence in Business Dinner during Fiscal Year 2004/2005.

Donnette Silva-Carter, Chamber Director, explained that they anticipated this action due to State action and they did not budget for that program, and were in fact looking at revamping their entire award program.

- Eliminate Public Works and Community Development Color Copier - Brad Dunlap, Community Development Director, spoke about the large volume color copier in City Hall. He stated that they felt the replacement of that copier with a laser jet color printer would save $5,000 on the annual lease.

The Council took a ten minute recess at 6:25 p.m.

The City Manager stated that the #1 items would be brought back to Council for consideration this fiscal year, the #2 items would be evaluated as additional areas for consideration as items that need much more evaluation and information for Council to consider, and the #3 items would be left for no further analysis unless requested by Council. The City Manager stated that it would not preclude the Council from bringing up the items on any list. He stated that staff was asking for authority to submit to the Council at the next meeting the actions for continuation of the freeze, releasing the two positions to meet vital projects the Council has outlined, and the increase of the in-lieu amount, and they would commence compiling a budget over the next four or five
months based on the program modifications presented. The City Manager stated that it would be understood that there was no commitment that the Council would approve that budget.

In answer to Council Member Hamilton’s request for information, the City Manager spoke about question of a county-wide Airport District.

The Council told the City Manager to take the Airport District off the list. There will be no further analysis during the 18 months.

Council Member Hamilton stated that he would like to see further analysis of the Animal Control contract, and the City Manager stated that it would be done.

City Manager stated that the golf course privatization would probably come back to Council in March as an issue. They would present pros and cons and determine whether the Council wishes to pursue the matter.

Council concurred to remove the county-wide fire districts from the table.

The City Manager stated that staff would evaluate and provide analysis on the #2 items unless there was a radical change in the budget picture. He stated that if there was a consensus from the Council on the items presented, there would be no action that evening and staff would prepare a report for the upcoming Council meeting. Staff would keep the Council updated, probably on a monthly basis, by updating the information presented. The City Manager stated that prior to starting the budget, the Council would determine whether another study session was useful, possibly in the April time frame.

Council questioned the Street Franchise Fees, and the Deputy City Manager explained the development of that fee with the 1988 MSI Study, and its purpose. Council Member Irish asked about having the MSI evaluation done in-house to save money, and the Deputy City Manager explained the benefit of having some third party impartial party recommending fee changes.

The Deputy City Manager expressed the staff’s feelings toward the outstanding leadership shown by the City Manager.

The City Manager spoke about the extremely high level of expertise amongst the Directors and the amount of cooperation shown in coming to their conclusions in this process. He stated that Mr. Pyle brings a tremendous amount to the table.

2. CLOSED SESSION PURSUANT TO - GOVERNMENT CODE § 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR, AGENCY NEGOTIATOR: DARREL PYLLE. EMPLOYEE GROUP: PORTERVILLE CITY FIREFIGHTERS ASSOCIATION.
- GOVERNMENT CODE § 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; CITY OF PORTERVILLE V. TULARE VALLEY RAIL ROAD; AND
- GOVERNMENT CODE § 54956.9(C) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: ONE CASE

The Mayor read the title of Item 2 and stated that no action was anticipated.

Council Member Irish stated that at the next Council meeting for discussion he would like to look at the feasibility of starting the Council meetings earlier. It was stated that the item was scheduled for a staff report on that meeting.

The Council adjourned to Closed Session at 6:59 p.m.

ADJOURNMENT

The Council reconvened at 7:14 p.m. and immediately adjourned until January 20, 2004.

Georgia Hawley, Deputy City Clerk

SEAL

Richard M. Stadtherr, Mayor
Pledge of Allegiance Led by Council Member Ronald Irish
Invocation by Pastor John Eby, First Baptist Church
Roll Call: West, Martinez, Hamilton, Irish, Stadtherr

PROCLAMATION
Commendation Proclamation for Sally Hurtado

PRESENTATIONS
• Employee of the Month – Denise Marchant for January 2004

• Bob Raymond, and Ethan Aparicio, Allstate Insurance Officers, came forward with a Check for Gang Violence Education. They thanked Eric Kroutil and Chief Rodriguez for applying for the grant.

• City Manager’s Featured Project for January 2004
  - GASB 34 Compliance – Presented by Susan Slayton, Chief Financial Officer

ORAL COMMUNICATIONS
• Neil Smith, 55 North Hockett, came forward as Chairman of the Parks and Leisure Services Commission and spoke about the Skateboard Park and the tree planting program.

• Felipe Martinez thanked staff for putting the Council agenda on the internet website.

• Dorothy Broome, 863 S. Crystal Street, also thanked the staff for the internet agenda and spoke about the Porterville Recorder carrying the agenda. She asked about the wireless surveillance cameras to be purchased under Item No. 2.

• Dick Eckhoff, 180 N. Main Street, asked to speak during Item 19. He then read the following letter into the record regarding temporary vendors:

Porterville City Council and Staff:
Downtown Porterville Association, Inc. has received many comments from merchants regarding the proliferation of temporary vendors, both fixed site and mobile, that set up in the Porterville area during the holidays to take advantage of heavy short-term sales. These temporary vendors take advantage of little or no long-term overhead and apparent low prices to drain much needed revenue from the local area. Last year there were so many located in or near Downtown that merchants noted a dramatic drop in their holiday sales.

Temporary vendor sales during the holidays bring in no real benefit to the City or to our BID. In fact if they are operating in the BID, they are doing so without having to
pay the additional assessment required of all other businesses in the BID. Our Downtown businesses not only have to pay this assessment, but report their sales. Since temporary vendor sales are reported, if at all, through their headquarters location, tax revenue on those sales is diverted from the City as well.

Temporary booths also take away from the appearance of our community, some being little more than a box and a sign. They are often set up on vacant lots, in front of businesses that are closed for the weekend, or on the sidewalks. I once saw a vendor completely blocking the handicap ramp at an intersection, forcing wheelchairs to roll in the street to the next driveway entrance.

It is our request, on behalf of the Downtown merchants, that the City or Porterville consider setting limits on the number, location and concentration of temporary business licenses it issues for this area. We also request that license requirements be strictly enforced. The proximity of Valentine’s Day brings special urgency to our request.

If you have any questions, I will be happy to answer them. Thank you for your consideration.

- Laurie Lady, 369 N. Beverly, re: ROCK-Rescue our Community Kids trying to help kids with drug problems. She requested support from the Council.

CONSENT CALENDAR
Consent Calendar Items 1, 2, 4, 8 and 9 were pulled for discussion.

3.  AUTHORIZATION TO ADVERTISE FOR BIDS – MEMORY LANE WIDENING PROJECT

Recommendation: That the City Council:
1. Approve the Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Disposition: Approved
Documentation: Minute Order No. 01-012004

5.  ACCEPTANCE OF THE GRANITE HILLS STREETS PROJECT – PHASE 2

Recommendation: That the City Council:
1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Disposition: Approved
6. ACCEPTANCE OF THE JAYE STREET WATER MAIN PROJECT

Recommendation: That City Council:
1. Accept the Jaye Street Water Main Project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the filing of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

Disposition: Approved
Documentation: Minute Order No. 03-012004

7. ACCEPTANCE OF THE RIGHT OF WAY FOR PROPERTY LOCATED AT APN 245-040-006 & 007 – WILLARD BENNETT, OWNER – HENDERSON AVENUE RECONSTRUCTION PROJECT

Recommendation: That City Council:
1. Authorize staff to begin escrow, with the City paying escrow fees;
2. Authorize staff to make payment to Willard Bennett in the amount of $5,073.00 after completion of escrow;
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder.

Disposition: Approved
Documentation: Resolution No. 1-2004


COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Martinez to approve items numbered 3, 5 through 7, and 9a. The motion carried unanimously.

Council Member Irish requested that these minutes be voted on separately due to his absence from the December 23rd meeting. Mayor Stadtherr was also not present at the same meeting, and therefore abstained as well.

COUNCIL ACTION: MOVED by Council Member Irish, and SECONDED by Council Member Hamilton to approve the City Council Minutes of December 16, 2003. The motion carried unanimously.

M.O. 04-012004

Disposition: Approved

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to approve the City Council Minutes of December 23, 2004.

M.O. 05-012004

AYES: Hamilton, West, Martinez
NOES: None
ABSTAIN: Irish, Stadtherr
ABSENT: None

Disposition: Approved

2. PURCHASE OF SPECIALIZED POLICE EQUIPMENT

Recommendation: That Council authorize staff to negotiate with Gamut Electronics for the purchase of the Code Five Surveillance System at a cost of $14,280, and authorize payment upon satisfactory delivery of the equipment.

Police Chief Silver Rodriguez came up to present the report on this item.

Council Member Irish asked if Grant monies would be used to purchase this equipment, to which Chief Rodriguez stated that it would be funded by grant monies and not the General Fund.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Martinez to accept staff’s recommendation. The motion carried unanimously.

M.O. 06-012004

Disposition: Approved

4. DEDICATION OF DIVING BOARDS FROM MUNICIPAL POOLS COMPLEX TO MONACHE SCHOOL

Recommendation: That City Council:
1. Approve the dedication of the diving boards and stands; and
2. Allow Monache Athletics to remove items from the Corporation Yard.
Mayor Stadtherr requested elaboration on how this did not constitute a gift of a public fund.

City Attorney Julia Lew explained that when there is a transfer of a resource from one public agency to another, there is no gift of public funds because it is for a public purpose.

COUNCIL ACTION: MOVED by Mayor Stadtherr, SECONDED by Council Member West to approve the dedication of the diving boards and stands; and allow Monache Athletics to remove items from the Corporation Yard. The motion carried unanimously.

M.O. 07-012004

Disposition: Approved

8. SURPLUS TRANSIT VEHICLES

Recommendation: That the Council authorize Staff to surplus two 16-passenger transit buses and send them to the next regularly scheduled City auction.

Council Member Irish asked how the Council would feel about contacting the County again to inquire about interest in these vehicles, instead of going to auction at this time.

COUNCIL ACTION: MOVED by Mayor Stadtherr, SECONDED by Council Member West to deny the recommendation to take the two 16-passenger transit buses to auction, and directed staff to approach the County of Tulare again for a bid.

M.O. 08-012004 The motion carried unanimously.

Disposition: Approved

9. CONSIDERATION OF HIRING FREEZE, RESTORATION OF SELECTED POSITIONS, FRANCHISE IN-LIEU FEE, AND PERFORMANCE OF A REVIEW OF CITY FEES.

Recommendation:
1. Continue the existing hiring and travel freeze.
2. Authorize the recruitment and hiring of an Assistant City Engineer and Leisure Services Coordinator.
3. Effective March 1, 2004, increase the In Lieu Franchise Fee to an annual $990,000 per year.
4. Authorize the City Manager’s office to retain a contractor to undertake a comprehensive review of City fees and charges for City Council review.

Council Member Irish stated that he understood the need for these two positions, but was uncomfortable hiring as needed while the freeze was in effect.

City Manager Longley added that these two positions were critical at this point in time, and that these two positions were already contemplated in the budget, and would not affect the budget.
Council Member Irish requested more information on what jobs are frozen, to which City Manager Longley stated that such information could be provided.

Mayor Pro Tem Martinez stated that there was an understanding that the City Manager had been given discretion to hire for public safety positions that were considered of dire necessity.

Council Member West asked why there was a need for a Leisure Services Coordinator for the Community Center if the Community Center was not yet opened, and agreed that if the Council was going to be asked to approve hiring then the freeze should be lifted.

City Manager Longley stated that this individual would be involved in the transfer of the Youth Center Program to the Community Center.

Council Member Irish asked if there was a reason why the fee structure could not be calculated in-house.

City Attorney Lew stated that it was always done outside due to the complexity of the fee structure.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member Hamilton, to accept staff’s recommendation. The motion carried unanimously.

**M.O. 09-012004**

Disposition: Approved

The Council held a short recess from 7:45 - 7:55 p.m.

**ORAL COMMUNICATIONS**

- Jim Podergois, one of the owners of the Mint, re: cutting the water off at the Hotel California.

- Dr. Rice, El Granito Foundation, 450 W. Springville Dr., came forward on behalf of the Hotel California, formerly Paul Bunyan, had a proposal to pay $1,000 a week on the $18,000 water bill until it was paid. There are about 40 families, half of which are homeless, in the Hotel.

- J.D. Bond, lease option owner of the property, asked for consideration to pay the water bill.

- Larry Catalina, former owner of the Paul Bunyan, and Mr. Shah, owner of the property, stated that the bill was not being paid and it was one’s fault but J.D. Bonds.

- Mr. Shah spoke about the problems he was experiencing with Mr. Bond.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Council Member Hamilton to close Oral Communications.

**M.O. 10-1012004**
AYES: West, Hamilton, Irish, Stadtherr
NOES: Martinez
ABSTAIN: None
ABSENT: None

Disposition: Approved

The City Manager read the Hotel California time-line of events into the record at the request of Council Member Hamilton as follows:

**HOTEL CALIFORNIA - TIMELINE OF EVENTS**

04/25/03 Erma Smith, member of the Hotel California Porterville LLC, turns on service for all three meters.

08/20/03 Utility billing staff alerts supervisor, Kim Maxwell, to the fact that no payments have been received on the account. Kim attempts to contact Erma Smith, but is told that she is no longer the manager. Kim leaves a message, requesting that the new manager contact her and sign up for services. No call is received from the new manager; no one comes in to sign up for services.

08/25/03 Kim mails a letter to the hotel, requesting payment and a new services signup. September 9, 2003, was the date given as the deadline for payment or contact for payment arrangements.

09/10/03 Services are disconnected, all three meters. After reports of meter tampering, which resulted in meter damage, water meters are removed.

09/11/03 Darrel Pyle, Deputy City Manager, drafts agreement for payment between Hotel California and the City. J.D. Bond signs the letter and pays $700 on the utility account, $1,200 on the outstanding transient occupancy tax due. Letter states that the balance of $3,385 will be paid by 5:00 p.m. on 9/25/03.

09/26/03 Services are disconnected. J D Bond and Erma Smith file bankruptcy as Hotel California. Tenant, The Mint, separates its water service from the hotel with landlord's, Jigish Shaw, permission. Water service is restored to the hotel based on the bankruptcy filing (two meters; third on serves The Mint).

10/01/03 Letter is sent to J.D. Bond requesting deposit for future services. Not enforced as City Attorney, Julia Lew, wants to research this further.

10/22/03 Memo is received from City Attorney, Lynn Beckers, advising us that Mr. Bond failed to file the supporting documents for his bankruptcy and that the court has provided him with an extension until November 13, 2003.

11/13/03 Bankruptcy is dismissed due to failure to file documents.

11/19/03 Letter is sent to J.D. Bond requesting full payment for past due balances, due by 5:00 on 11/20/03.

11/20/03 J.D. Bond files bankruptcy again.

12/02/03 City Attorney, Lynn Beckers, sends a letter to J.D. Bond, requesting an adequate assurance payment in the amount of $2,209.35, which is a 12-month average of the hotel's bill. Due date for payment is 12/10/03.
12/11/03  Services are disconnected, and both meters are removed. J. D. Bond pays $1,600 in cash. Balance is due before services will be restored.

12/12/03  Balance of $609.35 is paid. Services are restored.

01/08/04  J. D. Bond's bankruptcy dismissed. On the advice of City Attorney, Lynn Beckers, collection efforts will not resume until the documents have been signed by the judge and are available online for printing.

01/14/04  On the advice of Ms. Beckers, a 24-hour notice is hand delivered to the hotel, requesting full payment for past due balances no later than 2:00 p.m. on 1/15/04

01/15/04  Services are disconnected, and both meters are removed.

01/16/04  The Mint operator, Sherry Gonzales, notifies us that water is being stolen from her. The police are sent to discuss water theft with the hotel. J. D. Bond contacts the mayor and asks for a meeting to discuss the situation. City attendees: Mayor Stadtherr, John Longley, Darrel Pyle, Susan Slayton, Kim Maxwell.

Hotel attendees: J. D. Bond, Janice Rice, and two other individuals (a man and woman). Mayor Stadtherr decides to wait until Tuesday, January 20, when the full council is available, to make any decisions on this account. He is also waiting for a letter from J. D. Bond, detailing his situation and request for clemency. Without the letter, no action will ensue. J. D. states that Sherry Gonzales is willing to allow him to use The Mint's water; he contacts Sherry who tells Susan Slayton that she is NOT willing. J. D. and company leave.

01/19/03  Susan notifies Jigish Shaw of the potential Council action. Mr. Shaw has an order for eviction, set for January 28, 2004.

The Council took a short recess from 8:25 p.m. to 8:35 p.m.

PUBLIC HEARING

10.  GENERAL PLAN AMENDMENT 1-2004 (CIRCULATION ELEMENT) TO REDESIGNATE DATE AVE. BETWEEN HOWARD STREET AND SOUTH MAIN STREET FROM AN ARTERIAL STREET TO A COLLECTOR STREET

Recommendation: That the City Council:

1. Adopt the attached resolution approving a Negative Declaration for the Date Avenue and “A” Street Improvement Project and the amendment of the Circulation Element of the General Plan to re-designate Date Avenue to a Collector Street.

2. Approve the draft resolution for General Plan Amendment 1-2004 to amend the Circulation Element of the General Plan to re-designate Date Avenue from an Arterial Street (84 feet wide) to a Collector Street (60 feet wide).

Mayor Stadtherr opened the Public Hearing at 8:38 p.m.
Mr. Ben Webb, 97 S. Corona Drive, came up to inform Council of the history of this Circulation Element in regards to Date Street, and express his concerns for the way the process is implemented.

Community Development Director Brad Dunlap responded to Mr. Webb’s comments by clarifying the time line of events and explaining staff’s assessment of the Circulation Element and street improvements.

City Attorney Julia Lew explained that she did not see a problem with Council approving this item.

Council Member Hamilton asked if an 84-foot street would be more logical considering the anticipated capacity increase as a result of the construction plans in the area.

Community Development Director Brad Dunlap stated that a collector street’s capacity is approximately 12,000 trips per day and is wider than a typical residential street.

Public Works Director Baldo Rodriguez stated that there would be significant costs for an 84-foot street with the improvements planned.

**COUNCIL ACTION:** MOVED by Mayor Stadtherr, SECONDED by Council Member West to adopt the attached resolution approving Negative Declaration and to carry over the General Plan amendment to a future meeting to allow Council to study the matter further.

M.O. 11-012004

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Disposition: Defeated

**COUNCIL ACTION:** MOVED by Council Member Hamilton, SECONDED by Council Member Irish to adopt the attached resolution approving Negative Declaration. The motion carried unanimously.

Resolution 2-2004

Dispotion: Approved

**COUNCIL ACTION:** MOVED by Council Member Hamilton, SECONDED by Council Member Irish to approve recommendation No. 2, to approve the draft resolution for the General Plan Amendment.

Resolution 3-2004

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<td>NOES</td>
<td>Martinez</td>
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<td>ABSENT</td>
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ABSTAIN: None

Disposition: Approved

11. ZONE CHANGE 5-2003 (ZENZ & O’SULLIVAN)

Recommendation: That the City Council:
   1. Adopt the draft resolution approving a Negative Declaration for Zone Change 5-2003.
   2. Adopt the draft ordinance approving Zone Change 5-2003.

Council Member Irish abstained from this item.

The public hearing was opened to the public at 9:19 p.m.

Jim Winton, 150 W. Morton came up on behalf of the applicants and owners of the property. He also brought up that approval of this draft resolution would augment a large commercial site to over an acre for future commercial development.

The hearing was closed to the public at 9:20 p.m.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member Hamilton to accept staff’s recommendation.

Resolution 4-2004

AYES: West, Hamilton, Martinez, Stadtherr
NOES: None
ABSENT: None
ABSTAIN: Irish

Disposition: Approved

The City Manager read the Ordinance by title only.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Hamilton to waive further reading and to order the ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 5-2003 BEING A CHANGE OF ZONING FROM R-1 (ONE FAMILY RESIDENTIAL) TO C-1 (D) - (NEIGHBORHOOD COMMERCIAL WITH A DESIGN REVIEW OVERLAY) FOR THAT .34± ACRE SITE LOCATED ON THE WEST SIDE OF NEWCOMB STREET, APPROXIMATELY 290± FEET SOUTH OF HENDERSON AVENUE.

AYES: West, Hamilton, Martinez, Stadtherr
NOES: None
ABSENT: None
ABSTAIN: Irish

Disposition: Approved

12. AMALENE ESTATES – TENTATIVE SUBDIVISION MAY (BECHARA)

Recommendation: That the Subdivision Review Committee recommend that the City Council:
1. Adopt the draft resolution approving the Negative Declaration for Amalene Estates Tentative Subdivision Map; and
2. Adopt the draft resolution approving Amalene Estates Tentative Subdivision Map.

The hearing was opened to the public at 9:25 p.m.

Jim Winton, 150 W. Morton, came up to state that the developer is willing to compromise on the fencing requirements, and to explain their reasoning for not agreeing to a block wall. He also shared with Council the type of fencing being suggested by the developer, steel-post reinforced redwood fence.

Jerry Jennings, 15167 Rd. 223, came up and requested that a chain-link fence be installed.

Alice Cobbs, 1922 N. Newcomb, stated that she owns the commercial property on the corner and requested that she would like to see a masonry wall installed.

The hearing was closed to the public at 9:34 p.m.

Mr. Dunlap clarified for Council the lots in which the type of fencing was in question.

Council Member Irish stated that the Fencing Ordinance does not cover the type fencing required between residential and pasture land, or ag-land; and asked if there had been instances in the past where the City required a residential property to build a wall.

Mr. Dunlap stated that it had been explored previously, but has never been required.

Council Member West asked Mr. Webb to elaborate on the fencing type proposed by the developer.

Mr. Webb stated that the steel post would be set in concrete and the redwood panels would be screwed on as opposed to nailed, and that the fence is projected to have a 15 to 18 year maintenance free period.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Irish to accept staff’s recommendation, and to approve the developer’s proposed steel post reinforced, redwood fencing.
Resolution 5-2004
AYES: West, Hamilton, Irish, Stadtherr
NOES: Martinez
Resolution 6-2004
ABSENT: None
ABSTAIN: None

Disposition: Approved

13. CONDITIONAL USE PERMIT 2-2003 – PROPOSED SALE OF ALCOHOLIC BEVERAGES UNDER AN ON-SALE LICENSE AT 58 EAST MILL AVENUE (STAN’S RESTAURANT) (Cont. to 2/3/04)

Recommendation: It is recommended that the City Council open the public hearing and continue this item to the next scheduled meeting of the City Council on February 3, 2004.

The public hearing was opened to the public at 9:50 p.m.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member West to continue this item to the next scheduled meeting of the City Council. The motion carried unanimously.

Disposition: Approved

14. SEWER USER SURCHARGE FEES FOR INDUSTRIAL DISCHARGERS

Recommendation: That the City Council:
1. Open the public hearing and receive comments; and
2. Authorize the Mayor to sign the resolution setting new sewer user surcharge rates for industrial dischargers.

The public hearing was opened at 9:53 p.m.

Council Member Hamilton asked if this fee would be used to re-pay the six million dollar loan, felt that it was premature to establish a fee before the loan is approved, and asked if the fee could be removed if the loan was not received.

City Manager Longley stated that this fee was a requirement of the Cease and Desist order, and separate from the loan. He continued to state that the revenue program covers all components of treatment, and that the fee is necessary even without the loan approval to comply with the Cease and Desist order.

Council Member Hamilton asked if this could be put off until the loan is approved.

Council Member Irish suggested that the wording be adjusted (2nd paragraph) because it could be construed as misleading, and be brought back to Council at the next meeting.
COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Martinez to bring back the item at the next scheduled Council meeting with the requested revisions. The motion carried unanimously.

Disposition: Approved continuation.

15. ABANDONMENT OF A PORTION OF HOWARD STREET (PORTERVILLE UNIFIED SCHOOL DISTRICT)

Recommendation: That City Council:
1. Adopt the Resolution of Abandonment, including reservations, for said portion of Howard Street; and
2. Authorize the City Clerk to record the Resolution of Abandonment with the County Recorder.

The public hearing was opened at 10:03 p.m, and the hearing was closed to the public at 10:04 p.m.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member West to accept staff’s recommendation. The motion carried unanimously.

Disposition: Approved

16. WHOLESALE WATER POLICY

Recommendation: That the City Council:
1. Open the Public Hearing and receive public comments; and
2. Authorize the approval of the draft Wholesale Water Policy as presented.

The hearing was opened to the public at 10:09 p.m., and closed to the public at 10:10 p.m.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Martinez to accept staff’s recommendation. The motion carried unanimously.

Disposition: Approved

SECOND READING

17. ORDINANCE 1644, AMENDING SECTIONS OF MUNICIPAL CODE RELATING TO CONCRETE IMPROVEMENTS.

Recommendation: That Council give Second Reading to Ordinance No. 1644, waive further reading, and adopt said ordinance.
COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Irish to accept staff’s recommendation. The motion carried unanimously.

Ordinance 1644

Disposition: Approved

SCHEDULED MATTERS

18. PARKS AND LEISURE SERVICES COMMISSION REPORT/YOUTH MEMBERS

Recommendation: Receive the report of Youth Commissioners, no action is requested at this time.

Mr. Perrine read a comment given by Megan Acosta via telephone. She wanted to convey to Council that she thought that it was good idea to invite youth to participate, and that it has been an educational experience and very enjoyable. Mr. Perrine stated that staff has realized the importance of bringing forth information that is understandable by all.

April Tolson, commented on the effectiveness of the program.

City Manager Longley recommended that the Youth Members be placed on Presentations, which would allow them to comment earlier in a future meeting.

19. BUSINESS IMPROVEMENT DISTRICT ASSESSMENT REVIEW

Recommendation: That City Council:

1. Authorize no changes to the method of levying assessments be made in the 2003-2004 Fiscal Year; and
2. Make a recommendation for options to be implemented in 2004-2005 and future fiscal years.

Community Development Director Brad Dunlap presented the staff report.

City Attorney Julia Lew stated that the ruling of the FPPC was that the Mayor could participate in the Council Action pertaining to this item.

Dick Eckhoff, Downtown Porterville Association, came up to speak on behalf of D.P.A. in support of Option 3.

Council Member Hamilton asked Mr. Eckhoff for an update of D.P.A.

Mr. Eckhoff commented on the new resources available and events/activities scheduled for this coming year. He also shared the recent successes during the 2003 holiday season.

Council Member Irish commented on the possibility of inaccurate reporting of income if the fee is based on a percentage instead of a flat fee.
Chris Lewis, Porterville Physical Therapy, commended staff’s efforts in seeking a better, more equitable solution for all the businesses in the area. Cautions Council to use gross profits as a means of establishing the fee, due to differences in business expenses (i.e. employee salaries, etc.) He stated the majority of activities and events put on by the B.I.A. were retail oriented, which made it difficult for his business to participate.

Council Member West stated that he felt that the fee should not be mandatory if a business does not benefit from it.

Council Member Irish stated that everyone in Porterville benefits from what is going on downtown, and that this organization is vital to keeping downtown alive. He did agree that not all benefit equally, and would hope that a fair way to establish fees is possible.

Mayor Pro Tem Martinez commended Downtown Porterville Association for taking an active role in developing a fee, and hiring an administrative assistant.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to approve staff recommendation #1, and send recommendation #2 back for staff review.

M.O. 15-012004

AYES: West, Hamilton, Irish, Statherr
NOES: Martinez
ABSTAIN: None
ABSENT: None

Disposition: Approved

The Council took a short break from 10:55 p.m. to 11:05 p.m.

22. CALIFORNIA TRANSIT INSURANCE POOL

Recommendation: That the City Council:
1. Authorize staff to complete the application process for inclusion in the California Transit Insurance Pool, together with the payment of $88,683 to cover the first year’s annual deposit for transit fleet insurance coverage through CalTip;
2. Authorize the Mayor to execute any and all documents required to effect the City’s membership in the CalTip insurance program; and
3. Authorize staff to negotiate with Sierra Management accordingly to adjust the remainder of their current Agreement with the City of Porterville.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Martinez to accept staff’s recommendation. The motion carried unanimously.
Disposition: Approved

23. TRANSIT AGREEMENT WITH SIERRA MANAGEMENT

Recommendation: That the City Council:
1. Authorize staff to negotiate a two-year extension of the existing transit contract with Sierra Management for approval by the City Council to become effective July 1st, 2004, through June 30th, 2006; and
2. Request that Sierra Management provide a yearly Profit and Loss Statement for review by the Staff to further the City’s and Contractor’s desire to maintain cost containment.

Council Member Irish asked why staff has limited the extension to two years.

City Manager Longley stated that this was due to the fact that this is the first negotiating contract.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Martinez to accept staff’s recommendation. The motion carried unanimously.

Disposition: Approved

20. COMMUNITY DEVELOPMENT DEPARTMENT COMMITTEE MODIFICATIONS

Recommendation: That the City Council approve the proposed modifications to City Committees as outlined in Exhibit A and as it pertains to specific actions as follows:
1. Authorize staff to initiate a public hearing to consider the establishment of a fee for the submittal of Project Review Committee applications;
2. Authorize staff to include in the update to the local California Environmental Quality Act guidelines the elimination of the Environmental Review Committee and the declaration of responsibility to the Environmental Coordinator;
3. Authorize staff to initiate the process of amending the Subdivision Ordinance to discontinue the Subdivision Review Committee;
4. Authorize staff to coordinate with the Workforce Investment Department to transfer the facilitation of the committees referenced in Exhibit A to the Workforce Investment Department and authorize the Mayor to sign the necessary paperwork.

Council Member Irish asked that thank you letters be sent to the members of all the committees that were disbanded.

Mayor Pro Tem Martinez asked for clarification on the meaning of “voluntary basis” in regards to Denise Marchant’s participation in the Mural Committee.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Martinez to accept staff’s recommendation. The motion carried unanimously.

M.O. 18-012004

Disposition: Approved

21. OUTSIDE AGENCY SERVICES – TULARE COUNTY VEHICLE MAINTENANCE CONTRACT

Recommendation: That the City Council approve one of the following options:
1. Continue to provide services to the County of Tulare as provided by the contract beginning February 25, 1981 and all amendments thereto; or
2. Cancel the contract with the County of Tulare by 30 day written notice as provided for in the terms and conditions thereof.

Council Member West and Council Member Irish both agreed that they do not want to see these services being provided to the County by another city.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member West to accept staff’s recommendation to continue services. The motion carried unanimously.

M.O. 19-012004

Disposition: Approved

24. CONSIDERATION OF REVISED COUNCIL MEETING TIMES

Recommendation: That the City Council either:
1. Maintain the Council meeting time of 7:00 p.m. pursuant to Ordinance No. 1415; or
2. Approve the draft ordinance changing the Council meeting time to 5:30 p.m. to conduct Closed Sessions, and 6:30 p.m. to conduct regular meetings, give First Reading to the draft ordinance, and order the ordinance to print.

COUNCIL ACTION: MOVED by Mayor Pro Tem Martinez, SECONDED by Council Member West to begin closed session at 6:00 p.m. and open session at 7:00 p.m and approve the ordinance and waive further reading of the ordinance being, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 2, SECTION 2-1, TIME AND PLACE OF REGULAR MEETINGS. The motion carried unanimously.

Ordinance 1646

Disposition: Approved
25. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly portfolio summary in accordance with SB564 and SB866.

26. INTERIM FINANCIAL STATUS REPORT

Recommendation: Accept the interim financial status reports as presented.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Martinez to accept the Quarterly Portfolio Summary and the Interim Financial Status reports as presented.

Disposition: Approved

27. APPROVAL OF COMMUNITY QUESTIONNAIRE

Mayor Stadtherr requested that this item be moved to a future meeting where there are fewer items on the agenda.

Adjourn to a Meeting of the Porterville Redevelopment Agency.

PORTERVILLE REDEVELOPMENT AGENCY AGENDA
January 20, 2004

Roll Call: Redevelopment Agency: West, Hamilton, Irish, Martinez, Stadtherr

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS
None

SCHEDULED MATTERS

PRA-1. AWARD OF CONTRACT – CASAS BUENA VISTA – LANDSCAPE MAINTENANCE DISTRICT #25

Recommendation: That the Redevelopment Agency:
1. Award the Casas Buena Vista LMD #25 Project to Rainscape in the amount of $191,878;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 10% contingency fee to cover unforeseen contract costs.

AGENCY ACTION: MOVED by Agency Member Hamilton, SECONDED by Agency Member West to accept staff’s recommendation. The motion carried unanimously.

PRA 01-012004
Disposition: Approved

The Porterville Redevelopment Agency and the City Council adjourned to a Meeting of the Porterville City Council at 12:02 a.m.

ORAL COMMUNICATIONS
None

OTHER MATTERS
• Council Member West commented that he felt it was time to get serious with fundraising efforts for the Skateboard Park and get it built.
• Council Member Irish stated that he was concerned with the issue of Downtown Vendors and door-to-door salesmen.
• Mayor Pro Tem Martinez directed staff to look into possible guidelines and policies for the naming of parks, buildings, facilities, etc.
• Council Member Hamilton requested a study session in May for refuse and recycling. He stated that he would also like to discuss used car lots in parking lots, possibly a public hearing.

CLOSED SESSION


The Council adjourned to Closed Session at 12:12 a.m. and reconvened at 1:15 a.m.

ADJOURNMENT
The Council adjourned at 1:15 p.m. to the meeting of February 3, 2004.

Georgia Hawley, Deputy City Clerk
By: Luisa Herrera

Richard M. Stadtherr, Mayor
SUBJECT: BUDGET ADJUSTMENTS FOR THE 2003-04 FISCAL YEAR

SOURCE: Administrative Services

COMMENT: During the course of the fiscal year, additional 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. To address budget adjustments in an orderly fashion, all adjustments will be presented as one agenda item for Council's consideration.

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

## BUDGET ADJUSTMENTS

<table>
<thead>
<tr>
<th>FUND</th>
<th>NO.</th>
<th>DESCRIPTION</th>
<th>FUNDING SOURCE</th>
<th>DOLLAR AMOUNT</th>
<th>REvised EOY FUND CASH BALANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Police Grants</td>
<td>1</td>
<td>To increase the revenue estimate in the Special Police Grants Fund to account for the receipt of DMV Auto Theft Prevention proceeds to be utilized during the 2003-04 fiscal year.</td>
<td>DMV Funds</td>
<td>$53,696</td>
<td>$53,696</td>
</tr>
<tr>
<td>Special Police Grants</td>
<td>2</td>
<td>To increase the appropriation in the Special Police Grants Fund to cover the cost of surveillance cameras used by the Police Department to reduce Auto Theft in 2003-04.</td>
<td>DMV Funds</td>
<td>$53,696</td>
<td>0</td>
</tr>
<tr>
<td>W W Treatment Reserve</td>
<td>1</td>
<td>To increase the appropriation in the Waste Water Treatment Plant Reserve to cover the cost of the replacement of an effluent manhole.</td>
<td>Fund Balance</td>
<td>$14,000</td>
<td>$6,073,234</td>
</tr>
</tbody>
</table>

Modification No: 08-03/0
SUBJECT: BUDGET CALENDAR

SOURCE: Administrative Services Department

COMMENT: Attached is the Budget Calendar for Fiscal Year 2004/2005. The Calendar sets out the time line for the preparation of the budget and its presentation to the City Council.

RECOMMENDATION: No Action Required by Council.

ATTACHMENT: Budget Calendar
February 02, 2004

TO: All Department Heads
FROM: John Longley, City Manager
SUBJECT: 2004-2005 Fiscal Year Budget Calendar

Following is the budget calendar to be used in preparing your budget for the 2004-2005 Fiscal year. Absolute compliance with this calendar will ensure that the budget can be prepared and presented to City Council within the required time.

The completed preliminary budget will be available to present to the City Council no later than May 31, 2004.

<table>
<thead>
<tr>
<th>WHEN</th>
<th>WHAT</th>
<th>WHO</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 02</td>
<td>Budget calendar distributed</td>
<td>City Manager</td>
</tr>
<tr>
<td>February 28</td>
<td>Budget worksheets and information given to departments (Golf Course Options)/March 16 Council Agenda</td>
<td>Deputy C.M.</td>
</tr>
<tr>
<td>March 08</td>
<td>Budget Workshop - Goal Setting - Done at Staff Meeting (Old Community Center Sale Evaluation)/April 6 Council Agenda</td>
<td>City Manager</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All Department Heads</td>
</tr>
<tr>
<td>April 12</td>
<td>Preliminary revenue estimates completed</td>
<td>A. S. Director</td>
</tr>
<tr>
<td>April 19</td>
<td>Completed budget worksheets returned to the Deputy C.M. (Remaining Recommendations)/May 4 Council Agenda</td>
<td>All Department Heads</td>
</tr>
<tr>
<td>April 26</td>
<td>Capital project proposals submitted to the Deputy C.M.</td>
<td>All Department Heads</td>
</tr>
<tr>
<td>May 10</td>
<td>Preliminary budget including worksheets and summaries submitted to City Manager</td>
<td>Deputy C.M.</td>
</tr>
<tr>
<td>May 17</td>
<td>Preliminary budget returned to Deputy C.M. for final preparation</td>
<td>City Manager</td>
</tr>
<tr>
<td>May 31</td>
<td>Preliminary budget presented to City Council</td>
<td>City Manager</td>
</tr>
<tr>
<td>June 01</td>
<td>Public Hearing to adopt the Proposed 2004-2005 Budget</td>
<td>City Manager and Deputy C.M.</td>
</tr>
</tbody>
</table>
NO LATER THAN:

June 30  Formal approval of 2004-2005 Budget  City Manager

July 10  M.O.E. for Prop 172 to Tulare County  Deputy C.M.

July 10  Appropriations Limit Calculation  Deputy C.M.
SUBJECT: AWARD OF CONTRACT FOR EFFLUENT MANHOLE REPLACEMENT PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: Staff requested bids from four (4) local contractors for the removal of an effluent manhole at the intersection of Avenue 128 and Road 216. The existing manhole leaks effluent to a neighboring property. Staff received one (1) bid for the project that is being considered a Public Health and Safety issue.

Plans are available for review in the Public Works Department - Engineering Division.

Funding in the amount of $15,000 was approved in the 03/04 Annual Budget from the Wastewater Treatment Plant Reserve. A more rigorous analysis during the design process revealed weaknesses in the original design concept. Changes to the original plan were developed to ensure zero leaks after construction. The new design increased the cost of the original estimate by approximately $7,250. Staff requests an additional appropriation of $14,000 from the Wastewater Treatment Plant Reserve to cover the increase in the construction cost, as well as to cover contingencies and staff time.

The bid received is:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halopoff &amp; Sons, Inc.</td>
<td>$22,550.81</td>
</tr>
<tr>
<td>Porterville, CA</td>
<td></td>
</tr>
</tbody>
</table>

Staff has found the sole bid acceptable.

RECOMMENDATION: That City Council:

1. Award the Effluent Manhole Replacement Project to Halopoff & Sons Inc., in the amount of $22,550.81;

2. Authorize progress payments up to 90% of the contract amount; and

3. Authorize a 10% contingency to cover unforeseen construction costs;

4. Authorize appropriation of $14,000 from the Waste Water Treatment Plant Reserve to cover the project cost, contingencies and staff time.

ATTACHMENT: Locator Map

MKR Y:\Engineering\Council Items\Award of Contract Effluent Manhole Replacement.wpd

Dir [ ] Appropriated/Funded [ ] CM [ ] Item No. [ ]
SUBJECT: ACCEPTANCE OF AGREEMENT FOR PURCHASE OF EASEMENT ON PROPERTY LOCATED AT 260 S. MAIN STREET - FELBURG - ORANGE AVENUE STREET RECONSTRUCTION PROJECT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: Mr. Robert A. and William F. Felburg, owners of property located at 260 S. Main Street, have accepted the offer made by Julia Lew, City Attorney for the City of Porterville, in the amount of $550.00 for a 100 square foot easement.

The City recently had the property appraised by Dennis L. Schneider, MAI, a Certified General Real Estate Appraiser. The appraisal came in at $500.00 for the 100 square feet needed for the project. This appraisal is available in the Community Development Department for your review.

This acquisition is a requirement for the reconstruction of street improvements for the Orange Avenue Project.

RECOMMENDATION: That City Council:
1. Authorize staff to make payment to Mr. Robert A. and William F. Felburg, owners of the property, in the amount of $550.00; and
2. Accept the Easement Deed and authorize staff to record with the County Recorder.

ATTACHMENTS:

1. Locator Map
2. Resolution

DD_____ APPROPRIATED/FUNDED_____ CM_____ ITEM NO. 5
Subject Location
( APN 261-108-001 )
RESOLUTION NO. _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ACCEPTING AN EASEMENT DEED FOR PUBLIC STREET AND UNDERGROUND UTILITIES PURPOSES FROM ROBERT A. FELBURG AND WILLIAM F. FELBURG

BE IT RESOLVED by the City Council of the City of Porterville, that the City of Porterville hereby accepts a Easement Deed from Robert A. Felburg and William F. Felburg, for right of way and incidents thereto for public streets and underground utilities upon, over, across and within that certain real property, in the City of Porterville, County of Tulare, State of California, to-wit:

See Exhibit “A” and Exhibit “B” attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the easement purchase price of $550.00 is hereby approved with Mayor authorized to sign all necessary documents, and said easement deed to be recorded in the office of the Tulare County Recorder. The foregoing has been accepted by the City Council for the City of Porterville.

__________________________________
Richard M. Stadtherr, Mayor

ATTEST:

John Longley, City Clerk

By: Georgia Hawley, Deputy
SUBJECT: AUTHORIZATION TO PURCHASE PROPERTY FROM PORTERVILLE UNIFIED SCHOOL DISTRICT FOR THE NEIGHBORHOOD COMMUNITY CENTER

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – ECONOMIC DEVELOPMENT

COMMENT: In 1998, Porterville Unified School District (PUSD) purchased the Tulare Valley Railroad property, located along Orange Avenue, near Plano Street for the construction of an elementary school. At that time, the City was also looking to purchase the site for construction of a Neighborhood Community Center. PUSD offered to provide to the City that portion of the site needed for the community center.

At the March 7, 2000 City Council meeting, Council authorized staff to proceed with negotiations for parcel configuration with PUSD and draft an agreement for cost sharing, use, and maintenance, etc. Prior to approval from the Department of Housing and Urban Development (HUD) for funding of the community center, all environmental clearances needed to be obtained. Negotiations were delayed as staff, working closely with PUSD, addressed various environmental issues at the site.

At the October 7, 2003 City Council meeting, Council ratified, confirmed, and agreed to the use of HUD Section 108 funds for the Neighborhood Community Center. Staff has resumed negotiations with PUSD for the purchase of the property along Orange Avenue needed for the project.

At the October 21, 2003 closed session, Council reviewed the draft purchase agreement and authorized staff to proceed with purchase of the property based on the terms and conditions within the draft document. Significant terms and conditions of the agreement include:

- The amount of property to be acquired by the City shall be approximately 16.5 acres.
- The Purchase Price shall be a sum not to exceed One Dollar ($1.00).
- The City agrees that PUSD shall have the right to make use of the library and computer lab during all of the regular daytime classroom hours; said library shall be available for use by the public during those hours not required by PUSD.
- PUSD may, upon arrangements with the City, have use of the City’s ballfields, parking lots, and ponding basin.

DD Appropriated/Funded ______ CM ______ Item No. 6
• Community center construction shall comply with all applicable laws and regulations relating to the construction of public school buildings.
• The City agrees to consult with PUSD regarding any proposed uses of the grounds and/or the facility not currently in the approved Master Plan and new uses shall be approved by PUSD prior to City proceeding with implementation of such uses. Approval shall not be unreasonably withheld by PUSD.
• No alcoholic beverage of any kind, including beer and wine, shall be sold or dispensed upon the premises, nor shall any such beverage be consumed thereon with the knowledge or consent of either party.
• A “No Smoking” policy will be applied to all buildings and grounds.
• Repurchase Option granting PUSD the opportunity to repurchase the property if construction of the community center is not complete within five (5) years of the agreement.
• Separate agreements for cost sharing, use, and maintenance will be prepared and will not be part of the Purchase Agreement.

RECOMMENDATION: That City Council:
  1. Approve the purchase of approximately 16.5 acres from Porterville Unified School District for the purpose of constructing a Library/Neighborhood Community Center; and
  2. Authorize staff to begin escrow, with the City paying escrow fees; and
  3. Authorize the Mayor to sign all necessary documents; and
  4. Authorize staff to record all documents with the County Recorder.

Attachments: 1) Resolution
              2) Purchase Agreement
RESOLUTION NO. ________________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ACCEPTING A GRANT DEED IN FEE FOR REAL PROPERTY FROM
PORTERVILLE UNIFIED SCHOOL DISTRICT

BE IT RESOLVED by the City Council of the City of Porterville, that the City of
Porterville hereby accepts a Grant Deed in fee from Porterville Unified School District
for real property in the City of Porterville, County of Tulare, State of California, to-wit:
See Exhibit A: attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the purchase price of $1.00 is hereby
approved with the City to open escrow account, pay the escrow fees, authorize Mayor to
sign all necessary documents, and said deed to be recorded in the office of the Tulare
County Recorder. The foregoing has been accepted by the City Council for the City of
Porterville.

______________________________
Richard M. Stadtherr, Mayor

ATTEST:

John Longley, City Clerk

______________________________
By: Georgia Hawley, Deputy
PURCHASE AGREEMENT
(Porterville, California)

THIS AGREEMENT is made and entered into as of this __ day of ____________, 20 __, by and between the PORTERVILLE UNIFIED SCHOOL DISTRICT (the "Seller"), and the CITY OF PORTERVILLE, (the "Buyer").

WHEREAS, Seller is a Unified School District, duly organized and existing pursuant to the laws of the State of California, and the Buyer is a public body, corporate and politic and existing under the laws of the State of California;

WHEREAS, the Seller is the owner of the real property located in the City of Porterville, County of Tulare, State of California, the legal description of which is:

LEGAL DESCRIPTION AS PROVIDED IN EXHIBIT "A"

WHEREAS, the Buyer desires to purchase such land to develop thereon a Joint Use Library/Neighborhood Community Center, (the "Project”),

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

I
PURCHASE AND SALE

1.1 Purchase and Sale. Buyer hereby agrees to acquire and purchase from Seller and Seller hereby agrees to sell and convey to Buyer that certain real property located in the City of Porterville, County of Tulare, California, described in Exhibit A attached and incorporated into this Agreement by this reference, together with all rights, privileges and easements appurtenant thereto including all development rights and air rights. This includes rights to and ownership of all minerals, oil, gas and other hydrocarbon substances thereon including water, water rights, and water stock relating thereto.

1.2 Purchase Price. The purchase price (the "Purchase Price") of the property shall be the sum of One Dollar ($1.00).

1.3 Payment of Purchase Price. The Purchase Price shall be payable as follows: Prior to the closing (as defined below), Buyer shall deposit into Escrow (as defined below) the Purchase price.
2.1 The following is a condition precedent to the Closing and to Buyer's obligation to purchase the Property: At the Closing (as defined below), Seller shall convey to Buyer marketable fee simple title to the Property, by duly executed and acknowledged grant deed (the "Grant Deed"). Evidence of delivery of marketable fee simple title shall be the issuance of a CLTA Standard Coverage Policy of Title Insurance (1973) (the "Owner's Policy"), in the full amount of the Purchase Price by a mutually agreed upon title company (the "Title Company"), insuring fee simple title to the Property in Buyer, subject only to the following (the "Permitted Exceptions"): (i) the standard printed exceptions in the Owner's Policy, (ii) current real estate taxes not delinquent, and (iii) matters affecting title which will not substantially or unreasonably interfere with Buyer's intended development of the Property, as reasonably determined by Buyer. Seller shall cause any liens which secure an obligation to pay money to be discharged on or before the Closing. Pending the Closing, Seller shall not take any action or commit or suffer any acts which would give rise to a variance from the current legal description of the Property, or cause the creation of any exception or encumbrance against or respecting the Property.

2.2 In addition to the condition precedent set forth in Section 2.1, the Closing and Buyer's obligation to perform hereunder are conditioned upon the fulfillment of each and all of the following, any of which Buyer may waive in whole or in part:

2.2.1 Performance by Seller of all of its obligations hereunder and the truthfulness of each representation and warranty by Seller contained in this Agreement at the time the same is made and at the Closing Date.

2.2.2 The commitment and ability to issue, by Title Company a CLTA Standard Coverage Policy of Title Insurance, dated as of the Closing Date, with liability in the amount of the Purchase Price, showing title to the Property vested in Buyer, subject only to the Permitted Exceptions.

2.2.3 That no moratorium, statute, regulation, ordinance or federal, state, county or local legislation, or order, judgement, ruling or decree of any governmental agency or of any court is enacted, adopted, issued, entered or pending which would materially and adversely affect the Property or buyer’s proposed use thereof.
III

ESCROW INSTRUCTIONS

3.1 Opening of Escrow

3.1.1 Concurrently with the execution of this Agreement, an escrow (the “Escrow”) shall be opened by both parties with Chicago Title, 801 W. Morton Avenue, Porterville, California, 93257.

3.1.2 The terms and conditions set forth in this Agreement shall constitute both an agreement between the parties hereto and escrow instructions for the Escrow Holder. If the Escrow Holder requires separate or additional escrow instructions, both parties agree to execute promptly and deliver to the Escrow Holder, after request for same from Escrow Holder, such separate or additional escrow instructions (The “Additional Instructions”). In the event of any conflict or inconsistency between this Agreement and the Additional Instructions, this Agreement shall prevail and govern as the Additional Instructions shall so provide. The Additional Instructions shall not modify or amend the provision of this Agreement unless otherwise expressly set forth by mutual consent of Buyer and Seller. “Opening of Escrow”, as used herein, shall mean the delivery of a fully executed copy, or counterparts, of this Agreement to Escrow Holder and acceptance thereof by Escrow Holder, and escrow shall be deemed opened as of the date of such delivery and acceptance. “Closing”, as used herein, shall mean the recordation of the Grant Deed in the official records of Tulare County, California.

3.1.3 The Closing shall be held not later than the 30th day following the date of the Opening of Escrow (or, if such day is a Friday, Saturday, Sunday, or legal holiday, on the second business day thereafter) (the "Closing Date"). Buyer and Seller may change the Closing Date by joint written notice to Escrow Holder. Escrow Holder is hereby directed to hold the closing on the Closing Date if it has received in a timely manner all the materials required to be delivered into Escrow by Buyer and Seller, and it has received a commitment from the Title Company to insurance title to the Property subject only to the Permitted Exceptions.

3.2 Prior to the Closing Date, Seller shall deposit the Grant Deed with Escrow Holder.

3.3 Prior to the Closing Date, Buyer shall deposit with Escrow Holder funds in accordance with the provisions of Section 1 above.

3.4 Seller and Buyer shall each deposit with Escrow Holder prior to the Closing Date fully executed and acknowledged copies of such instruments and funds as are reasonably required by the Escrow Holder or otherwise required to close the Escrow and consummate the purchase of the Property in accordance with the terms hereof. Buyer may waive compliance on Seller's part under any of the items being provided by Seller (except the Grant Deed) by an instrument in writing.

3.5 Closing of Escrow. When escrow is in the condition to close required by Sections 3.2, 3.3, and 3.4 above, Escrow Holder shall:

3.5.1 Deliver to Buyer: the Grant Deed by depositing the same with the County Recorder
of the County of Tulare, California, with instructions to record the same and thereafter to mail the same to Buyer and the Owner's Policy (as soon as it is available from the Title Company); and

3.5.2 Deliver to Seller: funds in the amount of the Purchase Price, less or plus the net debit or credit to Seller by reason of the prorations and allocation of expenses herein provided.

3.6 Escrow Charges.

Closing Costs Borne by Buyer. Buyer shall bear and Escrow Holder shall discharge on Buyer's behalf out of the sums deposited by Buyer all costs and expenses associated with the Owner's Policy, the documentary transfer tax required in connection with the transfer of the Property to buyer, all costs associated with Escrow Holder's fee and any additional charges customarily charged in accordance with common escrow practices in Tulare County.

3.7 Prorations. Escrow Holder shall prorate real estate taxes as of the Closing on the basis of the most recent tax statement for the Property. Prorations shall be as of 12:01 a.m. on the Closing Date on the basis of a 365 day year.

3.8 Miscellaneous Escrow Instructions.

3.8.1 Time is of the essence of these Escrow Instructions and this Purchase Agreement.

3.8.2 All notices or other communications required or permitted hereunder shall be in writing, and may be personally delivered or sent by United States registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

To Seller: Porterville Unified School District
600 W. Grand Avenue
Porterville, CA 93257
Attn: Superintendent's Office

To Buyer: City of Porterville
291 N. Main Street
Porterville, CA 93257
Attn: City Clerk

subject to the right of a party to designate a different address for itself by notice similarly given. Any notice so given by United States mail shall be deemed to have been given on the second business day after the same is deposited in the United States mail as above provided. Any notice not so given by registered or certified mail shall be deemed given upon receipt of the same by the party to whom the same is given.

3.8.3 Failure to insist upon strict compliance with any of the terms, covenants or conditions hereof shall not be deemed a waiver of such terms, covenant or condition, nor shall any waiver or relinquishment of any rights or powers hereunder at any one time or more times be deemed a waiver or relinquishment of such other right of power at any other time or times by any party.
hereto.

3.9 If the Escrow Holder is not in a position to consummate the Closing on the Closing Date, it shall close as soon thereafter as possible; provided, however, that if the Closing has not occurred by the 30th day following the Closing Date, then Escrow Holder shall return to the depositor thereof any funds or other materials previously placed in Escrow. No such return shall relieve either party of liability for any failure to comply with the terms of this Agreement and shall be in addition to any other rights such party may have at law or in equity.

3.10 Possession of the Property shall be delivered to Buyer upon Closing.

IV

REPRESENTATIONS AND WARRANTIES OF SELLER

Seller hereby makes the following representations and warranties to and agreements with Buyer, which are true as of the date hereof, which shall be true as of the Closing, which are not intended to replace or limit in any manner any express or implied warranty provided under the applicable law and which, except to the extent they relate to events or circumstances occurring or arising after the Closing, shall survive the Closing. Buyer shall be entitled to rely upon said representations and warranties notwithstanding Buyer's inspections and investigations:

4.1 Seller is informed and believes that it has complied with all applicable federal, state or local laws, regulations, ordinances or orders and has completed all proceedings or other actions necessary to complete the sale of the Property to Buyer and all of the transactions contemplated by this Agreement.

4.2 Seller has no knowledge of any unrecorded liens or encumbrances affecting the Property and to the best of its knowledge, no person or entity has any right, title or interest in or to the Property other than the Seller.

4.3 Seller has not received notice of, nor does Seller have any knowledge of, any pending or threatened action of governmental proceeding in eminent domain, zoning change or other proposed change, which would directly or indirectly affect the Property (save and except such notices of violation which have been disclosed to Buyer and complied with by Seller), nor does Seller know of any fact which might give rise to any such proceeding, nor does Seller know of any other type of existing or intended use of any adjacent or nearby real property which might adversely affect the use of value of the Property for public building purposes.

4.4 There are not presently pending any assessments by any governmental entity or public utility (other than for annual ad valorem real property taxes) of any nature with respect to the Property or any part of the Property. No property tax with respect to the Property is delinquent, and all requirements of all insurance policies with respect to the Property have been, and are being, fully complied with.

4.5 As of the Closing, there shall be no recorded easements, licenses, leases or tenancies
of any type on the Property or any portion of the Property except those identified in the title report and approved by Buyer in accordance with this Agreement.

4.6 Buyer and Seller have entered into certain encroachments and easements agreements, in addition to those identified in the title report for utilities. Seller has no knowledge of any unrecorded encroachments upon the Property or any portion of the Property or any unrecorded easement, appurtenance or other interest in the Property except those previously executed between the Buyer and the Seller.

4.7 Seller has good merchantable and insurable fee simple title to the Property.

4.8 Seller has no knowledge of any liens or encumbrances against the Property for work performed or commenced, or material supplied with respect to the Property nor can there be claimed against the Property any such lien.

4.9 Seller has no knowledge of any suit or arbitration, bond issuance or proposal for bond issuance, proposals for public improvement assessment, pay-back agreement, paving agreement, road expansion or improvement agreement, utility moratorium, use moratorium, improvement moratorium, rental increase moratorium, or legal, administrative or other proceeding or governmental investigation or requirement, formal or informal, existing or pending or threatened which affects the Property or which adversely affects Buyer's ability to develop the Property for public building purposes, or which imposes any other charge or expense upon, or relating to, the Property, which has not been disclosed to Buyer in writing prior to the date of this Agreement, or, in the case of any such requirement, fully complied with.

4.10 Seller has no knowledge, nor has Seller received notice of any environmental rule, order or regulation which would adversely affect the construction on the Property of a public building.

4.11 This Agreement is a valid obligation of Seller and is binding upon Seller in accordance with its terms.

4.12 This Agreement, when executed by Seller, shall have been duly and properly executed and neither the execution of this Agreement nor the consummation of the transactions contemplated by this Agreement will constitute:

   (i) a default or an event which with notice or the passage of time or both would constitute a default under, or a violation or breach of, any indenture, license, lease, franchise, mortgage, deed of trust or other instrument or agreement to which Seller is a party or by which Seller, or Seller's property, including without limitation, the Property, may be bound, or

   (ii) an event which would permit any party to any agreement or instrument affecting the Property or affecting Seller's ability to perform its obligations under this Agreement to terminate it, or permit the holder of any indebtedness to accelerate its maturity, or

   (iii) a violation of any statute, order, rule or regulation applicable to Seller or any portion of the Property.
4.13 After the date of this Agreement, Seller shall not undertake any work on the Property which may result in the creation of a mechanic's lien on the Property or any portion of this Property.

4.14 Seller has no knowledge of any adverse geological or soil condition affecting the Property.

4.15 Use and Maintenance of shared facilities shall be agreed upon by both parties and a separate agreement shall be prepared. Said Use and Maintenance agreement shall not be part of this Purchase Agreement.

REPRESENTATIONS AND WARRANTIES OF BUYER

Buyer hereby makes the following representations and warranties to and agreements with Seller, which are true as of the date hereof, which shall be true as of the Closing, which are not intended to replace or limit in any manner any express or implied warranty provided under the applicable law and which, except to the extent they relate to events or circumstances occurring or arising after the Closing, shall survive the Closing. Seller shall be entitled to rely upon said representations and warranties notwithstanding Seller’s inspections and investigations:

5.1 Buyer is a public body, corporate and politic and existing under the laws of the State of California.

5.2 Buyer agrees that Seller shall have the right to make use of the Project for library and computer lab purposes and for other proper purposes of Seller during all of the regular daytime classroom hours of Seller as the same are from time to time established by Seller or by law.

5.3 Buyer hereby grants Seller a license to make use of so much of the grounds of Buyer as are not included in this Purchase Agreement and as are, from time to time, designated and used by Seller as parking areas, ball fields, and flood control ponding basin.

5.4 Buyer agrees that building to be constructed shall comply with all applicable laws and regulations relating to the construction of public school buildings; shall be a community center type building; shall be designed and its construction supervised by a licensed architect; and shall be of a design which is harmonious in relationship to existing and projected buildings of Seller on the school campus of Seller, and, to this end, Buyer agrees to consult with Seller and its architect from time to time to ensure that said building will not conflict in general design with existing or contemplated school structures.

5.5 Buyer shall have the right to determine the uses to which the building shall be put, providing that said building shall not be used for any purpose which is in violation of law or is morally offensive. Buyer agrees to consult with Seller regarding any proposed uses of the grounds and/or the facility not currently in the approved Master Plan and new uses shall be approved by the Seller prior to Buyer proceeding with implementation of such uses. Approval shall not be unreasonably withheld by the Seller. No alcoholic beverage of any kind, including beer and wine, shall be sold or dispensed upon the premises, nor shall any such beverage be consumed thereon with the knowledge or consent of either
party. Buyer shall adopt a “No Smoking” policy to be applied to all buildings and grounds.

VI

REPURCHASE OPTION

6.1 Repurchase Option. Subject to the conditions set forth in Section 7.1 below, and in consideration of Seller entering into this Agreement, Buyer hereby grants the Seller option (the "Option") to repurchase the subject Property from Buyer upon the terms and conditions set forth in this Agreement.

6.2 Conditions of Option. Buyer's grant of the Option pursuant to Section 6.1 above is expressly conditioned upon each of the following:

6.2.1 The Closing of Escrow pursuant to Section III above, for the subject property.

6.2.2 The continuing performance by Seller of all its obligations under this Agreement and the truthfulness of each representation and warranty by Seller contained within this Agreement.

6.2.3 The failure of Buyer to construct and occupy a Joint Use Library/Neighborhood Community Center within five (5) years from close of Escrow.

6.2.4 The Option Commencement Date shall be five (5) years from the date of this Agreement and may be extended for and throughout such period of time as the commencement of construction is prevented or delayed due to strikes, lockouts, acts of government (including without limitation Seller's or any local governmental agency's failure to approve construction plans and to issue any permits, authorizations or approvals required for construction), acts of God, wars, riots, and insurrection or abnormal force of elements, by written notice by Buyer to Seller, delivered not less than thirty days prior to the end of the five year Option period, setting forth the facts giving rise to the necessity to extend the Option Commencement Date and the date to which the Buyer is requesting the Option Commencement Date be extended. The Option Commencement Date may be extended by the Seller as many times as the grounds for such extension occur.

6.3 Exercise of Option. Seller may exercise the Option at any time during the two year period following the Option Commencement Date (or any extension thereof) by written notice to Buyer referring to this Agreement and stating that Seller is exercising the Option.

6.4 Option Purchase Price. The purchase price (the "Option Purchase Price") of the Property if the Option is exercised by Seller shall be the sum of One Dollar ($1.00), plus the value of any improvements. PUSD and the City shall each select an appraiser for the purpose of establishing the value of the improvements. The value of the improvements will be established based upon the results of the two (2) independent appraisals, as agreed upon by PUSD and the City.
6.5 **Lapse of Option.** In the event that (i) on or previous to the Option Commencement Date Buyer completes construction of the improvements described in Section 6.2.3 above or (ii) Seller fails to exercise the Option within the time period specified in Section 6.3 above, it shall be the ministerial act and duty of the applicable officials or officers of Seller to execute, deliver and record such documents and instruments, including without limitation a Quitclaim Deed, requested by Buyer to relinquish all of Seller's rights to the Option and to the Property.

6.6 **Memorandum of Option.** Concurrently with the execution of this Agreement, Buyer and Seller shall execute a memorandum of option (the "Memorandum of Option") in the form attached hereto as Exhibit C and made a part hereof. The Memorandum of Option shall be recorded by Escrow Holder at the Closing pursuant to Section 3.5 above.

6.7 **Purchase and Sale.** In the event Seller exercises the Option within the time and in the manner specified in this Agreement, then the parties shall open an escrow (the "Option Escrow") with the Escrow Holder. The Escrow shall close fifteen days after the date of the exercise of the Option (the "option Closing Date"). Prior to the Option Closing Date, Seller (PUSD) shall deposit the option Purchase Price pursuant to Section 6.4 above and any other funds required by Escrow Holder to consummate the transaction and Buyer shall deposit a fully executed and acknowledged Grant Deed to the Property. If the Option Escrow is in a position to close on the Option Closing Date (or as soon thereafter as is possible but in no event later than 30 days following the option Closing Date) Escrow Holder shall deliver to Seller the Quitclaim Deed by depositing the same with the County Recorder of the County of Tulare, California, with instructions to record the same and thereafter to mail the same to Seller and shall deliver to Buyer funds in the amount of the Option Purchase Price less penalty. Seller shall bear and Escrow Holder shall discharge on Seller's behalf out of the sums deposited by Buyer the fee for recordation of the Quitclaim Deed, one-half of the Escrow Holder's fee and any additional charges customarily charged to buyers in Tulare County. Buyer shall bear and Escrow Holder shall discharge on Buyer's behalf out of the same payable to Buyer the documentary transfer tax required, one-half of Escrow Holder's fee and any additional costs and charges customarily charged to sellers in Tulare County.

**VII**

**FIRST RIGHT OF REFUSAL**

7.1 If at anytime after construction, and after the commitment period as required by the U.S. Department of Housing and Urban Development of the Joint Use Library/Neighborhood Community Center project, the City no longer operates such building as a municipal facility and desires to sale the Project, PUSD has the First Right of Refusal to purchase the Project at a price to be negotiated. The commitment period required by the U.S. Department of Housing and Urban Development is twenty (20) years or the length of the loan. The negotiated price will include land value of the original acquisition cost of One Dollar ($1.00) and the value of improvements to the property. PUSD and the City shall each select an appraiser for the purpose of establishing the value of the improvements. The value of the improvements will be established based upon the results of the two (2) independent appraisals, as agreed upon by PUSD and the City. Should PUSD decline the First Right of Refusal, and the building and grounds be sold to a third party, the City shall reimburse PUSD for the value of the land (excluding the value of the improvements) at the time of sale.
VIII

MISCELLANEOUS PROVISIONS

8.1 Legal Fees. In the event that an action shall be instituted by either party hereto for the enforcement of any of its rights or remedies in or under this Agreement, the party in whose favor judgment shall be rendered therein shall be entitled to recover from the other party all costs and expenses incurred by said prevailing party in said action, including reasonable attorney's fees as fixed by the court therein.

8.2 Representations of Authority. Each party and each individual executing this Agreement on behalf of each party represents and warrants to the other party that the party and each such individual has full power and authority to execute and deliver this Agreement in the manner contemplated hereby and that this Agreement is binding upon the party in accordance with its terms.

8.3 Brokers. Each party represents and warrants to the other party that it has not hired, retained or dealt with any real estate broker, firm or salesman in connection with the transaction contemplated by this Agreement, and each party will defend, indemnify and hold the other party harmless from and against any and all claims for brokerage fees or other commissions which may at any time be asserted against the indemnified party founded upon a claim that the aforesaid representation and warranty of indemnifying party is untrue, together with any and all losses, damages, costs and expenses (including reasonable attorney's fees and disbursements) relating to such claims or arising therefrom or incurred by the indemnified party in connection with the enforcement of this indemnification provision. The provisions of this paragraph shall survive the Closing and any termination of this Agreement.

8.4 Entire Agreement. This Agreement contains the entire integrated agreement between the parties respecting the matters herein set forth and supersedes all prior agreements between the same respecting such matters. In that connection, Buyer specifically acknowledges that it has not received any promises, representations or assurances from Seller or any of Seller's agents or employees which are not contained herein. No addition or modification of any term or provision hereof shall be effective unless set forth in writing, signed by both Seller and Buyer.

8.5 Severability. If any term, covenant, condition or provision of this Agreement, or the application thereof to any person or circumstance, shall to any extent to be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants, conditions or provisions of this Agreement, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

8.6 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

8.7 Further Assurances. Each party hereby agrees that it shall, upon request of the other, execute and deliver such further documents (in form and substance reasonably acceptable to the party to be
charged) and do such other acts and things as are reasonably necessary and appropriate to effectuate the terms and conditions of this agreement, without cost, including (without limitation) the execution and delivery of such documents, and the doing of such acts or things as may be required to satisfy the requirements of the Title Company to issue title insurance in accordance with this Agreement and for Buyer to fully and adequately perform its investigations of the Property. Seller hereby grants to Buyer, its agents and employees, the right and license to go on to the Property for the purpose of performing any activity necessary or appropriate to the satisfaction of the conditions of this Agreement or to Buyer's performance of its duties, obligations and responsibilities hereunder; provided, however, that Seller shall have the right to have one or more of its agents or representatives accompany Buyer, or Buyer's agents and employees, while on the Property.

8.8 HEIRS AND ASSIGNMENT. This agreement shall bind and inure to the benefit of the heirs, executors, successors, or assigns of Buyer or any other person or firm that may now be or hereafter an owner of the real property or any part thereof, set forth in Exhibit A of this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

SELLER:

PORTERVILLE UNIFIED SCHOOL DISTRICT
By: ____________________________

BUYER:

CITY OF PORTERVILLE,
a municipal corporation

By: ____________________________
Richard Stadtherr, Mayor

By: ____________________________
John Longley, City Clerk

APPROVED AS TO FORM:

Julia Lew
City Attorney

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Parcel 1 - City Portion (except School Parking Lot)

That Portion of the Northwest quarter of Section 36, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California described as follows:

Commencing at the point of intersection of the Northeasternly line of Orange Avenue with the East line of Wallace Street said Northeasternly line of Orange Avenue being a 450.28 foot radius curve concave to the Southwest, the radial line through said point of intersection bears North 13°50'20" East;

Thence, North 00°58'50" East, 12.91 feet along said East line of Wallace Street to a point in a 579.00 foot radius non-tangent curve, concave to the South, a radial to said point bears North 12°37'07" East, said point being the TRUE POINT OF BEGINNING of the parcel to be described;

Thence, Easterly, along said curve, through a central angle of 13°00'05", an arc distance of 131.38 feet, to the beginning of a 90.67 foot radius compound curve, concave to the Southwest, a radial to said beginning bears North 25°37'12" East;

Thence, Southeasternly, along said curve, through a central angle of 24°29'08" an arc distance of 38.75 feet, to the beginning of a 90.67 foot radius reverse curve, concave to the Northeast, a radial to said beginning bears South 50°06'20" West;

Thence, Southeasternly, along said curve, through a central angle of 17°55'24" an arc distance of 28.36 feet, to the beginning of a 567.00 foot radius reverse curve, concave to the Southwest, a radial to said beginning bears North 32°10'56" East;

Thence, Southeasternly, along said curve, through a central angle of 10°10'52" an arc distance of 100.75 feet;

Thence, tangent to said curve, South 47°38'12" East, 10.78 feet;

Thence, North 40°33'11" East, 86.80 feet;

Thence, North 49°26'49" West, 141.91 feet;

Thence, North 40°33'11" East, 156.95 feet;

Thence, North 04°26'49" West, 45.21 feet;

Thence, North 40°33'11" East, 36.20 feet;

Thence, South 85°33'11" West, 91.51 feet;

Thence, North 49°26'49" West, 44.73 feet;

Thence, North 29°02'14" East, 206.52 feet;
Thence, North 38°31'29" East, 187.65 feet to a point in the West line of Parcel 1 of Parcel Map No. 3371 per map recorded in Book 34, page 73 of Parcel Maps in the Office of the County Recorder of said County, said point being North 00°06'48" West, 32.00 feet of the Southwest corner of said Parcel 1;

Thence, North 00°06'48" West, 497.67 feet along the West line of said Parcel 1 and the most Northerly East line of Parcel 2 of said Parcel Map No. 3371 to the most Northerly Northeast corner of said Parcel 2;

Thence, South 89°53'14" West, 515.73 feet along the North line of said Parcel 2 and along the South line of Parcel 1 of Parcel Map No. 2207 per map recorded in Book 23, page 8 of Parcel Maps in the Office of the County Recorder of said County, to the Southwest corner of Parcel 1 of said Parcel Map No. 2207 said Southwest corner being the beginning of a 1810.08 foot radius non-tangent curve, concave to the East, a radial to said beginning bears South 83°48'03" West;

Thence, Northerly, along the West line of Parcel 1 of said Parcel Map No. 2207 and along said curve, through a central angle of 04°07'06" an arc distance of 130.11 feet;

Thence, tangent to said curve, North 02°04'51" West, 190.34 feet to the Northwest corner of Parcel 1 of said parcel Map No. 2207;

Thence, South 89°51'03" West, 176.76 feet along the South line of Olive Avenue to a point in the West line of the Northeast quarter of the Northwest quarter of said Section 36;

Thence, South 01°12'49" West, 1025.73 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 36, said point also being the Northwest corner of Parcel 1 of Parcel Map No. 2391 per map recorded in Book 24, page 92 of Parcel Maps in the Office of the County Recorder of said County;

Thence, South 01°04'26" West, 60.30 feet to an angle point in the West and Southwesterly line of Parcel 1 of said Parcel Map No. 2391;

Thence, South 46°57'44" East, 311.66 feet along the Southwesterly line of Parcel 1 of said Parcel Map No. 2391 to a point in the West line of Wallace Street;

Thence, North 00°59'46" East, 15.73 feet along the West line of Wallace Street;

Thence, South 49°12'16" East, 103.87 feet to a point in the East line of Wallace Street;

Thence, South 00°58'50" West, 11.59 feet to the TRUE POINT OF BEGINNING.

The Basis of Bearings for the purpose of this description is South 89°25'17" East, for the South line of the Northwest quarter of said Section 36 as shown on the Record of Survey recorded in Book 21, page 68 of Licensed Surveys, Tulare County Records.
Parcel 2 - School Parking Lot

That portion of the Northwest quarter of Section 36, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California described as follows:

Commencing at a point in the South line of Lot 11 in Block 3 of Cornell Addition per map recorded in Book 8, page 40 of Maps in the office of the County Recorder of said county, said point being S 89°00'02" E, 74.58 feet of the Southwest corner of said Lot 11;

Thence, N 47°38'12" W, 56.31 feet to the TRUE POINT OF BEGINNING of the Parcel to be described;

Thence, continuing N 47°38'12" W, 448.10 feet;

Thence, N 40°33'11" E, 86.80 feet;

Thence, S 49°26'49" E, 56.49 feet to a point in a non-tangent 24.5 foot radius curve, concave to the South, a radial line through said point bears N 41°38'18" W;

Thence, Easterly along said 24.5 foot radius curve through a central angle of 82°11'29", an arc distance of 35.15 feet;

Thence, S 49°26'49" E, 75.00 feet;

Thence, N 40°33'11" E, 20.00 feet;

Thence, S 49°26'49" E, 129.09 feet to the beginning of a tangent 50.5 foot radius curve concave to the Southwest;

Thence, Southwesterly along said 50.5 foot radius curve, through a central angle of 45°00'16", an arc distance of 39.67 feet;

Thence, S 04°26'32" E, 180.06 feet to the TRUE POINT OF BEGINNING.

The Basis of Bearings for the purpose of this description is South 89°25'17" East, for the South line of the Northwest quarter of said Section 36 as shown on the Record of Survey recorded in Book 21, page 68 of Licensed Surveyors, Tulare County Records.
EXHIBIT "B"

MEMORANDUM OF REPURCHASE OPTION

This MEMORANDUM OF OPTION (the "Memorandum") is made and entered into as of the _______ day of __________, ______, by and between the CITY OF PORTERVILLE, (the "Optionor"), and PORTERVILLE UNIFIED SCHOOL DISTRICT (the "Optionee").

1. Optionor is the owner in fee simple of approximately _______ acre of land located in the City of Porterville, County of Tulare, State of California (see attached description).

2. Pursuant to an unrecorded purchase agreement (the "Purchase Agreement") between Optionor and Optionee of even date herewith, Optionor hereby grants, and Optionee accepts, an option (the "Option") for Optionee to purchase and for Optionor to sell, grant, convey and deliver the property.

3. The Option may be exercised during the period commencing five (5) years from the date of this Memorandum and ending two (2) years thereafter, which period may be delayed in accordance with the terms and conditions of the Purchase Agreement.

4. In the event that either (i) Optionor completes construction of a Joint Use Library/Neighborhood Community Center on the Property as defined in the Purchase Agreement within 5 years of the date of this memorandum (or as extended pursuant to the Purchase Agreement) or (ii) Optionee does not exercise the Option granted in this memorandum within the time and in the manner specified in the Purchase Agreement, Optionee's right to exercise the Option shall terminate immediately upon the occurrence of either of such events and it shall be the ministerial act and duty of the applicable officials and officers of Optionee to execute, deliver and record such documents and instruments, including without limitation a Quitclaim Deed, requested by Optionor to relinquish all of Optionee's rights to the Option and the Property.

5. This Memorandum is intended only to provide record notice of the Option and the Purchase Agreement, which contains additional terms and conditions agreed upon by Optionor and Optionee.
IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first written above.

OPTIONOR:

PORTERVILLE UNIFIED SCHOOL DISTRICT

By: ____________________________

OPTIONEE:

CITY OF PORTERVILLE,
A Municipal Corporation

By: ____________________________
    Richard Stadtherr, Mayor

By: ____________________________
    John Longley, City Clerk
COUNCIL AGENDA: FEBRUARY 3, 2004

SUBJECT: FARMING OPERATIONS REPORT

SOURCE: Public Works Department - Field Services Division

COMMENT: The City of Porterville is currently under a Cease and Desist Order (CDO) from the Regional Water Quality Control Board (RWQCB). The specific reason for the order is the need to relocate the percolation facilities from the vicinity of the Teapot Dome Landfill. There is an overall issue of compliance, however, relating to the availability of sufficient area to discharge effluent.

In December of 2002, the City of Porterville negotiated a lease purchase agreement for 169 acres and a 30 acre effluent flow easement on properties owned by Mr. and Mrs. Robert Nuckols. The properties are currently used for the discharge of wastewater effluent. The agreement permits the City to use the lease purchase property for twenty years and then acquire fee title to the property.

The City also negotiated a farm management agreement with Mr. Nuckols for a term of 5 years, though it can be canceled by either party after three years.

The farm manager's property taxes are current. He is following the payment schedule for any liens and is not encumbering any new debt on property within the management agreement. Mr. Nuckols is compliant with the farm management agreement at this time.

RECOMMENDATION: For information only, no action required.
SUBJECT: CDBG CITIZENS’ ADVISORY AND HOUSING OPPORTUNITY COMMITTEE AND CITIZEN PARTICIPATION PLAN

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: In preparation for the submission of the 2004 Community Development Block Grant (CDBG) Action Plan to the Department of Housing and Urban Development (HUD) the following items are required: 1) the adoption of the 2004 Citizen Participation Plan and 2) the annual designation and appointment of a Citizens’ Advisory and Housing Opportunity Committee.

HUD requires each jurisdiction that receives formula grants through its Community Development Block Grant Program to prepare and adopt a Citizen Participation Plan. The Plan provides guidelines for the participation of citizens in determining the use of CDBG funds. This Plan is reviewed annually for necessary revisions prior to Council’s adoption of the CDBG Action Plan. In 2000, the adopted Citizen Participation Plan incorporated numerous revisions to bring it into compliance with the Federal regulations. Since 2000, only minor revisions to update the information have been necessary and the same is being recommended for the 2004 Citizen Participation Plan. Revisions are highlighted in bold font in the attachment.

The 2003 Citizen Participation Plan adopted by the City Council established a committee of seven (7) members (this has been the number since the original Citizen Participation Plan was adopted in 1981). The Citizen Participation Plan places particular emphasis on obtaining representation of low and moderate income persons residing in slum and blight areas, members of minority groups, the elderly, the disabled, and residents of areas where use of funds are proposed.

The members of the 2003 Committee were contacted and the following six of the seven have expressed their willingness to serve as 2004 committee members:

- Pat Contreras
- Hector Villicana
- Linda Olmedo
- Grace Munoz-Rios
- Rudy Roman
- John Dennis

DD[Signature] Approp./Funded ________ CM ________ ITEM NO. __8__
Ms. Wendy Taylor who has served on the committee since 1998 has asked not to be reappointed. Staff is posting the availability of this vacant position for interested persons to apply. The appointment is anticipated to be on the next City Council agenda.

The 2004 Action Plan is in the process of being developed by staff in accordance with the Five Year Consolidated Plan (2000 - 2004) adopted by the City Council in May 2000 with the amendments adopted by the City Council in November 2002.

The Citizens’ Advisory and Housing Opportunity Committee will meet in March to hold a Public Hearing on the proposed Action Plan. The Plan will then be available for a 30 day public comment period and will be taken to the City Council for final adoption in May.

RECOMMENDATION: That the City Council:

1. Adopt the 2004 Citizen Participation Plan; and

2. Appoint Grace Munoz-Rios, Pat Contreras, John Dennis, Linda Olmedo, Rudy Roman, and Hector Villicana to the Citizens’ Advisory and Housing Opportunity Committee for a one-year term.

ATTACHMENTS: 1. Draft 2004 Citizen Participation Plan
CITY OF PORTERVILLE

2004 CITIZEN PARTICIPATION PLAN

This Plan describes how the City of Porterville will involve citizens in the planning, implementation, and assessment of the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) Programs. The funds must be used for projects which benefit low and moderate income persons and/or aid in the elimination or prevention of slum and blight. These programs are intended to assist cities in undertaking neighborhood improvement, economic development, and homeowner assistance programs. Program regulations give ultimate responsibility for the design and implementation of the program to local elected officials, and also require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

ADVISORY COMMITTEE

To ensure that Porterville residents are given a full opportunity to participate in the Program, a Citizens’ Advisory Committee was established in 1981 to function in an advisory capacity to the Mayor and Council regarding program design, implementation, and assessment. This Committee consists of seven (7) residents of the City, appointed annually by the Mayor and City Council. Citizens and civic organizations are urged to make recommendations for appointments prior to February 3. The Committee has been responsible for making recommendations on allocation of the City’s multi-purpose Community Development Block Grant since 1981/82. The Committee has provided direction in establishing the Housing Rehabilitation Loan Program (HRLP) and other worthwhile projects under the CDBG Entitlement Cities and HOME Programs which have benefitted low and moderate income households within the City of Porterville. In addition to the HRLP, the Committee has recommended the establishment of several revolving loan funds since 1982, including the Sewer and Water Connection Fund, the Underground Utility Connection Fund (merged in 2000 into one fund known as the Public Utilities Revolving Loan Fund), the First-Time Low-Income Home Buyer Program, and the Business Assistance Program. The Committee has also recommended the allocation of funds toward remodeling the Santa Fe Plaza Senior Citizens Center, an inventory of Industrial Land Resources, the Low Income Residential Smoke Detector Installation Program, the Porterville Enterprise Zone Area Infrastructure Improvement Program, the rehabilitation of the Porterville and Glennwood Hotels, the opening of Porterville Youth Center, and four targeted Curb, Gutter, Sidewalk and Street Light Neighborhood Improvement Projects. In addition, the Committee has supported the establishment of economic development programs and public improvement activities such as Section 108 Loan Guarantee funded projects (currently designated to be used for the construction of the Neighborhood Community Center). Last year, the Committee recommended the establishment of two new programs, the Murry Park Improvement Project and the Homebuyer Education Program.

The City has taken steps to secure the services of concerned individuals to form the Advisory Committee for the purposes of program model design, implementation, assessment, and development of the Community Development Block Grant Program under the Entitlement Cities criteria. The
City places particular emphasis on obtaining representation of low and moderate income persons residing in slum and blight areas, members of minority groups, the elderly and persons with disabilities, and residents of areas where use of funds are proposed. In continuing its efforts to serve the needs of the public, the City Council has expanded the role of the Committee to incorporate efforts to expand housing opportunities, thereby changing the name to the Citizens’ Advisory and Housing Opportunity Committee.

**SCOPE OF CITIZEN PARTICIPATION**

Citizens will be involved in all stages of the Community Development Block Grant Program, including the development of the consolidated plan, inclusive of the annual action plan, substantial amendments to the plan, program implementation, assessment of performance, and design of the citizen participation plan. Mechanisms for citizen involvement include: The Citizens’ Advisory and Housing Opportunity Committee, public hearings and ad hoc community meetings, individual citizen efforts in the form of comments, complaints, or inquiries submitted directly to the Mayor and/or Community Development Department, and input through staff conducted neighborhood surveys. The Community Development Department is located in City Hall, 291 N. Main Street, and the telephone number is (559) 782-7460.

**Public Hearings**

At least two (2) public hearings, open to the entire community, will be held annually. The hearings will provide an opportunity for citizens to identify community development needs, proposed projects, and assist in the development of an overall strategy for Porterville. The hearings will also be used to solicit comments on the citizen participation plan to determine what, if any, amendments may be in order to make the citizen participation plan more sensitive to local needs and to realign the plan with changes in Federal regulations, and to review the HUD annual community assessment, if available. The hearings will be held in February or March and April or May of each program year.

**Consolidated Plan**

Participation in the development of the consolidated plan, inclusive of the annual action plan, will occur as follows: at least one (1) public hearing will be held before the proposed consolidated plan is published for comment. Before the City adopts a consolidated plan, the City will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive and the range of activities that may be undertaken, including the amount that will benefit persons of very low and low income.

The City will ensure that plans will be available to minimize the displacement of persons and to assist any persons displaced according to Federal Regulation standards.
A summary of the proposed use of CDBG funds and, when applicable, HOME funds, will be made available in Spanish, the predominate non-English language spoken in Porterville, at all public hearings.

Advisory Committee proposals and comments, with regard to development of the consolidated plan, will be obtained at Committee meetings or hearings scheduled either at the request of Committee members or program officials. The public is invited to attend these meetings.

The public will be notified of the period, not less than thirty (30) days, in which to receive comments from citizens on the consolidated plan. Any comments or views of citizens received in writing, or orally at the public meetings will be considered. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, will be attached to the final consolidated plan.

Amendments

In the case of proposed substantial amendments to the consolidated plan, the City shall provide reasonable notice and an opportunity to comment on substantial amendments. The public will be notified of the period, not less than thirty (30) days, in which to receive comments on the substantial amendments before the amendment is implemented. The meetings regarding the proposed amendments are not required to be public hearings, but will be open to the public to attend. The City will consider any comments or views of citizens received in writing, or orally at public hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, will be attached to the substantial amendment of the consolidated plan.

Amendments to the plan will be necessary whenever one of the following decisions is made:

1) To make a substantial change in the allocation priorities or a substantial change in the method of distribution of funds;

2) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the consolidated plan; or

3) To substantially change the purpose, scope, location, or beneficiaries of an activity.

Performance Report

Reasonable notice and an opportunity to comment on performance reports will be given to the public. The public will be notified of the period, not less than fifteen (15) days in which to receive comments from citizens on the performance report that is to be submitted to HUD before its submission. Any comments or views of citizens received in writing, or orally at public meetings will
be considered, and a summary of the comments and views will be attached to the performance report.

Citizen Participation Plan

The City will provide citizens a reasonable opportunity to comment on amendments or revisions to the citizen participation plan and will make the plan public.

Other Methods of Participation

Informal, individual contact with citizens, initiated either by citizens or program officials, will also provide input to the consolidated plan. For example, an individual may contact the Community Development Department at (559) 782-7460 to request consideration of a special project; or program officials may seek the opinion of local business persons as to the need for commercial revitalization.

Program officials will also be available to advise citizens of the procedures for filing objections to consolidated plan with the U.S. Department of Housing and Urban Development Area Office. Citizen participation in program implementation will occur primarily through consultation with the Citizens' Advisory and Housing Opportunity Committee. Citizens will be asked to review and comment on specific strategies for approved projects. They will also meet to review any substantial program amendments. All such changes will be discussed with the committee and their comments considered prior to the City taking final action. These meetings will be held on an as-needed basis.

Program assessment activities by citizens will occur in a variety of ways. Citizens will have the opportunity to comment on the City's performance for the prior program year during the public hearings for consolidated plan adoption. The public will also be notified of the public comment period for the annual performance report before its submission to HUD.

The Citizens' Advisory and Housing Opportunity Committee shall function as a forum for public participation in the City's efforts to affirmatively further fair housing. Prior to the submission of the consolidated plan, the Committee shall discuss and recommend for Council adoption suggested methods of furthering fair housing. As part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance throughout the program year.

Public comments or complaints regarding the consolidated plan, substantial amendments to the plan, the performance report, or the citizen participation plan should be submitted in writing to the Community Development Director, City of Porterville, 291 N. Main Street, Porterville, CA 93257. If a public hearing is held, comments should be submitted within fifteen (15) working days from the date of the public hearing. A timely, substantive written response will be provided by the City within fifteen (15) working days. If the response is unsatisfactory, correspondence may then be addressed directly to the Mayor, City of Porterville, 291 N. Main Street, Porterville, CA 93257. The Mayor shall respond within fifteen (15) working days. If the citizen is still dissatisfied, he/she
should write to the U.S. Department of Housing and Urban Development Area Office, 450 Golden Gate Avenue, Box 26002, Ninth Floor, San Francisco, California 94102, requesting investigation of the issue. Program staff will also be available during normal business hours to respond to citizen inquiries.

TECHNICAL ASSISTANCE

Citizen organizations, non-profit organizations, and groups of low/moderate income persons or target area residents may propose their own specific program(s). The proposal for a specific program should include the program’s design, its budget, and the scope of proposed activities. Also, the proposal should identify the specific individuals anticipated to carry out activities and provide a summary of their experience and training.

Technical assistance which may be provided by city staff is limited to proposals that are considered eligible uses of CDBG funds, and not intended to assist citizen organizations, non-profit organizations, and groups of low/moderate income persons or target area residents applying for funding from other grant sources. The Citizens’ Advisory and Housing Opportunity Committee may direct staff to provide technical assistance that may consist of staff or local expert presentations, informational handouts, research of a specific issue, or other short-term efforts.

PUBLIC INFORMATION

The City will also undertake the following public information efforts to promote citizen participation:

- Public notices of all public hearings will be published in the Porterville Recorder at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location, and topics to be considered. Upon notification, arrangements will be made by the City to accommodate persons with disabilities. The public notices also will be made available in the form of press releases and as a public service announcement to local radio stations. Public hearing notices will indicate that summary statements of projected use of CDBG and/or HOME funds will be available in Spanish, the predominant non-English language spoken within the City.

- Notices will also be published in the Porterville Recorder to notify the public of the period, not less than thirty (30) days for the consolidated plan or substantial amendments to the plan, or fifteen (15) days for the performance report, in which to receive comments from citizens before submission of the plan or report to HUD. All notices will include information that complete copies of the proposed plan or report will be available for public review at City Hall, 291 N. Main Street or at the City Library at 41 W. Thurman Avenue. A reasonable number of free copies of the plan or report will be provided to citizens and groups that request it.
Orientation information will be provided at the first public hearing conducted by the Citizens' Advisory and Housing Opportunity Committee. City staff will make a presentation which covers: the total amount of funds available and the basis for award; the range of eligible activities and those previously funded in the community; the planning process and the schedule of meetings and hearings; the role of citizens in the program, a summary of other important program requirements, such as: environmental policies, fair housing provisions, and contracting procedures. Some of these topics will be covered in written materials.

A public file containing program documentation for the preceding five (5) years will be available for review at City Hall during normal business hours. Included will be copies of the consolidated plan, environmental review record, the citizen participation plan, and the consolidated annual performance evaluation report. Other program documents are also available for citizen review on request at City Hall consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality. Upon request, materials will be made available in a form accessible to persons with disabilities.
CITIZEN PARTICIPATION SCHEDULE 2004

Advisory Committee Meetings: Annually or as deemed necessary by Committee

Public Hearings: March - May 2004

Adoption of Action Plan: May 2004

Submission of Action Plan: May 2004 (to be determined by HUD)

City Council hearings, unless otherwise specified, will be held in the City Hall Council Chambers at 7:00 p.m.

Citizens’ Advisory Committee Meetings and/or hearings, unless specified otherwise, will be held in the City Hall Conference Room at 5:30 p.m.
SUBJECT: REDEVELOPMENT AGENCY ANNUAL REPORT TO LEGISLATIVE BODY

SOURCE: COMMUNITY DEVELOPMENT AND SERVICES

COMMENT: In accordance with California Health and Safety Code Section 33080.1, the annual report of the Redevelopment Agency is to be delivered to the legislative body within six (6) months of the end of the Agency's fiscal year. The 2002-2003 Annual Report was delivered to Council on December 26, 2003, for review. This report contains the financial audit for the fiscal year 2002-2003 and a report of the Agency's programs.

After reviewing the report, the legislative body is required by Section 33080.2 of the Code to take any action which it deems appropriate on the report no later than the first meeting of the legislative body occurring more than 21 days from the receipt of the report.


DD_____ Appropriated/Funded_____ CM_____ 

Item No. 9
PORTERVILLE REDEVELOPMENT AGENCY
PORTERVILLE, CALIFORNIA

Neighborhood Community Center Groundbreaking Ceremony

ANNUAL REPORT
2002-2003
December 26, 2003

Honorable Mayor and Members of the City Council
Honorable Chairperson and Members of the Porterville Redevelopment Agency
Porterville, California

Submitted herewith is the Redevelopment Agency Annual Report for fiscal year 2002-03 as required by California Health and Safety Code, Article 6, Section 33080.1. This report is to be presented to the legislative body, within six months of the end of the Agency’s fiscal year.

The report contains an overview of low and moderate income housing activities and a summary of Agency programs, as well as the following financial and statistical information:

1. Financial Statements with Independent Auditors’ Financial and Compliance Reports
2. Annual Report of Housing Activity

In accordance with Section 33080.2 of the Code, the legislative body shall review the report and take any action which it deems appropriate on the report no later than the first meeting of the legislative body occurring more than twenty-one days from the receipt of the report. Therefore, the report will be presented for Council action at the Council’s first regularly scheduled meeting in February 2004.
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VI. ANNUAL REPORT OF FINANCIAL TRANSACTIONS
I. PREFACE

The Redevelopment Agency is administered by the Community Development & Services Department. The Agency was created pursuant to California Health and Safety Code Community Redevelopment Law. Redevelopment revitalizes targeted areas of blight and deterioration through several methods of Agency participation. Porterville's Redevelopment Project Area No. 1, implemented in August 1990, encompasses approximately 471 acres. The area is primarily commercially and industrially zoned.

This annual report has been prepared in accordance with California Health and Safety Code Article 6 Section 33080.1 which requires every redevelopment agency to present a report to its legislative body within six months of the end of the agency's fiscal year and specifies the contents of the report. In accordance with Section 33080.2 of the Code, the legislative body shall review the report and take any action which it deems appropriate on the report no later than the first meeting of the legislative body occurring more than twenty-one days from the receipt of the report.

An independent financial audit report for the Redevelopment Agency has been completed by J. Steven Pressley, Certified Public Accountant, and is provided in Section IV of this report.

Section IV of this report also includes the fiscal statements and information for 2002-03 as required in Section 33080.5 of the California Health and Safety Code.

For the purposes of compliance with Section 33080.7, the Agency, for the year ended June 30, 2003 has no excess surplus in its Housing Fund, therefore, no plan is required to report on the use of excess funds. (Refer to Annual Report of Housing Activity of Community Redevelopment Agencies for Fiscal Year Ending 6/30/03, Schedule HCD-C page 4 of 8).
II. OVERVIEW OF LOW AND MODERATE INCOME HOUSING ACTIVITIES

A. Casas Buena Vista (formerly known as Casas del Rio):

After the Agency’s acquisition of the Casas del Rio subdivision in 2001-2002, utilizing a loan from the Housing Enabled by Local Partnerships (HELP) Program of the California Housing Finance Authority (CalHFA), the Agency began the process of finding a developer for the subdivision. During 2002-03, the Agency entered into an Exclusive Right to Negotiate Agreement with Perris 40 Corporation and then finalized a Disposition and Development Agreement in May 2003 with this developer for the purchase and development of eighty two lots for single family residences. All eighty two of the homes will be restricted for low income households and will have affordability covenants between 10 and 45 years recorded on the properties. The name of the subdivision was changed for marketing purposes because of the negative stigma identified with the original name. The Agency is also in the process of developing the common area of the subdivision and establishing a Landscape Maintenance District for the common area.

B. First Time Low Income Homebuyer Program (targeted to the Redevelopment Area and adjacent neighborhoods):

The First Time Low Income Homebuyer Program, since its adoption in 1996, has been restricted for use within the Project Area (and the adjacent A, B, and C Street neighborhood), but has had limited response and usage, mainly due to the lack of available lots and/or willingness of property owners to participate. Since the program’s inception, five families have been assisted by this program, with new homes being constructed on vacant lots. No homes were built in 2002-03. With the Agency’s DDA with Perris 40 Corporation for the development of the Casas Buena Vista subdivision, these funds have now been designated for use as downpayment assistance for the homebuyers in the subdivision.

The Agency expended $40,000 during the 2002-2003 fiscal year to assist low income first-time homebuyers participating in the City’s program. These funds served as match for the expenditure of a portion of the $500,000 State HOME grant received by the City in 2000.

C. Rental Program (targeted to the Redevelopment Area and adjacent neighborhoods):

Redevelopment is currently assisting St. James Place LLC with funding which also provides a portion of the match for a $1,000,000 State HOME grant for the St. James Place Project on Main Street. This project involves the rehabilitation of a mixed use historic building, with 14 apartment units to be developed for low and
moderate income housing and commercial space to remain on the ground floor fronting Main Street. The project is under construction and is scheduled for completion in March 2004. Because of the Agency's focus on the Casas Buena Vista subdivision, the remaining funds in the rental program have been reallocated to assist in the development of Casas Buena Vista.

D. Date Avenue Family Apartments: The Agency entered into an Affordable Housing Agreement with the Corporation for Better Housing to assist in funding infrastructure for the development of a seventy eight unit multi family tax credit project on Date Avenue, near the Casas Buena Vista project. Thirty-two of the units will be restricted to Very Low Income and forty-five of the units will be restricted to Lower Income Households. All will have fifty-five year covenants recorded on the property.

E. Other Agency Expenditures from the Housing Fund:

Other funds expended from the Housing Fund during the past fiscal year were for debt service on the tax exempt bond issue and for planning and general administration costs.

F. Development Disclosures within the Redevelopment Area:

In 2002-03 there were no new single family residences built within the Redevelopment Area by persons other than the Agency which would be subject to the inclusionary housing requirements. There were no residential units substantially rehabilitated in the project area in 2002-03, and there were no persons displaced or removed from their dwelling units as a result of any Redevelopment Agency activity in 2002-03.

III. SUMMARY OF AGENCY PROGRAMS

In accordance with the amendments to Section 33080.1 of the California Redevelopment law, the following information is provided:

A. 2002-2003 Activities:

i. Implementation Plan

A. Goal: Continue implementation of the 1999 Implementation Plan for the Redevelopment Agency that contains the specific goals and objectives of the Agency for the project area, the specific programs, including potential projects, and estimated expenditures proposed to be made during the next five years.
The Redevelopment Agency, through the actions discussed below, has continued to implement the 1999 Implementation Plan for the Redevelopment Agency.

B. Goal: During 2002-03, the City will be updating the Housing Element of the General Plan with the Analysis of Impediments to Fair Housing Choice and the Redevelopment Implementation Plan. The Agency will be assisting the City with funding for the update provided from available Low & Moderate Income Housing Set-Aside funds and bond funds.

Action: Staff began working with Cotton/Bridges/Associates to update the Housing Element of the General Plan with the Analysis of Impediments to Fair Housing Choice and the Redevelopment Implementation Plan. It is anticipated that these projects will be complete and adopted in 2003-2004.

2. Housing Strategic Plan

A. Goal: Continue implementation of the Housing Strategic Plan, the 1999 Redevelopment Implementation Plan, and the policies adopted by the Agency for the expenditure of the low and moderate income housing funds.

Action: The Agency took aggressive action this fiscal year in implementing the strategic and implementation plans by pledging assistance to several projects that will be producing 160 units of affordable housing within the Redevelopment Project Area #1.

B. Goal: The single family new construction funds are to be awarded on a “first come - first serve” basis to qualified low-income first-time homebuyers. $378,000 remain available in this program. It is anticipated these funds will be utilized in the Casas del Rio subdivision acquired during the 2001-02 fiscal year. The Agency will continue to research the availability of additional funding to assist in the development of the Casas Buena Vista subdivision.

Action: In May 2003, the Agency entered into a Disposition and Development Agreement (DDA) with Perris 40 Corporation for the development of 82 lots in the Casas
Buena Vista subdivision. In the DDA, the Agency pledges the $378,000 remaining in the homebuyer fund for assistance for thirty-three (33) of the homes.

C. Goal: Administer the California Housing Finance Agency (CHFA) HELP loan, complete the infrastructure improvements, finalize formation of the Homeowners’ Association, and facilitate development of the remaining undeveloped lots at the Casas Buena Vista subdivision.

Action: After acquiring the property in March 2002, the Agency sent out “Requests for Interest Letters” to developers and began the process of searching for a developer to complete the construction of the 82 lots in the Casas Buena Vista subdivision.

As stated above, a DDA was entered into in May 2003 with the Perris 40 Corporation. Staff and legal counsel began meeting with the existing property owners to activate the Homeowners’ Association (HOA) in order to facilitate the development of the common area in the subdivision. During the meetings with the homeowners, it became apparent that there was no interest from the homeowners in activating the HOA or serving on the Board of Directors consisting of five (5) property owners within the subdivision. Therefore, staff began the process of replacing the HOA with a Landscape and Lighting Maintenance District (LMD) which requires voting on the various legal issues by the existing homeowners and mortgage holders. By the end of the fiscal year, staff was close to completing this process. In changing to a LMD, the common area is deeded to the City and staff would send out a “Request for Proposal” for the design of this open area.

D. Goal: Rental housing assistance funds are to be awarded to developers on a quarterly competitive process basis. $301,000 is currently available in this program.

The Agency will continue to expend the remaining funds of $254,000 ($40,000 of which were expended in 2000-2001) reserved for the St. James Place historical renovation project on Main Street, which will be providing 14 affordable apartments for low and moderate income persons. An additional $1,000,000 HOME grant is being
utilized for this project. Project completion is anticipated during 2002-2003.

The Agency may be assisting a multi-family project within the target area (approximately 78 units). The project is dependant upon allocation of State tax credits for the developer.

**Action:** The Agency reviewed the existing rental program and revised the program to reallocate the funds to the Casas Buena Vista subdivision and the Date Avenue Apartments. In addition to the $378,000 First Time Homebuyer funds, additional RDA funds of $186,000 have been pledged toward homebuyer assistance for 33 Casas Buena Vista homes in exchange for long term affordability covenants. $115,000 was reallocated to assist in the infrastructure frontage improvements for the Date Avenue Apartments that will be producing 78 apartments for low income households, including a percentage for very low income households. The Agency will be recording covenants on these units which will help to meet the production requirements for the Agency.

In order to facilitate the expenditure of HOME Program Income, the Agency approved reallocating a portion of the RDA funds for the St. James Place project on Main Street to the Casas Buena Vista project and replacing those funds for the St. James Project with HOME Program Income. Due to several delays on the project, the City received an extension on the HOME grant for the completion of construction on the St. James Place project which is now scheduled for Spring 2004.

**E. Goal:** During the 2002-2003 fiscal year, the Agency will continue expending a portion of the twenty five percent (25%) match for the $500,000 HOME grant for the continuation of the City's Low-Income First-Time Homebuyer Program.

**Action:** The agency expended $80,000 in the fiscal year (for a total to date of $120,000) for First Time Low Income Homebuyer loans that serve as match for the 2000 HOME grant. $5,000 remains to be expended to complete the match requirement.
F. Goal: The Agency will be reviewing the housing policy for possible revisions.

Action: The Agency reviewed the housing policy and made several changes, including the reallocation of housing funds to other programs as indicated by the goals stated above.

3. Building Facade Renovation Program

Goal: Continue implementation, monitoring, and evaluation of the building facade renovation grant program.

Action: Staff continues to monitor and evaluate the completed facades for compliance with the facade easement maintenance agreement and notifies the owners of any items that need attention.

4. Main Street Streetscape

Goal: Continue monitoring of the Main Street streetscape improvements.

Action: During the 2002-2003 fiscal year, the Agency adopted the Mural Guidelines into the Architectural Design guidelines and the Adopt-a-Planter Program Guidelines into the Porterville Streetscape Landscape and Site Maintenance Manual.

Staff has continued to inspect and monitor the streetscape improvements on Main Street, reporting and following up on any items that need attention.

5. Parking Lots

A. Goal: Present the Downtown Parking Study, completed in 2001, to the Redevelopment Advisory Committee and the Agency for incorporation into the Redevelopment Strategic Plan for Project Area #1.

Action: During 2002-2003, the Agency adopted the 2001 Downtown Parking Study into the Redevelopment Strategic Plan for Project Area #1.

B. Goal: In conjunction with the CDBG Section 108 program, reconstruct existing parking lots in the Redevelopment
Area to the Redevelopment standards and assume ownership of those parking districts.

Action: The CDBG Consolidated Plan and Action Plan were amended to remove parking lots from Section 108 funding. Future parking lot reconstruction has been moved to the Business Assistance program.

C. Goal: During 2001-02, the City applied for and was awarded a Central Valley Infrastructure Grant for the reconstruction and expansion of the parking lot located at Hockett and Oak. Staff will work with the City to design the parking lot in accordance with Redevelopment Guidelines.

Action: Staff is working with the Engineering Department to development plans and specifications for the project in accordance with the Redevelopment Design Guidelines for Project Area #1.

D. Goal: Monitor and maintain all Agency owned parking lots.

Action: Staff continues to monitor and maintain the Redevelopment parking lots, coordinating with Parks and Leisure Services on any landscape maintenance items or Southern California Edison on any light standard issues.

E. Goal: Continue pursuing the formation of Parking District #3 in the North Main Street Area (Cleveland Avenue to Morton Avenue, Main Street to the Union Pacific Railroad).

Action: Staff continues to seek funding for the acquisition of additional property and for the construction of parking lots within the area that would be necessary for the formation of a district in this North Main Street Area.

6. Government Civic Offices

Goal: Continue cooperation with the County and State on development of Civic Office complexes.

Action: With the completion of the two Redevelopment parking lots on the west side of the Courthouse, the County has indicated potential future plans for expansion and renovation of the County facilities.
7. Chamber of Commerce Office

Goal: Coordinate with the Chamber of Commerce the finalization of the construction of the Agency assisted office complex at the Frontier Building site on Main Street, including the completion of the "Walk of Fame" paseo from Main Street to Hockett Street. Upon completion, continue to monitor improvements according to the facade easement maintenance agreements.

Action: Construction was completed in 2001-02, with minor items to be finalized during the 2002-2003 fiscal year. Staff continues to work with Chamber personnel to finalize signage at the site.

8. Downtown Business Activity

Goal: Coordinate with Downtown Porterville Association, Inc. to encourage downtown revitalization. As part of this effort, the City and Downtown Porterville Association, Inc. will promote and utilize various financial incentive programs to recruit and assist businesses in locating within the Redevelopment Area, with an emphasis on filling vacant and underutilized buildings within the downtown area between Morton Avenue and Olive Avenue.

Action: Staff continues to work cooperatively with Downtown Porterville, Inc. on projects and recruitment efforts. Staff keeps a current inventory of properties available downtown in order to assist prospective businesses in selecting a location.

9. Porterville Economic Development Strategic Plan

Goal: Support and assist in implementation of the adopted Porterville Economic Development Strategic Plan. This plan includes a marketing plan, as well as an action plan, with specific recommendations for strategic initiatives and aggressive business retention and attraction.

Action: Staff continues to participate in monthly Partners Meetings and semi-annual Stakeholders Meetings. Programs such as the Business Call Program, a part of the Business Retention and Expansion Program and the Business Hotline, allowing for direct assistance to business, continue to operate.
10. Neighborhood Community Center

Goal: Participate in the continued process of planning and development of the Neighborhood Community Center in conjunction with the Community Development Block Grant (CDBG) program adopted by the City Council.

Action: During 2002-2003, the City and the Porterville Unified School District (PUSD) held a joint groundbreaking ceremony. PUSD has begun construction, with the Neighborhood Community Center construction to begin upon receipt of necessary permits.

11. Public Improvement Projects

A. Goal: Street and Bridges:

Coordinate with the City Engineering Division on the planning and reconstruction of the Plano Street Bridge, Orange Avenue, and the planning for future improvements funded through Certificates of Participation within the Redevelopment Project Area.

Action: The Redevelopment Strategic Plan and the adopted Streetscape Design for the Redevelopment Area were used extensively in the planning and design of both the Plano Street Bridge Project and the Orange Avenue Reconstruction Project. Both the Plano Street Bridge Project and the Orange Avenue Project will begin upon notification of environmental clearance.

B. Goal: Transit Center:

Coordinate with the City Administrative Services on the planning and construction of the Transit Center proposed to be located at Hockett Street and Oak Avenue.

Action: The Redevelopment Strategic Plan and the adopted Streetscape Design for the Redevelopment Area were used in the planning and design of the Transit Center. The Transit Center was completed and operations began at the new facility during 2002-2003.

12. Tule River Parkway and Rails to Trails Projects

Goal: Coordinate with the City Engineering Division and the Parks and
Leisure Services Department on the planning and construction of
the phases of the Tule River Parkway and the Rails to Trails
projects that are within the Redevelopment Area.

Action: Staff has participated in the planning and coordination of both of
these projects that are within the Redevelopment Area.

13. Annexation and General Plan Land Use

Goal: Support annexation of additional industrial land and circulation
improvements in the southern area of the City in accordance with
the General Plan and Circulation Element.

Action: Utilizing Certificates of Participation, the City will be improving
and extending streets in the southern area of the City.

14. Financing Studies

Goal: Prepare future financing program and feasibility studies for
redevelopment projects in Project Area #1.

Action: During the 2002-2003 fiscal year, staff prepared several financing
strategies to reduce the financial impacts of reassessment of
properties within the project Area, a stagnant real estate market,
increased operating expenses, and institution of mandated
legislative actions (including an Education Revenue Augmentation
Fund (ERAF)). Strategies approved by the Agency are:

Strategy 1: Remove all salaries from the Redevelopment
budget.

Strategy 2: Remove Agency/City owned properties from the
Base Year calculations.

Strategy 3: Remove two industrial properties from the Project
Area.

Strategy 4: Successfully petition the State to eliminate proposed
ERAF diversions in the current and forthcoming
fiscal years.

Strategy 5: Eliminate the remaining property on Fourth Street
and promote private development on
vacant/underutilized Agency/City owned properties.
Strategy 6: Explore the feasibility of expanding Project Area #1 to blighted areas to encourage redevelopment and growth.

15. Redevelopment Project Area #2

Goal: Pursue the adoption of Redevelopment Project Area #2.

Action: Based on the financial impact to the Redevelopment budget, this project was postponed during the 2002-2003 fiscal year.

B. Disclosure of Agency Loans

The Redevelopment Agency has made no loans of $50,000 or more that are in default or not in compliance with the terms of the loan approved by the Agency.

C. 2003-04 Work Program

The work program for 2003-2004 is based on the continued implementation of both the Redevelopment Strategic Plan adopted in 1992 and the Five Year Implementation Plan adopted in 1999. The general redevelopment priority projects established for the expenditure of the Agency's first bond issue proceeds are nearly completed, including the parking lot development projects which were partly funded with other sources of financing. The Agency will be managing and monitoring the Redevelopment projects that have been completed and planning ahead for future projects when funding becomes available. The Agency will also be focused on the continued efforts to implement the low and moderate income housing projects and will be pursuing the establishment of a second Redevelopment Project Area. Therefore, the work program for 2003-2004 will include the following:

1. Implementation Plan

A. During 2003-2004, the City will be finalizing the update of the Housing Element of the General Plan with the Analysis of Impediments to Fair Housing Choice and the Redevelopment Implementation Plan. The Agency will be assisting the City with funding for the update provided from available Low & Moderate Income Housing Set-Aside funds and bond funds.

B. Adopt and begin implementation of the 2003 Redevelopment Implementation Plan for the Redevelopment Agency that contains the specific goals and objectives of the Agency for the project area, the specific programs, including potential projects, and estimated expenditures proposed to be made during the five year period beginning 2003.
2. Housing Strategic Plan Implementation

A. Continue implementation of the Housing Strategic Plan, adopt and implement the 2003 Redevelopment Implementation Plan, and continue implementation of the policies adopted by the Agency for the expenditure of the low and moderate income housing funds.

B. In 2002-2003 the Agency pledged the remaining $378,000 available for the First Time Home Buyer program to assist families desiring to purchase dwellings within the Casas Buena Vista subdivision. It is anticipated these funds will be expended in the 2003-2004 fiscal year.

C. Administer all agreements for the development of the Casas Buena Vista subdivision, including the California Housing Finance Agency (CHFA) HELP loan, the Disposition and Development Agreement with Perris 40 Corporation, and the individual homebuyer assistance loans for acquisition of the houses which will incorporate affordability covenants. The Agency will also assist in finalizing the establishment of the Landscape and Lighting Maintenance District (LMD) and complete improvements to the open areas that have been deeded to the City.

D. The Agency will be administering the $115,000 in assistance for frontage improvements for the Date Avenue Apartments, a 78 unit tax credit project for low income households. The funds will be deposited with a fiscal agent and dispersed at the end of construction. The Agency will continue to monitor the rental project for compliance with the terms of the Affordable Housing Agreement between the Agency and 148 Date Avenue, L.P. and Corporation for Better Housing.

E. The Agency will continue to expend the remaining RDA funds designated for the St. James Place historical renovation project on Main Street, which will be providing 14 affordable apartments for low and moderate income persons. A $1,000,000 HOME grant and HOME Program Income are also being utilized for this project. Project completion is anticipated in the Spring of 2004.

F. During the 2003-2004 fiscal year, the Agency will complete expending the required twenty five percent (25%) match for the 2000 HOME $500,000 grant for the continuation of the City's Low-Income First-Time Homebuyer Program.

3. Building Facade Renovation Program and Main Street Streetscape

Continue implementation, monitoring, and evaluation of the building facade renovation grant program and continue monitoring the Main Street streetscape
improvements.

4. Parking Lots

In conjunction with the CDBG Business Assistance program, reconstruct existing parking lots in the Redevelopment Area to the Redevelopment design standards and assume ownership of those parking district lots.

A. During 2001-2002, the City applied for and was awarded a Central Valley Infrastructure Grant for the reconstruction and expansion of the parking lot located at Hockett and Oak. Staff will work with the City to design the parking lot in accordance with Redevelopment Guidelines.

B. Monitor and maintain all Agency owned parking lots.

C. Continue pursuing the formation of Parking District #3 in the North Main Street Area (Cleveland Avenue to Morton Avenue, Main Street to the Union Pacific Railroad).

5. Government Civic Offices

Continue cooperation with the County and State on development of Civic Office complexes.

6. Chamber of Commerce Office

Coordinate with the Chamber of Commerce the finalization of the signage of the Agency assisted office complex at the Frontier Building site on Main Street. Upon completion, continue to monitor improvements according to the facade easement maintenance agreements.

7. Downtown Porterville Association, Inc.

Coordinate with Downtown Porterville Association, Inc. to encourage downtown revitalization. As part of this effort, the City and Main Street Porterville, Inc. will promote and utilize various financial incentive programs to recruit and assist businesses in locating within the Redevelopment Area, with an emphasis on filling vacant and underutilized buildings within the downtown area between Morton Avenue and Olive Avenue.

8. Porterville Economic Development Strategic Plan

Support and assist in the continued implementation of the adopted Porterville Economic Development Strategic Plan. This plan includes a marketing plan, as well as an action plan, with specific recommendations for strategic initiatives and
aggressive business retention and attraction.

9. Neighborhood Community Center

Participate in the continued process of planning and development of the Neighborhood Community Center in conjunction with the Community Development Block Grant (CDBG) program utilizing Section 108 funding.

10. Public Improvement Projects

Streets and Bridges - Coordinate with the City Engineering Division on the planning and reconstruction of the Plano Street Bridge and Orange Avenue funded, wholly or in part, by Certificates of Participation within the Redevelopment Project Area.

11. Tule River Parkway and Rails to Trails Projects

Coordinate with the City Engineering Division and the Parks and Leisure Services Department on the planning and construction of the phases of the Tule River Parkway and the Rails to Trails projects that are within the Redevelopment Area.

12. Annexation and General Plan Land Use

Support annexation of additional industrial land and circulation improvements in the south/southeast area of the City in accordance with the General Plan and Circulation Element.

13. Financing Strategies

During the 2002-2003 fiscal year, staff prepared several financing strategies to reduce the financial impacts of reassessment of properties within the project Area, a stagnant real estate market, increased operating expenses, and institution of mandated legislative actions (including an Education Revenue Augmentation Fund (ERAF)). Strategies approved by the Agency are:
Strategy 1: Remove all salaries from the Redevelopment budget.

Strategy 2: Remove Agency/City owned properties from the Base Year calculations.

Strategy 3: Remove two industrial properties from the Project Area.

Strategy 4: Successfully petition the State to eliminate proposed ERAF diversions in the current and forthcoming fiscal years.

Strategy 5: Sell the remaining property on Fourth Street and promote private development on vacant/underutilized Agency/City owned properties.

Strategy 6: Explore the feasibility of expanding Project Area #1 to blighted areas to encourage redevelopment and growth. Implement the Financing Strategies approved by the Agency during the 2002-2003 fiscal year.
IV. FINANCIAL STATEMENTS WITH INDEPENDENT AUDITORS' FINANCIAL AND COMPLIANCE REPORTS - attached
PORTERVILLE REDEVELOPMENT AGENCY
(A Component Unit of the City of Porterville)

PORTERVILLE, CALIFORNIA

FINANCIAL STATEMENTS
with Independent Auditor's
Financial and Compliance Reports

For the fiscal year ended
June 30, 2003

Prepared by the Department of Finance
Susan J. Slayton
PORTERVILLE REDEVELOPMENT AGENCY
(A Component Unit of the City of Porterville)

FINANCIAL STATEMENTS
with Independent Auditor's
Financial and Compliance Reports

For the fiscal year ended June 30, 2003

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</table>
PORTERVILLE REDEVELOPMENT AGENCY  
(A Component Unit of the City of Porterville)  

COMBINED BALANCE SHEET  
ALL FUND TYPES AND ACCOUNT GROUPS  
June 30, 2003

<table>
<thead>
<tr>
<th>Assets and Other Debts</th>
<th>Special Revenue</th>
<th>Debt Service</th>
<th>Capital Projects</th>
<th>General Fixed Assets</th>
<th>General Long-Term Debt</th>
<th>Totals (Memorandum Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash (Note 1 and 2)</td>
<td>$12,304</td>
<td>$1,528</td>
<td>$390</td>
<td>$</td>
<td>$</td>
<td>$14,222</td>
</tr>
<tr>
<td>Investments (Note 1 and 2)</td>
<td>1,099,438</td>
<td>138,546</td>
<td>34,872</td>
<td>$</td>
<td>$</td>
<td>1,270,856</td>
</tr>
<tr>
<td>Interest receivable</td>
<td>$</td>
<td>$653</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>693</td>
</tr>
<tr>
<td>Taxes receivable</td>
<td>$</td>
<td>$217</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>217</td>
</tr>
<tr>
<td>Land held for resale (Note 9)</td>
<td>717,500</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>717,500</td>
</tr>
<tr>
<td>Cash with fiscal agent - restricted</td>
<td>$</td>
<td>49,817</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>49,817</td>
</tr>
<tr>
<td>Fixed assets (Note 3)</td>
<td>$</td>
<td>$</td>
<td>$968,418</td>
<td>$</td>
<td>$</td>
<td>968,418</td>
</tr>
<tr>
<td>Other debits:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amount available in Debt Service Fund</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>188,801</td>
</tr>
<tr>
<td>Amount to be provided for retirement of general long-term debt</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>8,518,153</td>
</tr>
<tr>
<td>Total assets and other debits</td>
<td>$1,829,242</td>
<td>$188,801</td>
<td>$35,262</td>
<td>$968,418</td>
<td>$8,706,954</td>
<td>$11,728,677</td>
</tr>
</tbody>
</table>

LIABILITIES, FUND BALANCE AND OTHER CREDITS

<table>
<thead>
<tr>
<th>Liabilities:</th>
<th>Special Revenue</th>
<th>Debt Service</th>
<th>Capital Projects</th>
<th>General Fixed Assets</th>
<th>General Long-Term Debt</th>
<th>Totals (Memorandum Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts and contracts payable</td>
<td>$13,999</td>
<td>$</td>
<td>$1,294</td>
<td>$</td>
<td>$</td>
<td>15,293</td>
</tr>
<tr>
<td>Payroll payable</td>
<td>$357</td>
<td>$</td>
<td>$849</td>
<td>$</td>
<td>$</td>
<td>1,206</td>
</tr>
<tr>
<td>Advances payable - City (Note 4)</td>
<td>$</td>
<td>$</td>
<td>$1,281,940</td>
<td>$</td>
<td>$</td>
<td>1,281,940</td>
</tr>
<tr>
<td>Notes payable - County (Note 4)</td>
<td>$</td>
<td>$</td>
<td>$235,000</td>
<td>$</td>
<td>$</td>
<td>235,000</td>
</tr>
<tr>
<td>Notes payable - State (Note 4)</td>
<td>$</td>
<td>$</td>
<td>$1,319,014</td>
<td>$</td>
<td>$</td>
<td>1,319,014</td>
</tr>
<tr>
<td>Revenue bonds payable (Note 4)</td>
<td>$</td>
<td>$</td>
<td>$5,875,000</td>
<td>$</td>
<td>$</td>
<td>5,875,000</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>$14,356</td>
<td>$</td>
<td>$2,143</td>
<td>$9,706,954</td>
<td>$</td>
<td>8,723,453</td>
</tr>
</tbody>
</table>

Fund balance and other credits:
| Investment in general fixed assets | $           | $            | $968,418         | $                     | $                      | 968,418                 |
| Reserved for debt service | $           | $188,301     | $              | $                     | $                      | 188,301                 |
| Reserved for land held for resale (Note 9) | $717,500 | $            | $              | $                     | $                      | 717,500                 |
| Unreserved, designated for low and moderate income housing programs | $1,097,386 | $            | $              | $                     | $                      | 1,097,386               |
| Unreserved, undesignated (deficit) | $           | $33,119     | $              | $                     | $                      | 33,119                  |
| Total fund balance and other credits | $1,829,242 | $188,801     | $35,262         | $968,418             | $8,706,954             | $11,728,677             |

Total liabilities, fund balance and other credits | $1,829,242 | $188,801 | $35,262 | $968,418 | $8,706,954 | $11,728,677 |

The notes to the financial statements are an integral part of this statement.
PORTERVILLE REDEVELOPMENT AGENCY  
(A Component Unit of the City of Porterville)  

COMBINED STATEMENT OF REVENUES, EXPENDITURES AND 
CHANGES IN FUND BALANCES - ALL GOVERNMENTAL FUND TYPES  
For the fiscal year ended June 30, 2003

<table>
<thead>
<tr>
<th>Governmental Fund Types</th>
<th>Special Revenue</th>
<th>Debt Service</th>
<th>Capital Projects</th>
<th>Totals (Memorandum Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax increment</td>
<td>$164,547</td>
<td>$574,020</td>
<td>$--</td>
<td>$738,567</td>
</tr>
<tr>
<td>Interest</td>
<td>34,697</td>
<td>5,990</td>
<td>202</td>
<td>40,889</td>
</tr>
<tr>
<td>Other</td>
<td>--</td>
<td>2,249</td>
<td>6,379</td>
<td>8,628</td>
</tr>
<tr>
<td>Total revenues</td>
<td>199,244</td>
<td>582,259</td>
<td>6,581</td>
<td>788,084</td>
</tr>
</tbody>
</table>

| Expenditures: Current: |                |              |                 |                         |
| Administration         | 33,491         | 35,520       | 18,672          | 87,683                  |
| Housing program costs  | 184,736        | --           | --              | 184,736                 |
| Pass through payments (Sec. 33676) | 34,483 | 137,932 | -- | 172,415 |

| Debt service:          |                |              |                 |                         |
| Principal - notes and bonds | 45,000 | 208,234 | -- | 253,234 |
| Principal - City advances | --     | --         | --              | --                      |
| Interest and fiscal charges - notes and bonds | 68,167 | 265,482 | -- | 333,649 |
| Interest - City advances | --     | 2,374      | --              | 2,374                   |
| Total expenditures     | 365,877        | 649,542      | 18,672          | 1,034,091               |

| Excess (deficiency) of revenues over (under) expenditures | (166,633) | (67,283) | (12,091) | (246,007) |

| Other financing sources (uses): |                |              |                 |                         |
| Operating transfers in         | --             | --           | 18,672          | 18,672                  |
| Operating transfers out        | --             | (18,672)     | --              | (18,672)                |
| Proceeds from advances         | --             | 2,374        | --              | 2,374                   |
| Total other financing sources (uses) | --     | (16,298) | 18,672 | 2,374 |

| Excess (deficiency) of revenues and other financing sources over (under) expenditures and other financing uses | (166,633) | (83,581) | 6,581 | (243,633) |

| Fund balances - July 1         | 1,981,519      | 272,382      | 28,538         | 2,280,439               |

| Fund balances - June 30        | $1,814,886      | $188,801     | $33,119        | $2,036,806               |

The notes to the financial statements are an integral part of this statement.
## PORTERVILLE REDEVELOPMENT AGENCY
(A Component Unit of the City of Porterville)

### COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - ALL GOVERNMENTAL FUND TYPES

For the fiscal year ended June 30, 2003

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Special Revenue Fund</th>
<th>Debt Service Fund</th>
<th>Capital Projects Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>Actual</td>
<td>Variance Favorable (Unfavorable)</td>
</tr>
<tr>
<td><strong>Revenues:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax increment</td>
<td>$123,454</td>
<td>$164,547</td>
<td>$41,093 $</td>
</tr>
<tr>
<td>Interest</td>
<td>--</td>
<td>34,697</td>
<td>34,697</td>
</tr>
<tr>
<td>Other</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>$123,454</td>
<td>$199,244</td>
<td>$75,790 $</td>
</tr>
<tr>
<td><strong>Expenditures:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>20,897</td>
<td>33,491</td>
<td>$(12,594)</td>
</tr>
<tr>
<td>Housing program costs</td>
<td>300,000</td>
<td>184,736</td>
<td>115,264</td>
</tr>
<tr>
<td>Pass through payments (Sec. 33676)</td>
<td>--</td>
<td>34,483</td>
<td>(34,483)</td>
</tr>
<tr>
<td>Debt service:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal - notes and bonds</td>
<td>45,000</td>
<td>45,000</td>
<td>--</td>
</tr>
<tr>
<td>Principal - City advances</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Interest &amp; fiscal charges - notes and bonds</td>
<td>64,731</td>
<td>68,167</td>
<td>(3,436)</td>
</tr>
<tr>
<td>Interest - City advances</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>430,628</td>
<td>365,877</td>
<td>64,751</td>
</tr>
<tr>
<td><strong>Excess (deficiency) of revenues over (under) expenditures</strong></td>
<td>(307,174)</td>
<td>(166,633)</td>
<td>140,541 $</td>
</tr>
<tr>
<td>Other financing sources (uses):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating transfer in</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Operating transfer out</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Proceeds from advances</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total other financing sources (uses)</strong></td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Excess (deficiency) of revenues and other financing sources over (under) expenditures and other financing uses</strong></td>
<td>(307,174)</td>
<td>(166,633)</td>
<td>$140,541</td>
</tr>
<tr>
<td><strong>Fund balances - July 1</strong></td>
<td>1,981,519</td>
<td>272,382</td>
<td>26,538</td>
</tr>
<tr>
<td><strong>Fund balances - June 30</strong></td>
<td>$1,814,886</td>
<td>$189,801</td>
<td>$33,119</td>
</tr>
</tbody>
</table>

The notes to the financial statements are an integral part of this statement.
Property taxes are accounted for in the Debt Service Fund. Property tax revenues are recognized when they become measurable and available to finance current liabilities. Property taxes on the unsecured roll are due on the March 1 lien date and become delinquent if unpaid on August 31.

The Agency participates in an alternative method of distribution of property tax levies and assessments known as the "Teeter Plan." The State Revenue and Taxation Code allows counties to distribute secured real property, assessment and supplemental property taxes on an accrual basis resulting in full payment to agencies each fiscal year. Any subsequent delinquent payments and related penalties and interest during a fiscal year will revert to Tulare County. The Teeter Plan payment, which includes 95 percent of the outstanding accumulated delinquency, is included in property tax revenue. Under the Teeter Plan code, 5 percent of the delinquency must remain with the County as a reserve for Teeter Plan funding.

H. Memorandum Only - Total Columns

Total columns on the general purpose financial statements are captioned "Memorandum Only" because they do not represent consolidated financial information and are presented only to facilitate financial analysis. Data in these columns do not present financial position, results of operations or changes in financial position in conformity with generally accepted accounting principles. Interfund eliminations have not been made in the aggregation of this data.

I. Budgetary Accounting

The procedures of the Agency in establishing the budgetary data reflected in the financial statements are:

Prior to June 1, a proposed operating budget for the fiscal year commencing the following July 1 is submitted to the Redevelopment Agency Board. The operating budget includes proposed expenditures and the means of financing them. Public hearings are conducted to obtain taxpayer comments. Prior to July 1, the budget is legally enacted through passage of a resolution.

Formal budgetary integration is employed as a management control device. The appropriated budget is prepared by fund, department, and function. The legal level of budgetary control is the department level. Therefore, total expenditures may not exceed total appropriations at the department level. Supplementary appropriations that alter the total expenditures of any fund require Redevelopment Agency Board approval.

Budgets for the Special Revenue, Debt Service and Capital Projects Funds are presented in the accompanying general purpose financial statements on a basis consistent with generally accepted accounting principles.

J. Excess of Expenditures Over Appropriations

For the year ended June 30, 2003, no expenditures exceeded appropriations.

NOTE 2 - CASH AND INVESTMENTS

The Agency follows the practice of pooling cash and investments of all the funds except for funds required to be held by outside fiscal agents under the provisions of bond indentures and funds. Interest income earned on the pooled cash and investments is allocated monthly to the various funds based on the monthly cash balances. Interest income from cash and investments with fiscal agents is credited directly to the related fund.
PORTERVILLE REDEVELOPMENT AGENCY  
(A Component Unit of the City of Porterville)  

NOTES TO THE FINANCIAL STATEMENTS  
June 30, 2003

The following disclosures are made in accordance with Statement No. 3 of the Governmental Accounting Standards Board (GASB 3):

Collateral for Deposits

Under the provisions of the California Government Code, California banks and savings and loan associations are required to secure an agency's deposits by pledging government securities as collateral. The fair value of the pledged securities must equal at least 110 percent of an agency's deposits. The Agency Treasurer, at his discretion, may waive the 110 percent collateral requirement for deposits which are insured up to $100,000 by the FDIC. It is the Agency's policy to waive the collateral requirement in order to receive a higher interest yield on its deposits. Also, it is Agency policy not to deposit more than $100,000 in a savings and loan association or a small bank.

California law also allows financial institutions to secure agency deposits by pledging first trust deed mortgage notes having a value of 150 percent of an agency's total deposits. It is the Agency's policy not to accept this form of collateral.

Authorized Investments

Under provisions of the Agency's Investment Policy, and in accordance with Section 53601 of the California Government Code, the Agency may invest in the following types of investments: Negotiable Certificates of Deposit, U.S. Treasury Bills, Bankers Acceptances, Certain Federal Agency Obligations, Commercial Paper, California Local Agency Investment Fund (LAIF).

Safekeeping Arrangements for Investments

Under Section 53601 of the California Government Code, as amended, the collateral underlying an agency's investments must be "delivered" to the agency. If U.S. Treasury Bills are used as the underlying collateral, delivery may be made by book entry only. For all other collateral, the security must be physically delivered, either to the agency or to a third-party custodial agent.

California Local Agency Investment Fund (LAIF)

The LAIF is a special fund of the California State Treasury through which local governments may pool investments. The Redevelopment Agency may invest up to $15,000,000 in the fund. Investments in LAIF are highly liquid, as deposits can be converted to cash within twenty-four hours without loss of interest. All investments with LAIF are secured by the full faith and credit of the State of California.

Included in LAIF's investment portfolio are certain securities or similar products in the form of structured notes, totaling $304,000,000 and asset-backed securities totaling $985,876,000. LAIF's (and the Agency's) exposure to risk (credit, market or legal) is not currently available.

Repurchase and Reverse-Repurchase Agreements

As a matter of investment policy, the Agency does not invest in Repurchase Agreements or borrow funds through the use of Reverse-Repurchase Agreements.
NOTE 4 - LONG-TERM DEBT

Advances Payable - City of Porterville

General Fund

On April 7, 1981, the Agency entered into Fund Advance Agreement No. 1 (Agreement) with the City of Porterville. The Agreement states that the City’s General Fund will advance funds to the Agency for payment of expenses incurred by the Agency associated with the planning, formulation, adoption, and execution of one or more redevelopment plans and project areas in the City. The agreement was modified on June 30, 1999, with respect to the interest rate applied to outstanding advance balances. The previous interest rate of 10% per annum was reduced to 0% per annum and became effective as of July 1, 1998.

According to the Agreement, the City will advance, with prior approval of the City Council, all funds deemed necessary by the Agency to facilitate the approval, adoption, and implementation of the redevelopment program. The Agency will reimburse all advances made by the City from whatever revenue sources it possesses, including future tax increment funds when these revenues become available. As of June 30, 2003, the Agency owed the City $1,145,425 in principal and interest under this agreement.

Risk Management Fund

On November 12, 1997, the Agency entered into Fund Advance Agreement No. 2 with the City of Porterville. This agreement states that the City’s Risk Management Fund will advance funds to the Agency for payment of expenses incurred by the Agency associated with the improvement of certain storm drain facilities located within Project Area #1.

The Agency will reimburse all advances made by the City from tax increment revenue as it becomes lawfully available. As of June 30, 2003, the Agency owed the City $136,515 in principal and interest under this agreement.

Notes Payable - Intergovernmental

State of California

A promissory note in the amount of $300,000 was issued by the Agency to the California Department of Commerce, Rural Economic Development Infrastructure Loan Program in April 1991, to partially finance street and storm drainage system infrastructure improvements. Repayment will be made over a 25 year term with an interest rate of 3%. Interest payments will be deferred for the first five years with payments of interest only for the next five years and full payments for the remaining 15 years. As of June 30, 2003, the Agency owed the State $307,532 in principal and deferred interest.

To remedy a seriously deteriorated housing project, the Agency applied for and received approval to draw on a $1.5 million grant from the California Housing Finance Agency (CHFA). Grant funds entitled Housing Enabled by Local Partnership (HELP) have been designated for creating affordable housing, and to date, $1,007,482 has been drawn down to purchase the land in the Casas del Rio development. The loan period is ten years with possible extension or forgiveness.
PORTERVILLE REDEVELOPMENT AGENCY
(A Component Unit of the City of Porterville)

NOTES TO THE FINANCIAL STATEMENTS
June 30, 2003

County of Tulare

A promissory note in the amount of $285,000 was issued by the Agency to the County of Tulare, California. The note proceeds received in January 1998 were used to partially finance parking lots improvements located within Project Area #1. The original note required annual principal payments of $10,000 each September 1, and the remaining balance due on September 1, 2002, with an option to extend the agreement to 2007. In December 2001, the County exercised its right to extend the maturity date to September 1, 2007.

The note carries an interest rate of 6.0 percent per annum unless waived, offset or abated. The total interest subject to a waiver by the County as of June 30, 2003, is $74,487. As of June 30, 2003, the balance due is $235,000.

Revenue Bonds

Advance Refunding - 1992 Revenue Bonds. In February 2002, the Agency advance refunded its 1992 Series A Revenue Bonds. The refunding resulted in the issue of $6,100,000 in bonds at interest rates ranging from 3.50 percent to 5.5 percent. The advance refunding was undertaken to reduce total debt service payments over the next 20 years by $498,351. The bonds are secured by tax increment revenues, and semi-annual payments will be made until the year 2022.

The proceeds from the refunding have been placed in irrevocable escrow accounts overseen by independent bank fiscal agents. These proceeds, along with interest earnings, will be used for the payment of principal, interest and redemption premium on the refunded certificates. As a result of this, the refunded certificates are considered to be defeased, and the liability removed from long-term debt.

The following is a summary of changes in General Long-Term Debt Account Group during the fiscal year:

<table>
<thead>
<tr>
<th></th>
<th>Balance, July 1, 2002</th>
<th>Additions</th>
<th>Retirements</th>
<th>Balance, June 30, 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advances payable - City</td>
<td>$1,279,565</td>
<td>$2,375</td>
<td>--</td>
<td>$1,281,940</td>
</tr>
<tr>
<td>Notes payable - Intergovernmental</td>
<td>$1,578,249</td>
<td>(28,235)</td>
<td></td>
<td>$1,550,014</td>
</tr>
<tr>
<td>Revenue bonds payable</td>
<td>$6,100,000</td>
<td>(225,000)</td>
<td></td>
<td>$5,875,000</td>
</tr>
<tr>
<td>Total</td>
<td>$8,957,314</td>
<td>$2,375</td>
<td>(253,235)</td>
<td>$8,706,954</td>
</tr>
</tbody>
</table>
The annual debt service requirements to maturity for general long-term liabilities, including interest, are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Advances Payable - City</th>
<th>Notes Payable</th>
<th>Revenue Bonds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04</td>
<td>$2,416</td>
<td>$37,872</td>
<td>$492,267</td>
<td>$532,555</td>
</tr>
<tr>
<td>2004-05</td>
<td>2,459</td>
<td>37,872</td>
<td>489,783</td>
<td>530,114</td>
</tr>
<tr>
<td>2005-06</td>
<td>2,503</td>
<td>37,872</td>
<td>486,717</td>
<td>527,092</td>
</tr>
<tr>
<td>2006-07</td>
<td>2,547</td>
<td>37,872</td>
<td>487,938</td>
<td>528,357</td>
</tr>
<tr>
<td>2007-08</td>
<td>2,592</td>
<td>222,872</td>
<td>493,177</td>
<td>718,841</td>
</tr>
<tr>
<td>2011-12</td>
<td>134,514</td>
<td>111,487</td>
<td>1,348,131</td>
<td>2,196,132</td>
</tr>
<tr>
<td>2016-17</td>
<td>--</td>
<td>1,132,905</td>
<td>2,422,765</td>
<td>3,555,670</td>
</tr>
<tr>
<td>2021-22</td>
<td>--</td>
<td>--</td>
<td>2,422,400</td>
<td>2,422,400</td>
</tr>
<tr>
<td>2026-27</td>
<td>--</td>
<td>--</td>
<td>478,368</td>
<td>478,368</td>
</tr>
<tr>
<td>2031-32</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>2036-37</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>2039-40</td>
<td>1,145,425</td>
<td>--</td>
<td>--</td>
<td>1,145,425</td>
</tr>
</tbody>
</table>

Less interest

$1,294,456  $1,618,752  $9,721,546  12,634,754

(12,516)  (68,738)  (3,846,546)  (3,927,800)

$1,281,940  $1,550,014  $5,875,000  $8,706,954

**NOTE 5 - VACATION AND SICK PAY BENEFITS**

The accompanying financial statements do not include any accrual for vacation and sick pay benefits due employees at June 30, 2003, as this would be a liability of the City and not that of the Agency.

**NOTE 8 - CONTINGENCIES**

As of June 30, 2003, in the opinion of Agency officials, there are no outstanding matters which would materially affect the financial position of the Agency.
NOTE 7 - GROSS TAX INCREMENT

The following is a summary of the revenues which comprise the gross tax increment earned by the Agency for the fiscal year ending June 30, 2003:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property tax apportionment</td>
<td>$725,100</td>
</tr>
<tr>
<td>Homeowners property tax relief</td>
<td>12,467</td>
</tr>
<tr>
<td>Interest earnings on property taxes</td>
<td>2,249</td>
</tr>
<tr>
<td><strong>Total gross tax increment</strong></td>
<td><strong>$740,816</strong></td>
</tr>
</tbody>
</table>

NOTE 8 - PASS-THROUGH AGREEMENTS

In order to lessen the fiscal impact of the tax increment financing of redevelopment projects on other units of local governments, the Agency is required to "pass-through" portions of the tax increment funds that are attributable to the area within the territorial limits of other agencies. The following "pass-through" portions were paid during the year ended June 30, 2003:

**H & S Section 33676 pass-throughs:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Tulare County</td>
<td>$57,878</td>
</tr>
<tr>
<td>Porterville Elementary School District</td>
<td>50,621</td>
</tr>
<tr>
<td>Porterville High School District</td>
<td>33,132</td>
</tr>
<tr>
<td>County School Service Fund</td>
<td>6,258</td>
</tr>
<tr>
<td>Kern Community College</td>
<td>19,384</td>
</tr>
<tr>
<td>Porterville Memorial District</td>
<td>2,456</td>
</tr>
<tr>
<td>Porterville Cemetery District</td>
<td>1,776</td>
</tr>
<tr>
<td>Tulare County Flood Control</td>
<td>355</td>
</tr>
<tr>
<td>Tulare County Air Pollution Control</td>
<td>55</td>
</tr>
<tr>
<td><strong>Total pass-throughs</strong></td>
<td><strong>$172,415</strong></td>
</tr>
</tbody>
</table>
NOTE 9 - LAND HELD FOR RESALE

Nearly 20 years ago, a planned housing development called Casas del Rio broke ground along the southeast section of Porterville's Tule River. Fraught with legal problems, the project stopped with only 20 percent of the homes built and sold, and the area is now severely deteriorated. The Agency purchased the remaining property in April 2002, intended for use as low and moderate income housing.

On May 20, 2003, the Agency executed a Development and Disposition Agreement with Casas Buena Vista Housing Group, LLC for the sale and development of the 82 lots owned by the Agency. The total contract amount is $1,000,000 or $12,195 per lot. Construction on the subdivision is scheduled to begin on September 2004 and it is estimated to be completed in 2005.
PORTERVILLE REDEVELOPMENT AGENCY  
(A Component Unit of the City of Porterville)  

LOW AND MODERATE INCOME HOUSING SPECIAL REVENUE FUND  
STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL  
For the fiscal year ended June 30, 2003

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Actual</th>
<th>Variance Favorable (Unfavorable)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax increment--housing set-aside</td>
<td>$123,454</td>
<td>$164,547</td>
<td>$41,093</td>
</tr>
<tr>
<td>Interest</td>
<td>--</td>
<td>34,897</td>
<td>34,897</td>
</tr>
<tr>
<td>Other</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>123,454</td>
<td>199,244</td>
<td>75,790</td>
</tr>
<tr>
<td><strong>Expenditures:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>20,897</td>
<td>33,491</td>
<td>(12,594)</td>
</tr>
<tr>
<td>Housing program costs</td>
<td>300,000</td>
<td>184,736</td>
<td>115,264</td>
</tr>
<tr>
<td>Pass through payments (Sec. 33676)</td>
<td>--</td>
<td>34,483</td>
<td>(34,483)</td>
</tr>
<tr>
<td>Debt service:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal - notes and bonds</td>
<td>45,000</td>
<td>45,000</td>
<td>--</td>
</tr>
<tr>
<td>Interest and fiscal charges - notes and bonds</td>
<td>64,731</td>
<td>68,167</td>
<td>(3,436)</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>430,628</td>
<td>365,877</td>
<td>64,751</td>
</tr>
<tr>
<td><strong>Excess (deficiency) of revenues over (under) expenditures</strong></td>
<td>$ (307,174)</td>
<td>(166,633)</td>
<td>$140,541</td>
</tr>
<tr>
<td><strong>Fund balance - July 1</strong></td>
<td></td>
<td></td>
<td>1,981,519</td>
</tr>
<tr>
<td><strong>Fund balance - June 30</strong></td>
<td></td>
<td></td>
<td>$1,814,886</td>
</tr>
<tr>
<td>Description</td>
<td>Budget</td>
<td>Actual</td>
<td>Variance Favorable (Unfavorable)</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>---------</td>
<td>---------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td><strong>Revenues:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax Increment:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property taxes</td>
<td>$729,200</td>
<td>$726,100</td>
<td>$(3,100)</td>
</tr>
<tr>
<td>Homeowners property tax relief</td>
<td>--</td>
<td>12,467</td>
<td>12,467</td>
</tr>
<tr>
<td>Other</td>
<td>--</td>
<td>2,249</td>
<td>2,249</td>
</tr>
<tr>
<td>Gross tax increment</td>
<td>729,200</td>
<td>740,816</td>
<td>11,616</td>
</tr>
<tr>
<td>Less: Housing set-aside</td>
<td>(123,454)</td>
<td>(164,547)</td>
<td>(41,093)</td>
</tr>
<tr>
<td>Net tax increment</td>
<td>605,746</td>
<td>576,269</td>
<td>(29,477)</td>
</tr>
<tr>
<td>Interest</td>
<td>10,000</td>
<td>5,990</td>
<td>(4,010)</td>
</tr>
<tr>
<td>Total revenues</td>
<td>615,746</td>
<td>582,259</td>
<td>(33,487)</td>
</tr>
<tr>
<td><strong>Expenditures:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>29,000</td>
<td>35,520</td>
<td>(6,520)</td>
</tr>
<tr>
<td>Pass through payments (Sec. 33676)</td>
<td>147,730</td>
<td>137,932</td>
<td>9,798</td>
</tr>
<tr>
<td>Debt service:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal - notes and bonds</td>
<td>208,234</td>
<td>208,234</td>
<td>--</td>
</tr>
<tr>
<td>Principal - City advances</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Interest and fiscal charges - notes and bonds</td>
<td>265,482</td>
<td>265,482</td>
<td>--</td>
</tr>
<tr>
<td>Interest - City advances</td>
<td>--</td>
<td>2,374</td>
<td>(2,374)</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>650,446</td>
<td>649,542</td>
<td>904</td>
</tr>
<tr>
<td>Excess (deficiency) of revenues over (under) expenditures</td>
<td>(34,700)</td>
<td>(67,283)</td>
<td>(32,583)</td>
</tr>
<tr>
<td>Other financing sources (uses):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating transfers cut</td>
<td>(101,126)</td>
<td>(18,672)</td>
<td>82,454</td>
</tr>
<tr>
<td>Proceeds from advances payable - City</td>
<td>--</td>
<td>2,374</td>
<td>2,374</td>
</tr>
<tr>
<td>Total other financing sources (uses)</td>
<td>(101,126)</td>
<td>(16,298)</td>
<td>84,828</td>
</tr>
<tr>
<td>Excess (deficiency) of revenues and other financing sources over (under) expenditures and other financing uses</td>
<td>$(135,826)</td>
<td>(83,581)</td>
<td>$52,245</td>
</tr>
<tr>
<td>Fund balance - July 1</td>
<td></td>
<td>272,382</td>
<td></td>
</tr>
<tr>
<td>Fund balance - June 30</td>
<td></td>
<td>$188,801</td>
<td></td>
</tr>
</tbody>
</table>
PORTERVILLE REDEVELOPMENT AGENCY  
(A Component Unit of the City of Porterville)  

CAPITAL PROJECTS FUND  
STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL  
For the fiscal year ended June 30, 2003  

<table>
<thead>
<tr>
<th></th>
<th>Totals</th>
<th>Variance Favorable (Unfavorable)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>Actual</td>
</tr>
<tr>
<td>Revenues:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>$</td>
<td>$202</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>6,379</td>
</tr>
<tr>
<td>Total revenues</td>
<td>$</td>
<td>6,581</td>
</tr>
<tr>
<td>Expenditures:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>66,426</td>
<td>18,672</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>66,426</td>
<td>18,672</td>
</tr>
<tr>
<td>Excess (deficiency) of revenues over (under) expenditures</td>
<td>(66,426)</td>
<td>(12,091)</td>
</tr>
<tr>
<td>Other financing sources (uses):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating transfers in</td>
<td>66,426</td>
<td>18,672</td>
</tr>
<tr>
<td>Excess (deficiency) of revenues and other financing sources over (under) expenditures and other financing uses</td>
<td>$</td>
<td>6,581</td>
</tr>
<tr>
<td>Fund balance - July 1</td>
<td></td>
<td>26,538</td>
</tr>
<tr>
<td>Fund balance - June 30</td>
<td></td>
<td>$33,119</td>
</tr>
</tbody>
</table>
INDEPENDENT AUDITOR'S REPORT

Board of Directors
Porterville Redevelopment Agency
Porterville, California

I have audited the accompanying basic financial statements of Porterville Redevelopment Agency, a component unit of City of Porterville, California as of and for the year ended June 30, 2003, as listed in the table of contents. These financial statements are the responsibility of the Agency's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Governmental Auditing Standards issued by the Comptroller General of the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Porterville Redevelopment Agency, as of June 30, 2003, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, I have also issued a report dated December 12, 2003, on my consideration of Porterville Redevelopment Agency's internal control over financial reporting and my tests of its compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of my audit.

J. Steven Pressley
Certified Public Accountant
December 12, 2003
INDEPENDENT AUDITOR’S REPORT ON COMPLIANCE AND ON
INTERNAL CONTROL OVER FINANCIAL REPORTING
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Board of Directors
Porterville Redevelopment Agency
Porterville, California

I have audited the accompanying basic financial statements of Porterville Redevelopment Agency, of the City of Porterville, California, for the year ended June 30, 2003, and have issued my report thereon dated December 12, 2003. I conducted my audit in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America.

Compliance

As part of obtaining reasonable assurance about whether the financial statements of Porterville Redevelopment Agency are free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of the financial statement amounts. Such provisions include those provisions of laws and regulations identified in the Guidelines for Compliance Audits of California Redevelopment Agencies, issued by the State Controller and as interpreted in the Suggested Auditing Procedures for Accomplishing Compliance Audits of California Redevelopment Agencies, issued by the Governmental Accounting and Auditing Committee of the California Society of Certified Public Accountants. However, providing an opinion on compliance with those provisions was not an objective of my audit and, accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing my audit, I considered Porterville Redevelopment Agency’s internal control over financial reporting in order to determine my auditing procedures for the purpose of expressing my opinion on the financial statements and not to provide assurance on the internal control over financial reporting. My consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might
be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. I noted no matters involving the internal controls over financial reporting and its operation that I consider to be material weaknesses.

This report is intended solely for the information and use of the Board of Director's, management and the State Controller and is not intended to be used by anyone other than these specified parties.

J. Steven Pressley  
Certified Public Accountant  
Bakersfield, California  
December 12, 2003
V. ANNUAL REPORT OF HOUSING ACTIVITY - attached
<table>
<thead>
<tr>
<th>Project Area</th>
<th>100% of Tax Increment</th>
<th>20% Set Aside Requirement</th>
<th>Tax Increment Allocated</th>
<th>Amount Exempted</th>
<th>Deferral Repayment</th>
<th>Tax Incr. Deposited to Hsng Fund</th>
<th>Percent of Tax Incr Dep</th>
<th>Repayment Deferrals</th>
<th>Other Income</th>
<th>Total Deposited to Housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT AREA 1</td>
<td>$740,816</td>
<td>$148,163</td>
<td>$164,547</td>
<td>$0</td>
<td>$0</td>
<td>$164,547</td>
<td>22.21%</td>
<td>$0</td>
<td>$34,697</td>
<td>$199,244</td>
</tr>
<tr>
<td>Agency Totals:</td>
<td>$740,816</td>
<td>$148,163</td>
<td>$164,547</td>
<td>$0</td>
<td>$0</td>
<td>$164,547</td>
<td>22.21%</td>
<td>$0</td>
<td>$34,697</td>
<td>$199,244</td>
</tr>
</tbody>
</table>

Note: Print this report in Landscape Orientation (Use the Print Icon just above, then Properties then Landscape)
California Redevelopment Agencies- Fiscal Year 2002/2003
Project Area Contributions to Low and Moderate Income Housing Fund
Sch A. Project Area Financial Information

Agency: PORTERVILLE RDA
Address: 291 N. Main Street
Porterville CA 93257

Project Area: PROJECT AREA 1
Type: Inside Project Area  Status: Active
Plan Adoption: 1990  Plan Expiration: 31-JUL-30

<table>
<thead>
<tr>
<th>Gross Tax Increment</th>
<th>Calculated Deposit</th>
<th>Amount Allocated</th>
<th>Amount Exempted</th>
<th>Amount Deferred</th>
<th>Total Deposited</th>
<th>%</th>
<th>Cumulative Def.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$740,816</td>
<td>$148,163</td>
<td>$164,547</td>
<td>$0</td>
<td>$0</td>
<td>$164,547</td>
<td>22.21%</td>
<td>$0</td>
</tr>
</tbody>
</table>

Repayment: $0

Category:
- Interest Income: $34,697
- Total Additional Revenue: $34,697

Total Housing Fund Deposits for Project Area: $199,244

Agency Totals For All Project Areas:

<table>
<thead>
<tr>
<th>Gross Tax Increment</th>
<th>Calculated Deposit</th>
<th>Amount Allocated</th>
<th>Amount Exempted</th>
<th>Amount Deferred</th>
<th>Total Deposited</th>
<th>%</th>
<th>Cumulative Def.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$740,816</td>
<td>$148,163.2</td>
<td>$164,547</td>
<td>$0</td>
<td>$0</td>
<td>$164,547</td>
<td>22%</td>
<td>$0</td>
</tr>
</tbody>
</table>

Total Additional Revenue from Project Areas: $34,697
Total Deferral Repayments: $0
Total Deposit to Housing Fund from Project Areas: $199,244
<table>
<thead>
<tr>
<th>Adjusted Beginning Balance</th>
<th>Project Area Receipts</th>
<th>Agency Other Revenue</th>
<th>Total Expenses</th>
<th>Net Resources Available</th>
<th>Other Housing Fund Assets</th>
<th>Total Housing Fund Assets</th>
<th>Encumbrances</th>
<th>* Unencumbered Balance</th>
<th>Unencumbered Designated</th>
<th>Unencumbered Not Dsgndt</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,264,019</td>
<td>$199,244</td>
<td>$0</td>
<td>$365,877</td>
<td>$1,097,386</td>
<td>$717,500</td>
<td>$1,814,886</td>
<td>$357,452</td>
<td>$739,934</td>
<td>$581,191</td>
<td>$158,743</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Debt Service</th>
<th>Housing Rehabilitation</th>
<th>Other</th>
<th>Planning and Administration Costs</th>
<th>Subsidies</th>
<th>Transfers Out of Agency</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002/2003</td>
<td>$113,167</td>
<td>$94,513</td>
<td>$22,189</td>
<td>$61,525</td>
<td>$40,000</td>
<td>$34,483</td>
<td>$365,877</td>
</tr>
</tbody>
</table>

*The Unencumbered Balance is equal to Net Resources Available minus Encumbrances

Note: Print this report in Landscape Orientation (Use the Print Icon just above, then Properties then Landscape)
California Redevelopment Agencies - Fiscal Year 2002/2003
Status of Low and Moderate Income Housing Funds
Sch C Agency Financial and Program Detail
PORTERVILLE RDA

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Balance</td>
<td>$1,264,019</td>
</tr>
<tr>
<td>Adjustment to Beginning Balance</td>
<td>$0</td>
</tr>
<tr>
<td>Adjusted Beginning Balance</td>
<td>$1,264,019</td>
</tr>
<tr>
<td>Total Receipts from PA(s)</td>
<td>$199,244</td>
</tr>
<tr>
<td>Other Revenues not reported on Schedule A</td>
<td>$0</td>
</tr>
<tr>
<td>Sum of Beginning Balance and Revenues</td>
<td>$1,463,263</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Subitem</th>
<th>Amount</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Principal Payments</td>
<td></td>
<td>$45,000</td>
<td></td>
</tr>
<tr>
<td>Interest Expense</td>
<td></td>
<td>$68,167</td>
<td></td>
</tr>
<tr>
<td>Subtotal of Debt Service</td>
<td></td>
<td>$113,167</td>
<td></td>
</tr>
<tr>
<td>Housing Rehabilitation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Information Provided</td>
<td></td>
<td>$94,513</td>
<td></td>
</tr>
<tr>
<td>Subtotal of Housing Rehabilitation</td>
<td></td>
<td>$94,513</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Information Provided</td>
<td></td>
<td>$22,189</td>
<td>Date Ave. Apartments -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>legal CasasdelRio</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>landscape</td>
</tr>
<tr>
<td>Subtotal of Other</td>
<td></td>
<td>$22,189</td>
<td></td>
</tr>
<tr>
<td>Planning and Administration Costs</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Administration Costs</td>
<td></td>
<td>$26,708</td>
<td>County tax collection</td>
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<tr>
<td>Other</td>
<td></td>
<td>$4,575</td>
<td>fee</td>
</tr>
<tr>
<td>Planning, Survey/Design</td>
<td></td>
<td>$28,033</td>
<td></td>
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<tr>
<td>Professional Services</td>
<td></td>
<td>$2,108</td>
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<tr>
<td>Subtotal of Planning and Administration Costs</td>
<td></td>
<td>$61,525</td>
<td></td>
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</table>

Page 1 of 3 12/23/03
<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Subitem</th>
<th>Amount</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subsidies from the LMIHF</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st Time Homebuyer Down Payment</td>
<td></td>
<td>$40,000</td>
<td></td>
</tr>
<tr>
<td>Assistance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal of Subsidies from the LMIHF</strong></td>
<td></td>
<td>$40,000</td>
<td></td>
</tr>
<tr>
<td>Transfers Out of Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>$34,483</td>
<td>Section 33676</td>
</tr>
<tr>
<td><strong>Subtotal of Transfers Out of Agency</strong></td>
<td></td>
<td>$34,483</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td></td>
<td>$365,877</td>
<td></td>
</tr>
<tr>
<td><strong>Net Resources Available</strong></td>
<td></td>
<td>$1,097,386</td>
<td></td>
</tr>
<tr>
<td>Indebtedness For Setasides Deferred</td>
<td></td>
<td>$0</td>
<td></td>
</tr>
</tbody>
</table>

| Other Housing Fund Assets            |         |         |                 |
| **Category**                         |         |         |                 |
| **Amount**                           |         |         |                 |
| **Remark**                           |         |         |                 |
| Value of Land Purchased with Housing Funds |   | $717,500 |                 |
| **Total Other Housing Fund Assets**  |         | $717,500|                 |
| **Total Fund Equity**                |         | $1,314,886|              |

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1998/1999</td>
<td>$138,889</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1999/2000</td>
<td>$152,408</td>
<td></td>
<td></td>
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<tr>
<td>2001/2002</td>
<td>$157,551</td>
<td>$598,331</td>
<td>$0</td>
</tr>
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</table>

| Sum of Current and 3 Previous Years' Tax Increments | $623,389 |
| Adjusted Balance | $0 |
| Excess Surplus for next year | $0 |
| Net Resources Available | $1,097,386 |
| Unencumbered Designated | $581,191 |
| Unencumbered Undesignated | $158,743 |

Page 2 of 3  12/23/03
<table>
<thead>
<tr>
<th>Site Improvement Activities Benefiting Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income Level</td>
</tr>
<tr>
<td>Land Held for Future Development</td>
</tr>
<tr>
<td>Site Name</td>
</tr>
<tr>
<td>Casas del Río</td>
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</table>

Use of the Housing Fund to Assist Mortgagors

<table>
<thead>
<tr>
<th>Income Adjustment Factor</th>
<th>Requirements Completed</th>
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<tbody>
<tr>
<td>Home</td>
<td>$</td>
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Non Housing Redevelopment Funds Usage

Resource Needs

<table>
<thead>
<tr>
<th>LMIHF Deposits/Withdrawals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document Name</td>
</tr>
<tr>
<td>LowMod Cash Detail</td>
</tr>
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</table>

Achievements

Description

Page 3 of 3 12/23/03
## Project Area: PROJECT AREA 1

### FUTURE UNIT CONSTRUCTION

<table>
<thead>
<tr>
<th>Contract Name</th>
<th>Execution Date</th>
<th>Estimated Completion Date</th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casas del Rio</td>
<td>05/20/03</td>
<td>03/01/05</td>
<td>0</td>
<td>46</td>
<td>0</td>
<td>46</td>
</tr>
<tr>
<td>Date Avenue Family Apartments</td>
<td>05/20/03</td>
<td>12/01/03</td>
<td>32</td>
<td>45</td>
<td>0</td>
<td>77</td>
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</tbody>
</table>
**Project Area Name:** OUTSIDE PROJECT AREA

**Project Name:** First Time Low Income Homebuyer Loan Program  
**Address:** Porterville 93257

### SPECIAL NEEDS UNITS

<table>
<thead>
<tr>
<th>Category</th>
<th>Sub Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Need Unit</td>
<td>Farmworker (Permanent)</td>
<td>1</td>
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### UNIT INVENTORY

<table>
<thead>
<tr>
<th></th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Mod</th>
<th>Became Ineligible</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Provided with LMIHF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition Only</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Agency Owner</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Non-Elderly</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Unit Total</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
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</table>

### PROJECT FUNDING SOURCE

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redevelopment Funds</td>
<td>$40,000</td>
</tr>
<tr>
<td>Private Funds</td>
<td>$148,000</td>
</tr>
<tr>
<td>Owner Equity</td>
<td>$6,098</td>
</tr>
</tbody>
</table>
SCHEDULE HCD E
CALCULATION OF INCREASE IN AGENCY'S INCLUSIONARY OBLIGATION FOR ACTIVITIES
(This Form is Information Only: Actual Obligation is based on Implementation Plan)

Report Year: 2002/2003
VI. ANNUAL REPORT OF FINANCIAL TRANSACTIONS - attached
REDEVELOPMENT AGENCIES
FINANCIAL TRANSACTIONS REPORT
COVER PAGE

Porterville Redevelopment Agency

Fiscal Year: 2003  ID Number: 13985469800

Submitted by:

Susan Slayton
Signature
Susan Slayton
Name (Please Print)

CHIEF FINANCIAL OFFICER
Title
12/22/03
Date

Per Health and Safety Code section 33080, this report is due within six months after the end of the fiscal year. The report is to include two (2) copies of the agency’s component unit audited financial statements, and the report on the Status and Use of the Low and Moderate Income Housing Fund (HCD report). To meet the filing requirements, all portions must be received by the California State Controller’s Office.

To file electronically:
1. Complete all forms as necessary.
2. Transmit the completed output file using a File Transfer Protocol (FTP) program or via diskette.
3. Sign this cover page and mail to either address below with 2 audits and the HCD report.

Report will not be considered filed until receipt of this signed cover page.

To file a paper report:
1. Complete all forms as necessary.
2. Sign this cover page, and mail complete report to either address below with 2 audits and the HCD report.

Mailing Address:
State Controller’s Office
Division of Accounting and Reporting
Local Government Reporting Section
P. O. Box 942850
Sacramento, CA 94250

Express Mailing Address:
State Controller’s Office
Division of Accounting and Reporting
Local Government Reporting Section
3301 C Street, Suite 700
Sacramento, CA 95816
### Porterville Redevelopment Agency

**Redevelopment Agencies Financial Transactions Report**

**General Information**

**Fiscal Year** 2003

<table>
<thead>
<tr>
<th>Members of the Governing Body</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Chairperson</strong></td>
<td>Last Name</td>
<td>First Name</td>
<td>Middle Initial</td>
</tr>
<tr>
<td>Stadilherr</td>
<td>Richard</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td><strong>Member</strong></td>
<td>Last Name</td>
<td>First Name</td>
<td>Middle Initial</td>
</tr>
<tr>
<td>Martinez</td>
<td>Pedro</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Kelly</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Hamilton</td>
<td>Cameron</td>
<td>J</td>
<td></td>
</tr>
<tr>
<td>Irish</td>
<td>Ronald</td>
<td>L</td>
<td></td>
</tr>
<tr>
<td><strong>Member</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Member</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Member</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Member</strong></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Agency Officials</th>
<th>Last Name</th>
<th>First Name</th>
<th>Middle Initial</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Executive Director</strong></td>
<td>Longley</td>
<td>John</td>
<td>R</td>
<td>(559) 782-7466</td>
</tr>
<tr>
<td><strong>Fiscal Officer</strong></td>
<td>Slayton</td>
<td>Susan</td>
<td>J</td>
<td>(559) 782-7432</td>
</tr>
<tr>
<td><strong>Secretary</strong></td>
<td>Longley</td>
<td>John</td>
<td>R</td>
<td>(559) 782-7466</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Report Prepared By</th>
<th>Independent Auditor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firm Name</td>
<td>J. Steven Pressley, CPA</td>
</tr>
<tr>
<td>Last</td>
<td>Bemis</td>
</tr>
<tr>
<td>First</td>
<td>Maria</td>
</tr>
<tr>
<td>Middle Initial</td>
<td>Steve</td>
</tr>
<tr>
<td>Street</td>
<td>291 N Main Street</td>
</tr>
<tr>
<td>City</td>
<td>Porterville</td>
</tr>
<tr>
<td>State</td>
<td>CA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>93257-</td>
</tr>
<tr>
<td>Phone</td>
<td>(559) 782-7435</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street 1</td>
<td>291 N Main Street</td>
</tr>
<tr>
<td>Street 2</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Porterville</td>
</tr>
<tr>
<td>State</td>
<td>CA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>93257-</td>
</tr>
<tr>
<td>Phone</td>
<td>(559) 782-7435</td>
</tr>
</tbody>
</table>

□ Is Address Changed?
Porterville Redevelopment Agency
Redevelopment Agencies Financial Transactions Report

Achievement Information (Unaudited)

Fiscal Year 2003

Indicate Only Those Achievements Completed During the Fiscal Year of this Report as a Direct Result of the Activities of the Redevelopment Agency.

Please provide a description of the agency's activities/accomplishments during the past year.

(Please be specific, as this information will be the basis for possible inclusion in the publication.)

Casas Buena Vista:

During the 2002-2003 fiscal year, the agency entered into a Disposition and Development Agreement with Perris 40 Corporation for the development of 82 lots in the Casas Buena Vista (formerly known as Casas del Rio) subdivision. The Agency pledged $378,000 for homebuyer assistance for thirty-three of the homes.

The initial contact for the formation of a Landscape and Lighting Maintenance District was begun. The LMD is necessary for the development of the common area in the subdivision.

Date Avenue Apartments:

The Agency will assist in infrastructure frontage improvements for the Date Avenue Apartments, which will produce 78 apartments for low-income households.

Financing Studies:

During the 2002-2003 fiscal year, several financing strategies to reduce the financial impacts of reassessment of properties within the Project Area, a stagnant real estate market, increased operation expenses, and institution of mandated legislative actions (including an Education Revenue Augmentation Fund (ERAF)) were developed.

Square Footage Completed

Enter the amount of square footage completed this year by building type and segregated by new or rehabilitated construction.

New Construction

Rehabilitated

<table>
<thead>
<tr>
<th>Building Type</th>
<th>New Construction</th>
<th>Rehabilitated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Buildings</td>
<td></td>
<td></td>
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<tr>
<td>Public Buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Square Footage</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

Enter the Number of Jobs Created from the Activities of the Agency

Types Completed

A=Utilities  B=Recreation  C=Landscaping  D=Sewer/Storm  E=Streets/Roads  F=Bus/Transit
## Audit Information

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
</table>

Was the Report Prepared from Audited Financial Data, and Did You Submit a Copy of the Audit?  
Indicate Financial Audit Opinion:  
If Financial Audit is not yet Completed, What is the Expected Completion Date?  
If the Audit Opinion was Other than Unqualified, State Briefly the Reason Given.  
Was a Compliance Audit Performed in Accordance with Health and Safety Code Section 33080.1 and the State Controller’s Guidelines for Compliance Audits, and Did You Submit a Copy of the Audit?  
Indicate Compliance Audit Opinion.  
If Compliance Audit is not yet Completed, What is the Expected Completion Date?  

If compliance opinion includes exceptions, state the areas of non-compliance, and describe the agency’s efforts to correct.
Porterville Redevelopment Agency
Redevelopment Agencies Financial Transactions Report

Project Area Report

Fiscal Year 2003

| Project Area Name | Porterville Redevelopment Project Area No. 1 |

Please Provide a Brief Description of the Activities for this Project Area During the Reporting Year.

**Activity Report:**

**Casas Buena Vista:**

During the 2002-2003 fiscal year, the agency entered into a Disposition and Development Agreement with Purris 40 Corporation for the development of 82 lots in the Casas Buena Vista subdivision. The Agency pledged $378,000 for homebuyer assistance for thirty-three of the homes.

The initial contact for the formation of a Landscape and Lighting Maintenance District was begun. The LMD is necessary for the development of the common area in the subdivision.

**Date Avenue Apartments:**

The Agency will assist in infrastructure frontage improvements for the Date Avenue Apartments, which will produce 78 apartments for low-income households.

**Forwarded from Prior Year?**

Yes

**Enter Code for Type of Project Area Report**

- P = Standard Project Area Report
- A = Administrative Fund
- L = Low and Moderate Income Housing Fund
- M = Mortgage Revenue Bond Program
- O = Other Miscellaneous Funds or Programs
- S = Proposed (Survey) Project Area

**Does the Plan Include Tax Increment Provisions?**

Yes

**Date Project Area was Established (MM-DD-YY)**

8/9/90

**Most Recent Date Project Area was Amended**


**Did this Amendment Add New Territory?**


**Most Recent Date Project Area was Merged**


**Will this Project Area be Carried Forward to Next Year?**

Yes

**Established Time Limit:**

- Repayment of Indebtedness (Year Only): 2040
- Effectiveness of Plan (Year Only): 2030
- New Indebtedness (Year Only): 2010
- Size of Project Area in Acres: 471
- Percentage of Land Vacant at the Inception of the Project Area: 19.0
- Health and Safety Code Section 33320.1 (xx.x%)
- Percentage of Land Developed at the Inception of the Project Area: 81.0
- Health and Safety Code Section 33320.1 (xx.x%)
- Objectives of the Project Area as Set Forth in the Project Area Plan (Enter the Appropriate Code(s) in Sequence as Shown)

R = Residential  I = Industrial  C = Commercial  P = Public  O = Other
### Porterville Redevelopment Agency
### Redevelopment Agencies Financial Transactions Report

#### Assessed Valuation Data

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Area Name</td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
<tr>
<td>Frozen Base Assessed Valuation</td>
<td>87,565,717</td>
</tr>
<tr>
<td>Increment Assessed Valuation</td>
<td>74,304,137</td>
</tr>
<tr>
<td>Total Assessed Valuation</td>
<td>161,869,854</td>
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</table>
### Porterville Redevelopment Agency

#### Redevelopment Agencies Financial Transactions Report

**Pass-Through / School District Assistance**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Area Name</strong></td>
<td><strong>Porterville Redevelopment Project Area No. 1</strong></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Amounts Paid To Taxing Agencies Pursuant To:</th>
<th>H &amp; S Code Section 33401</th>
<th>H &amp; S Code Section 33676</th>
<th>H &amp; S Code Section 33607</th>
<th>Total</th>
<th>H &amp; S Code Section 33445</th>
<th>H &amp; S Code Section 33445.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td></td>
<td></td>
<td></td>
<td>$57,878</td>
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<tr>
<td>Cities</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
<td></td>
<td></td>
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<tr>
<td>School Districts</td>
<td></td>
<td></td>
<td></td>
<td>$90,011</td>
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<td>Community College District</td>
<td></td>
<td></td>
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<td>$19,384</td>
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<td>Special Districts</td>
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<td>$5,142</td>
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<td><strong>Total Paid to Taxing Agencies</strong></td>
<td><strong>$0</strong></td>
<td><strong>$172,415</strong></td>
<td><strong>$0</strong></td>
<td><strong>$172,415</strong></td>
<td><strong>$0</strong></td>
<td><strong>$0</strong></td>
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<tr>
<td><strong>Net Amount to Agency</strong></td>
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<td></td>
<td></td>
<td><strong>$566,152</strong></td>
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<tr>
<td><strong>Gross Tax Increment Generated</strong></td>
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<td></td>
<td></td>
<td>738,567</td>
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</table>

Pass-Through / School District Assistance  
Page 1  
12/12/03
Summary of the Statement of Indebtedness - Project Area

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Area Name</td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
<tr>
<td>Tax Allocation Bond Debt</td>
<td>5,875,000</td>
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<tr>
<td>Revenue Bonds</td>
<td>750,256</td>
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<tr>
<td>Other Long Term Debt</td>
<td>1,281,939</td>
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<tr>
<td>City/County Debt</td>
<td>2,452,358</td>
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<tr>
<td>Low and Moderate Income Housing Fund</td>
<td>50,458,159</td>
</tr>
<tr>
<td>Total</td>
<td>60,817,712</td>
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<tr>
<td>Available Revenues</td>
<td></td>
</tr>
<tr>
<td>Net Tax Increment Requirements</td>
<td>60,817,712</td>
</tr>
<tr>
<td>Fiscal Year</td>
<td>2003</td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>Project Area Name</td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
<tr>
<td>Forward from Prior Year</td>
<td></td>
</tr>
<tr>
<td>Bond Type</td>
<td>City/County Debt</td>
</tr>
<tr>
<td>Year of Authorization</td>
<td>1990</td>
</tr>
<tr>
<td>Principal Amount Authorized</td>
<td>1,281,939</td>
</tr>
<tr>
<td>Principal Amount Issued</td>
<td>1,281,939</td>
</tr>
<tr>
<td>Purpose of Issue</td>
<td>Low/Mod Housing</td>
</tr>
<tr>
<td>Maturity Date Beginning Year</td>
<td>1990</td>
</tr>
<tr>
<td>Maturity Date Ending Year</td>
<td>2040</td>
</tr>
<tr>
<td>Principal Amount Unmatured Beginning of Fiscal Year</td>
<td>$1,279,565</td>
</tr>
<tr>
<td>Adjustment Made During Year</td>
<td></td>
</tr>
<tr>
<td>Adjustment Explanation</td>
<td></td>
</tr>
<tr>
<td>Interest Added to Principal</td>
<td>2,374</td>
</tr>
<tr>
<td>Principal Amount Issued During Fiscal Year</td>
<td></td>
</tr>
<tr>
<td>Principal Amount Matured During Fiscal Year</td>
<td></td>
</tr>
<tr>
<td>Principal Amount Defeased During Fiscal Year</td>
<td></td>
</tr>
<tr>
<td>Principal Amount Unmatured End of Fiscal Year</td>
<td>$1,281,939</td>
</tr>
<tr>
<td>Principal Amount In Default</td>
<td></td>
</tr>
<tr>
<td>Interest In Default</td>
<td></td>
</tr>
</tbody>
</table>

**Bond Types Allowed:**
- Tax Allocation Bonds
- Revenue Bonds
- Certificates of Participation
- Tax Allocation Notes
- Financing Authority Bonds
- City/County Debt
- US; State
- Loans
- Lease Obligations
- Notes
- Deferred Pass-Throughs
- Deferred Compensation
- Other
### Porterville Redevelopment Project Area No. 1

**Fiscal Year:** 2003

**Project Area Name:** Porterville Redevelopment Project Area No. 1

| Bond Type | Year of Authorization | Principal Amount Authorized | Principal Amount Issued | Purpose of Issue | Maturity Date Beginning Year | Maturity Date Ending Year | Principal Amount Unmatured Beginning of Fiscal Year | Adjustment Made During Year | Interest Added to Principal | Principal Amount Issued During Fiscal Year | Principal Amount Matured During Fiscal Year | Principal Amount Redeemed During Fiscal Year | Principal Amount Unmatured End of Fiscal Year | Principal Amount in Default | Interest In Default |
|-----------|----------------------|-----------------------------|-------------------------|-----------------|-----------------------------|---------------------------|-------------------------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| State     | 1990                 | 618,466                     | 618,466                 | Low/Mod Housing | 1990                        | 2040                      | $570,767                                      |                                  |                                 |                                  |                                  |                                  | $542,533                       |                                  |                                 |                                  |

**Bond Types Allowed:**

- Tax Allocation Bonds
- Revenue Bonds
- Certificates of Participation
- Tax Allocation Notes
- Financing Authority Bonds
- City/County Debt
- US; State
- Loans
- Lease Obligations
- Notes
- Deferred Pass-Throughs
- Deferred Compensation
- Other
Fiscal Year | 2003  
---|---  
Project Area Name | Porterville Redevelopment Project Area No. 1  
Forward from Prior Year | Yes  
Bond Type | State  
Year of Authorization | 2002  
Principal Amount Authorized | 1,500,000  
Principal Amount Issued | 1,007,482  
Purpose of Issue | CHAFA loan for L & M housing project  
Maturity Date Beginning Year | 2002  
Maturity Date Ending Year | 2012  
**Principal Amount Unmatured Beginning of Fiscal Year** | $1,007,482  
Adjustment Made During Year |  
Adjustment Explanation |  
Interest Added to Principal |  
Principal Amount Issued During Fiscal Year |  
Principal Amount Matured During Fiscal Year |  
Principal Amount Defeased During Fiscal Year |  
**Principal Amount Unmatured End of Fiscal Year** | $1,007,482  
Principal Amount in Default |  
Interest in Default |  

**Bond Types Allowed:**
- Tax Allocation Bonds
- Revenue Bonds
- Certificates of Participation
- Tax Allocation Notes
- Financing Authority Bonds
- City/County Debt
- US; State; Loans
- Lease Obligations
- Notes
- Deferred Pass-Throughs
- Deferred Compensation
- Other
<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
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<td><strong>Project Area Name</strong></td>
<td>Porterville Redevelopment Project Area No. 1</td>
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**Forward from Prior Year**

<table>
<thead>
<tr>
<th>Bond Type</th>
<th>Tax Allocation Bonds</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Year of Authorization</strong></td>
<td>2002</td>
</tr>
<tr>
<td><strong>Principal Amount Authorized</strong></td>
<td>6,100,000</td>
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<tr>
<td><strong>Principal Amount Issued</strong></td>
<td>6,100,000</td>
</tr>
<tr>
<td><strong>Purpose of Issue</strong></td>
<td>Refinance 1992 Issue</td>
</tr>
<tr>
<td><strong>Maturity Date Beginning Year</strong></td>
<td>2002</td>
</tr>
<tr>
<td><strong>Maturity Date Ending Year</strong></td>
<td>2022</td>
</tr>
<tr>
<td><strong>Principal Amount Unmatured Beginning of Fiscal Year</strong></td>
<td>$6,100,000</td>
</tr>
</tbody>
</table>

| Adjustment Made During Year    |                                |
| **Adjustment Explanation**     |                                  |
| Interest Added to Principal    |                                  |
| **Principal Amount Issued During Fiscal Year** |                         |
| **Principal Amount Matured During Fiscal Year** | 225,000                 |
| **Principal Amount Defeased During Fiscal Year** |                         |
| **Principal Amount Unmatured End of Fiscal Year** | $5,675,000 |

| **Principal Amount in Default** |                                  |
| **Interest in Default**        |                                  |

**Bond Types Allowed:**

- Tax Allocation Bonds
- Revenue Bonds
- Certificates of Participation
- Tax Allocation Notes
- Financing Authority Bonds
- City/County Debt
- US; State
- Loans
- Lease Obligations
- Notes
- Deferred Pass-Throughs
- Deferred Compensation
- Other
### Porterville Redevelopment Agency

**Redevelopment Agencies Financial Transactions Report**

**Statement of Income and Expenditures - Revenues**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Area Name</td>
<td><strong>Porterville Redevelopment Project Area No. 1</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing Funds</th>
<th>Special Revenue/Other Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Increment Gross</td>
<td></td>
<td>574,020</td>
<td>164,547</td>
<td></td>
<td>$738,567</td>
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<tr>
<td>(Include All Apportionments)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Supplemental Subvention</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Property Assessments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Sales and Use Tax</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Transient Occupancy Tax</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Interest Income</td>
<td>202</td>
<td>5,990</td>
<td>34,697</td>
<td></td>
<td>$40,689</td>
</tr>
<tr>
<td>Rental Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Lease Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Sale of Real Estate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Gain on Land Held for Resale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Federal Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Grants from Other Agencies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Bond Administrative Fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>6,379</td>
<td>2,249</td>
<td></td>
<td></td>
<td>$8,628</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>8,581</strong></td>
<td><strong>582,259</strong></td>
<td><strong>199,244</strong></td>
<td><strong>0</strong></td>
<td><strong>788,064</strong></td>
</tr>
</tbody>
</table>

**Statement of Income and Expenditures - Revenues**  Page 1  12/12/03
<table>
<thead>
<tr>
<th>Description</th>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing</th>
<th>Special Revenue/Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Costs</td>
<td>18,672</td>
<td>35,520</td>
<td>33,491</td>
<td></td>
<td>$67,683</td>
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<tr>
<td>Professional Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Planning, Survey, and Design</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Real Estate Purchases</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Acquisition Expense</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Operation of Acquired Property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Relocation Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Relocation Payments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Site Clearance Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Project Improvement / Construction Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Disposal Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Loss on Disposition of Land Held for Resale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>
### Porterville Redevelopment Agency

### Redevelopment Agencies Financial Transactions Report

#### Statement of Income and Expenditures - Expenditures

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Area Name</td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing</th>
<th>Special Revenue/Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decline in Value of Land Held for Resale</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Rehabilitation Costs</td>
<td></td>
<td>184,736</td>
<td></td>
<td>$184,736</td>
</tr>
<tr>
<td>Rehabilitation Grants</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Interest Expense</td>
<td></td>
<td>267,856</td>
<td>68,167</td>
<td>$336,023</td>
</tr>
<tr>
<td>Fixed Asset Acquisitions</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Subsidies to Low and Moderate Income Housing</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Debt Issuance Costs</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Other Expenditures Including Pass-Through Payment(s)</td>
<td></td>
<td>137,932</td>
<td>34,483</td>
<td>$172,415</td>
</tr>
</tbody>
</table>

#### Debt Principal Payments:

| Tax Allocation Bonds and Notes | 180,000 | 45,000 | $225,000 |
| Revenue Bonds, Certificates of Participation, Financing Authority Bonds | | | $0 |
| City/County Advances and Loans | | | $0 |
| All Other Long-Term Debt | 28,234 | | $28,234 |

**Total Expenditures**

<table>
<thead>
<tr>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing</th>
<th>Special Revenue/Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$18,672</td>
<td>$649,542</td>
<td>$365,877</td>
<td>$0</td>
<td>$1,034,091</td>
</tr>
<tr>
<td>Excess (Deficiency) Revenues over (under) Expenditures</td>
<td></td>
<td></td>
<td></td>
<td>$(12,091)</td>
</tr>
</tbody>
</table>

| ($67,263) | $(166,633) | $0 | $(246,007) |

**Page 2**

**12/12/03**
### Porterville Redevelopment Agency

**Redevelopment Agencies Financial Transactions Report**

**Statement of Income and Expenditures - Other Financing Sources**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Area Name</strong></td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing</th>
<th>Special Revenue/Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proceeds of Long-Term Debt</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Proceeds of Refunding Bonds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Payment to Refunded Bond Escrow Agent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Advances from City/County</td>
<td></td>
<td>2,374</td>
<td></td>
<td></td>
<td>$2,374</td>
</tr>
<tr>
<td>Sale of Fixed Assets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Miscellaneous Financing Sources (Uses)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Operating Transfers In</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$18,672</td>
</tr>
<tr>
<td>Tax Increment Transfers In</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>Operating Transfers Out</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$18,672</td>
</tr>
<tr>
<td>Tax Increment Transfers Out</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

(To the Low and Moderate Income Housing Fund)

| Total Other Financing Sources (Uses) | $18,672 | ($16,208) | $0 | $0 | $2,374 |
### Porterville Redevelopment Agency

**Redevelopment Agencies Financial Transactions Report**

**Statement of Income and Expenditures - Other Financing Sources**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Area Name</td>
<td>Porterville Redevelopment Project Area No. 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capital Project Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing</th>
<th>Special Revenue/Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$6,581</td>
<td>($89,581)</td>
<td>($168,633)</td>
<td>$0</td>
<td>($243,633)</td>
</tr>
</tbody>
</table>

Excess (Deficiency) of Revenues and Other Financing Sources over Expenditures and Other Financing Uses

<table>
<thead>
<tr>
<th>Equity, Beginning of Period</th>
<th>$26,538</th>
<th>$272,362</th>
<th>$1,981,519</th>
<th>$0</th>
<th>$2,280,439</th>
</tr>
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<tbody>
<tr>
<td>Prior Period Adjustments</td>
<td></td>
<td></td>
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<td></td>
<td>$0</td>
</tr>
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<td>Residual Equity Transfers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
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</table>

**Other(Specify)**

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
</table>

**Total**

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
</table>

**Other Total**

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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</thead>
</table>

**Equity, End of Period**

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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<tbody>
<tr>
<td>$33,119</td>
<td>$189,801</td>
<td>$1,814,886</td>
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<td>$2,036,806</td>
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<td>Fiscal Year</td>
<td>2003</td>
<td>Capital Projects Funds</td>
<td>Debt Service Funds</td>
<td>Low/Moderate Income Housing Funds</td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
<td>------------------------</td>
<td>--------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Assets and Other Debts</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Imprést Cash</td>
<td></td>
<td>390</td>
<td>1,528</td>
<td>12,304</td>
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<tr>
<td>Cash with Fiscal Agent</td>
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<td></td>
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<td>49,817</td>
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<td>Tax Increments Receivable</td>
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<td></td>
</tr>
<tr>
<td>Accrued Interest Receivable</td>
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<td>693</td>
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<td>Loans Receivable</td>
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<td></td>
</tr>
<tr>
<td>Contracts Receivable</td>
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<td></td>
</tr>
<tr>
<td>Lease Payments Receivable</td>
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</tr>
<tr>
<td>Unearned Finance Charge</td>
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<tr>
<td>Due from Capital Projects Fund</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Due from Debt Service Fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Due from Low/Moderate Income Housing Fund</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Due from Special Revenue/Other Funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Porterville Redevelopment Agency

### Redevelopment Agencies Financial Transactions Report

#### Balance Sheet - Assets and Other Debts

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Capital Projects Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing Funds</th>
<th>Special Revenue/Other Funds</th>
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<td>Investments: Land Held for Resale</td>
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<td>Allowance for Decline in Value of Land Held for Resale</td>
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<td>Fixed Assets: Land, Structures, and Improvements</td>
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<td>Amount to be Provided for Payment of Long-Term Debt</td>
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(Must Equal Total Liabilities, Other Credits, and Equities)
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<tr>
<th>Fiscal Year 2003</th>
<th>Capital Projects Funds</th>
<th>Debt Service Funds</th>
<th>Low/Moderate Income Housing Funds</th>
<th>Special Revenue/Other Funds</th>
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<th>General Fixed Assets</th>
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<td>All Other Long-Term Debt</td>
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<td>966,418</td>
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<td>Total Liabilities, Other Credits, and Equities</td>
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<td>Tax Increment Transfers Out</td>
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Supplement to the Annual Report of Community Redevelopment Agencies
For the Fiscal Year Ended June 30, 2003

Redevelopment Agency ID Number: 13985469800
Name of Redevelopment Agency: Porterville Redevelopment Agency

The U.S. Bureau of the Census requests the following information about the fiscal activities of your government for the 2002-2003 fiscal year (defined from July 1, 2002 through June 30, 2003). Governments furnishing this information will no longer receive Census Bureau Form F-32, Survey of Local Government Finances. If you have any questions please contact:

U.S. Bureau of the Census
Jeffrey Little
1-800-242-4523

A. Personnel Expenditures
Report your government’s total expenditures for salaries and wages during the year, including amounts paid on force account construction projects.

| 00 | $28,198 |

B. Mortgage Revenue Bond Interest Payments
Report your government’s total amount of interest paid on mortgage revenue bonds during the year.

| 20 | $0 |

U.S Bureau of the Census – Revised 7/2003
SUBJECT: ADA COMPLIANCE EFFORTS

SOURCE: Administrative Services Department

COMMENT: To ensure the City of Porterville maintains compliance with the Americans with Disabilities Act, a series of steps will be brought before the Council over the next several months. The first in the series of steps is the designation of an ADA Compliance Coordinator. It is recommended at this time, that the Deputy City Manager act as the ADA Compliance Coordinator.

Future elements of this effort will include the establishment of an ADA Compliance Committee, the adoption of a comprehensive policy and procedures on the provision of service recipient accommodations, grievance procedures, and a self evaluation of facilities.

RECOMMENDATION: That the City Council designate the Deputy City Manager as the ADA Compliance Coordinator.
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
CITY OF PORTERVILLE’S PARKS & LEISURE SERVICES
ANNUAL SWEETHEART’S RUN - FEBRUARY 14, 2004

SOURCE: Administrative Services, Finance Division

COMMENT: The City of Porterville’s Parks & Leisure Services Department is requesting approval to hold its annual 5K run on Saturday, February 14, 2004, from 6:00 a.m. to 1:00 p.m. The run is outlined on the attached map. No street or sidewalk closures are requested, but the use of the Los Robles School parking lot is desired.

This application is being submitted under the Community Civic Event Ordinance No. 1326, as amended.

The application has been routed according to the ordinance regulations and has been reviewed by all departments involved. The requirements are listed on the attached copy of the application, agreement and Exhibit “A.”

RECOMMENDATION: That the Council approve the City of Porterville’s Parks & Leisure Services annual Sweetheart’s Day Run subject to the restrictions and requirements contained in the application, agreement and Exhibit “A” of the Community Civic Event application.

ATTACHMENTS: Community Civic Event application, agreement, request for street closure/usage, and maps.

DD  Appropriated/Funded  OM  Item No. 11
CITY OF PORTERVILLE
APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A
COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Application date: January 8, 2004 Event date: February 14, 2004

Name of Event: City of Porterville Sweetheart's Run

Sponsoring organization: City of Porterville Parks & Leisure Dept. PHONE # 782-7461
Address: 291 N. Main Street, Porterville, CA 93257

Authorized representative: Milt Stowe, Chief of Operations PHONE # 782-7461
Address: 291 N. Main Street, Porterville, CA 93257

Event chairperson: Jeannie Greenwood, Leisure Services Supv. PHONE # 782-7461

Location of event (location map must be attached): staging at Los Robles School, west on Mulberry to Plano, North on Plano to Frazier Valley Highway, South of Frazier Valley Highway. (out and back route)

Type of event/method of operation: road race

Nonprofit status determination: municipality

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

Barricades (quantity): _______________ Street sweeping Yes ____ No X
Police protection Yes ____ No X Refuse pickup Yes ____ No X
Other: two motor units to assist with route safety

*County has been notified (see attached copy)

Parks facility application required: Yes ____ No X
Assembly permit required: Yes ____ No X

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

Approve Deny

________ _______ Bus Lic Spvr
________ _______ Pub Works Dir
________ _______ Comm Dev Dir
________ _______ Field Svscs Mgr
________ _______ Fire Chief
________ _______ Parks Dir
________ _______ Police Chief
________ _______ Risk Manager
CITY OF PORTERVILLE

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

Authorization: This permit must be submitted 30 days PRIOR to the date of the event in order to obtain City Council approval.

City Code requirements:

At least 48" must remain clear on sidewalks for pedestrian traffic.
Do not block any entrance to or exit from buildings.
Area must be accessible to emergency and safety personnel and vehicles.
Electrical cords must be approved and installation checked by the Fire Department.

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 shall be named as additional insured. The amounts of such insurance and any additional requirements are listed in Exhibit "A."

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 permittee, his/her agents or representatives pursuant the permit. Claims-made policies are not acceptable.

Health permit: Organization/Applicant will obtain or ensure that all participants obtain a health permit(s) from the County of Tulare Department of Health if any food is to be served in connection with this Community Civic Event.

First aid station: Organization/Applicant will establish a first aid station to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 1326, 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 of 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 the 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.

City of Porterville Parks & Leisure Department

(Name of organization) (Signature) (Date)

Jan. 8, 2004
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

CITY OF PORTERVILLE PARKS & LEISURE SERVICES

ANNUAL SWEETHEART'S DAY RUN

FEBRUARY 14, 2004

Business License Supervisor: Council approval required.
  K. Maxwell

Public Works Director: No comments.
  B. Rodriguez

Community Development Director: Council to approve use/closure of public right-of-way.
  B. Dunlap

Field Services Manager: No comments.
  B. Styles

Fire Chief: No comments.
  F. Guyton

Parks and Leisure Services Director: No comments.
  J. Perrine

Police Chief: No comments.
  S. Rodriguez

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

EXHIBIT "A"
CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event:  City of Porterville Sweetheart's Run

Sponsoring organization:  City of Porterville Parks & Leisure Services Department

Event date:  Saturday, February 14, 2003  

Hours:  0600 - 1300

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
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<th>To</th>
<th>Activity</th>
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<tbody>
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<td>Activity</td>
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<td>Parking lots and spaces</td>
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<td>Activity</td>
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<td>Los Robles School, Porterville Unified School District Property</td>
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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: City of Porterville Sweetheart's Run

Sponsoring organization: City of Porterville Parks & Leisure Services Department

Location: see attached map

Event date: Saturday, February 14, 2004

List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. **NO PERMIT WILL ISSUED WITHOUT THIS INFORMATION.** This form should be completed at the time of application, but must be submitted one week prior to the event.

<table>
<thead>
<tr>
<th>Vendor name</th>
<th>Address</th>
<th>Telephone</th>
<th>Type of Activity</th>
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CITY OF PORTERVILLE
PARKS AND LEISURE SERVICES DEPARTMENT

SWEETHEART RUN

START TIME 8:00 AM

The Half Marathon Course is very challenging with a steep 8/10s of a mile climb with a gradual 2 mile down hill from mile 2 to 4. The Course is an out and back.

The 5K is flat and fast.

There will be traffic on the course, so be careful.

LEGEND

HALF MAR. RUN ———
START ON MULBERRY AVE.
AT LOS ROBLES SCHOOL

5K RUN ————
START ON MULBERRY AVE.
AT LOS ROBLES SCHOOL

WESTFIELD

MULBERRY

HENDERSON
January 7, 2004

Al Heaton
County Governmental Center
5961 South Mooney Blvd.
Visalia, CA 93277

Dear Al,

This letter is to let you know that the City of Porterville Parks & Leisure Services will again be having our Sweetheart's Half Marathon Run. The run will be held on February 14, 2004 from 7:00 to 11:30 a.m. This year's half marathon course will take us out of the city limits on to county roads. The course (an out and back) starts at Los Robles Elementary School, 500 E. Mulberry. The course takes runners north on Plano over Lewis Hill, down to Frazier Valley Highway. The course then turns right (south) on Frazier Valley and continues east for approximately 2.5 miles where runners turn around and follow the same course back to the school (see attached map).

Runners will be on the side of the road and we will not be stopping traffic at any point along the course. We will have people on the course to assist runners and to make sure that people in automobiles are aware of runners on the course.

We wanted to make sure that you were notified so that your people will not be surprised on the day of the run. If you have any questions or concerns please contact our office at 782-7461.

Respectfully,

Jeannie Greenwood
Leisure Services Supervisor
USA TRACK & FIELD APPLICATION FOR SANCTION

Please read the instructions on the back before completing this form. Your returned, approved copy of this form is proof of insurance coverage.

Name of event: Sweetheart's Run
Date(s) of Event: 2/14/04
Start Time(s): 8:00
Site of event: 500 E. Mulberry
City: Porterville
State: CA
Zip: 93257
Event Organizer: City of Porterville Parks & Leisure
USATF Member: Yes
Website:  www.ci.porterville.ca.us
Contact Name: Jeannie Greenwood
Contact Telephone Number: 661-782-7527
Contact Address: 291 N. Main
Contact Email Address: jgreenwood@ci.porterville.ca.us
City, State, Zip: Porterville, CA 93257
Contact Fax Number: 661-781-7854

1. Type Of Event (circle)
   - Indoor Track & Field
   - Outdoor Track & Field

2. Age Divisions:
   - Youth
   - Open
   - Masters

3. Sex:
   - Male
   - Female

4. Estimate of number of finishers: 2001

5. Fees: Association $25 National $65 (see fee schedule)

6. The safety precautions taken to protect the personal welfare of the athletes and spectators, including provisions for medical supervision, at the competition are (attached additional sheet if necessary):
   - Course marshals, radio contact on course, traffic control, ambulance on site

7. Organizer will file the required Post-Event Report within fifteen days of the event (enclosed with the approved sanction).

8. The entry form will state that the event is sanctioned by USA Track & Field. Upon request, the organizer may obtain a copy of the USATF name and trademarks for this purpose. Permission to use the USATF name and trademarks for any other purpose must be obtained from the National Headquarters prior to such use.

9. The Organizer will not transfer this sanction, if granted.

☐ Check if Organizer seeks an ELITE SANCTION (carefully read instructions on back) and attach Elite Sanction Addendum.

☐ Check if Organizer waives USATF Liability Insurance for this event – attach Waiver of Liability Insurance and a certificate of insurance naming USATF as additional insured.

City of Porterville (Organizer) shall indemnify, hold harmless, assume liability for, and defend USA Track & Field, Inc. (USATF), its member Associations, employees, officers, agents and volunteers from any and all damages, awards, costs and expenses including, but not limited to, attorneys' fees, court costs, and all other sums which USATF and its member Associations, employees, officers, and volunteers may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim or action founded thereon, arising or alleged to have arisen out of the sanction issued by USATF and/or its member Associations, on Feb 14, 2004 (event date) or by any action or omission of City of Porterville (Organizer), its members, agents, employees, volunteers, officers or directors in relation to the sanction.

Organizer represents and warrants that it is fully familiar with all the rules and regulations of USATF and the IAAF applicable to the event to be conducted, including USATF competition rules, Article 20 of the USATF Bylaws and USATF Regulation 14, and that it shall take all necessary precautions to protect event participants, spectators, volunteers and workers from harm of any kind. Organizer further warrants and represents that it has complied with all requirements applicable to USATF sanctioned competitions conducted by it, within the preceding four year period. Organizer understands that USATF shall be under no obligation to grant a sanction to an organization that has failed in the past to abide by the rules and regulations of USATF, or has defaulted on its obligation to give prizes to athletes, as stated in any contract, entry form or advertising literature. Organizer warrants that the information provided herein is true to the best of its knowledge.

Signature:

Date: 10/24/03
USA TRACK & FIELD SANCTIONED EVENT
REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE

An organizer who requires one or more certificate(s) of insurance for its sanctioned event(s), should complete this form. Please note that unless insurance is waived, organizers granted sanctions are automatically added to the USATF liability insurance policy for most activity surrounding the sanctioned event. See sanction instructions and insurance brochure for further information. The approved copy of the sanction form serves as your proof of insurance. In addition, USATF may allow facilities or sponsors to be named as additional insured parties for sanctioned events. For more information on the USATF Sanction/Insurance policies, please contact your local Association.

Complete a separate copy of this form for each party for whom you are requesting a certificate. A fee will be charged for rushed certificates (see late fee schedule). Return this request to the address listed below.

LATE FEE SCHEDULE

<table>
<thead>
<tr>
<th>Less than 5 business days</th>
<th>$10 each</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 36 hours</td>
<td>$25 each</td>
</tr>
</tbody>
</table>

➢ Late fees are based on the date received by the National Office of USATF and the date listed below as “need by” date

EVENT INFORMATION (Type or Print Legibly, if it is not legible, the application will be returned to you)

NAME OF EVENT _Sweethearts Run_ DATE(S) OF EVENT _2/14/04_

ORGANIZER OF EVENT _City of Porterville Parks & Leisure_

EVENT CONTACT PERSON _Jeannie Greenwood_

ADDRESS _291 N. Main St._

_PORTERVILLE, CA 93257_

PHONE _(559) 782-7527_

FAX _(559) 791-7854_

THIRD PARTY INFORMATION

PARTY REQUIRING CERTIFICATE _Porterville Unified School District_ Name will appear EXACTLY as listed here

THIRD PARTY CONTACT PERSON _Los Robles Elementary_ PHONE _(559) 782-7011_

THIRD PARTY ADDRESS _500 E. Mulberry_

_PORTERVILLE, CA 93257_

FAX _(559) 783-0139_

DATE CERTIFICATE NEEDED: _2/1/04_ (Note: It may take up to 30 days after submission of this form)

DO NOT PUT “ASAP”

OTHER INSURANCE INFORMATION – PLEASE COMPLETE EACH QUESTION

Is the third party in the business of providing or selling alcohol, food or beverage? Yes ____ No ☑

If yes, will they be providing same at the event? Yes ____ No ____

Interest Of Third Party: Facility ☑ Sponsor ____ Governmental Entity/Municipality ____

☑ Mail / ☐ FAX the insurance certificate to ☐ Event Organizer -or- ☑ Third Party listed above
SUBJECT: Status of “P” Hill Project

SOURCE: CITY MANAGER

The Council directed that the City Manager to advise the community through a press release or advertisement that community interest has been expressed in undertaking the restoration of the “P” on Bennett Hill. This direction was achieved by an advertisement which ran in the Porterville Recorder on January 12, 2004.

From this advertisement, we have received telephone inquiries. Most of these indicated they had some interest in making it a project, but when advised that the City is not contemplating providing materials, they did not specify further interest in the project.

Only Global Drug Testing has indicated in writing that they wished to financially support the project. A copy of their letter has been attached. It indicates that they will financially support the project and that they will coordinate the effort.

Recommendation:

In response to the letter from Global Drug Testing Service, wrote to Mr. McIntire indicating the Council’s support for their effort to coordinate and fund the restoration of the “P” on Bennett (“P”) Hill.
DATE: JANUARY 12, 2004

AUTHORIZED BY: Susan Perkins, Purchasing Agent

ORDERING DEPT.: Purchasing PHONE #: 559/782-7451 FAX #: 559/784-4569

PUBLICATION (NAME): PORTERVILLE RECORDER

TO BE PUBLISHED: CLASSIFIED SECTION/SPECIAL NOTICES

SUBJECT:

The City of Porterville is interested in the restoration of the letter "P" for Porterville, located on Bennett Hill. This item was discussed during the City Council meeting of December 16, 2003, at which time the City Council expressed an interest to communicate with a service club, church group, youth group, or scout troop that would be interested in spearheading this worthwhile project. Interested groups or clubs can contact the City's Purchasing Agent at 559-782-7451 for additional information.

Please FAX confirmation of dates to Anita at 784-4569

1/14 - 1/17 * Wed. through Saturday

CITY OF PORTERVILLE $108.49
FINANCE DEPT/PURCHASING
Send Tear Sheets
291 N. MAIN ST. Send Declaration
PORTERVILLE CA 93257 of Publication
TO: Mr. John Longley, Porterville City Manager
FROM: Rick McIntire
DATE: January 27, 2004
SUBJECT: Restoration of the “P” on “P Hill”

We at Global Drug Testing Services have taken an interest in the project being discussed recently to restore the “P” on “P Hill” in the South Eastern hills of the Porterville area. We believe this is a worthwhile community project and ought to be accomplished as a volunteer service project rather than a City or County Government project requiring the expenditure of tax dollars. As such, we are offering to coordinate and fund 100% of the restoration of the “P” on “P Hill”.

In coordinating this effort, we believe we can assemble a small committee of people from the City, the Chamber of Commerce, a local architect and the Boy Scouts of America who can formulate a plan and properly design the restoration project. We believe there are a number of local Boy Scout troops who would participate in this project which might help them earn the Eagle Scout rank for qualified members of their troops, and we believe there are many volunteers in the community who will offer assistance and supplies needed to accomplish this project.

Global Drug Testing Services will guarantee the full funding for this project, and no City funds will be necessary.

If you would please make our offer a matter for consideration by the Porterville City Council, and should they approve, we would like to begin this project immediately so that the restoration of the “P” can be accomplished during the Spring of this year.

Thank you for your kind assistance in this matter. We look forward to hearing from you soon.
TITLE: ZONE CHANGE 6-2003 (SIERRA VIEW DISTRICT HOSPITAL)

SOURCE: COMMUNITY DEVELOPMENT AND SERVICES DEPARTMENT - PLANNING DIVISION

COMMENT: Zone Change 6-2003 proposes to change the existing zoning from City R-1 (One Family Residential) Zone to PO (Professional Office).

The subject site consists of nine (9) vacant or soon to be vacant parcels with a total area of 1.4± acres, located on the west side of Kessing Street, between Putnam Avenue and Oak Avenue. The property has been recently acquired by the Sierra View District Hospital, which intends to use the land for an expansion of the existing parking lot located west of the subject site.

The proposed Zone Change complies with the Land Use Element of the General Plan.

ENVIRONMENTAL: The Environmental Review Committee on December 24, 2003, made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. All comments have been incorporated into the Mitigation Monitoring Program attached to the environmental resolution as Attachment A.

RECOMMENDATION: That the City Council:

(1) Adopt the draft resolution approving a Negative Declaration for Zone Change 6-2003.

(2) Adopt the draft ordinance approving Zone Change 6-2003.

ATTACHMENT:

1. Complete Staff Report

DD: APPROPRIATED/FUNDED CM: ITEM NO. 13
PUBLIC HEARING - STAFF REPORT

TITLE: ZONE CHANGE 6-2003

APPLICANT: Bruce Peterson
Sierra View District Hospital
465 West Putnam Avenue
Porterville, CA 93257

PROJECT LOCATION: West side of Kessing Street, between Putnam Avenue and Oak Avenue.

SPECIFIC REQUEST: Zone Change 6-2003 proposes to change the existing zoning from R-1 (One Family Residential) Zone to PO (Professional Office).

PROJECT DETAILS: The subject site consists of nine (9) vacant or soon to be vacant parcels with a total area of 1.4± acres. The property has been recently acquired by the Sierra View District Hospital, which intends to use the land for an expansion of the existing parking lot located west of the subject site.

GENERAL PLAN LAND USE DESIGNATION: Professional Office

SURROUNDING AREA ZONING AND LAND USE:

North: PO (Professional Office), PO(D) (Professional Office - Design Review Overlay) - Putnam Avenue, Professional Offices, Equipment Storage for School District.
South: R-1 (One Family Residential) - Oak Avenue, Single family residences.
East: R-1, PO, R-3 (Multiple Family Residential) - Kessing Street, Professional Offices, Single Family Residences, Apartments.
West: PO - Parking Lot, Jaye Street, Hospital

COMMENT: Although the parking provided by the Sierra View District Hospital complies with the minimum standards of the Zoning Ordinance, patients, employees, and visitors to the facility are regularly required to park on the street. The Hospital Board has explored several solutions for increased parking, and concluded that the most cost effective and least disruptive option was to expand the existing parking lot on the east side of Jaye Street. This required the acquisition and removal of several homes and approval of a Zone Change from the R-1 Zone to the PO Zone.

Staff concurs that there has been a pressing need for additional off-street parking to serve the Sierra View District Hospital. The proposed project complies with the Land Use Element of the General Plan which designates the site for Professional Office uses. (As an area at the boundary of two General Plan designations, either Professional Office or Low Density Residential Zoning would comply with the General Plan.)
ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of the proposed zone change would prohibit the use of the subject site for parking to serve the Sierra View District Hospital.

2. Approve the project. Approval of the proposed zone change to PO (Professional Office) would allow the subject site to be developed with professional office uses. The proposed parking lot expansion to serve the Sierra View District Hospital could proceed.

ENVIRONMENTAL: The Environmental Review Committee on December 24, 2003, made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups, and individuals for a twenty (20) day review. All comments have been incorporated into the Mitigation Monitoring Program attached to the environmental resolution as Attachment A.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: August 8, 2003

DATE ACCEPTED AS COMPLETE: December 24, 2003

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving a Negative Declaration for Zone Change 6-2003.

2. Adopt the draft ordinance approving Zone Change 6-2003.

ATTACHMENTS:

1. Zoning/Land Use Map
2. Negative Declaration
3. Zone Change Application
4. Draft Resolution approving Negative Declaration for Zone Change 6-2003
5. Draft Ordinance approving Zone Change 6-2003
NEGATIVE DECLARATION

LEAD AGENCY: City of Porterville
291 North Main Street
Porterville, California 93257

PROJECT TITLE: Zone Change 6-2003

ADDRESS/LOCATION: West side of Kessing Street, between Putnam Avenue and Oak Avenue, Porterville, CA

PROJECT APPLICANT: Bruce Peterson, Sierra View District Hospital, 465 W. Putnam Avenue, Porterville, CA
PROJECT DESCRIPTION: Zone Change from R-1 (One Family Residential) to PO (Professional Office) for a 1.4 ± acre site

CONTACT PERSON: Bradley D. Dunlap (559) 782-7460

Per Resolution No. 6966, the Environmental Review Committee of the City of Porterville has reviewed the proposed project described herein and has found that this project will have no significant impact on the environment for the following reasons:

1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

3. The project does not have possible environmental effects which are individually limited but cumulatively considerable, "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

4. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.

5. Mitigation measures ___ were, ___ were not made a condition of the approval of the project.

On December 24, 2003 ___, the Environmental Review Committee determined that the above project will have no significant effect on the environment.

Copies of plans and other documents relating to the subject project may be examined by interested parties at the City Planning Division, 291 North Main Street, Porterville, California.

Dated: December 24, 2003  Approved: [Signature]

Bradley D. Dunlap, AICP, Environmental Review Committee

ATTACHMENT
ITEM NO. 2
ZONE CHANGE APPLICATION

SIERRA VIEW DISTRICT HOSPITAL
EAST PARKING LOT EXPANSION

June 2003

Quad Knopf
SIERRA VIEW DISTRICT HOSPITAL
EAST PARKING LOT EXPANSION PROJECT

ZONE CHANGE APPLICATION

Project Applicant:
Sierra View District Hospital
Bruce Peterson
465 West Putnam
Porterville, California 93257
(559) 788-6012

Prepared by:
Quad Knopf

Contact Person:
Bud Kopp, Senior Planner
P.O. Box 3699
5110 West Cypress Avenue
Visalia, California 93278
(559) 733-0440

June 2003
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Appendices

A  Project Review Submittal (DRC) Application
B  Zone Change Application
C  Environmental Information Form
PROJECT DESCRIPTION

The proposed project is the expansion of an existing parking lot with additional landscaping for the Sierra View District Hospital located at 465 West Putnam in Porterville, CA. Figures 1 and 2 show the location of the project site within the City, and Figure 3 shows the proposed site plan.

There are eight parcels with existing dwelling units on the project site that the current owner has acquired and plans to relocate or demolish. No new structures other than a parking lot will be provided on the subject property, and the applicant is concurrently applying for a Parcel Merger to combine the existing parking lot parcel with the eight, current residentially zoned parcels. Applicant is requesting the following actions as a part of this application:

- Determination of Project Conformity with the Existing General Plan;
- Request for a Zone Change from R-1 (Low Density Residential) to P-O (Professional Office);
- Determination of Environmental Compliance pursuant to the California Environmental Quality Act (CEQA) Section 15311 for categorical exemption.

The proposed use will not require connection to the City sewer system, and will require connection to the City water system for landscape irrigation purposes only. As shown on Figure 3 (Site Plan), an existing block wall on the east side of the existing parking lot will be removed and the parking lot will be extended eastward to Kessling. A new wrought iron fence will be constructed at the east property line.

The entire project site will be used for parking stalls, drive aisles and landscaping. Currently, the existing site provides 152 parking stalls. The proposed parking lot expansion would provide an additional 174 parking stalls for a total of 326 stalls. Pavement of the parking lot and drive aisles will be asphaltic concrete to City standards. Parking space dimensions will be 9’x 20’ and drive aisles will be 25 feet in width. The parking facility will utilize surface drainage and the City storm drain system. Two points of ingress/egress are provided to the existing parking lot along
Jaye Street, and one additional point of ingress/egress will be provided to the expanded parking lot facility along Kessing as shown on Figure 3.

Applicant proposes to utilize the existing curb, gutter and sidewalk system along Oak and reconstruct new sidewalk, curb and gutter along Kessing. Utility poles, fire hydrants, streetlights, and other utility equipment will remain at their current locations. No refuse bins will be located this parking lot expansion project.

Driveways and foundations (paved areas) sewer and water lines serving the existing dwelling units will be abandoned and removed upon demolition of the existing dwelling units and prior to construction of the parking lot expansion. There is no loading and unloading other than that provided in individual parking stalls for pedestrians.

<table>
<thead>
<tr>
<th>APN#</th>
<th>Zoning</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>252-221-005</td>
<td>P-O (Professional Office)</td>
<td>Professional Office</td>
</tr>
<tr>
<td>252-221-006</td>
<td>P-O (Professional Office)</td>
<td>Professional Office</td>
</tr>
<tr>
<td>252-221-007</td>
<td>R-1 (Low Density Residential)</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>252-221-008</td>
<td>R-1 (Low Density Residential)</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>252-221-009</td>
<td>R-1 (Low Density Residential)</td>
<td>Single Family Residential</td>
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<tr>
<td>252-221-013</td>
<td>R-1 (Low Density Residential)</td>
<td>Single Family Residential</td>
</tr>
</tbody>
</table>

The Existing General Plan designation for the site is unclear, as the adjacent streets and/or parcels are not shown on the official General Plan map. The boundary between Professional Office (PO) and Low Density Residential runs in proximity to the subject site. It is noted in the General Plan (page 3-9) that the General Plan Map is not intended to conform precisely with specific individual parcels of property and should not be interpreted as a zoning plan. Rather, the General Plan map is intended to prescribe the relationship among various land uses locally, with the City zoning map reflecting property-specific application of these relationships and attendant development standards. To facilitate use and interpretation of the plan map, land use categories are prescribed. The professional and office land
use category is described as follows: This land use designation is intended to provide for the development of areas largely or exclusively dedicated to office and professional activities. Office development should be confined to arterial or collector streets, and the facility provided with adequate off-street parking and landscaping. In some instances, both higher density residential and office uses can be compatibly accommodated, and therefore, limited residential development could be included within this designation.

GENERAL PLAN CONFORMITY ANALYSIS:

The Putnam Corridor within the project vicinity is characterized by professional office facilities such as Sierra Vista District Hospital and appurtenant parking facilities, several dentists, medical supply businesses and medical associates. Many of the professional office uses in the project vicinity are located on smaller parcels, which are not conducive to meeting current City parking and landscaping requirements. Expansion of professional office facilities in this medical core of the community requires, in this case, contiguous, outward growth of existing parking facilities to accommodate the current demand. Current parking is often inadequate to meet needs, and impacts on-street parking in the adjacent residential neighborhoods.

The applicant proposes to expand an existing parking facility into an area currently occupied by older single-family residences. The applicant has purchased all residentially zoned parcels, and is in the process of either removing or demolishing the dwelling units.

Consistent with the interpretation of the General Plan for professional office land use designations, this proposal is adjacent to Sierra View District Hospital and immediately south of professional office land uses along the Putnam Corridor provides for the development “largely” dedicated to office and professional activities. The office development is generally “confined” to arterial and collector streets; however, some parking and landscaping may be located to the rear of such offices, and impact local streets. The proposed project has built in design characteristics such as landscaping and limited points of ingress/egress to minimize the impacts on adjoining residential land uses.
Applicant requests that the Project Design Review Committee find that the proposed project is in conformity with the City’s General Plan, does not require a General Plan Amendment, and the project is consistent with the long-range plan for the development of this section of the Putnam Corridor for professional office and appurtenant uses. The design characteristics and mitigations built into the project can effectively provide compatible land uses within the guidelines prescribed by the General Plan and proposed Zone Change application.

**Adjacent Land Uses**

Existing Land Uses, General Plan, and Zoning designations for the project site are as follows:

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>General Plan</th>
<th>Zoning</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>Professional Office</td>
<td>Professional Office</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Dwellings</td>
<td>Low Density Residential</td>
</tr>
<tr>
<td>South</td>
<td>Single Family Dwellings</td>
<td>Low Density Residential</td>
</tr>
<tr>
<td>West</td>
<td>Hospital and Parking Lot</td>
<td>Professional Office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R-1 (Low Density Residential)</td>
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Many professional offices are located within 500-feet of the proposed project site such as the Sierra Vista Rehabilitation Center. Located within 300-feet of the project site are the following types of professional office land uses:

- Sierra Vista District Hospital
- Seven professional offices including dentists, doctors, and other medical related uses
- Medical (Respiratory) Supply facility
- Porterville Women’s Medical Association

**Environmental Compliance**

The proposed project is exempt pursuant to CEQA Section 15331 Accessory Structures:

“Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities, including, but not limited to:

(a) On premise signs;

(b) Small parking lots;

(c) Placement of seasonal or temporary use items such as
lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use.”
NOTES

1. ALL SANITARY SEWER AND WATER LINES TO BE REMOVED ON-SITE AND DUMPED BEHIND SIDEWALK.

2. ALL PERIMETER CURB, GUTTER AND SIDEWALKS TO REMAIN WITH THE EXCEPTION OF CURB, GUTTER AND SIDEWALK ALONG WEST SIDE OF KESSLING.

3. LANDSCAPE TO BE CONSISTENT WITH LANDSCAPE IN EXISTING PARKING LOT.

Parking Lot Expansion Option 1
Sierra View District Hospital East Parking Lot Expansion

Figure 3

Sierra View District Hospital East Parking Lot Expansion
Zone Change Application

June 2003
PROJECT VICINITY PHOTOGRAPHS

Jaye Street Frontage

Sierra Vista District Hospital entrance to the west of the existing parking lot

Existing parking lot interior
Existing parking lot wall looking north

Existing Parking Lot Jaye Street frontage looking north
North end of existing parking lot showing professional office building to the north, and existing block wall to the east.

Southwest corner of existing parking lot at the intersection of Oak and Jaye Street looking north.
West side of Kessing looking south

West side of Kessing looking north between Oak and Putnam
Oak Frontage

Oak looking east toward Kessing

Southeast corner of Oak and Jaye Streets
Southwest corner of existing parking lot at the intersection of Oak and Jaye Street looking east

Oak looking west from Kessing
Putnam Frontage

Intersection of Putnam and Jaye Street showing Professional Office buildings

Putnam looking west showing professional office buildings
APPENDICES
Appendix A

Project Review Submittal (DRC) Application
CITY OF PORTERVILLE

PROJECT REVIEW SUBMITTAL

The following information must be clearly indicated on all discretionary projects and site plans submitted for review. Applications and plans which do not have the required information will not be accepted for Project Review processing.

PROJECT: Sierra View District Hospital East Parking Lot Expansion

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF APPLICANT(S):

Sierra View District Hospital, 465 West Putnam, Porterville, CA 93257, (559) 788-6012

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

Bud Kopp, 5110 West Cypress Ave., Visalia, CA 9327, (559) 733-0440

PROJECT ADDRESS: West side of Kessing Between Oak and Putnam

SUBMITTAL DATE: ORIGINAL SUBMITTAL DATE:

RESUBMITTAL: YES ☐ NO ☐ (IF RESUBMITTAL, ORIGINAL REVIEW NO. ______)

NOTE: A minimum of 9 FOLDED copies of maps or plans drawn to a readable scale must be submitted on a minimum sheet size of 8 1/2" x 11" (18" x 24" minimum size for parcel/subdivision snaps and development site plans).

WHERE APPLICABLE, THE FOLLOWING SHALL BE SHOWN ON ALL SUBMITTALS:

1. Address and Assessor's Parcel Number.

   West of Kessing between Oak and Putnam.

   APN: 252-221-005
         252-221-006
         252-221-007
         252-221-008
         252-221-009
         252-221-010
         252-221-011
         252-221-012
         252-221-013

2. Vicinity Map.

   See Figures 1 and 2. Site Plan Map is shown in Figure 3.

3. Scale and north arrow.

   Scale and north arrow are provided on all Figures.

4. Dimensions of property.

   Dimensions of property are shown on Figure 3.

5. Location of existing and proposed building(s) and/or structure(s) showing dimensions from property lines. Indicate on submittal whether or not all buildings on property are connected to public water and sewer. If not, show what buildings are not connected and whether or not those buildings are to be connected to public water and sewer systems.

   Existing buildings: There are seven existing dwelling units on the subject property that the current owner has acquired and plans to relocate or demolish. No new structures other than a parking lot will be provided.
on the subject property. The proposed use will not require connection to the City sewer system, and will require connection to the City water system for irrigation purposes only.

6. Location, height and materials of existing and/or proposed fences and walls.

As shown on Figure 3, Site Plan Map, an existing block wall on the east side of the existing parking lot will be removed and the parking lot will be extended eastward to Kessing. A new six-foot (concrete block) wall will be constructed at the east property line.

7. Location of off-street parking. Indicate the number of parking spaces, type of paving, traffic directional arrows and parking space dimensions.

The entire project site will be used for parking stalls, drive aisles and landscaping. Currently, the existing site provides 152 parking stalls. The proposed parking lot expansion would provide an additional 174 parking stalls for a total of 326 stalls. Pavement of the parking lot and drive aisles will be asphaltic concrete to City standards. Parking space dimensions will be 9' by 20' and drive aisles will be 25' wide.

8. Location and width of drive approaches and indicate method of on-site drainage.

The parking facility will utilize surface drainage and the City storm drain system. Two points of ingress/egress are provided to the existing parking lot along Jaye Street, and one additional point of ingress/egress will be provided to the expanded parking lot facility along Kessing as shown on Figure 3.

9. Location of existing and/or proposed public improvements/utility structures along the street frontages of the site (such as curbs, gutters, sidewalks, utility poles, fire hydrants, street lights, traffic signal devices, splice boxes, transformers, etc.).

Applicant proposes to utilize the existing curb, gutter and sidewalk system along Kessing and Oak, and will provide a sidewalk where one does not currently exist. Utility poles, fire hydrants, street lights, and other utility equipment will remain at their current locations.

10. Location of existing or proposed refuse area (indicate City bin or individual can service).

No refuse bins will be a part of this parking lot expansion project.

11. Location of existing improvements on the site (i.e., wells, septic tanks, irrigation pipes, abandoned or unnecessary improvements, etc.).

Driveways and foundations (paved areas) sewer and water lines serving the existing dwelling units will be abandoned and removed upon demolition of the existing dwelling units and prior to construction of the parking lot expansion.

12. A preliminary landscaping plan (showing conceptual planting scheme).

A Site Plan is illustrated in Figure 3 which shows location of landscaping. A conceptual planting schedule is shown.

13. Indicate proposed use of commercial and industrial buildings.

The proposed use of the project site is for Professional Office Parking with landscaping.

14. Indicate loading and storage areas including any fences and walls to be used as screening.

There is no loading and unloading other than that provided in individual parking stalls for pedestrians. A decorative block wall is shown in Figure 3 along the eastern boundary of the project site.
15. Indicate any existing trees and/or historically significant features relative to the site.

There are no historically significant features relative to the project site. All landscaping is domestic.

Project Review Committee Meetings are held each Wednesday at 1:30 p.m. in the Conference Room at City Hall.

REVIEW PROCEDURE: Plans will be considered on the second Wednesday following the week of submittal. All plans must be received by the City Planning Division by 5:00 p.m. for consideration on the second Wednesday following the week of their submittal.

As the owner of said property described herein, I authorize City personnel to enter said property for the sole purpose of performing preliminary field inspection(s) for the purpose stated above.

[Signature]

Signature (Contractor, Owner or Authorized Agent)

[Title]

Director of General Services
Appendix B

Zone Change Application
APPLICATION FOR CHANGE OF ZONE NO. ..........................

TO THE PORTERVILLE CITY PLANNING COMMISSION:

We, the owners of real property set opposite our respective names, hereby petition to have Ordinance No. 707 amended by reclassifying from Zone .......... R-1 .......... to Zone .......... P-0 .......... the property described hereon and shown in colored cross-hatching on the attached map which, together with the Property Owner's List, also attached hereto, are made a part of this petition.


Exact legal description of said property being .......... APNs: 252-221-006, 252-221-007, 252-221-008, 252-221-009, 252-221-010,
252-221-011, 252-221-012, 252-221-013, ..........

1. Does public necessity require the proposed change? Is there a real need to the community for more of the types of uses permitted by the Zone requested than can be accommodated in the areas already zoned for such uses?

(fully explain your answer, considering the surrounding property as well as the property proposed to be reclassified.)

Currently, the Sierra View District Hospital provides 152 parking spaces which are not adequate to meet current or long range parking needs of the facility. The expansion will accommodate an additional 174 parking stalls for a total of 326 parking stalls. The parking lot expansion is an ancillary use to the Hospital, and the project site is best suited for the proposed use as it is in close proximity to the medical facility and adjacent to the existing parking lot.

There are eight parcels with existing dwelling units on the project site that the current owner has acquired and plans to relocate or demolish. No new structures other than a parking lot will be provided on the subject property, and the applicant is concurrently applying for a Parcel Merger to merge the existing parking lot parcel with the eight, current residually zoned parcels.

2. Is the property involved in the proposed reclassification more suitable for the purposes permitted in the proposed classification than for the purposes permitted in the present classification?

(Answer completely; give all reasons for your answer.)

Yes, the proposed reclassification permits parking lots in a Professional Office zone whereas residential zones do not permit parking lots for professional office and commercial uses. Areas to the north and west of the subject site are generally planned and zoned professional office, which is intended to provide for the development of areas largely or exclusively dedicated to office and professional activities. It is noted in the General Plan Land Use Element that office development should be confined to arterial or collector streets, and the facility provided with adequate off-street parking and landscaping. In some instances, both higher density residential and office uses can be compatibly accommodated, and therefore, limited residential development could be included within this designation.

The Putnam Corridor within the project vicinity is characterized by Professional Office facilities such as Sierra Vista District Hospital and appurtenant parking facilities, several dentists, medical supply businesses and Medical Associates. Many of the professional office uses in the project vicinity are located on smaller parcels, which are not conducive to meeting current medical facility needs, City parking and/or landscaping requirements. Expansion of professional office facilities in this medical core of the community requires, in this case, contiguous, outward growth of existing parking facilities to accommodate the current demand. Current parking is often inadequate to meet professional office needs, and negatively impacts surrounding neighborhoods with additional on-street parking which is undesirable. This proposed project will decrease the dependence on on-street parking and decrease the parking related impacts on adjacent neighborhoods.

Consistent with the interpretation of the General Plan for Professional office land use designations, this proposal adjacent to Sierra View District Hospital and immediately south of Professional Office land uses along the Putnam Corridor provides for the development "largely" dedicated to office and professional activities. The Office development is generally
“confined” to arterial and collector streets; however, some parking and landscaping may be located to the rear of such offices, and impact local streets. The proposed project has built in design characteristics such as landscaping and limited points of ingress/egress to minimize the impacts on adjoining residential land uses.

3. Would the uses permitted by the proposed zone be detrimental in any way to surrounding property? (Explain reasons supporting your answer.)

No. The proposed use is for expansion of an existing parking lot for Sierra View District Hospital which will decrease the need for on-street parking and decrease driveway view obstructions for adjacent residences. New landscaping and irrigation will be provided on the project site as well as at the perimeter of the project site. A block wall is proposed to minimize headlight glare and noise.

4. What were the original deed restrictions, if any, concerning the type and class of uses permitted on the property involved? Give the expiration date of these restrictions. (You may attach a copy of these restrictions, after properly underscoring the portions that are in answer to this question.)

No deed restrictions are identified in regard to the subject property.

The following spaces are for signatures of owners whose properties lie within the radius of 300 feet of the property proposed to be reclassified and who approve of the change. (Not required. (See Item 2, Page 4.))

(Attach extra sheets if necessary.)

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We, the undersigned property owners, herewith request that our respective properties which are included in the reclassification petitioned for, be reclassified and for the reasons herein enumerated.

(This space is for signature of owners of property actually included in the proposed reclassification. Attach extra sheets if necessary.)

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OWNER'S DECLARATION

STATE OF CALIFORNIA )
) SS.
COUNTY OF TULARE )

I, ........................................................., being duly sworn, declare and say that I am the owner of part (or all) of the property involved and that this application has been prepared in compliance with the requirements of the Porterville City Planning Commission as printed herein and that the foregoing information thoroughly and completely, to the best of my ability, presents the argument in behalf of the application herewith submitted and that the statements and information above referred to are in all respects true and correct except as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at .......................................................... this ........................................................., day of ............................................, 20.....

Telephone Number ........................................ Signed .........................................................

Mailing Address .........................................................

This is to certify that the foregoing application has been inspected by me and found to be complete and acceptable for filing with the Porterville City Planning Commission.

Received ......................................................... Receipt No. ............................................

By .........................................................
For The Porterville City Planning Commission

— 3 —
Requirements for Filing Application for Change of Zone

1. Filing Fee (Sec. 2401, Ord. No. 707)  
   Attached

2. Application form  
   Attached

3. 300-foot radius map (showing APN, current use and property owner  
   Attached

4. Property owner's list  
   Attached

5. Photographs (optional)  
   See Site Photos in Project Description
Appendix C

Environmental Information Form
CITY OF PORTERVILLE
DEPARTMENT OF COMMUNITY DEVELOPMENT AND SERVICES
PLANNING DIVISION
ENVIRONMENTAL INFORMATION FORM

Date Filed: ____________________________
(To be completed by Applicant or Engineer)

For Office Use Only: Receipt No. ________________ Amount: ________________
Date: ________________ Payer: ________________
Received By: ________________
ERC No. ________________ Project No. ________________

Note: Failure to answer applicant questions could delay the processing of your application or require
you to resubmit your application.

General Infrastructure:

1. Name and address of developer or project sponsor: Bud Kopp, Senior Planner,
Quad Knopf, Inc., 5110 W. Cypress Avenue, Visalia, CA 93277

2. Address of project: West side of Kessing between Oak and Putnam

3. Name, address, and telephone number of person to be contacted concerning this project:
Bud Kopp, Senior Planner, Quad Knopf, Inc., 5110 W. Cypress Avenue, Visalia, CA 93277,
(559) 733-0440

4. Indicate number or the permit application for the project to which this form pertains:

5. List and describe any other related permits and other public approvals required for this project,
including those required by city, regional, state and federal agencies:
Planning Commission
City Council

6. Existing zoning district: R-1 (Low Density Residential)

7. Proposed use of site (project for which this form is filed): Parking Expansion for Sierra View
District Hospital (Professional Office Land Use and Zoning Classification)
Project Description:

8. Site size. 1.64 acres.

9. Square footage. 71,370 square feet.

10. Number of floors of construction. 0

11. Amount of off-street parking provided.
   326 stalls (152 existing, 174 additional)

12. Attach plans.

   Attached as Figure 3


   **Scheduling**
   
<table>
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<tr>
<th>Event</th>
<th>Date</th>
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<tr>
<td>Advertise Project</td>
<td>August 15, and 22, 2003</td>
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<tr>
<td>Pre-bid Meeting</td>
<td>August 22, 2003</td>
</tr>
<tr>
<td>Bid Award</td>
<td>August 29, 2003</td>
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<tr>
<td>Preconstruction Meeting</td>
<td>September 15, 2003</td>
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<tr>
<td>Construction Start Date</td>
<td>September 22, 2003</td>
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<tr>
<td>Construction End Date</td>
<td>November 19, 2003</td>
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14. Associated project.

   **Sierra View District Hospital**

15. Anticipated incremental development.

   **One Phase Development**

16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. N/A

17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities. N/A

18. If industrial, indicate type, estimated employment per shift, and loading facilities. N/A

19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

   **See Project Description and Site Plan**

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

    The project requires a Zone Change to accommodate expansion of an existing parking facility on land currently designated as Low Density Residential (R-1).
The parking lot expansion will accommodate an additional 174 parking stalls for a total of 326 parking spaces. The parking lot is an ancillary use to the Hospital, and the project site is best suited for such use due to the close proximity to the existing parking lot and Sierra View District Hospital. The change in zone classification and construction of this facility will decrease on-street parking in adjacent residential neighborhoods.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

<table>
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<tr>
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<td>21.</td>
<td>Change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours.</td>
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<td>22.</td>
<td>Change in scenic views or vistas from existing residential areas or public lands or roads</td>
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<td>23.</td>
<td>Changes in pattern, scale or character of general area of project.</td>
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<td>24.</td>
<td>Significant amounts of solid waste or litter.</td>
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<td>25.</td>
<td>Change in dust, ash, smoke, fumes or odors in vicinity.</td>
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<td>26.</td>
<td>Change in ocean, bay, lake, stream or ground water quality or alteration of existing drainage patterns.</td>
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<td>27.</td>
<td>Substantial change in existing noise or vibration levels in the vicinity.</td>
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<td>28.</td>
<td>Site on filled land or on slope of 10 percent or more.</td>
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<td>29.</td>
<td>Use of disposal or potentially hazardous materials, such as toxic substances, flammables or explosives.</td>
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<td>Substantial change in demand for municipal services (police, fire, water, sewage, etc.).</td>
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<td>31.</td>
<td>Substantially increased fossil fuel consumption (electricity, oil, natural gas, etc.).</td>
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<td>32.</td>
<td>Relationship to a larger project or series of projects.</td>
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Responses:

23. The west side of Kessing is characterized by older single-family dwelling units backing onto the Sierra View District Hospital parking lot. The neighborhood is characterized by existing noise from the parking lot facility and "spill-over" on-street parking in the neighborhood when the hospital parking lot is full. Expansion of the existing parking lot would remove eight dwelling units from the west side of Kessing and expand the parking lot eastward. Instead of homes on the east side of the street looking toward other single-family dwelling units, under this proposal, they will look toward trees, landscaping and a decorative block wall.

32. This project expands an existing parking facility in proximity to the Sierra View District Hospital. The campus satellite parking facilities and connectivity are integrated into an overall large-scale project.
33. Describe the project site, as it exists before the project, including information on topography, soil stability, plants and animals, and any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

The existing site consists of eight single-family dwelling units on relatively flat terrain. No significant cultural, historical or scenic impacts will occur. The eight dwelling units have been purchased by Sierra View District Hospital and are in various stages of relocation or demolition. Site Photos are shown in the Project Description.

34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

North: Professional Office Structures
East: Single-Family Residences
South: Single-Family Residences
West: Sierra View District Hospital and parking lot

No unique plant, animal, cultural, historical or scenic resources will be impacted. The site is an infill-reuse site.

All applicants or engineers must check one of the following boxes:

☐ I hereby authorize the City of Porterville Planning Division to prepare and Environmental Impact Report for my project, identify necessary. I understand the City will bill me, and I agree to pay the City for the actual cost of preparation of the Draft Environmental Impact Report. I further understand that no action approving the project will be taken by the City until the cost of the Environmental Impact Report is paid.

☐ I hereby authorize the engineer or surveyor as my representative to authorize the City Planning Division to prepare and Environmental Impact Report for my project, identify necessary. I understand the City will bill me, and I agree to pay the City for the actual cost of preparation of the Draft Environmental Impact Report. I further understand that no action approving the project will be taken by the City until the cost of the Environmental Impact Report is paid.

☒ Please do not proceed with the preparation of an Environmental Impact Report for my project until the City Planning Division has received a written authorization letter from me, or my authorized representative.
CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial environmental evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Ben Kopp
Signature

July 2, 2003
Date

Quadr Kopp
Applicant/Engineer

5110 W. CYPRESS AVE. Visalia CA 93277
Street Address City State Zip

(559) 733-0440
Telephone
RESOLUTION NO._________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR ZONE CHANGE 6-2003, BEING A CHANGE OF ZONE FROM R-1 (ONE FAMILY RESIDENTIAL) TO PO (PROFESSIONAL OFFICE) FOR THAT 1.4± ACRE SITE LOCATED ON THE WEST SIDE OF KESSING STREET, BETWEEN PUTNAM AVENUE AND OAK AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of February 3, 2004, conducted a public hearing to consider Zone Change 6-2003, being a change of zone from R-1 (One Family Residential) to PO (Professional Office) for that 1.4± acre site located on the west side of Kessing Street, between Putnam Avenue and Oak Avenue; and

WHEREAS: The City Council considered the following findings in its review of the environmental circumstances for this project:

1. That a Negative Declaration was prepared in accordance with the California Environmental Quality Act.

2. That the subject project will not create adverse environmental impacts.

3. That the City Council is the decision-making body for the project.

4. That the Negative Declaration prepared for this project was made available for public review and comment. All comments have been incorporated into the Mitigation Monitoring Program attached to the environmental resolution as Attachment A.

5. That the mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

6. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of this project.

7. That the project may proceed subsequent to approval and/or conditional approval of the State Department of Fish and Game relative to said State Department’s consideration of a “de minimis impact” pursuant to Section 711.2 et. Seq. of the Fish and Game Code.

ATTACHMENT ITEM NO. 4
8. That the environmental assessment and analysis prepared for this project supporting the Negative Declaration reflects the independent judgement of the City of Porterville.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for Zone Change 6-2003, and that the mitigation measures defined in Attachment A shall be implemented by the applicant or his/her successors with project implementation.

Richard M. Stadtherr, Mayor

ATTEST:
John Longley, City Clerk

By __________________________
Georgia Hawley, Deputy
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 6-2003,
BEING A CHANGE OF ZONE FROM R-1 (ONE FAMILY RESIDENTIAL)
TO PO (PROFESSIONAL OFFICE) FOR THAT 1.4± ACRE SITE
LOCATED ON THE WEST SIDE OF KESSING STREET, BETWEEN
PUTNAM AVENUE AND OAK AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of February 3, 2004, conducted a public hearing to consider Zone Change 6-2003, being a change
of zone from R-1 (One Family Residential) to PO (Professional Office) for that 1.4± acre site
located on the west side of Kessing Street, between Putnam Avenue and Oak Avenue; and

WHEREAS: The City Council of the City of Porterville, after proceedings duly had and
taken, and after due and legal notice having been given, as prescribed by Ordinance 1198 of the City
of Porterville, and the laws of the State of California, has determined that the public interest would
best be served by approval of the proposed Zone Change 6-2003; and

WHEREAS: The City Council made the following findings in support of the approval of
Zone Change 6-2003:

1. The Land Use Element of the General Plan designates the subject site for
   Professional Office Uses.

2. That the proposed zoning will conform with the land use designation of the General
   Plan.

3. That a Negative Declaration was approved for this project in accordance with the
   California Environmental Quality Act and mitigation measures incorporated into the
   approval will be precedent to project implementation.

4. That this zoning designation will ensure that any future development of the subject
   site will be in conformance with existing plans and policies and will not adversely
   impact the surrounding area.

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

Section 1: That the following described property in the City of Porterville, County of
Tulare, State of California, known as Zone Change 6-2003, is hereby re-zoned from R-1 (One
Family Residential) to PO (Professional Office) for that 1.4± acre site located on the west side of
Kessing Street, between Putnam Avenue and Oak Avenue, more particularly shown on the attached
map, incorporated herein by this reference as Exhibit “A”; and
Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville shall be changed to show that all of the above described real property is re-zoned from R-1 (One Family Residential) Zone to PO (Professional Office) for that 1.4± acre site located on the west side of Kessing Street, between Putnam Avenue and Oak Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

______________________________
Richard M. Stadtherr, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
Georgia Hawley, Deputy
PUBLIC HEARING
(CONTINUED)

TITLE: CONDITIONAL USE PERMIT 2-2003 - PROPOSED SALE OF ALCOHOLIC BEVERAGES UNDER AN ON-SALE LICENSE AT 58 EAST MILL AVENUE (STAN'S RESTAURANT)

SOURCE: COMMUNITY DEVELOPMENT AND SERVICES DEPARTMENT - PLANNING DIVISION

COMMENT: On January 20, 2004, at the request of City staff and the applicant, the Porterville City Council opened the public hearing for Conditional Use Permit 2-2003 and continued it to February 3, 2004 to allow time to resolve an outstanding concern. The concern has been resolved.

The applicants are requesting approval of a Conditional Use Permit to allow the sale of beer and wine under an on-sale license in conjunction with the serving of meals at an existing restaurant (Stan’s) located at 58 East Mill Avenue located in a C-2 Zone.

The proposed hours of operation will be 6:00 a.m. to 8:00 p.m. Monday through Friday. On Saturday and Sunday the hours of operation will be from 7:00 a.m. to 3:00 p.m.

Section 2100 B-1 of the Porterville Zoning Ordinance requires approval of a Conditional Use Permit for new establishments proposing to sell alcoholic beverages under an on-sale license in conjunction with the serving of meals.

The subject site is located in Census Tract 38.02. The California Department of Alcoholic Beverage Control has indicated that Census Tract 38.02 can accommodate up to four (4) on-sale licenses without being deemed “over concentrated”. At present, ten (10) on-sale licenses exist. As a result of this, a letter requesting approval of a finding of Public Convenience or Necessity for the on-sale license is required from the ABC. It does not require the City’s approval of a finding of Public Convenience or Necessity.

RECOMMENDATION: It is recommended that the City Council adopt the draft resolution approving Conditional Use Permit 2-2003.

ATTACHMENT:

1. Complete Staff Report

DD_____ APPROPRIATED/FUNDED_____ CM_______ ITEM NO. 14
TITLE: CONDITIONAL USE PERMIT 2-2003

APPLICANT: David B. Ardebili
P.O. Box 1755
Pismo Beach, CA 93448

COMMENT: On January 20, 2004, at the request of City staff and the applicant, the Porterville City Council opened the public hearing for Conditional Use Permit 2-2003 and continued it to February 3, 2004 to allow time to resolve an outstanding concern. The concern has been resolved.

SPECIFIC REQUEST: The applicants are requesting approval of a Conditional Use Permit to allow the sale of beer and wine under an on-sale license in conjunction with the serving of meals at an existing restaurant (Stan’s) located at 58 East Mill Avenue located in a C-2 Zone.

PROJECT DETAILS: The proposed hours of operation will be 6:00 a.m. to 8:00 p.m. Monday through Friday. On Saturday and Sunday the hours of operation will be from 7:00 a.m. to 3:00 p.m. The existing restaurant has 75 seats with a total of five (5) employees.

Section 2100 B-1 of the Porterville Zoning Ordinance requires approval of a Conditional Use Permit for new establishments proposing to sell alcoholic beverages under an on-sale license in conjunction with the serving of meals.

The subject site is located in Census Tract 38.02. The California Department of Alcoholic Beverage Control has indicated that Census Tract 38.02 can accommodate up to four (4) on-sale licenses without being deemed “over concentrated”. At present, ten (10) on-sale licenses exist. As a result of this, a letter requesting approval of a finding of Public Convenience or Necessity for the on-sale license is required from the ABC. It does not require the City’s approval of a finding of Public Convenience or Necessity.

GENERAL PLAN AND LAND USE/ZONING DESIGNATION:

The site is designated for General Commercial uses and is zoned C-2 (Central Commercial).

SURROUNDING AREA ZONING AND LAND USE:

NORTH: City C-2 - Commercial business and Putnam Avenue
SOUTH: City C-2 - City parking lot
EAST: City C-2 - Alley and a thrift store
WEST: City C-2 - Commercial business and Second Street.
STAFF ANALYSIS: On November 18, 2003, the Project Review Committee reviewed the application request. Section 2100 B-1 of the Porterville Zoning Ordinance requires approval of a Conditional Use Permit for new establishments proposing to sell alcoholic beverages under an on-sale license in conjunction with the serving of meals.

As the City Council is aware, Staff is preparing a Zoning Ordinance Amendment which will exempt some restaurants from the requirement to secure a Conditional Use Permit. Due to the proximity to a church, this business would require a Conditional Use Permit under the proposed regulations.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No project. Denial of the proposed use permit would allow the applicants to operate the existing restaurant (Stan’s) absent the sale of beer and wine.

2. Approve the project. Approval of the request would result in the applicants being conditionally allowed to sell beer and wine under an on-sale license in conjunction with the proposed restaurant.

ENVIRONMENTAL: The project is Categorically Exempt pursuant to Section 15323, Class 23 of the CEQA Guidelines - (Normal Operations of Facilities for Public Gatherings). Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: November 18, 2003

DATE ACCEPTED AS COMPLETE: December 15, 2003

RECOMMENDATION: It is recommended that the City Council approve the application for Conditional Use Permit 2-2003.

ATTACHMENTS:

1. Locator/Land Use/Zoning Map
2. Application
3. Notice of Exemption
4. Draft Resolution
CONDITIONAL USE PERMIT

NO. #2-2003

EXISTING ZONING = C-2

GENERAL PLAN DES. = GENERAL COMMERCIAL

CB = COMMERCIAL BUSINESS

PO = PROFESSIONAL OFFICE

■ = SUBJECT SITE

ATTACHMENT 1
APPLICATION FOR CONDITIONAL USE PERMIT

(See Page 3 of this form for information on preparing and filing this application)

The Applicant(s) is/are the owner(s) or tenant(s) of property situated at 58 E Hill St.,
between __________________________ Street/Avenue and __________________________ Street/Avenue. Exact legal
description of said property being (Use separate sheet if necessary)

As applicable, a Plot Plan and 300' radius property owners map, and corresponding mailing list are hereto attached and made a part of this application (See detailed instructions on Page 3 of this form).

(A) Above described property is owned by B. I. W. ENTERPRISES.
    Date acquired __________________________

(B) If applicant is the lessee, give date property was leased:
    4-1-69

(C) List below the original deed restrictions, if any, that were placed on the property which pertain to the type of improvements permitted.
    Give date said restrictions expire 4-1-69

    (You may attach copy of original printed restrictions in answer to this question after property
    underlining those features controlling the type and class of uses permitted thereby).

(D) REQUEST: The applicant requests a Conditional Use Permit to
    USE the above described property for the following purposes:

    (Use this space ONLY to state exactly what is intended to be done, on or, with the property).
NOTE: The basic purpose of the Conditional Use Permit Act of the City Zoning Ordinance is to assure that the design and subsequent operation of a conditional use will be reviewed in order to carry out the purposes of the Ordinance and to protect the public health, safety and welfare, due to the unique and special characteristics of such uses.

1. State how the proposed use will not be materially detrimental to the public welfare or injurious to property or improvements in such vicinity and zone in which the use is proposed to be located.

2. Principal requirements of intended use (Please answer the following statements, if applicable):
   
   (a) Total number of people that the building (or grounds if the use is not conducted in a building) can accommodate at one time (Seating Capacity).

   \[ 75 \]  

   (b) Total number of employees that will work on the property.

   \[ 5 \]  

   (c) Total number of off-street parking spaces provided or planned.

   \[ 10 \]  

   (d) Maximum height of buildings or structures.

   \[ 50 \]  

   (e) If the application is not intended to be for a permanent conditional use, state the length of time for which it is requested.
We, the undersigned OWNERS of ADJACENT PROPERTY as shown upon the map attached to the application, hereby certify that we have read the foregoing petition and agree that the facts stated correctly and completely present the conditions surrounding the property involved in the application, and believe the application SHOULD BE GRANTED (Add additional sheets where necessary. These signatures are desirable but not required).

<table>
<thead>
<tr>
<th>No. on Map</th>
<th>Name</th>
<th>Address</th>
<th>Lot</th>
<th>Block</th>
<th>Tract</th>
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APPLICANT'S DECLARATION

STATE OF CALIFORNIA )
COUNTY OF TULARE ) ss.)

I (WE), DAVID E. PROBY, being duly sworn, declare and say that I am (we are) the owner (lessee or agent) of property involved in this application and that I (we) have completed this application and all other documents and maps required hereby to the best of my (our) ability and that the statements and information above referred to are, in all respects, true and correct, except, as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at PORTERVILLE, CALIFORNIA, this 1965 day of 20

Telephone No. 555-724-5547

[Signature]

This is to certify that the foregoing application has been inspected by me and has been found to be thorough and complete in every particular and to conform to the rules and regulations of the City of Porterville governing the filing of such application.

Date Received

3
NOTICE OF EXEMPTION

TO: Office of Planning and Research
    1400 Tenth Street, Room 121
    Sacramento, CA 95814

FROM: City of Porterville
      291 N. Main Street
      Porterville, California 93257

Tulare County Clerk
County Civic Center
Visalia, CA 93291

David B. Ardebili
P.O. Box 1755
Pismo Beach, CA 93448

Conditional Use Permit 2-2003
Project Title

58 East Mill Street
Project Location (Specific)

City of Porterville
Tulare
Project Location (City) Project Location (County)

Conditional Use Permit 2-2003 to allow the on-sale of beer and wine in conjunction with the serving of meals in an existing restaurant (Stan’s).
Description of Nature, Purpose, and Beneficiaries of Project

City of Porterville
Name of Public Agency Approving Project

David B. Ardebili, P.O. Box 1755, Pismo Beach, CA 93448
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

Ministerial (Section 15073)
Declared Emergency (Section 15071 (a))
Emergency Project (Section 15071 (b) and (c))
Categorical Exemption. State type and section number: L5323, Class 23

Normal Operations of Facilities for Public Gatherings
Reasons why project is exempt

Bradley D. Dunlap, Community Development Director
Contact Person
If Filed by Applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the projected? Yes: ________________________

Date Received for filing: ________________________
Signature
Community Development Director
Title
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVAL FOR CONDITIONAL USE PERMIT 2-2003 TO ALLOW THE SALE OF BEER AND WINE UNDER AN ON-SALE LICENSE IN CONJUNCTION WITH SERVING OF MEALS AT AN EXISTING RESTAURANT (STAN’S) LOCATED AT 58 EAST MILL AVENUE

WHEREAS: On January 20, 2004, at the request of City staff and the applicant, the Porterville City Council opened the public hearing for Conditional Use Permit 2-2003 and continued it to February 3, 2004 to allow time to resolve an outstanding concern. The concern has been resolved.

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of February 3, 2004, conducted the continued public hearing to consider Conditional Use Permit 2-2003, being a request to allow the sale of beer and wine under an on-sale license in conjunction with the serving of meals at an existing restaurant (Stan’s) within the C-2 (Central Commercial) Zone located at 58 East Mill Avenue; and

WHEREAS: The City Council received testimony from all interested parties relative to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

1. That pursuant to Section 15323, Class 23, - (Normal Operations of Facilities for Public Gatherings) of the California Environmental Quality Act Guidelines, the Conditional Use Permit to allow the sale of beer and wine under an on-sale license in conjunction with an existing restaurant is Categorically Exempt.

2. That Section 2100 B-1 of the Porterville Zoning Ordinance requires approval of a Conditional Use Permit for new establishments proposing to sell alcoholic beverages under an on-sale license in conjunction with the serving of meals.

3. That the proposed project is consistent with the General Plan.

4. That the design and operation of the proposed project are consistent with the General Plan.

5. That the proposed use is not likely to cause substantial environmental damage.
6. That the proposed location of the project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity.

7. That the standards of population density, site area, dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities, and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

8. That the proposed sale of alcoholic beverages (beer and wine) under an on-sale license in conjunction with a restaurant is allowed in the C-2 Zone subject to the approval of a Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit 2-2003 subject to the following conditions:

1. The subject site is located in Census Tract 38.02. The alcoholic Beverage Control has indicated that four (4) on-sale licenses are allowed. At present, ten (10) on-sale licenses exist. As a result of this, a Letter of Public convenience or Necessity will be required to be submitted to the Department of Alcoholic Beverage Control from the applicant for the ABC’s approval.

2. The sale of alcoholic beverages under on-sale license will be allowed only in conjunction with the serving of meals in the restaurant. No separate sit-down bar area is allowed.

3. Any future change in operation which substantially alters the condition or nature of the subject business will require approval by the City Council if such modification involves the sale of alcoholic beverages.

4. No outdoor advertising of alcoholic beverages is allowed.

5. Upon approval of the Conditional Use Permit, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls to the Police Department resulting from the sales of alcohol will result in revocation of the Conditional Use Permit.
6. The Conditional Use Permit shall become null and void if not undertaken and actively and continuously pursued within one (1) year.

Richard M. Stadtherr, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
Georgia Hawley, Deputy
SUBJECT: SECOND READING - ORDINANCE NO. 1645, ZONE CHANGE NO. 5-2003 (ZENZ & O'SULLIVAN)

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1645 approved Zone Change No. 5-2003. It was a change of zone from City R-1 (One Family Residential) to City C-1 (D) (Neighborhood Commercial with a Design Review Overlay) for that .34± acre site located on the west side of Newcomb Street, approximately 290± feet south of Henderson Avenue. The ordinance was given a First Reading on January 20, 2004, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1645, waive further reading, and adopt said ordinance.

ATTACHMENT: Ordinance No. 1645

Item No. 15
ORDINANCE NO. 1645

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE 5-2003 BEING A CHANGE OF ZONING FROM
R-1 (ONE FAMILY RESIDENTIAL) TO C-1 (D) - (NEIGHBORHOOD COMMERCIAL
WITH A DESIGN REVIEW OVERLAY) FOR THAT .34± ACRE SITE LOCATED ON
THE WEST SIDE OF NEWCOMB STREET, APPROXIMATELY 290± FEET SOUTH OF
HENDERSON AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of January
20, 2004, conducted a public hearing to consider Zone Change 5-2003, being a change of zone from R-1
(One Family Residential) to C-1 (D)- (Neighborhood Commercial with a Design Review Overlay) for that
.34± acre site located on the west side of Newcomb Street, approximately 290± feet south of Henderson
Avenue; and

WHEREAS: The City Council of the City of Porterville, after proceedings duly had and taken, and
after due and legal notice having been given, as prescribed by Ordinance 1198 of the City of Porterville, and
the laws of the State of California, has determined that the public interest would best be served by approval
of the proposed Zone Change 5-2003; and

WHEREAS: The City Council made the following findings in support of the approval of Zone
Change 5-2003:

1. The Land Use Element of the General Plan identifies the intersection of Henderson
Avenue and Newcomb Street as a Neighborhood Commercial Node.

2. The Land Use Element of the General Plan allows for a maximum of five (5) acres of
neighborhood commercial uses at an intersection of two (2) arterial streets. The
neighborhood commercial area at the southwest corner of Henderson Avenue and
Newcomb Street currently consists of .77± acres.

3. That the proposed zoning will conform with the land use designation of the General
Plan.

4. That a Negative Declaration was approved for this project in accordance with the
California Environmental Quality Act and mitigation measures incorporated into the
approval will be precedent to project implementation.

5. That this zoning designation will ensure that any future development of the subject site
will be in conformance with existing plans and policies and will not adversely impact
the surrounding area.

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

Section 1: That the following described property in the City of Porterville, County of Tulare, State
of California, known as Zone Change 5-2003, is hereby re-zoned from R-1 (One Family Residential) to C-1
(D)- (Neighborhood Commercial with a Design Review Overlay) for that .34± acre site located on the west
side of Newcomb Street, approximately 290± feet south of Henderson Avenue, more particularly shown
on the attached map, incorporated herein by this reference as Exhibit “A”; and
Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville shall be changed to show that all of the above described real property is rezoned from City R-1 (One Family Residential) Zone to C-1 (D)- (Neighborhood Commercial with a Design Review Overlay) for that .34± acre site located on the west side of Newcomb Street, approximately 290± feet south of Henderson Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

Richard M. Stadtherr, Mayor

ATTEST:

John Longley, City Clerk

Georgia Hawley, Deputy City Clerk
ZONE CHANGE NO. 5-2003

MONACHE HIGH SCHOOL

HENDERSON AVE.

NEWCOMB ST.

VETERAN'S PARK

LEGEND

SUBJECT SITE

PROPOSED CHANGE
R-1 TO C-1(D)

CITY COUNCIL ORDINANCE NO.

EXHIBIT "A"
SUBJECT: SECOND READING - ORDINANCE 1646, CHANGES TO TIME OF REGULAR COUNCIL MEETINGS

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1646, amending Chapter 2, Section 2-1, Time and Place of Regular Meetings, of the Code of the City of Porterville, was given First Reading on January 20, 2004, and has been printed. If adopted by Council at this meeting, the ordinance would go into effect on March 4, 2004 and the first 6:00 p.m. closed session would be held on March 16, 2004.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1646 and waiving further reading, and adopt said ordinance.

Attachment: Ordinance No. 1646
ORDINANCE NO. 1646

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 2, SECTION 2-1, TIME AND PLACE OF REGULAR MEETINGS

THE COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

A. That Section 2-1, Time and Place of Regular Meetings, of the Code of the City of Porterville is hereby amended as follows:

Sec. 2-1. Time and place of regular meetings.

Pursuant to Section 10 of the City Charter, regular meetings of the Porterville City Council shall be held on the first and third Tuesday of each month in the City Hall, at 291 North Main Street in the City. The regular meetings will commence at 6:00 p.m. with closed sessions commencing at 6:00 p.m., and open session commencing at 7:00 p.m.

B. This ordinance and code amendment shall be in full force and effect thirty (30) days from and after its publication and passage.

Richard M. Stadtherr, Mayor

ATTEST:

John Longley, City Clerk

By ________________________________
Georgina Hawley, Deputy City Clerk
SUBJECT: SEWER USER SURCHARGE FEES FOR INDUSTRIAL DISCHARGERS

SOURCE: Public Works Department - Field Services Division

COMMENT: At the City Council meeting of January 20, 2004, a public hearing was held on the sewer user surcharge fees for industrial dischargers. At that time, Council requested that the resolution be revised.

The California Regional Water Quality Control Board (CWQCB) required the City of Porterville to implement an Industrial Pretreatment Program and revise its Sewer Use Ordinance as part of Cease and Desist Order No. 5-01-104.

According to the State Water Resources Control Board's "Revenue Program Guidelines for Wastewater for Wastewater Agencies" (the SWRCB Revenue Guidelines), large customers discharging over 25,000 gallons/day should be billed based on their measured flow and strength loadings. Bartle Wells & Associates developed a rate study to determine unit loading costs for flow (per hundred cubic feet), Biochemical Oxygen Demand (BOD) (per pound) and Total Suspended Solids (TSS) (per pound).

In accordance with Section 25-60 and 25-62 of the City of Porterville Municipal Code, sewage discharges above the normal discharge concentrations of 175 mg/l for TSS and 250 mg/l for BOD are considered industrial discharges. These discharges are subject to a surcharge in addition to other sewer service fees.

A fee schedule was adopted by Council in 2002 to recover costs associated with additional treatment requirements resulting from industrial discharges that are high in TSS and/or BOD. The fee schedule is intended to provide an incentive for industries to pretreat their discharges to the City's wastewater treatment facility. Bartle Wells & Associates determined that the sewer user surcharge rate should be increased as shown on the attached draft resolution. The increase in revenue for the remainder of the fiscal year 03/04 is $5,000. The resolution covers a fee rate for two years which is in line with the previously approved sewer and treatment plant fee rates.

RECOMMENDATION: That the City Council authorize the Mayor to sign the resolution setting new sewer user surcharge rates for industrial dischargers.

ATTACHMENT: Resolution
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PORTERVILLE
SETTING SEWER USER SURCHARGE FEES
FOR INDUSTRIAL DISCHARGERS

WHEREAS, in accordance with provisions of Chapter 25, Section 25-60(a) and Section 25-62(a) of the Code of the City of Porterville, Total Suspended Solids (TSS) exceeding 175 mg/L and Biochemical Oxygen Demand (BOD) exceeding 250 mg/L are subject to a surcharge, and

WHEREAS, the City wishes to provide an incentive for industries to pretreat their discharges, and

WHEREAS, the City of Porterville needs to recover reasonable costs for the treatment and disposal of high strength industrial wastes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the following surcharge rates be established:

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Average Monthly Load Levels</th>
<th>2003/04 Rate per pound</th>
<th>2004/05 Rate per pound</th>
<th>2005/06 Rate per pound</th>
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<tbody>
<tr>
<td>BOD</td>
<td>250 to 1200 mg/L</td>
<td>$0.29</td>
<td>$0.31</td>
<td>*</td>
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<tr>
<td>BOD</td>
<td>above 1200 mg/L</td>
<td>$1.45</td>
<td>$1.55</td>
<td>*</td>
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<tr>
<td>TSS</td>
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<td>$0.41</td>
<td>$0.43</td>
<td>*</td>
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<tr>
<td>TSS</td>
<td>above 500 mg/L</td>
<td>$2.05</td>
<td>$2.15</td>
<td>*</td>
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* Increase to be determined by City Council.

PASSED AND ADOPTED, this ___ day of ____________.
ATTEST:

John Longley, City Clerk

By Georgia Hawley, Deputy City Clerk

Richard M. Stadtherr, Mayor
SUBJECT: REQUEST FOR SPECIAL FIREWORKS PERMIT

SOURCE: FIRE DEPARTMENT

COMMENT: On May 1, 2001, the City Council did adopt Ordinance No. 1601 revising Chapter 12, Article II, Fireworks, to allow for the sale of Safe and Sane Fireworks within the City of Porterville. At the March 19, 2002 City Council meeting, Council determined that eligible non-profit organizations may be instrumental in presenting the public fireworks displays for the benefit of the community as a whole. The Exchange Club of Porterville guaranteed all proceeds from their fireworks sale would be used to conduct a public fireworks display at minimum cost to the public in exchange for an eleventh (11) permit outside the regular lottery process.

For Calendar Year 2002, and again in 2003, the City Council authorized the Exchange Club of Porterville to participate in the sale of safe and sane fireworks within the City of Porterville as the eleventh (11) permitted organization.

The Exchange Club of Porterville has a long history of supporting and conducting the 4th of July fireworks show at Jamison Stadium. The Exchange Club of Porterville has secured Jamison Stadium for this year's public fireworks show and is again requesting the issuance of a special fireworks permit for Calendar Year 2004.

RECOMMENDATION: That the City Council approve the request for a special fireworks permit to the Exchange Club of Porterville for Calendar Year 2004, give First Reading to the draft ordinance, and order it to print.

ATTACHMENT: 1 - Draft Ordinance
2 - Letter from Dennis Sexton, President Exchange Club of Porterville

Item No. 18
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 12, ARTICLE II, FIREWORKS, OF THE PORTERVILLE MUNICIPAL CODE

Whereas, on May 1, 2001, the City Council did adopt Ordinance No. 1601 revising Chapter 12, Article II, Fireworks, to allow for the sale of Safe and Sane Fireworks within the City of Porterville; and

Whereas, The City Council has determined that eligible non-profit organizations may be instrumental in presenting the public fireworks displays for the benefit of the community as a whole; and

Whereas, the City Council has determined that for Calendar Year 2004 the Exchange Club of Porterville shall be granted a permit without participation in the lottery;

THEREFORE THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

Section 1. For Calendar Year 2004, the following eligible organization shall be granted a permit to sell safe and sane fireworks, in addition to those permits issued by the lottery pursuant to Section 12.2.5., within the City of Porterville:

The Exchange Club of Porterville

This organization must adhere to all other rules and requirements set forth in Chapter 12, Article II, in order to receive their permit.

Section 2. This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

ATTEST:

Richard M. Stadtherr, Mayor

John Longley, City Clerk

By

Georgia Hawley, Deputy
Frank Guyton  
Fire Chief  
40 W. Cleveland  
Porterville, CA 93257

Dear Chief,

The Exchange Club of Porterville is requesting the City of Porterville give us a special permit to have the 11th booth to sell fireworks according to City Ordinance 12.2.

The Exchange Club of Porterville agrees to comply with all rules and regulations pursuant to Chapter 12.

All proceeds of the sale of the fireworks will go towards the expenses in caring out the 4th of July Fireworks Show at the Jamison Stadium on July 4, 2004.

Please call me if you have any questions. 782-3423.

Sincerely,

Dennis Sexton, President
STAFF REVIEW OF THE BLUE SKIES COALITION BIKE PLAN PETITION

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION and PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION

On December 16, 2003, the City Council received and considered a petition regarding Bicycle Transportation from the Blue Skies Coalition. Mayor Stadtherr has convened this group of local residents to discuss a variety of issues with relation to air quality concerns, and he submitted the petition on their behalf. City Council requested Staff to analyze the actions proposed in the petition and to report back to City Council on February 3, 2004.

The basis of most of the comments from the Blue Skies Coalition was their review of a county-wide bicycle plan adopted by the Tulare County Association of Governments (TCAG). Currently, City policy with regard to bike and pedestrian travel is contained within the Circulation Element of the General Plan. The petition from the Blue Skies Coalition requested that the City Council take several actions.

Staff has prepared comparison maps of each of the three plans (attached) and (very) preliminary cost estimates for the implementation of each plan. It is worth noting that the Circulation Element Plan is intended to be the basis of a comprehensive bicycle plan, which could include additional facilities when developed. The TCAG Plan is focused primarily on inter-community transportation corridors and gives less consideration to bicycle access throughout the community. It is also the least specific plan with regard to the actual location of proposed facilities. The Blue Skies Coalition Plan is by far the most detailed.

1) Take immediate action on one or more of the items in the petition.
2) Direct Staff to conduct additional analysis of one or more of the items.
3) Amend the Community Development Department work program to add the creation of a Comprehensive Bicycle Plan as called for in the 1993 Circulation Element.
4) Consider bicycle transportation as a component of the next update to the Circulation Element slated to commence in 2004-05.
5) Take no action.

That the City Council accept the petition and Staff Analysis but defer action until an update of the Circulation Element is completed with the new General Plan.

1. Staff Report

ITEM NO. 19
STAFF REVIEW OF THE BLUE SKIES COALITION BIKE PLAN PETITION

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION and PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION

On December 16, 2003, the City Council received and considered a petition regarding Bicycle Transportation from the Blue Skies Coalition. Mayor Stadtherr has convened this group of local residents to discuss a variety of issues with relation to air quality concerns, and he submitted the petition on their behalf. City Council requested Staff to analyze the actions proposed in the petition and to report back to City Council on February 3, 2004.

The basis of most of the comments from the Blue Skies Coalition was their review of a county-wide bicycle plan adopted by the Tulare County Association of Governments (TCAG). The petition from the Blue Skies Coalition requested that the City Council take several actions which can be summarized as follows:

1) Affirm two policy statements supporting bike travel taken from the TCAG Bicycle Transportation Plan.

2) Adopt the Bicycle Transportation Plan map prepared by the Coalition and order its inclusion in the next Transportation (Circulation) Element.

3) Request TCAG to amend their Bicycle Transportation Map to agree with the Coalition's map.

4) Direct Staff to develop a plan to install signage on all Class III bikeways by June 30, 2004.

5) Direct Staff to develop a plan to stripe all Class II bikeways by June 30, 2006.

6) Direct Staff to seek methods and funding for construction of Class I bikeways.

7) Direct Staff to develop a resolution setting minimum bicycle parking capacity for commercial development.

8) Ensure that the City Manager and Department Heads are familiar with the Bicycle Transportation Plan and that the goals of the plan are "internalized" into department operations.
ANALYSIS: Currently, City policy with regard to bike and pedestrian travel is contained within the Circulation Element of the General Plan. Relevant sections include the following:

Objective C: Promote the use of energy efficient and low or non-polluting transportation systems.

Policy C-(1) - The City shall encourage the use of energy efficient and non-polluting modes of transportation.

Objective D - Promote all modes of transportation, including transit, bicycle, and walking, for the development of alternatives to the private automobile.

Policy D-(2) - In order to provide safe and efficient multi-use corridors which encourage bicycle use, a comprehensive bicycle plan shall be developed.

(Note: The comprehensive bicycle plan envisioned in Circulation Element Policy D-(2) has not yet been developed)

The 1993 Circulation Element also includes a map of Proposed Bike Routes which is available for comparison with both the TCAG Bike Path Proposal and the Blue Skies Coalition Proposal. In general, the Circulation Element Plan suggests greater development of bike facilities than the TCAG Plan. The Blue Skies Coalition Plan contains a more robust network of bike facilities than either the TCAG Plan or the Circulation Element Plan.

Staff has prepared comparison maps of each of the three plans (attached) and (very) preliminary cost estimates for the implementation of each plan. It is worth noting that the Circulation Element Plan is intended to be the basis of a comprehensive bicycle plan, which could include additional facilities when developed. The TCAG Plan is focused primarily on inter-community transportation corridors and gives less consideration to bicycle access throughout the community. It is also the least specific plan with regard to the actual location of proposed facilities. The Blue Skies Coalition Plan is by far the most detailed, and the most expensive. Approximately $4.6 Million of the difference between the costs of the Blue Skies Coalition Plan and the other two plans would be spent on the proposal to construct a bicycle path on both sides of the Tule River, rather than on one side only.

The Tulare County Association of Governments adopted its bicycle plan largely to support the efforts of various member agencies in seeking grant funding for bicycle transportation projects. The plan was adopted without an accompanying environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This means that the document cannot be relied on for
expending public funds, acquisition of right-of-way or for any other similar purpose. Any project proposed as a component of the TCAG plan would require an independent review under CEQA and separate adoption by the agency proposing the project.

With regard to the specific actions proposed by the Blue Skies Coalition, City Staff offer the following analysis:

1) As members of TCAG, the City of Porterville has essentially already agreed to the general policy direction outlined in the TCAG plan. It may be beneficial to reaffirm these goals at the local level.

2) While the City Council may offer support for the proposed map in concept, it is not possible to adopt it as an official guiding document at this time. The same limitations which apply to the TCAG plan would apply to the Blue Skies Coalition Plan if it were adopted without a CEQA document. Staff estimates that the CEQA compliance process would take approximately six months. The cost in Staff time and related expenses is estimated at approximately one hundred hours and $2,000 to $3,000. In addition, Staff would suggest that such an action would require reconsideration of the adopted Community Development Department and Parks and Leisure Services Department work programs, reducing the priority of other identified activities. It is also not clear whether merely adopting the bike plan map as proposed would constitute the “comprehensive bicycle plan” called for in the current Circulation Element. If not, the City would not be able to implement the work called for in the Blue Skies Coalition Plan without first amending the Circulation Element or adopting a comprehensive bicycle plan. As the City Council is aware, Staff has proposed to begin work on a comprehensive General Plan Update in July of 2004 if funding can be identified. This process would include an update to the Circulation Element.

3) TCAG Staff have assured City Staff that it is a relatively straightforward process to amend the current bike plan to add more detail on the individual municipal level. The City of Exeter has carried out such an amendment. TCAG Staff also made it clear that their plan should be interpreted as a “corridor plan” rather than as a map of specific facility locations. For example, the Class I bicycle path shown along Main Street could be implemented by the City’s Rails to Trails project which is actually located several blocks east of Main Street. With regard to the proposal to remove the bike route designation from both State Highways, TCAG Staff noted that bicycles are permitted on portions of State Highways which are designated as Expressways but are not permitted on those portions which are designated as Freeways. Within the City of Porterville State Highway 190 is a Freeway between Newcomb Street and Jaye Street. State Highway 65 is a Freeway between Scranton Avenue and North Grand Avenue. Along these portions
of the State Highways, the TCAG plan would encourage bicycle facilities on nearby parallel roads (e.g. Porter Road, Poplar Road, etc.). The Blue Skies coalition may want to reassess its recommendations in light of this information.

4) Signage could not be placed along Class III bike routes until the Circulation Element is amended or a comprehensive bicycle plan is adopted. In either case, a CEQA document would be required.

5) Bike lanes cannot be striped until the Circulation Element is amended or a comprehensive bicycle plan is adopted. In either case, a CEQA document would be required. The City of Porterville does not currently have an adopted street design that accommodates bike lanes. In order to add a bike lane, the street design must accommodate either: 1) additional right-of-way; 2) elimination of the parking lanes; 3) elimination of a travel lane; or, 4) reduction of the width of travel lanes. The appropriate design may need to be customized for each affected street by considering the cost of right-of-way acquisition, the need for parking and the capacity of the existing improvements. Engineering Division Staff have begun to research options for the adoption of standard street designs which include bike lanes. City Staff would not expect to advocate adoption of wider rights-of-way.

6) Staff will continue to pursue funding for improvements within the context of the adopted Circulation Element. To date, the City has secured grants for property acquisition and construction of portions of the Tule River Parkway and the Rails-to-Trails Pathway.

7) Minimum bicycle parking standards would have to be incorporated into the Zoning Ordinance. A Zoning Ordinance Amendment would require preparation of appropriate CEQA documents and a Public Hearing. The Staff cost for such a project is estimated at approximately 60 hours and $1,000 to $2,000. In addition, Staff would suggest that such an action would require reconsideration of the adopted Community Development Department work program, reducing the priority of other identified activities.

8) Clearly, City Staff will continue to be responsive to the alternative transportation needs of the community.

OPTIONS:

1) Take immediate action on one or more of the items in the petition.
2) Direct Staff to conduct additional analysis of one or more of the items.
3) Amend the Community Development Department work program to add the creation of a Comprehensive Bicycle Plan as called for in the 1993 Circulation Element.
4) Consider bicycle transportation as a component of the next update to the Circulation Element slated to commence in 2004-05.
5) Take no action.
RECOMMENDATION: That the City Council accept the petition and Staff Analysis but defer action until an update of the Circulation Element is completed with the new General Plan.

ATTACHMENTS:

1. Blue Skies Coalition Petition
2. Bicycle Plan Maps (with cost estimates)
Petition for Council Resolution

Modifications to the TCAG Bicycle Transportation Plan as it Relates to the Porterville Area
The TCAG Bicycle Transportation Plan

The TCAG Bicycle Transportation Plan is an excellent document. It includes a wealth of information about the County's long-range plans for bikeways and the reasons for improving our bikeway network. The Blue Skies Coalition has studied the plan and although we are enthusiastic about the concept, we have two reservations about the Plan in its current form:

In its current form the plan proposes a Class I bikeway through Porterville on Main Street. The following is the definition of bikeway classes taken directly from the TCAG document:

**Bicycle Facility Types**

The three types of Bikeways described by Caltrans in Chapter 1000 of the Highway Design Manual are as follows.

**Class I Bikeway** Typically called a bike path or multi-use trail, provides for bicycle travel on a paved right of way completely separated from any street or highway.

**Class II Bikeway** Referred to as a bike lane. Provides a striped and stenciled lane for one-way travel on a street or highway.

**Class III Bikeway** Referred to as a bike route. Provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing.

Figure 2: Caltrans Bicycle Facility Types

The biggest problem in this proposal occurs along Main Street in the heart of the downtown shopping district of Porterville and is a two way street with diagonal parking on each side. We find it conceptually difficult to imagine how a dedicated bike path can be constructed along this route.
Our second issue is that the plan proposes a Class III bikeway through Porterville on Highway 65.

Highway 65 though Porterville is a freeway. The freeway designation does not allow bicycle travel on the roadway. Aside from being unsafe the coalition questions whether such a route would even be legal.

The Coalition, as a group, sat down with a map of the Porterville area and created a bikeway plan. This planning used as a starting point section 2.4 of the TCAG Bicycle Transportation Plan, which states:

2.4 Major Activity Centers and Public Facilities

The proposed regional bikeway network will connect the neighborhoods where people live to the places they work, shop, recreate, or go to school. It will also provide loop routes for those who have no specific destination, but ride for exercise or enjoyment. Loop routes are important as they provide for safe recreational riding by limiting turning movements thereby avoiding conflicts with automobiles and other traffic. Major regional activity centers in Tulare County include:

- Downtowns
- Civic Building and Libraries
- Major Employment Centers
- Commercial Districts
- Regional Shopping Centers
- College of the Sequoias
- Porterville Community College
- Transit Centers
- Residential Neighborhoods
- Hospitals

( TCAG Bicycle Transportation Plan, page 22)

Using this approach we “connected all the dots” — schools, parks, shopping, etc. as best we could and arrived at a plan that is illustrated in the attached map.

The Coalition’s Petition

The Porterville City Council can show its support for alternative transportation by passing the following resolution:

Be it resolved that the Porterville City Council affirms the following statement contained in the Introduction (page 1) of the TCAG Bicycle Transportation Plan:
Bicycling is seen as an alternative transportation mode, it is considered one of the most cost-effective ways to reduce air pollution, traffic congestion, wear on local roads, petroleum consumption, and demand for additional roads. This Plan is intended to provide a blueprint towards making bicycling an integral part of daily life in Tulare County. and expresses its support for County-wide goals by pledging to take concrete steps “towards making bicycling an integral part of daily life in Tulare County.”

The Council affirms the following statement contained in the Introduction (page 10) of the TCAG Bicycle Transportation Plan:

**Improve the quality of life in Tulare County.** Design and build people-friendly streets, sidewalks, paths, trails, and activity centers available to everyone, and support sustainable community development. Reduce traffic congestion, vehicle exhaust emissions, noise, and energy consumption by encouraging healthier and more active forms of travel. Encourage visitors to stop and enjoy Tulare County on bicycle and foot.

and expresses its support for improving the quality of life in Tulare County by adopting TCAG goals as their own.

The Council adopts the Bicycle Transportation Plan map prepared by the Coalition as its own plan for City purposes and instructs staff to incorporate it in the next Transportation Element.

The Council’s representative to TCAG shall present the Coalition’s plan to TCAG, along with a copy of this petition and ask that they adopt the plan as their own and incorporate it into future TCAG planning.

Staff is instructed to develop a plan to have all Class III bikeways signed by June 30, 2004.

Staff is instructed to develop a plan to have all Class II bikeways striped by June 30, 2006.

Staff is instructed to be cognizant of Class I bikeway goals and to be diligent in planning, grant writing, and other activities, in trying to construct these bikeways.

Staff is instructed to develop a resolution for future Council consideration specifying bicycle parking capacity in commercial permitting similar to the requirement for vehicle parking.

Departmental Directors are instructed to familiarize themselves with the TCAG Bicycle Transportation Plan and have an understanding of its goals.
Signed by the members of the Porterville Blue Skies Coalition

Cathy Capone
Greta Hein

Robert Krase

Robert Malone

Todd Morrow
Trent Procter

Donna Shamley

Richard Stadtherr

Louise Fisher

Robert Keeley

James Lessenger

Rick McIntire

Ellen Nichols

Vicki Schulz

Dan Stadtherr

Donna Struble
Porterville Blue Skies Coalition

TCAG Proposed Class I Bikeway
Proposed Class I Bikeway
Proposed Class II Bikeway
Proposed Class III Bikeway
Existing City Bikeway
CIRCULATION ELEMENT BICYCLE PLAN

- CITY BOUNDARY
- URBAN DEVELOPMENT BOUNDARY

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**TOTAL**

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TITLE: STAFF REVIEW OF THE BLUE SKIES COALITION ENERGY POLICY PETITION

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION and PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION

COMMENT: On December 16, 2003, the City Council received and considered a petition regarding Energy Policy from the Blue Skies Coalition. Mayor Stadtherr has convened this group of local residents to discuss a variety of issues with relation to air quality concerns, and he submitted the petition on their behalf. City Council requested Staff to analyze the actions proposed in the petition and to report back to City Council on February 3, 2004. Please note that a comprehensive estimate of the staff time and resources necessary to achieve the goals of the petition was outside of the scope of the current review. Additional refinement of any potential Staff direction would be required in order to supply such an estimate.

The basis of most of the comments from the Blue Skies Coalition was their review of Governor Schwarzenegger’s “Action Plan for California’s Environment” and specifically Item No. 3 titled “Solve California’s Electrical Energy Crisis.” The plan includes several proposed program initiatives at the “bullet point” level of analysis. The petition from the Blue Skies Coalition requested that the City Council take several actions to support energy efficiency including outreach to the development community, amendments to planning policy and formation of an Energy Bank to help finance retrofitting of buildings.

OPTIONS:  
1) Take immediate action on one or more of the items in the petition.
2) Direct Staff to conduct additional analysis of one or more of the items.
3) Amend the Community Development Department work program to include development of proposals for planning policy changes to accommodate energy efficiency and/or to explore the feasibility of formation of an independent Energy Bank.
4) Defer action to consider planning policy changes as a component of the next General Plan update. Track the progress of the Governor’s proposal to create a statewide energy bank.

DD_____ APPROPRIATED/FUNDED_____ CM______ ITEM NO. 20
RECOMMENDATION: That the City Council:

1) Request the assistance of the Blue Skies Coalition in preparing a fact sheet regarding energy efficiency resources for display;

2) Track the progress of the Governor’s proposal to create a statewide energy bank; and

3) Defer action to consider planning policy changes as a component of the next General Plan update.

ATTACHMENTS:

1. Staff Report
COMMENT: On December 16, 2003, the City Council received and considered a petition regarding Energy Policy from the Blue Skies Coalition. Mayor Stadtherr has convened this group of local residents to discuss a variety of issues with relation to air quality concerns, and he submitted the petition on their behalf. City Council requested Staff to analyze the actions proposed in the petition and to report back to City Council on February 3, 2004.

The basis of most of the comments from the Blue Skies Coalition was their review of Governor Schwarzenegger’s “Action Plan for California’s Environment” and specifically Item No. 3 titled “Solve California’s Electrical Energy Crisis.” The plan includes several proposed program initiatives at the “bullet point” level of analysis. The petition from the Blue Skies Coalition requested that the City Council take several actions which can be summarized as follows:

1) Direct Staff to prepare a letter to all local builders of residential homes urging them to adopt the Governor’s plan, in terms of photovoltaic installation and Green Building technology, as quickly as possible.

2) Direct Staff to prepare a fact sheet outlining the Governor’s energy goals and also include such information as telephone numbers and web links of resources appropriate to this goal, including local (Tulare County) distributors of Green Building design. Direct Staff to include the fact sheet as a part of the building permit application package.

3) Direct Staff to bring a report to City Council by March 31, 2004 with proposals for incorporating energy efficiency into urban planning.

4) Direct Staff to bring a report to City Council by March 31, 2004 with regard to the feasibility of creating a revolving loan fund for homeowners and small businesses to fund the installation of energy efficiency related equipment.

5) Offer support for a county-wide solar and renewable energy summit. (Note: City Council took this action on December 16, 2003).
ANALYSIS: Currently, the City of Porterville requires “Title 24” Energy Efficiency calculations to be submitted as required by applicable State Law.

Please note that a comprehensive estimate of the staff time and resources necessary to achieve the goals of the petition was outside of the scope of the current review. Additional refinement of any potential direction of Staff would be required in order to supply such an estimate.

With regard to the actions proposed by the Blue Skies Coalition, City Staff offer the following comments:

1) This item will require a modest investment of staff resources. It is worth noting that the Governor’s proposal is to offer incentives to developers in order to meet its goals. To date, no such incentive plan has been enacted, which may limit the local development community’s ability and/or commitment to increased energy efficiency. In addition, it may be beneficial to seek input from the development community and other stakeholders prior to sending a letter to builders requesting a change in current development practices.

2) Staff would be interested in making a fact sheet available to the public. The Blue Skies Coalition has evidently made significant initial progress in collecting information regarding “Green Building” design and construction. Staff would request that they continue their efforts and prepare the desired fact sheet. As the City is not able to endorse a select group of building suppliers, it may be beneficial to present information gathered by an independent third party. City Staff would expect to review any submission for accuracy and appropriateness prior to its use. It may also be appropriate to utilize information already compiled by local energy providers. The current “Building Permit Application Package” is a single page which most local builders keep on file in their own offices. For this reason, Staff would recommend that the fact sheet be displayed at the Building, Engineering and Planning front counter.

3) Staff strongly recommends that any alterations to current urban planning policies and practices should be included in the proposed update to the City of Porterville General Plan when appropriate. This will allow the community to identify specific objectives for energy efficiency, balance these objectives against other priorities and develop a comprehensive set of policies to implement their objectives.

4) The petition does not make clear whether the intent is to have the City manage such a fund itself. In his State of the State Address, Governor Schwarzenegger advocated the creation of a statewide energy bank, which may fulfill the intent of this request from the Blue Skies Coalition.
City Staff has limited experience in operating revolving loan funds for the First Time Home Buyers and for Residential Rehabilitation programs. To date, such activities have been funded by a combination of Redevelopment Agency funds and grants from various State and Federal sources. Our experience to date is that it takes significant resources to process and manage each loan application. Depending upon the scope of the project to be pursued, it may be necessary to outsource such a program and/or to increase staffing to manage the loan program. Staff would also ask the City Council for direction regarding the potential sources of funding that should be explored.

The petition from the Blue Skies Coalition appears to suggest that a portion of the City's investment portfolio could be assigned to the revolving fund. This would not be an appropriate investment for the portfolio both because the fund would be highly illiquid and because the potential investment risk exceeds the prudent threshold established for such funds (even if such loans are secured with property liens). Staff would suggest that the City Council request the assistance of the Blue Skies Coalition in research of revolving loan funds which may already be available to local residents or which may have been established elsewhere in the nation.

OPTIONS:

1) Take immediate action on one or more of the items in the petition.

2) Direct Staff to conduct additional analysis of one or more of the items.

3) Amend the Community Development Department work program to include development of proposals for planning policy changes to accommodate energy efficiency and/or to explore the feasibility of formation of an independent Energy Bank.

4) Defer action to consider planning policy changes as a component of the next General Plan update. Track the progress of the Governor’s proposal to create a statewide energy bank.

RECOMMENDATION: That the City Council:

1) Request the assistance of the Blue Skies Coalition in preparing a fact sheet regarding energy efficiency resources for display;

2) Track the progress of the Governor’s proposal to create a statewide energy bank; and

3) Defer action to consider planning policy changes as a component of the next General Plan update.

ATTACHMENTS:

1. Blue Skies Coalition Petition
Petition for Council Resolution

Resolution of Support for Governor Schwarzenegger's Energy Policy
The Governor's Plan

The following is an excerpt from an official Schwarzenegger policy briefing entitled "Action Plan for California's Environment":


An unreliable energy system discourages businesses from locating or even remaining in California, resulting in lost jobs and state revenues. I will take action to prevent brownouts or blackouts, such as those experienced during the Davis Administration in California and this year on the East Coast.

Almost one-third of California's entire in-state generation base is over 40 years old. I will immediately lay the groundwork to expand the state's power supplies, with special emphasis on clean, renewable sources, through the following steps:

Promote Solar and Renewables. Increase California's use of solar power in cooperation with developers, the Building Industry Association, labor, community organizations, and bi-partisan state legislators to provide incentives for new homes built in California to include solar photovoltaics (PV). The goal of this program would be that, starting in 2005, 50% of new homes would include solar PV. As Governor I will also support the extension of tax credits for businesses and commercial establishments that install on-grid solar photovoltaic and other renewable generation systems.

Increase the Reliability of the Grid. I will work to improve the reliability of the electrical grid serving the western United States to prevent the type of blackouts that placed the eastern United States and Canada during the summer of 2003. I will call for a summit to bring together the state's utilities, contractors, and California Independent System Operator (CAISO) with the Federal government and other states and regional energy interests to strengthen the grid reliability. Investments should be consistent with CAISO's annual transmission plan and should evaluate demand, transmission and generation alternatives.

Save Energy Through Green Buildings. A host of case studies demonstrate that retrofitting commercial buildings with energy-saving lighting and other technologies is repaid in five years or less based on electricity savings. Incentives will be established, including a Green Building Bank, using private financing and targeted public loan guarantees, to swiftly retrofit as many buildings as possible, reducing the need for new power plants, saving money for businesses and taxpayers alike, and preserving air quality. The Green
Building Bank will also help finance the addition of solar PV on large flat rooftops, repaid over time by the value of the new energy generated.

Increase Renewable Energy. As Governor, I will fully endorse California's Renewable Portfolio Standard (RPS), which requires that 20% of the state's total power supplies be generated from renewable sources by 2017. My Administration will also direct the California Energy Commission to define incentives and implement strategies that will target achievement of the 20% standard a full seven years early – by 2010 – and set the state on course to derive 33% of its power from renewable sources by 2020.

The Coalition's Petition

The Porterville City Council can show its support for our new Governor by passing the following resolution:

Be it resolved that in order to help achieve the bipartisan goal of the adoption of photovoltaic solar energy in residential construction, staff is directed to prepare a letter to all local builders of residential homes urging them to adopt the Governor's plan, in terms of photovoltaic installation and Green Building technology, as quickly as possible.

Staff is instructed to prepare a fact sheet outlining the Governor's energy goals and also include such information as telephone numbers and web links of resources appropriate to this goal, including local (Tulare County) distributors of solar equipment and architects who have been certified in Green Building design. This fact sheet will be made a part of the building permit application package.

Staff is instructed to consider ways of incorporating energy efficiency and energy independence into urban planning and provide a list of such ways to the Council by March 31, 2004. (One example may include requiring that future streets be laid out in an east/west direction as opposed to north/south so as to take better advantage of southern solar exposure. The Coalition is prepared to assist staff in this consideration.)

Staff is instructed to investigate the feasibility of an energy bank to provide low cost loans to homeowners and small businesses and report the results of their investigation to the Council by March 31, 2004. (Such a bank could provide superior earnings to long-term funds while simultaneously helping to ensure the stability of the local energy supply. Loans would be secured by liens on the borrowing property and payments collected would fund additional lending.)

The Council wishes to help facilitate the interchange of information and ideas related to achieving the Governor's goals and expresses its support for the
concept of a county-wide solar and renewable energy summit that will bring together stakeholders including manufacturers, builders, agriculture (crops and dairy), municipal officials, and others, who will meet to find ways to overcoming roadblocks in solar technology implementation. Council instructs its representatives on the Consolidate Waste Management Agency and the Tulare County Association of Governments to introduce resolutions asking for the support of the other seven incorporated cities in hosting an energy summit in Tulare County. (The Blue Skies Coalition has already received expression of interest in such a summit from The Great Valley Center, VoteSolar.org, Shell Solar, Southern California Edison, Pacific Gas & Electric, the U.S. Dept. of Energy, and several smaller solar vendors.)

The Coalition wishes to thank the Council for its consideration of this matter and expresses its willingness to assist in its implementation.
Signed by the members of the Porterville Blue Skies Coalition

Cathy Capone

Louise Fisher

Greta Hein

Robert Keeley

Robert Krase

James Lessenger

Robert Malone

Rick McIntire

Todd Morrow

Ellen Nichols

NOT AVAILABLE

Ellen Nichols

Trent Procter

Vicki Schulz

Donna Shamley

Donna Struble

Richard Stadtherr

Dan Stadtherr
Action Plan for California’s Environment

California’s economic future depends significantly on the quality of our environment. We face serious environmental challenges, which have profound impact on public health and the economy.

“Jobs vs. the environment” is a false choice. Overwhelming evidence demonstrates that clean air and water result in a more productive workforce, and a healthier economy, which will contribute to a balanced state budget.

Moreover, it is children who suffer disproportionate impacts of environmental toxins. Studies show that children who live near freeways, for example, suffer significantly higher asthma rates and learning disabilities.

Therefore, a Schwarzenegger Administration will protect and restore California’s air, water, and landscapes with the following initiatives:

1. Cut Air Pollution Statewide by Up to 50% — and Restore Independence From Foreign Oil.

Breathing clean and healthy air is a right of all Californians, especially our children, whose health suffers disproportionately when our air is polluted. The future health of California’s environment and economy depend on our taking action now.

As Governor I will:

Invest in Hydrogen Highways. Several leading auto manufacturers have stated that they can have tens of thousands of competitively priced hydrogen fuel cell cars on the road by the end of this decade if the fueling infrastructure were is available.
I will create a public-private partnership to ensure that before 2010, California has a network of stations in place to allow motorists a real choice of cleaner fuels to put in their tank.

These “Hydrogen Highways” will ensure the availability of hydrogen fueling stations every 20 miles on California’s major interstate highways. I will challenge businesses to match the government’s investment in these new fueling stations.

**Fight for federal dollars for hydrogen fuel development.** The federal government plans to spend more than one billion dollars over the next five years to support hydrogen fuel development. I will fight to make sure that a substantial portion of this money is invested in California, and I will seek the maximum benefit from any federal tax incentives.

**Expedite clean fuel transportation.** Expedite private efforts to build and mass market competitively priced cleaner fuel cars, buses, trucks and generators in California before 2010. I will direct all appropriate state agencies to accelerate use of the cleanest vehicles commercially available to meet the state’s transportation needs. I will also encourage municipal, county and federal government agencies in California to do the same.

I will direct the California Energy Commission and California Environmental Protection Agency to ensure that California’s fuel marketplace offers producers and consumers a real choice of fuels that are more plentiful, cost-effective and at the same time reduce harmful pollutants and greenhouse gasses. Fuel choices should include compressed natural gas (CNG), liquefied natural gas (LNG), ethanol, hydrogen, electric, low-sulfur and non-petroleum diesel blends.

**Get gross-polluting vehicles off the road now.** Less than 10 percent of vehicles currently operating on California’s roads are contributing to an air pollution problem that contributes close to 50 percent of the California’s mobile source air pollution. I will insist on strong enforcement of new federal and state requirements for significant reductions in particulate matter and other emissions from diesel-fueled trucks and buses.
I will look to expand innovative market-based mechanisms such as “scrapage” systems so that California can obtain the maximum reduction in tons of emitted pollutants at the lowest possible cost to the state. Under my Administration, the state will lead by example — identifying and permanently retiring those heavily used vehicles that do the greatest harm to our air quality.

**Protect California’s air quality standards for industrial facilities**

I will direct the Air Resources Board to examine the impact of the federal decision to exempt new sources of industrial air pollution from "new source review". Encouraging new investment in California’s industrial facilities should result in greater protection of workers and families in adjacent neighborhoods.

**Relieve Traffic Congestion**

I will seek to implement innovative, market-based and means of reducing congestion on California’s highways – including congestion pricing, eliminating congestion-causing tollbooths when they can easily be replaced by technology, and similar measures.

**2. Protect California’s Rivers, Bays, and Coastline**

California is identified for its beaches and magnificent coastline more than any other single feature. Tourism contributes $75 billion to California’s economy, and employs over 1 million Californians. As Governor, I will protect California’s coastline by fighting for a permanent ban on all oil drilling in coastal waters and will urge the federal government to purchase the remaining offshore oil leases as it has in Florida.

- **Reduce Ocean Pollution.** I will take action to protect our coasts from sewage and storm water pollution. I will direct state agencies to incorporate pollution-free coastal development techniques, accelerate the repair of leaking sewer systems, and fully implement existing water quality programs, such as municipal storm water permit programs and Total Maximum Daily Load programs. California must handle and treat its
sewage under the requirements of the Clean Water Act to protect our oceans and beaches and the people who use them.

- **Protect Drinking Water.** 22 million Californians rely on the San Francisco Bay Delta for the quality of their drinking water. Sacramento’s lack of leadership in supporting state and federal cooperation on Delta water management (CAL-FED) has resulted in Congress not funding the CAL-FED program. As Governor, I will urge the Congress to fully restore CAL-FED funding immediately. With proper leadership and resources, CAL-FED can implement the most effective ways of making the best use of our water supplies and encouraging economic growth in California. This will include increased conservation efforts among both urban and agricultural users, and the use of market-based mechanisms to create environmental gains in streams for fish and economic gains for farmers, municipal and industrial users.

Our streams, rivers, lakes, and bays can be better protected through the use of watershed management. As Governor, I will direct Cal/EPA and the Resources Agency to completely overhaul their recent “California Watershed Management MOU” from a bureaucratic do-nothing document to an action plan that will clean up California’s most endangered watersheds now. Emphasis will be placed on practical strategies to finance these initiatives using state or private revolving loan funds and seeking California’s fair share of federal funding, and making sure that existing permitting fees are targeted toward resource management so that they benefit the environment—not bureaucrats.

- **Protect the Integrity of our Coasts.** I will protect the integrity of the California Coastal Commission, which for decades has served to protect our valuable coastal resources. I will not allow the type of political interference in Coastal Commission decisions that has characterized the current Davis Administration, where special favors were granted in return for campaign contributions, even while the Administration was pledging to protect the coast.
• **Keep Tahoe Blue.** Lake Tahoe is one of California's most precious assets. Since 1970, population in the Tahoe Basin has more than doubled, but our environmental protections have not kept pace. The Environmental Improvement Plan for Lake Tahoe implemented in 1998 by California, Nevada, federal agencies, local governments, Indian tribes and community groups to improve Lake Tahoe's clarity has not been updated for five years. As Governor, I will take action to update the plan to accelerate improvement of Tahoe's waters, trails and wildlife, in order to "Keep Tahoe Blue."

3. **Solve California's Electrical Energy Crisis.**
An unreliable energy system discourages businesses from locating or even remaining in California, resulting in lost jobs and state revenues. I will take action to prevent brownouts or blackouts, such as those experienced during the Davis Administration in California and this year on the East Coast.

Almost one third of California's entire in-state generation base is over 40 years old. I will immediately lay the groundwork to expand the state’s power supplies, with special emphasis on clean, renewable sources, through the following steps:

• **Promote Solar and Renewables.** Increase California's use of solar power in cooperation with developers, the Building Industry Association, labor, community organizations, and bipartisan state legislators to provide incentives for new homes built in California to include solar photovoltaic (PV). The goal of this program would be that, starting in 2005, 50% of new homes would include solar PV. As Governor I will also support the extension of tax credits for businesses and commercial establishments that install on-grid solar photovoltaic and other renewable generation systems.

• **Increase the Reliability of the Grid.** I will work to improve the reliability of the electric grid serving the western United States to prevent the type of blackouts that plagued the eastern United States and Canada during the summer of 2003. I will call for a summit to bring together the state's utilities, contractors, and California Independent System Operator (CAISO) with the Federal government and other states and
regional energy interests to strengthen the grid reliability. Investments should be consistent with the CAISO's annual transmission plan and should evaluate demand, transmission, and generation alternatives.

- **Save Energy Through Green Buildings**
A host of case studies demonstrate that retrofitting commercial buildings with energy-saving lighting and other technologies is repaid in five years or less based on electricity savings. Incentives will be established, including a Green Building Bank, using private financing and targeted public loan guarantees, to swiftly retrofit as many buildings as possible, reducing the need for new power plants, saving money for businesses and taxpayers alike, and preserving air quality. The Green Building Bank will also help finance the addition of solar PV on large flat rooftops, repaid over time by the value of the new energy generated.

- **Increase Renewable Energy.** As Governor, I will fully endorse California's Renewable Portfolio Standard (RPS), which requires that 20% of the state's total power supplies be generated from renewable sources by 2017. My Administration will also direct the California Energy Commission to define incentives and implement strategies that will target achievement of the 20% standard a full seven years early - - by 2010 - - and set the state on course to derive 33% of its power from renewable sources by 2020.

4. Protect and Restore California's Parks and Open Spaces

Many California families vacation within driving distance, often camping at state parks and beaches. State parks, beaches and trails also generate significant economic activity and tax revenue as a result of fees and other spending in adjacent areas. There is general agreement that park maintenance has been allowed to deteriorate.

- **Improve Our Parks, With Special Emphasis on Access for Seniors and the Disabled.** I will order the Resources Agency to develop a comprehensive facility assessment and improvement plan for state parks, beaches, and coastal access,
with emphasis placed on investments that enhance local economies and access for California’s seniors and the disabled.

Much of the initial investment for these improvements can come from already approved bond measures, but plans will also be developed to find additional ways to support this important initiative through careful public and private investment.

- **Protect the Sierra Nevada.** A decade of hard work by a broad variety of stakeholders resulted in the Sierra Nevada Framework, a policy document that has been widely hailed as a model of forest ecosystem resource protection. As Governor, I will direct all relevant state agencies to comply fully with the Framework and call on the federal government to honor its pledge to abide by the policies set forth in this unprecedented compact.

The Sierra Nevada Mountain Range is one of the state’s crown jewels. Yet, unlike many of California’s other natural treasures, it has no conservancy. As Governor I will propose establishment of a Sierra Nevada Mountains Conservancy.

**5. Restore Our Urban Environments.**

There is currently no effective, widely used mechanism for identifying vacant or underutilized sites in urban areas to evaluate their potential for infill redevelopment. The result is fiscally unsustainable sprawl, traffic congestion on commuter roadways, air pollution, pressure to consume scarce infrastructure resources, and loss of valuable open space. Working with local officials, my Administration will develop an Infill Incentives Package to help local governments deal with the jobs/housing imbalance throughout the State and to spur smarter development by providing a mechanism for planners to identify and evaluate redevelopment of blighted and underutilized sites, allowing cities to accommodate mixed use, compact development and urban infill growth while curtailing urban sprawl.

- **Address Brownfield Sites.** In addition, my Administration will direct appropriate agencies to draft a plan to rapidly complete the cleanup of brownfield sites, especially the thousands of locations with leaking underground petroleum
storage tanks, enabling these sites to be developed for productive commercial uses.

- **Improve Mass Transit.** In many locales, strategic improvements or additions to bus, light rail, and subway lines can result in much greater use of existing mass transit, reducing highway congestion and air pollution. As Governor, I will ask the federal government to restore to California its fair share of gasoline tax money generated in the state, along with other federal funds, to assist with critical mass transit improvements.

- **Focus on Children’s Health.** Children suffer disproportionate impacts of dirty air, water, and dilapidated urban parks. Cal/EPA and the state Parks Department will be directed to submit an inventory of projects that will immediately improve air quality along freeways adjacent to residential areas, improve aging plumbing in inner-city neighborhoods (that now cause contamination of drinking water for families), and improve parks in neighborhoods with less than two acres of parks per 1,000 residents. Agencies managing recently approved water and park bond funds will be directed to give priorities to these projects. Special emphasis will be placed on projects that measurably reduce childhood asthma by improving both indoor and outdoor air quality.

6. **Protect California's Environment Through Tough Enforcement of Existing Laws**

Strict law enforcement is vital to assure environmental protection, prevent polluters from achieving unfair competitive advantage against complying competitors, send a message of public values, and establish conditions conducive to creativity and participation in voluntary initiatives.

My Administration will focus on keeping underlying statutes and regulations simple; simple rules are easiest to follow and comply with; unnecessarily complex rules are hard to comply with, hard to enforce, and encourage evasion. Particular attention will be given to better use of information technologies with strict, clear and rapid penalties for intentional or negligent misstatements or omissions.
Government should be held accountable for environmental protection to the same extent as private parties and should be held to the same enforcement standards. To greatest possible extent, environmental enforcement settlements should be used to provide direct environmental improvement through supervised projects, rather than having all penalties go to government treasuries.
SUBJECT: SKATE PARK SITE EVALUATION AND PROJECT UPDATE

SOURCE: Parks and Leisure Services

COMMENT: The City Council directed staff to reevaluate the skate park siting study and consider an additional potential skate park site. The City owned Spencer property located at 301 North Hockett was determined by staff to be an alternate site for evaluation. The same criteria and City staff used in the 1999 study were utilized to evaluate the Spencer property for comparison to the four alternatives previously studied. The results of the study places the Spencer property site comparable to two alternate sites, but lower than the highest two scoring sites. The attached scoring matrix illustrates the Spencer property scored average or better in most categories and scored particularly low in three categories:

1. Safety - Due to the fact that the property is adjacent to a busy thoroughfare, Hockett Street, without a buffer for the skaters;

2. Restrooms - The nearest public restrooms are on the opposite side of Hockett Street inside the Library, which is closed on Sundays; and,

3. Ease of Development - In this category the Spencer property was scored exceptionally low because of the house presently situated on the property. This house would either have to be removed at a great expense or demolished at a lesser expense. Regardless, it would cost the City additional money to construct the skate park at this location.

The Parks and Leisure Services Commission reviewed the supplemental study at their January 15, 2004 meeting, and concurred with its findings. The Commission also have indicated their continued recommendation to the City Council for development of a skate park at the Veteran’s Park.

Staff will be preparing an application for Land and Water Conservation Fund grant. The application deadline is May 3, 2004. Staff feel a strongly competitive grant application can be assembled subject to a firm commitment by the City Council to a site and the development of the skate park. A City Council Resolution approving the grant application and commitment to the project at a specified location will be needed in April, 2004.

As of January 2004 a total of $5,388.96 of local donations to the Skate Park Fund had been received. A Skate Parks Bond Fund Grant of $346,500 also has been awarded. The state Grant must be used by 2009 and was approved for the Veteran’s Park site. An application to the Tony Hawks Foundation for grant funds was submitted, but not successful in achieving a funding award. Another application should be made to this organization once an architect is retained and design work commenced.

ITEM NO.: 21
The total cost of 15,000 square foot skate park at Veteran’s Park was previously estimated to be $495,000. A parking lot is included for this site reflecting $100,000 of the estimated cost. The remaining cost estimate appears to be very generous in comparison to construction cost for similar facilities in valley communities. Staff currently estimate a cost of $345,000 for design and construction of a 15,000 square foot concrete park with some site amenities and no parking lot provisions.

**OPTIONS:**

1) The City Council direct staff to continue grant application work towards construction of a monolithic concrete surfaced skate park located along Newcomb Street in Veteran’s Park.

2) The City Council reviews the attached site evaluation criteria and scoring matrix, revises the scoring as appropriate, or determines other criteria to be considered. Revisions to the matrix by the City Council in support of another site would provide direction to staff to prepare an appeal to State Parks for a grant funding shift from Veteran’s Park to such site as the Council directs. New environmental review and General Plan Amendment work would also need to be initiated for a permanent skate park to be considered at a new location.

3) The City Council determines that a skate park is not a current priority project for the City, directing staff to return the matter for further consideration in one year or such other time as the Council determines.

**RECOMMENDATION:** The City Council review the attached site evaluation Scoring Matrix, revise the matrix as appropriate, and determine which of the above options, as direction to staff, is most appropriate.

**ATTACHMENTS:**

1. Spencer Property Site Location Aerial
2. Scoring Matrix
<table>
<thead>
<tr>
<th>POTENTIAL SITES</th>
<th>CITY OWNED</th>
<th>PARK VISIBILITY</th>
<th>SAFETY</th>
<th>RESTROOMS</th>
<th>TOPOGRAPHY</th>
<th>POTENTIAL NUMBER OF USERS</th>
<th>EASE OF DEVELOPMENT</th>
<th>LOCATION TO USERS</th>
<th>INFRASTRUCTURE (WATER, POWER)</th>
<th>TOTAL</th>
<th>RANK</th>
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<td>8</td>
<td>61</td>
<td>3</td>
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<td>ZALUD PARK</td>
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SUBJECT: ECONOMIC DEVELOPMENT ADMINISTRATION GRANT OPPORTUNITIES

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – ECONOMIC DEVELOPMENT

COMMENT: The City of Porterville has the opportunity to apply for grant funding from the U.S. Department of Economic Development Administration (EDA) for programs that revitalize, expand, and upgrade the physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term, private sector jobs and investment. Porterville qualifies for EDA funding of up to 80% of project costs.

Staff has been considering a number of projects that are beneficial to the community and meet EDA grant criteria. Criteria include job creation, private sector investment, political entities affected, and ownership of the project. In the case of a building project, the primary applicant must be the owner or hold a long-term lease for a period not less than the estimated useful life of the project. For all projects, every entity that holds title to land, buildings, or utilities affected by the project, i.e., CalTrans, Southern California Edison, etc., must be named as co-applicants to the application.

The following three projects have been identified as beneficial to the community and meet the EDA grant criteria:

1) Jaye Street/Highway 190 Improvements – Infrastructure improvements to realign Jaye/190 intersection to adjust for surface street movement of vehicles and facilitate future development. The project will realign both the north and south intersections; however, the concentration of the project will be the south intersection and surrounding area.

- Approximate Cost - $4 million
- EDA Contribution - $1.75 million
- Non EDA Match - $2.25 million

Pros:
- Improved traffic circulation
- Proactive improvements for future development

Cons:
- Coordination with multiple agencies
- Potential impact to limited number of residential units
- EDA budget currently limits projects to funding of $1.75 million

DD\underline{B} Appropriated/Funded \underline{CM}  

Item No. 22
2) Airport Industrial Park Business Service Center – Development of infrastructure and speculative buildings at the Airport Industrial Park for incubator businesses. The buildings would be built to house industrial-based start-up businesses and warehousing of products.

- Approximate Cost - $4 million
- EDA Contribution - $1.75 million
- Non EDA Match - $2.25 million

Pros:
- Could provide significant financial assistance to Airport
- Ability to construct in phases reducing initial cost
- Availability of buildings for prospective businesses
- Ability to assist start-up businesses

Cons:
- No assurance of occupancy
- Competition with private sector
- EDA budget currently limits projects to funding of $1.75 million

3) Training Center for Food and Hospitality Services (Joint Project with Porterville Unified School District) – Rehabilitation of a portion of the Rockwell Building for a center to be utilized for training in the food and hospitality trades. The center would be suitable for up to 1,800 persons in an assembly style setting and available to the community as a conference center. The project would also include a 40,000 square foot parking area.

- Approximate Cost - $2.9 million
- EDA Contribution - $1.75 million
- Non EDA Match - $1.15 million

Pros:
- Facility versatile to serve the community for a variety of uses, i.e., conference center, meeting room
- Use of meeting facility would provide opportunity for hands-on training of students

Cons:
- Coordination with multiple agencies
- Facility not owned by City; long-term lease required
- May not be utilized by public
- Potential wages for hospitality services may not qualify for EDA funding
- EDA budget currently limits projects to funding of $1.75 million
Projects submitted to EDA for funding must be identified on the County Comprehensive Economic Development Strategy (CEDS) report. Two of the projects (1 and 2) identified above have not been identified on the 2003 CEDS report; however they may be added to the 2004-05 CEDS Update in June 2004.

Technical assistance is available through the EDA to assist local communities in implementing new programs through grants for technical studies. The assistance aims at focusing the effort on addressing major causes of economic development distress in the area. Technical assistance projects are awarded on a competitive basis, similar to other EDA grants.

RECOMMENDATION: That City Council set the priority for projects to be considered for U.S. Department of Economic Development Administration (EDA) for funding, direct staff to identify all of the projects on the 2004-05 County Comprehensive Economic Development Strategy report, direct staff to explore EDA technical assistance for the prioritized projects, and direct staff to continue to seek additional funding resources for the non-EDA portion of the project.

ATTACHMENTS: EDA Grant Qualification Factors Matrix
SUBJECT: BUILDING FACADE RENOVATION GRANT PROGRAM
VARIANCE REQUEST FOR 118 N. MAIN STREET

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On December 7, 1993, the Porterville Redevelopment Agency approved the financial incentive guidelines for the Building Facade Renovation Program. This program was developed for those businesses located within the Porterville Redevelopment Agency Project Area No. 1 to access grant funds for making improvements to their commercial facades. This program provides 80% of the funds necessary to make those improvements. The remaining 20% is provided by the property owner. Conditions of the program required that the participant: (1) make those improvements based on the Design Guidelines approved under the program; (2) that the Agreement bound the Grantor and all successors and assigns in the Real Property; and (3) that the participants of this program execute a Facade Easement Agreement by which the City could monitor and require compliance to this Agreement.

Since its inception, the Building Facade Renovation Program has provided grant assistance for 12 properties. The terms of the Facade Easement Agreement include the on-going maintenance of the exterior facades and to maintain compliance with the policies provided in the Porterville Architectural Design Guidelines. These Guidelines provided specific color choices for the architectural design of these buildings in order to preserve and maintain the historical character of the downtown.

The prior owner of the building at 118 North Main Street participated in the Redevelopment Agency’s Building Facade Renovation Agreement program in May 1995. Since that time, the building was sold to its new owners Brent and Tina Blasingame. The Blasingames have recently repainted their front building facade with a color not designated for this Vernacular building constructed in the 1920's. A variety of color choices are available from the Design Guidelines Color Palette. A color board is available in the Community Development Department for review and will be displayed at the City Council meeting.

The Blasingames have submitted a written request to retain the new color on their front building facade and are requesting a variance to the Downtown Porterville Architectural Design Guidelines.

RECOMMENDATION: That the Redevelopment Agency deny the Blasingames request for a Variance to the Downtown Porterville Architectural Design Guidelines and direct staff to enforce the Facade Easement Agreement executed on May 2, 1995.

ATTACHMENT: 1. Room With A View Variance Request
2. Photo of Existing Building Facade

DDF Appropriated/Funded_____ CM_____

Item No. PFA-1
TO THE CITY OF PORTERVILLE,

THIS IS IN RESPONSE TO YOUR LETTER REGARDING OUR
CHOICE OF COLOR FOR OUR BUSINESS BUILDING AT 118 N.
MAIN STREET PORTERVILLE, CA.

THE PURCHASE OF THE BUILDING PUT US UNDER THE
PORTERVILLE REDEVELOPMENT FACADE EASEMENT
AGREEMENT IN WHICH THE FORMER OWNER OF 118 N. MAIN
STREET HAD PARTICIPATED IN MAY OF 1995.

AS A BUSINESS OWNER, I TAKE PRIDE IN MY WORK ETHICS
AND SERVICE THAT I HAVE PROVIDED TO ALL MYLOYAL
CUSTOMERS. AS I DRIVE DOWNTOWN MAIN STREET, WHAT I
HAVE OBSERVED IS THE WONDERFUL IMPROVEMENTS THE CITY
HAS MADE WITH THE NICE BRICK SIDEWALKS, THE VERY
ORNATE AND CHARMING LIGHT POSTS AND ALSO PLANTERS,
JUST TO MENTION A FEW THINGS.

HOWEVER, WHEN I TRY TO SEE WHAT INTRIGUES ME TO STOP
AND SHOP, IT'S SAD TO SAY, WITH NO INTENTIONS OF
OFFENDING, THERE'S LITTLE THAT I FIND THAT STANDS OUT AS
BEING STRIKING AND WELCOMING.

WE HAVE A VERY DIVERSE AND UNIQUE COMMUNITY IN
WHICH WE SHOULD TAKE ACTION IN PROVIDING THEM WITH
RETAIL AND BUSINESS SERVICES. IF WE ARE CREATIVE AND

ATTACHMENT
ITEM NO. 1
ATTENTIVE TO THOSE NEEDS WE HELP IN KEEPING OUR BUSINESS DOLLARS LOCAL.

I FIND IT VERY DIFFICULT TO AGREE WITH ONE OF THE COLOR CHOICES THAT THE CITY HAS GIVEN US. THEY ABSOLUTELY DO NOT MAKE A DISTINCTIVE STATEMENT AND PERSONALLY I FEEL THEY ARE PLAIN AND OUT-OF-DATE.

WE LIVE IN 2004 NOW, AND THERE IS SUCH AN ARRAY OF GORGEOUS AND FASCINATING COLORS, THAT IF THE CITY OF PORTERVILLE WERE TO OFFER WE AS BUSINESS OWNERS A NEW COLOR PALETTE, WE COULD BE A VERY IMPRESSIVE MAIN STREET.

IN MY VARIOUS TRAVELS WITH MY HUSBAND I OBSERVED MANY, MANY QUAIN'T AND CHARMING MAIN STREETS. THEIR BUILDINGS ARE ARCHITECTURALLY BEAUTIFUL AND EARLY 1900'S, YET THEIR BUILDING COLORS ARE IMPRESSIVELY DISTINCTIVE AND EYE- CATCHING. I HAVE OBSERVED CREAMS, BEIGES, AND PALE GRAYS ALONG WITH THE COMBINATION OF THE EYE-CATCHING COLORS WHICH STAND OUT WITH ORIGINALITY AND CHARM.

THE CITY OF PORTERVILLE HAS MANY CREATIVE AND TALENTED PEOPLE. I FEEL IF MAIN STREET WERE MORE VIVID, PICTURESQUE AND DELIGHTFUL IT WOULD IN TURN ENCOURAGE WOMEN AND MEN ALIKE TO BRING THEIR BUSINESSES TO CHARMIN' DOWNTOWN MAIN STREET.

SINCERELY YOURS,

GINA BLASINGAME
118 North Main Street
Room With A View
Brent & Gina Blasingame
### EDA Grant Qualification Factors

<table>
<thead>
<tr>
<th>EDA $ (Limited to $1.75 mil)</th>
<th>Non-EDA Match $</th>
<th>Name of Applicant (Primary organization undertaking project/owner of project)</th>
<th>Political entities affected (Cities, County, State)</th>
<th>Jobs Created/Retained Number and Type</th>
<th>Private Sector Investment/Financial or Interest Only</th>
<th>Contract Provisions</th>
<th>2003 CEDS</th>
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<td>$2.25 mil</td>
<td>City of Porterville</td>
<td>Cal Trans, Tulare County Tribe</td>
<td># Unknown Retail, manufacturing</td>
<td>Civic Development Foundation</td>
<td>City must own the project area</td>
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<td>Would not include useful life clause</td>
<td>Marm,Jaye/Gibbons only</td>
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<td>City of Porterville</td>
<td># Unknown Industrial, manufacturing, start-up businesses</td>
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<td>Infrastructure only</td>
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<td>$1.75 mil</td>
<td>$1.15 mil</td>
<td>PUSD/City of Porterville</td>
<td>City of Porterville</td>
<td># Unknown Food Service, Hospitality, Hotel Industry</td>
<td>Local Businesses</td>
<td>Primary applicant must own building</td>
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<td>EDA 1st position lien 20 year useful life (new)</td>
<td>Training Facility</td>
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1. COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) REPORT TO BE ELIGIBLE FOR EDA FUNDING MAY BE ADDED TO THE 2004-05 UPDATE IN JUNE 2004

ng of 1.75 million

in building; EDA is 1st position lien; Useful life 20 yrs new/12-15 used

many jobs will be created and/or saved; time frame for creation, types of positions

project (may be 0 at completion); 3-4 years after close of project; and another 3 years after

be required to repay grant OR City may not be eligible for future funding

ime Schedule (City initiated); EDA provisions including prevailing wage language; Special provisions tailored to Project