Call to Order
Roll Call

**ORAL COMMUNICATIONS**
This is the opportunity to address the Council on any matter scheduled for Closed Session.

**CLOSED SESSION:**

A. Closed Session Pursuant to:
1. Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation: One Case.

7:00 P.M. RECONVENE OPEN SESSION

**REPORT ON ANY ACTION TAKEN IN CLOSED SESSION**

Pledge of Allegiance Led by Council Member Kelly West
Invocation

**PROCLAMATION**
Iris Festival Day - April 23, 2005
Arbor Day - April 29, 2005

**PRESENTATION**
City Manager’s Featured Projects for the Month of April, 2005

**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 City Council Minutes of March 29, 2005
2. **Claim - Michael C. Schmidt**  
Re: A claim against the City for towing a vehicle for being parked longer than 72 hours on a City street. Mr. Schmidt is claiming he moved the vehicle but it was still towed. The amount being claimed is $300, plus additional charges after April 15, 2005.

3. **Claim - Dora E. Torres**  
Re: A claim against the City for property damage caused by a pothole in the roadway on Poplar Avenue east of 661 W. Poplar Avenue. Ms. Torres is claiming her tire rim was damaged. The amount being claimed is $1,960.00.

4. **Scada Equipment Upgrades**  
Re: Authorizing staff to begin negotiations with Tesco Controls, Inc. to upgrade the Wastewater Treatment Facility’s System Control and Data Acquisition (SCADA) equipment which monitors the “mission critical” equipment at the treatment plant.

5. **Acceptance of the Indiana Street Reconstruction Project - Putnam Avenue to Morton Avenue**  
Re: Accepting the Project by Halopoff & Sons, Inc. for the reconstruction of Indiana Street to arterial standards from Putnam Avenue to Thurman Avenue, and authorizing the filing of the Notice of Completion.

Re: Accepting public improvements by Subdivider Nicholson and Smee for maintenance and authorizing the filing of the Notice of Completion.

7. **Acceptance of Improvements - River Springs, Phase 3 Subdivision (G.W. Homes, Inc. - Greg Woodard)**  
Re: Accepting public improvements by Subdivider G.W. Homes, Inc. for maintenance and authorizing staff to record the Notice of Completion.

8. **Acquisition of Right of Way - Property Located at Apn 261-080-012 – Owner Roy A. Macomber – Date Avenue Street Project**  
Re: Authorizing staff to begin escrow for purchase of real property located at APN 261-080-012, to make payment to property owner Roy A. Macomber in the amount of $56,000, and to authorize the Mayor to sign all necessary documents.

9. **Intent to Set a Public Hearing for Reimbursement Agreements for Concrete Improvement Construction by the City - Indiana Street Reconstruction Project**  
Re: Setting May 17, 2005 as the date for the public hearing for the establishment of the concrete reimbursement fee and authorizing staff to notify all affected property owners.

10. **Intent to Set a Public Hearing for Sewer and Solid Waste Collection and Disposal Service Fees**  
Re: Setting June 7, 2005 as the date for the public hearing to adopt new residential and commercial sewer rates, and setting June 21, 2005 as the date for the public hearing to adopt a new solid waste service fee.

11. **Approval for Community Civic Event - Porterville Unified School District, Porterville Celebrates Reading, April 23, 2005**
Re: Approving event to be held on April 23, from 8:30 a.m. to 2:30 p.m. at the Porterville Fair Grounds, subject to stated restrictions.

Re: Approving multi-day event from April 29 to May 1, 2005 including a parade down Main Street and a Fiesta with Beer Garden at the Municipal Ball Park on Olive Avenue, subject to stated restrictions.

Re: Approving car show to take place on May 7, 2005 from 9:00 a.m. to 4:00 p.m. in the northern section of Veterans’ Park, subject to stated restrictions.

14. Approval for Community Civic Event - National Farm Workers Service Center, Dia De Las Madres, May 8, 2005
Re: Approving event, without street closure, on May 8, 2005 at the Municipal Ball Park on Olive Avenue, subject to stated restrictions.

15. Approval for Community Civic Event - Madera Air Races-Model Airplane Acrobatic Contest- May 13 through 15, 2005
Re: Denying model airplane acrobatic contest event requested for May 13 through May 15, 2005 due to safety concerns expressed by several City departments, and directing staff to notify applicant.

Re: Approving annual event to be held from May 18 through May 22, 2005, with street closures generally involving Olive Avenue from Third Street to Plano Street; Garden Avenue from Fig Street to Plano Street; and Plano Street from Garden Street to Olive Avenue, subject to stated restrictions.

17. Resolution Approving the Filing of Application for the Summer Food Service Program
Re: Approving filing of grant application, with no matching funds required, for meal program for children from low-income households.

18. Fire Act Grant Application 2005
Re: Approval to apply for a $150,000 FEMA Grant for firefighter equipment, with a local match of $15,000 from the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund.

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

PUBLIC HEARING
19. Continued - Construction of Concrete Improvements on Henderson Avenue Street Project
Re: Continuing public hearing on authorizing staff to commence construction of improvements, the cost of which the City can recover from property owners upon said owners pulling a building permit valued at $15,000 or more within a two year period, and authorizing staff to setting public hearing prior to the establishment of a fee.

20. Reimbursement Agreements for Concrete Improvements Constructed by the City - Granite Hills Streets Reconstruction, Phase 2, and Milo Street Reconstruction Projects
Re: Approving resolutions implementing Development Charges for Construction of Curbs, Gutters, Sidewalks, and Drive Approaches, which require reimbursement from property owners upon applying for building permit(s) with a valuation of $15,000 or more within a two-year period.

21. General Plan Amendment 1-2005 (Number Changed to 1-2005(A)) and Zone Change 1-2005 (Camarena)
Re: Consideration of General Plan Amendment and Zone Change from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for 4 parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

22. Increasing Fees in Accordance with the Mitigation Fee Act and Annual Adjustment of Fees by Application of the ENR Cost Index
Re: Approving proposed increases in the Hillside Development Trunk Line Sewer Fees; Hillside Development Water Trunk Fees; Transportation Impact Fees; and Parks Impact Fees.

SECOND READINGS
23. Ordinance 1666, Taxicab/Vehicle for Hire

SCHEDULED MATTERS
24. "D" Overlay Site Review 1-2005
Re: Consideration of approving a “D” Overlay Site Review of a 10,311± sq. ft. single story dialysis building to be located generally at the northwest corner of Pearson Drive and Cleveland Avenue.

25. Water Conservation Plan
Re: Approving the City moving to Phase II on May 1, 2005 during which voluntary water conservation is requested, setting a public hearing for June 7, 2005 to review Water Conservation Report, and if warranted, move into Phase III for June through August 2005.

26. Public Transit System Operational Modifications
Re: Considering modifications to Fixed Routes 2 and 5; adding a Route 7 to accommodate the new Porterville Adult School location; adjusting operations on Routes 6 and 7 to an hourly basis, alternating 1 bus between the 2 routes; extending the hours of operation from 7:00 a.m. to 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 5:00 p.m. on Saturday; reducing Demand-Response hours to 7:00 a.m. to 9:00 p.m., Monday through Friday and maintaining Saturday service as is.

27. Transit Bus Advertising
Re: Consideration of advertising program, the revenue from would remain in Transit Fund to cover operational costs, and to approve agreement with consultant, The Kaltoft Company, for the fee of 40% of ad revenue generated.

28. General Plan Update Advisory Committee Appointments
Re: Approving appointments of fourteen individuals representing various community organizations, pursuant to the direction of Council on November 16, 2004 and February 1, 2005.

29. Set Adjourned Meetings
Re: Selecting dates and times for Adjourned Council Meetings to discuss Citywide Fee and Cost Analysis Study and the Annual Budget Review.

30. Consideration of Request for Letter of Support for Congressional Appropriations Request
Re: Consideration of Letter of Support regarding federal appropriation to fund approximately $2,300,000 in expenses to finalize negotiations for Tule River Indian Tribe’s federally reserved water rights and for initial feasibility studies for a reservoir on the Reservation.

31. Interim Financial Status Reports
Re: Accepting quarterly report on financial status for the 3rd Fiscal Quarter ended March 31, 2005.

32. Compliance Procedures for SB 564 and SB 866 and Resolution of Affirmation of Investment Policy
Re: Adopting a resolution accepting the Statement of Investment Policy in accordance with Senate Bills 564 and 866 which requires the City Treasurer to annually prepare and submit to the Governing Body a written Statement of Investment Policy, as well as quarterly reports on pooled money invested.

33. Quarterly Portfolio Summary
Re: Accepting the quarterly Portfolio Summary in accordance with Senate Bills 564 and 866.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION
Any Closed Session Items not completed prior to 7:00 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of May 3, 2005 at 6:00 p.m.

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.
CITY MANAGER’S FEATURED PROJECTS FOR APRIL, 2005

1. Orange Avenue Reconstruction
2. Indiana Street Project
Call to Order: 6:10 p.m.
Roll Call: Council Member West, Mayor Pro Tem Irish, Council Member Hamilton, Council Member Stadtherr, Mayor Martinez

Pledge of Allegiance Led by Mayor Martinez
Invocation - a Moment of Silence was observed when nobody came forward to offer an Invocation.

ORAL COMMUNICATIONS

• Greg Shelton, 888 North Williford Drive, came forward and requested that the Council consider: 1) removing the residency requirement for members of the Redevelopment Advisory Committee; 2) expanding the Redevelopment Area; and 3) implementing a “fast track” processing program for development projects.

In response to a question posed by Council Member Stadtherr, City Manager John Longley confirmed that all fees that the City charged for services must be related to the cost of providing those services. However, Mr. Longley pointed out, there was potential for developing some additional capacity outside of the City, such as through the use of consultants, that would allow for expedited services at a higher per unit cost. He stated that if the Council wished to pursue that option, staff could proceed in that direction. Mr. Longley added that often times the City did not fully recover its costs for services provided. He indicated that City fees had not been reviewed for quite some time, and that a comprehensive fee review was currently under way, the results from which would be brought back to Council in the next few months.

CONSENT CALENDAR

1. RATIFY INTENT TO PARTICIPATE IN COLLABORATIVE PROCESS, AND AUTHORIZE DISCUSSIONS TO ACHIEVE A MEMORANDUM OF UNDERSTANDING WITH PORTERVILLE UNIFIED SCHOOL DISTRICT (PUSD) FOR CONTINUATION OF THE YOUTH EXPERIENCING SUCCESS (Y.E.S.) PROGRAM

Recommendation: That the Council ratify the intent of the City of Porterville to participate in a collaborative process and authorize discussions with PUSD for the continuation of the Y.E.S. Program.

At the request of Council Member Hamilton, the item was removed from Consent Calendar for discussion.

Mr. Longley clarified that the level of reimbursement to the City was actually higher in the proposed contract than it had been in past years. He stated that the City would recover a portion of the overhead cost, which the City had not recovered previously.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr that the Council ratify the intent of the City of Porterville to participate in a collaborative process, and authorize discussions with PUSD for continuation of the Y.E.S. Program. The motion carried unanimously.
2. UPDATE REGARDING VARIOUS PROPOSED GENERAL PLAN AMENDMENTS

Recommendation: That the City Council:
1. Review each of the pending and potential General Plan Amendments relative to the information presented above, and provide direction to staff on each item;
2. Determine whether it is advisable at this time to prioritize the General Plan Amendments, combine several projects into a single proposal, and/or to defer any of the proposals to the Comprehensive General Plan Update; and
3. Provide direction to staff on how to process future proposed General Plan Amendments during the comprehensive update to the General Plan.

City Manager John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report.

Mr. Dunlap identified the proposed General Plan Amendments ("GPA") as follows:

1. **Porterville Commercial Center** - a proposed GPA from Industrial to General Commercial for a 10.7 acre, 75,000 sq. ft. commercial shopping center proposed at the northeast corner of State Highway 190 and Jaye Street (west and north of the existing Home Depot).
2. **Prospect Street North of Henderson Avenue** - a proposed GPA from High Density Residential to General Commercial for approximately 2 acres of vacant land on the east side of Prospect Street, north of Henderson Avenue.
3. **Daybell Nursery** - a proposed GPA from Heavy Commercial to High Density Residential for approximate 0.7 acre site located at the Southwest corner of Willow Avenue and E Street. Mr. Dunlap indicated that this item could be pulled, adding that upon further evaluation, staff determined that the site was already designated as High Density Residential in the General Plan.
4. **Northeast Corner of Prospect and Morton** - a proposed GPA from PO (Professional Office) to C-1 (Neighborhood Commercial) for approximately 2.5 acres of vacant land located on the northeast corner of Prospect Street and Morton Avenue.
5. **Southwest Corner of Olive Avenue and Mathew Street** - a proposed GPA from High Density Residential to General Commercial for approximately 12 acres of vacant land located at the southwest corner of Olive Avenue and Mathew Street.
6. **Northwest, Southwest and Southeast Corner of Scranton Avenue and SH 65** - a proposed GPA from Highway Commercial to Industrial for approximately 270 acres located at the intersection of Scranton Avenue and State Highway 65.
7. **Southwest Corner of Westwood Street and Olive Avenue** - a proposed GPA from Residential to General Commercial for an approximate 2.5 acre site located at the southwest corner of Westwood Street and Olive Avenue.

In response to Mayor Pro Tem Irish’s question, Mr. Dunlap offered further explanation as to why the Daybell Nursery site could be handled through a zone change rather than with a GPA.
Regarding staff’s proposal of an interim urgency ordinance which would preclude further application submittals for new proposals until a Zoning Ordinance Amendment could be prepared, Mayor Martinez confirmed that staff had envisioned a sixty day period.

- Greg Shelton, address on record, voiced opposition for any type of moratorium on processing GPAs. Mr. Shelton then voiced concern with placing further limitations on C-3 Zoned properties.
- Jim Winton, business address of 150 W. Morton Avenue, voiced concern with the length of time it might take to proceed with the General Plan Update, and requested an anticipated schedule.
- Ben Ennis, 643 North Westwood, voiced support for stricter regulations on development, citing residential developments with driveways backing out onto streets. Mr. Ennis then spoke against the proposed GPA No. 1 - Porterville Commercial Center.
- Daryl Nicholson, 26914 Avenue 140, came forward and requested that the Council approve proposed GPA No. 2 - Prospect Street North of Henderson Avenue. Mr. Nicholson then voiced concern with the lengthy duration of, and perceived favoritism in, the approval process. He then spoke against a moratorium on processing GPAs and requested the Council consider each item on an individual basis.
- Johnny Bartlett, 355 South Main Street, requested that the Council approve the proposed GPA - No. 2.
- John Hale, a Bakersfield resident and co-owner of Porterville Commercial Center, came forward and requested that the Council approve proposed GPA No. 1. Mr. Hale then informed Council that his group was willing to participate in street improvements affecting that area as a whole and had also agreed to proceed with phased development.

The Council recessed for ten minutes.

The Council commenced with a more extensive review of each proposed General Plan Amendment.

1. **Porterville Commercial Center**

   Council Member West voiced support for moving forward with the GPA, with the requirement that the developer enter into a development agreement with the City to address the timing of different phases of the project, including concurrent development of improvements.

   Council Member Hamilton confirmed with staff that the proposed GPAs would need to be grouped and that the City could require that certain improvements be completed as a component of the first phase. He then voiced caution over hindering the tenanting of a 675,000 sq. ft. project because of a 75,000 sq. ft. project. He then voiced support for the development agreement, suggesting that it might eliminate that problem.

   Mayor Pro Tem Irish voiced concern with being fair and consistent to all of the developers. He added that he would like the City Attorney to review and advise whether the City had created an unfair situation in which one developer was placed at a disadvantage.

   Council Member West moved that the Council direct staff to move forward with processing the General Plan Amendment for the Porterville Commercial Center, bundled with all of the entitlement applications, which would include a development agreement to address phasing.
Council Member Hamilton seconded the motion.

Mayor Martinez then opened up the discussion to include comments from the audience.

- Daryl Nicholson, address on record, came forward and voiced concern with the traffic situation on Jaye Street. He then voiced caution in relying upon “D” Overlays for protection, suggesting that the Council historically had not used that tool effectively.

- Greg Shelton, address on record, confirmed with the Council that the proposed GPAs could be prioritized that evening, particularly if the Council desired to move forward with four or more of the projects. He then agreed that the City would need to address some of the traffic issues raised by citizens.

- Ben Ennis, address on record, voiced concern with the City treating developers fairly, and cited the ease with which The Home Depot site had been developed with no requirements for street improvements. He then pointed out that amassing commercial in one area was beneficial to the community and would create regional appeal. He voiced concern with the proposed project negatively affecting his ability to tenant Riverwalk Market Place.

- John Hale, address on record, agreed with Mr. Ennis’ comments in that commercial should be amassed in one area, suggesting that his project would assist in creating a regional hub for that area. He added that there were plenty of tenants to fill both projects.

In response to Council Member Hamilton’s question, Mr. Hale then explained that he and his partners had paid for all of the necessary reports and were currently waiting for completion of those reports.

Mr. Dunlap added that staff was unable to proceed with the traffic study for Porterville Commercial Center because staff was still waiting for the Riverwalk traffic study, the results from which needed to be plugged into Porterville Commercial Center’s environmental document. He then added that the traffic issue would be addressed in the environmental report and indicated that when the matter was before Council for approval, the exact point at which mitigation measures would be triggered would be known.

Council Member Stadtherr agreed with Council Member Hamilton’s comments regarding the need to address the traffic issue at that intersection. He then commented that he did not believe the Porterville Commercial Center project would in any way jeopardize the Riverwalk project.

A discussion ensued as to whether the item should be brought back so as to allow time for the Council to obtain answers to some of their questions prior to making a decision.

Mayor Martinez confirmed with staff that the traffic issues would be dealt with prior to the project being developed and opened to the public.

After concerns were raised by Mr. Ennis as to using his traffic report for Porterville Commercial Center’s project, Mr. Dunlap clarified that the analysis that was being prepared for the Riverwalk project had to be defined prior to its traffic numbers being plugged into the traffic study being prepared for the Porterville Commercial Center.

City Manager John Longley added that because of the interrelationship of each of the projects at the intersection of Jaye Street and Highway 190, namely The Home Depot, Riverwalk Market Place and Porterville Commercial Center, the decision had been made not to make the street improvements until such time as traffic impact studies that included all development could be analyzed.
A discussion ensued as to what a “no” vote would mean, after which City Attorney Steve Kabot suggested that in the event of a “no” vote, the Council should provide staff with an alternative direction.

In response to a question posed by Mayor Martinez, applicant John Hale came forward and clarified that approval of his project was not being sought that evening, but rather whether the project had enough merit to proceed with the application and environmental studies process.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Council Member Hamilton that the Council direct staff to move forward with processing the General Plan Amendment for the Porterville Commercial Center, bundled with all of the entitlement applications, which would include a development agreement to address phasing and a “D” Overlay.

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

Disposition: Approved.

2. **Prospect Street North of Henderson Avenue**

Council Member Hamilton moved that the Council direct staff to move forward with processing the General Plan Amendment at Prospect Street North of Henderson Avenue.

Council Member West seconded Council Member Hamilton’s motion, after which Mayor Martinez invited comments from the audience.

Daryl Nicholson, the applicant, address on record, came forward and requested that the Council approve the GPA for the project, adding that he had not received any opposition from adjacent property owners.

Greg Shelton, address on record, came forward and voiced support for moving forward with the GPA for this location.

A discussion then ensued as to the different types of development allowed in C-2 Zoning and the traffic impact for residential development versus commercial development.

Mayor Pro Tem Irish voiced concern with traffic issues, particularly in the areas of Prospect Street and Mulberry Avenue, and Prospect Street and Morton Avenue.

**COUNCIL ACTION:** MOVED by Council Member Hamilton, SECONDED by Council Member West that the Council direct staff to move forward with processing the General Plan Amendment for the project located at Prospect Street north of Henderson Avenue, bundled with all of the entitlement applications, which would include a “D” Overlay. The motion carried unanimously.

Disposition: Approved.
3. **Daybell Nursery Site**

City Manager John Longley confirmed that this proposed GPA had been removed from consideration.

4. **Northeast Corner of Prospect Street and Morton Avenue**

A discussion ensued regarding the issue of ingress and egress at this particular site and traffic issues in general on Prospect Street.

Mr. Dunlap suggested that the Council consider requiring a development agreement and indicated that staff also recommended a “D” Overlay.

Council Member Stadtherr confirmed with staff that PO uses typically generated lower traffic flow, with different peak times for activity than did general Commercial uses.

Daryl Nicholson, address on record, spoke against the proposed GPA, asserting that changing the site from PO to Commercial was not conducive to the overall General Plan.

Jim Winton, address on record, came forward to clarify the manner in which the Council was proceeding that evening. He voiced concern that the Council was focusing on approving or denying projects, rather than proceeding with prioritizing GPAs and/or considering a moratorium so as to allow the Council time to thoroughly review each proposed GPA.

Greg Shelton, address on record, agreed with Mr. Winton’s comments and suggested that all individuals should at least be allowed to have their applications moved appropriately through the process. He then voiced concern with Commercial uses at that location.

Mr. Dunlap explained to Council why the change from PO to Commercial could not be handled through a zone change.

The Council directed staff to advise the developer that this particular site would be designated as a low priority for processing.

The Council recessed for ten minutes.

5. **Southwest Corner of Olive Avenue and Mathew Street**

Daryl Nicholson, address on record, came forward and informed Council of an error on the map with respect to the area zoned Heavy Commercial immediately east of the subject property (shown in red on the map). He indicated that in reality that area zoned Heavy Commercial was actually much larger, extending further to the south, past the southern property line of the subject property.

Council Member Stadtherr voiced concern with a change to Heavy Commercial at that site, particularly because of the new school under construction in such close proximity.

Council Member Hamilton pointed out that other schools in the community were adjacent to Heavy Commercial.

A discussion ensued as to the zoning of other sites along Olive Avenue.
Mayor Pro Tem Irish requested that in the future staff use larger, more easily readable fonts when utilizing maps in presentations.

Mr. Nicholson came forward and discussed street improvements that were to have been completed by the school district, yet had not been completed. He suggested that if the GPA were to proceed, street improvements would be completed by the developer, thereby benefitting the City. He then informed Council that the proposed development included developing the southern portion of the property into Multi-Family and Single Family Residential.

In response to Council Member West’s question, Mr. Dunlap explained that staff would recommend that the zoning be inclusive of a “D” Overlay.

Mayor Pro Tem Irish voiced concern with addressing the General Plan in the manner in which Council was proceeding.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Irish that the Council direct staff to move forward with processing the General Plan Amendment for the location at the Southwest Corner of Olive Avenue and Mathew Street. The motion carried unanimously.

Disposition: Approved.

6. Northwest, Southwest and Southeast Corner of Scranton Avenue and SH 65

At the Council’s request, Mr. Dunlap offered further explanation as to the proposed GPA at this location. He explained that the City would benefit from this GPA in that it would provide more acreage for potential large manufacturing/industrial users wanting to relocate to the area.

The Council took no action, however indicated that they “generally favored” prioritizing this GPA.

Greg Shelton, address on record, commented generally that this particular GPA would significantly increase the City’s M-1 inventory, thus possibly negatively impacting his M-1 zoned property located downtown. He requested that in the event the City moved forward, that the Council consider allowing a change on his M-1 property to C-3.

7. Southwest Corner of Westwood Street and Olive Avenue

Mr. Dunlap explained that this proposed GPA involved a change from Residential to General Commercial for an approximate 2.5 acre site located at the southwest corner of Westwood Street and Olive Avenue.

Mr. Winton, address on record, came forward on behalf of the developer and indicated that the application had not yet been submitted, but that the request for Project Review had been processed, the results from which he had just received. Mr. Winton added that the north half of the property was in the County and zoned Service-Commercial.

The Council took no action of this particular proposed GPA.
The Council then discussed how the GPAs would be prioritized and bundled.

Mr. Dunlap indicated that of the four GPAs allowed during a calendar year period, one slot would be filled by the two projects previously marked for prioritization by the Council, which he estimated would take place in April. Another slot would be the Riverwalk project, which could allow for additional projects to be bundled with it. He added that one slot should remain open until the end of the year, which would leave one remaining slot.

Mr. Longley recommended that the Council definitely leave one slot open until the end of the year. A discussion ensued after which it was decided that the GPAs would be bundled as follows:

1st Amendment: April 2005 (2 previously discussed projects);
2nd Amendment: Summer (Riverwalk project);
3rd Amendment: Projects 1, 2 and 5. These projects might proceed before Riverwalk, depending on the timing.
4th Amendment: End of Year - To remain open.

With respect to the processing of future proposals, the Council directed staff to maintain the status quo for future processing of proposed general plan amendments.

At the request of some members of the audience, staff clarified the direction given by Council that evening.

The Council convened at 9:17 p.m. to Closed Session.

CLOSED SESSION
A. Closed Session Pursuant to:

The Council reconvened at 9:45 p.m. with no action to report.

ADJOURNMENT
The Council adjourned at 9:46 p.m. to the meeting of April 5, 2005 at 6:00 p.m.

Patrice Hildreth, Deputy City Clerk

SEAL

Pedro R. Martinez, Mayor
SUBJECT: CLAIM - MICHAEL C. SCHMIDT

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Michael Schmidt has filed a claim against the City for property damage. He is claiming that his vehicle was improperly towed after being ticketed for being parked on the street for more than 72 hours. Mr. Schmidt claims that he moved the vehicle from the original location after being notified, but the vehicle was towed anyway after the 72 hour period.

The amount being claimed as of the date of this claim is $300.00, plus $25.00 a day after April 15, based on towing and storage charges for the vehicle.

RECOMMENDATION: That the Council reject said claim, and refer the matter to the City's insurance adjustor, and direct the City Clerk to give the claimant proper notification.

Attachment: Claim Form
CITY OF PORTERVILLE
CLAIM FORM

FORM B
(Please Type Or Print)

CLAIM AGAINST CITY OF PORTERVILLE

Claimant's name: Michael C Schmidt SS#: [REDACTED]
Claimant's Telephone No.: [REDACTED] DOB: [REDACTED]
Claimant's address: 2430 W Ruby Porterville CA
Address where notices about claim are to be sent, if different from above:

Date of incident/accident: 4-5-05
Date injuries, damages, or losses were discovered: 4-5-05
Location of incident/accident: 2430 W Ruby Porterville CA
(Use back of this form or attach Diagram if necessary to answer this question in detail)

What did entity or employee do to cause this loss, damage, or injury? [REDACTED] Vehicle
(Use back of this form or separate sheet if necessary to answer this question in detail)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? CSO3 Mendoza

What specific injuries, damages, or losses did claimant receive? $300.00 in charges
(Use back of this form or separate sheet if necessary to answer this question in detail)

What amount of money is claimant seeking or, if the amount is in excess of $10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a “limited civil case” [see Government Code 910(f)] $300.00 until 4-15-05
Then it accrues $25.00 a day everyday afterwards

How was this amount calculated (please itemize)?

(Use back of this form or separate sheet if necessary to answer this question in detail)

Date Signed: 4-11-05 Signature: Michael C Schmidt

If signed by representative:

Representative's Name
Address

Telephone #
Relationship to Claimant
SUBJECT: CLAIM - DORA E. TORRES

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Dora Torres has filed a claim against the City for property damage. She is claiming that her vehicle was damaged as a result of striking a pothole in the roadway on Poplar Avenue east of 661 W. Poplar Avenue. Mrs. Torres states that the rim on her vehicle was damaged and, being a discontinued item, it will require four new rims.

The amount being claimed as of the date of this claim is $1,960.00, based on towing and replacement costs.

RECOMMENDATION: That the Council reject said claim, and refer the matter to the City's insurance adjustor, and direct the City Clerk to give the claimant proper notification.

Attachment: Claim Form
CLAIM AGAINST: CITY OF PORTERVILLE

Claimant's name: Dora E. Torres
SS#: [Redacted]
Claimant's Telephone No.: 559-361-5442
DOB: [Redacted]
Claimant's address: 1062 N Elderwood St., Porterville, CA 93257
Address where notices about claim are to be sent, if different from above: PO Box 382, Porterville, CA 93258
Date of incident/accident: 3-11-05
Date injuries, damages, or losses were discovered: 3-11-05
Location of incident/accident: Poplar St., 1901 S. Front St., Porterville, CA

What did entity or employee do to cause this loss, damage, or injury? **did not hail**

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? **City of Porterville**

What specific injuries, damages, or losses did claimant receive? **Damage to Rim of the Tire. Where it cannot be fixed at all**

What amount of money is claimant seeking or, if the amount is in excess of $10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a “limited civil case” [see Government Code 910(f)] $1,960 + Towing cost

How was this amount calculated (please itemize)? **See Attached**

Date Signed: 3-17-05 Signature: Dora E. Torres

If signed by representative:

Representative's Name __________________________
Address __________________________
Telephone # __________________________
Relationship to Claimant __________________________
### Pacific Tire & Wheel
1501 California Ave
address that you want to print on your RO's
Bakersfield, Ca 93304
(661) 327-4892
EPA#12345 Bar#12345
Low Prices...Fast Service

---

**Dora Torres**
1062 N El Dorado
Porterville, CA 93257

**Invoice # 1064**
Inv Date: March 17, 2005 @ 1:38pm

**PO #**
Status: Complete
Ordered By: 

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<th>Price</th>
<th>Disc.</th>
<th>Ext</th>
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<tr>
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<td>60.00</td>
</tr>
</tbody>
</table>

**Repair Order Summary:**
Parts $1,960.00

Sub Total $1,960.00
Sales Tax (DEF)

Total $1,960.00

---

X __________________________

Discard old parts

---

Page 1 of 1
SUBJECT: SCADA EQUIPMENT UPGRADES

SOURCE: Administrative Services/Purchasing

COMMENT: In accordance with the City’s Purchasing Policy and Procedure Manual, as amended by Resolution No. 122-87 adopted by Council on October 10, 1987, Staff hereby requests approval to negotiate upgrading the City’s System Control and Data Acquisition (SCADA) equipment at the Wastewater Treatment Facility. The SCADA System was installed in 1997 to monitor on a 24/7 basis the “mission critical” equipment at the treatment plant. In the event of an equipment failure, the SCADA System alerts the on-call staff members. Staff has determined that the current system is operating at approximately 60% of its originally installed capacity as the result of hardware and software problems beyond repair. The system includes five software programs operating simultaneously, some of which are no longer supported due to obsolescence. Additionally, adverse environmental conditions at the treatment plant cause deterioration and failure of the hardware. It would not be cost effective to purchase all new equipment; rather Staff would like to negotiate with the manufacturer of the existing equipment to upgrade the system and bring it to full functionality. The upgrade will also provide improvements in the process of calling out staff for problems when the plant is unattended, and will allow for monitoring of the plant from staff’s residences. The cost of the upgrade is approximately $40,000. Funds for the upgrade project have been budgeted in the Wastewater Treatment Facility’s Capital Outlay Budget for this fiscal year.

RECOMMENDATION: That Council authorize Staff to begin negotiations with Tesco Controls, Inc., to upgrade the Wastewater Treatment Facility’s SCADA System equipment. Further, that Council authorize payment upon satisfactory completion of the project.
SUBJECT: ACCEPTANCE OF THE INDIANA STREET RECONSTRUCTION PROJECT - PUTNAM AVENUE TO MORTON AVENUE

SOURCE: Public Works Department - Engineering Division

COMMENT: Halopoff & Sons, Inc. has completed the Indiana Street Reconstruction Project, Putnam Avenue to Morton Avenue, per plans and specifications. The project consisted of the reconstruction of Indiana Street to arterial standards from Putnam Avenue to Thurman Avenue and included the construction of an 8' x 8' reinforced concrete box culvert bridge at the Porter Slough crossing. A 2-inch overlay on Indiana Street from the Porter Slough crossing to Morton Avenue was also completed as part of the project.

City Council authorized expenditure of $405,000.00. Final construction cost is $404,970.17.

Halopoff & Sons, Inc. requests that the City accept the project as complete. Staff has reviewed the work and found it acceptable.

RECOMMENDATION: That the City Council:

1. Accept the Indiana Street Reconstruction Project, Putnam Avenue to Morton Avenue, 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.

ATTACHMENT: Locator Map
SUBJECT: ACCEPTANCE OF IMPROVEMENTS - MEADOWOODS, PHASE 3 SUBDIVISION (Nicholson & Smee LLC - Gary Smee)

SOURCE: Public Works Department - Engineering Division

COMMENT: The subdivider, Nicholson & Smee LLC (Gary Smee), has requested that the public improvements constructed for their subdivision be accepted by the City for maintenance. All required improvements have been completed, inspected by City staff, and found acceptable.

The subdivider has submitted a one (1) year maintenance guarantee for five percent of the total cost of improvements.

RECOMMENDATION: That City Council:

1. Accept the public improvements of Meadowoods, Phase 3 Subdivision for maintenance; and

2. Authorize the filing of the Notice of Completion, and release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

ATTACHMENT: Locator Map

MKR P:\manager\Agenda Items\2005_04_19 CC Agenda\2005_04_19 Item 6.wpd
LANDSCAPE & LIGHTING DISTRICT NO.

City of Porterville


LEGEND

- STREET LIGHTS (23 ea.)
- FIRE HYDRANT

PIONEER AVENUE

SCALE: 1" = 200'

LOCATION MAP

NO SCALE
SUBJECT: ACCEPTANCE OF IMPROVEMENTS - RIVER SPRINGS, PHASE THREE SUBDIVISION (G.W. HOMES, INC. - GREG WOODARD)

SOURCE: Public Works Department - Engineering Division

COMMENT: The Subdivider, G.W. Homes, Inc. (Greg Woodard, President), has requested that the public improvements constructed for their subdivision be accepted by the City for maintenance. All required improvements have been completed, inspected by City staff, and found acceptable.

The Subdivider has submitted a one (1) year maintenance guarantee for five percent of the total cost of improvements and an additional guarantee for all remaining sidewalks.

RECOMMENDATION: That City Council:

1. Accept the public improvements of River Springs, Phase Three subdivision for maintenance; and

2. Authorize the filing of the Notice of Completion, and release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

ATTACHMENT: Locator Map

P:\manager\Agenda Items\2005_04_19 CC Agenda\2005_04_19 Item 7.wpd
SUBJECT: ACQUISITION OF RIGHT OF WAY - PROPERTY LOCATED AT APN 261-080-012 – OWNER ROY A. MACOMBER – DATE AVENUE STREET PROJECT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: During the April 5, 2005 Closed Session of the City Council meeting, Council directed staff to bring this item back for approval. Council requested additional wording to be included in the Purchase Contract regarding the removal of personal property, junk, trash, and refuse stored on the property and the relocation of said personal property, junk, trash, and refuse.

Attached for Council’s review is the revised Purchase Contract for Mr. Macomber. Section 3B of the contract covers the removal of personal property, junk, trash, and refuse from the property before escrow closes. This same section also covers the relocation of personal property, junk, trash, and refuse once removed from the property.

RECOMMENDATION: That City Council:

1. Approve the Purchase Agreement;
2. Authorize staff to begin escrow, with the City paying escrow fees;
3. Authorize staff to make payment to Roy A. Macomber, owners of property in the amount of $56,000.00, after completion of escrow;
4. Authorize the Mayor to sign all necessary documents; and
5. Authorize staff to record all documents with the County Recorder.

ATTACHMENTS: 1. Purchase Agreement
2. Right of Way Take Map
3. Resolution

DD_____ APPROPRIATED/FUNDED_____ CM_____ ITEM NO. 8
PURCHASE CONTRACT

This Purchase Contract (this “Agreement”) is between the City of Porterville (“City”) and Roy A. Macomber, by deed dated September 11, 1989 (“Grantor”).

It is mutually agreed as follows:

1. Grantor agrees to sell to City, and City agrees to purchase from Grantor, on the terms and conditions set forth in this Agreement, the real property more particularly described in the Grant Deed delivered herewith, together with such other property interests as may be specified herein (together, the “Property”). Grantor hereby states that Grantor has full title except as hereinafter mentioned and has full authority to sign this Agreement and to convey the rights described herein.

2. The parties hereto have set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for the Property and shall relieve the City of all further obligation on this account, or on account of the location, grade, or construction of the proposed public improvement.

3. Upon approval by the City Council, the City shall:

   A. Pay the undersigned Grantor the sum of Fifty-Six Thousand Dollars ($56,000) for the Property within thirty (30) days after the date title to said Property vests in the City free and clear of all liens, encumbrances, assessments, easements, and leases (recorded and/or unrecorded), subject to the conditions set forth below.

   B. Pay all the escrow and recording fees incurred in this transaction and, if title insurance is desired by the City, then the City will pay the premium charged therefore. Said escrow and recording charges shall not, however, include reconveyance fees, trustee's fees for any full reconveyance of Deed(s) of Trust, all of which fees, where required, shall be paid by the Grantor. Grantor hereby authorizes the City to prepare and file escrow instructions with the escrow agent on behalf of Grantor in accordance with this Agreement. Said instructions shall provide that escrow shall not close until the property has been cleared completely of all personal property, junk, trash, and refuse. Grantor is prohibited from relocating said personal property and junk, etc. to
any outdoor area or area otherwise visible to the public, or relocating said items in such a way as to create or perpetuate a public nuisance, within the City’s jurisdictional limits.

C. Have the authority, if Grantor has not cleared the property of all personal property, junk, trash, and refuse by June 30, 2005, to remove and dispose of all said personal property and deduct and pay from the amount shown in Clause 3.A. above all actual costs and charges (including all costs for its own labor) the City incurs for the removal of any junk, trash, and refuse from the property as required by City of Porterville Municipal Code Section 13-4. The City shall also have the authority to deduct any amount necessary to pay reconveyance fees and trustee's fees for any full reconveyance of Deed(s) of Trust, and to satisfy any bond demands and/or delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid nondelinquent assessments, which have become a lien at the close of escrow. Current taxes shall be prorated as of the date of possession or the date the conveyance is recorded, whichever occurs first. However, if an Order of Immediate Possession has been obtained, then the date of proration of taxes shall be as of the effective date of said Order.

4. Grantor grants to the City, its permittees, contractors, agents or assigns, an immediate right, effective upon execution by the parties of this Purchase Contract, to enter upon, over, across, and under Grantor’s property shown on Exhibit “A” attached hereto and Grantor's property lying adjacent to the property shown on Exhibit “A” during the period of construction for the purpose of constructing the public improvement and accomplishing all necessary incidents, thereto, including, but not limited to, the repair, replacement, restoration, removal, and/or disposal of existing improvements.

A. Any actual damage or substantial interference with the possession or use of the adjacent land caused by City, its permittees, contractors, agents or assigns shall be cured by same. In addition, the City of Porterville agrees to indemnify the Grantor and hold said Grantor harmless from any loss of, or damage to any property or injury or death of any person whomsoever arising out of or connected with their performance of any work authorized under this Agreement.

B. It is agreed and confirmed by the parties hereto that, notwithstanding other provisions in this Agreement, the right of possession and use of the Property by the City (including, but not limited to, the right to construct and install new improvements and to replace, repair, restore, remove, and/or dispose of existing improvements) shall commence upon execution of this Agreement and shall terminate upon completion of construction of the project, and that the amount shown in Clause 3.A. herein includes, but is not limited to, full payment for such possession and use, including damages, if any, from said commencement date.

5. The sum set forth in Clause 3.A. above includes payment for the following: fee title to 13,500 square feet of land clear of all personal property, junk, trash, and refuse, and any
and all landscaping and improvements thereon, and all rights of possession and use provided for herein, together with any and all other losses, whether separately mentioned in this Agreement or not.

A. Grantor hereby forever releases City, its officers, employees, and agents (the "Released Parties") from any and all losses, claims, demands, and causes of action of every type, kind, nature, description or character, including, whether known or unknown, under contract or at law, which Grantor may have against the Released Parties which in any way arise out of, are connected with or relate to City’s purchase and use of the Property described herein and property donated by Grantor to the City described in the deed recorded June 2, 2004 as Document 2004-0054045 in the Official Records of Tulare County. Grantor hereby specifically acknowledges that he or she is familiar with, and has been advised by counsel with respect to, the provisions of California Civil Code Section 1542 which provides:

“A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED THE SETTLEMENT WITH THE DEBTOR.”

B. Grantor, being aware of such code section, and having been advised by counsel as to such code section, hereby waives any and all rights and benefits thereunder, as well as any other statutes or common law principles of similar effect of any other state or the United States.

6. The parties understand the Property may contain hazardous materials requiring mitigation under state or federal law. The purchase price herein reflects the fair market value of the Property without the presence of contamination. If clean-up of hazardous materials on or under the Property is required, City may elect to recover its clean-up costs from those who are legally responsible therefor.

A. Grantor represents and warrants that during the period of Grantor’s ownership of the Property, there have been no disposals, releases or threatened releases of hazardous materials on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous materials on, from or under the Property that have occurred prior to Grantor taking title to the Property.

B. Grantor hereby agrees to indemnify, defend and hold City harmless from any and all past, present and future claims, losses, liabilities, obligations, or causes of action arising out of or connected with the disposal or release of hazardous materials on, from or under the Property.
7. It is understood that once this Agreement is executed it must be approved by the City Council to complete the transaction. Delivery of this Agreement and the accompanying Grant Deed is conditioned upon the City Council’s approval of said documents.

8. NO OTHER OBLIGATION OTHER THAN THOSE SPECIFICALLY SET FORTH HEREIN WILL BE RECOGNIZED.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year shown.

GRANTOR:

Roy A. Macomber

Date: __________________________

CITY OF PORTERVILLE:

By: ____________________________
    For City of Porterville

Date: __________________________

Witness/Received:

By: ____________________________
    Baldomero S. Rodriguez,
    Public Works Director

Date: __________________________

By: ____________________________
    Acquisition Agent

Date: __________________________
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ACCEPTING A GRANT DEED IN FEE FOR REAL PROPERTY FROM ROY A. MACOMBER

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 Roy A. Macomber, by deed dated September 11, 1989, 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 $56,000 is hereby approved with the City to open escrow account, pay the normal and customary 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.

________________________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By: Georgia Hawley, Chief Deputy City Clerk
EXHIBIT A

COMMENCING AT A POINT 1040 FEET EAST FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE A DISTANCE OF 150 FEET SOUTH; THENCE A DISTANCE 90 FEET EAST; THENCE A DISTANCE OF 150 FEET NORTH; THENCE A DISTANCE OF 90 FEET TO THE POINT OF BEGINNING.
SUBJECT: INTENT TO SET A PUBLIC HEARING FOR REIMBURSEMENT AGREEMENTS FOR CONCRETE IMPROVEMENT CONSTRUCTION BY THE CITY - INDIANA STREET RECONSTRUCTION PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: The concrete improvements for the Indiana Street Reconstruction Project are complete. City Council will consider acceptance of this project during this City Council meeting. Section 20-40.1 of the Municipal Code stipulates that these improvements, once constructed, shall be reimbursed to the City of Porterville upon the issuance of a new building permit. Section 20-40.2 of the Municipal Code also stipulates that remodeling permits exceeding a $15,000 valuation will also trigger the reimbursement.

The City has complied with Section 20-40.8 of the Municipal Code on the Indiana Street Reconstruction Project by notifying affected property owners and holding Public Hearings addressing the City’s intentions to seek reimbursement for the concrete improvements constructed by this project. Section 20-40.8 requires that City Council hold at least one additional Public Hearing prior to the establishment of a fee. Once the fee is established, the City will record a general notice of “reimbursement fee” with the office of the Tulare County Recorder. The recorded document will officially notify the current owner and potential buyers that the property is subject to a concrete reimbursement fee.

Staff has calculated the cost of the concrete improvements constructed along the frontages of undeveloped properties and/or developed properties that lacked these public improvements for Indiana Street Reconstruction Project. The calculations are based on actual costs incurred by the City. A map of the affected property owners and the associated concrete reimbursement fee is attached for Council’s reference.

RECOMMENDATION: That the City Council:

1. Set a Public Hearing for May 17, 2005, according to the Mitigation Fee Act, for the establishment of the concrete reimbursement fee; and

2. Authorize staff to notify all affected property owners of the Public Hearing, via certified mail, including the concrete reimbursement amount.

ATTACHMENTS: Locator Map
Fee Spreadsheet
**Exhibit "B"**

**Indiana Street Reconstruction Project**  
**Reimbursement for City Installed Improvements**

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<th>OWNER</th>
<th>Owner Address</th>
<th>Curb\Gutter</th>
<th>Sidewalk</th>
<th>Driveway</th>
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<td>225 El Cielo Dr.</td>
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SUBJECT: INTENT TO SET A PUBLIC HEARING FOR SEWER AND SOLID WASTE COLLECTION AND DISPOSAL SERVICE FEES

SOURCE: Public Works Department - Field Services Division

COMMENT: The City of Porterville is operating its Wastewater Treatment Facility under a cease and desist order issued by the Regional Water Quality Control Board (RWQCB). The cease and desist order required that the City complete various projects and purchase additional property. In order to finance the needed improvement required by the RWQCB, the City borrowed approximately $6,000,000. Monthly sewer rates and treatment plant fees had to be raised for the City to be successful in borrowing the money. To ease the burden of a lump sum increase in the sewer rates to residential and commercial customers, increases were scheduled by percentage over a period of two years with a potential third year percentage increase to be determined. The third year becomes effective July 1, 2005, and per Council's direction of July 1, 2003, the new fees need to be determined.

As outlined in last years budget message, an increase in the solid waste rate structure was projected for fiscal year 05/06 due to growth and increased operational costs including program expansion with the Consolidated Waste Management Authority, the graffiti abatement program, and compliance with new air board regulation.

RECOMMENDATION: That the City Council:

1. Set a Public Hearing for June 7, 2005, to adopt new residential and commercial Sewer rates;

2. Set a Public Hearing for June 21, 2005 for adoption of a new solid waste service fee; and

3. Authorize staff to notify all affected property owners of the Public Hearing,
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE UNIFIED SCHOOL DISTRICT, PORTERVILLE CELEBRATES READING, APRIL 23, 2005

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: Porterville Unified School District is requesting approval for a partial street closure in conjunction with its Community Civic Event, Porterville Celebrates Reading, to be held on Saturday, April 23, 2005, from 8:30 a.m. to 2:30 p.m. at the fair grounds. The closure is intended to accommodate a pedestrian crossing corridor on Olive Avenue from the fair gates on the north side of the street to the parking lot on the south side of the street. Street closures require Council approval, however, staff feels that the event will not warrant closure, only sponsor-controlled pedestrian crossing using barricades and signs to warn motorists of the event crossing.

This request is being made under Community Civic Event Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. All requirements are listed on the attached Application, Agreement and Exhibit “A.”

RECOMMENDATION: 1. That the Council approve the Community Civic Event Application and Agreement from the Porterville Unified School District, subject to the Restrictions and Requirements contained in Application, Agreement and Exhibit “A,” without closing Olive Avenue; and

2. That Council approve the use of the parking lot on the south side of Olive Avenue and the bare ground south of that parking lot for this event with sponsor-controlled pedestrian crossing.


D.D. Appropriated/Funded C.M. Item No. 1
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: 3/8/05  Event date: 4/23/05

Name of Event: PORTERVILLE CELEBRATES READING

Sponsoring organization: PORTERVILLE UNIFIED SCHOOLS  PHONE # 793-2457
Address: 600 W. GRAND  PORTERVILLE, CA 93257

Authorized representative: GARY INGRAHAM - DIRECTOR OF CURRICULUM  PHONE # 793-2457
Address: 600 W. GRAND - PORTERVILLE, CA 93257

Event chairperson: DARLENE BYARS  PHONE # 793-2457

Location of event (location map must be attached):

PORTERVILLE MUNI BALL PARK  & PORTERVILLE FAIRGROUNDS

Type of event/method of operation: READING, ADVOCACY & LITERACY FAIR

Nonprofit status determination: NON-PROFIT

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

Barricades (quantity): 4 - 6  Street sweeping  Yes  No  ✓
Police protection  Yes  ✓  No  Refuse pickup  Yes  ✓  No
Other: TRAFFIC DIRECTION FOR CROSSING OLIVE ST FROM PARKING LOT ON SOUTH TO FAIR ENTRANCE ON NORTH SIDE OF OLIVE

Parks facility application required:  Yes  No  ✓
Assembly permit required:  Yes  No  ✓

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

Approve  Deny

Bus Lic Spvr
Pub Works Dir
Comm Dev Dir
Field Svcs 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 or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

Porterville Celebrates Reading
Porterville Unified Schools

(Name of organization)  (Signature)  (Date)

3/24/05
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: 
Sponsoring organization: 
Location: __________________________ Event date: _________________

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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3 of 4
CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: Porterville Celebrates Reading

Sponsoring organization: Porterville Unified Schools

Event date: April 23, 2005  Hours: 8:30 AM - 2:30 PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Closed</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
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<th>Sidewalks</th>
<th>Closed</th>
<th>From</th>
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<th>Activity</th>
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<tr>
<th>Parking lots and spaces</th>
<th>Location</th>
<th>Activity</th>
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## REQUIREMENTS FOR COMMUNITY CIVIC EVENT

### CITY OF PORTERVILLE

### PORTERVILLE CELEBRATES READING

**APRIL 23, 2005**

<table>
<thead>
<tr>
<th>Role</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business License Supervisor: <em>S. Perkins</em></td>
<td>No requirements.</td>
</tr>
<tr>
<td>Public Works Director: <em>B. Rodriguez</em></td>
<td>Organization will pick up and return barricades. <em>Olive to be barricades only if police officer monitoring event determines that the number of participants warrants barricading street.</em></td>
</tr>
<tr>
<td>Community Development Director: <em>B. Dunlap</em></td>
<td>Obtain City Council approval for use of City Ballfield.</td>
</tr>
<tr>
<td>Field Services Manager:</td>
<td>No comments.</td>
</tr>
<tr>
<td>Fire Chief: <em>F. Guyton</em></td>
<td>No comments.</td>
</tr>
<tr>
<td>Parks and Leisure Services Director: <em>M. Stowe</em></td>
<td>Repair all damaged sprinklers and turf.</td>
</tr>
<tr>
<td>Police Chief: <em>S. Rodriguez</em></td>
<td>Street closure requires council approval; traffic control and adequate warning devices to warn motorists.</td>
</tr>
</tbody>
</table>
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Unified School District
Event: Porterville Celebrates Reading
Event Chairman: Darlene Byars
Location: Porterville Fairgrounds
Date of Event: April 23, 2005
Time of Event: 8:30 a.m. to 2:30 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VI, and the insurance company must be an “admitted” insurer in the State of California.
1. ORGANIZATION'S NAME

2. LICENSE TYPE (Check appropriate license type AND organization type)
   - [ ] Daily General ($25.00) (Includes beer, wine and distilled spirits)
     - [ ] Political Party/Affiliate Supporting Candidate for Public Office or Ballot Measure
     - [ ] Fraternal Organization in Existence Over Five Years with Regular Membership
     - [ ] Organization Formed for Specific Charitable or Civic Purpose
     - [ ] Religious Organization
     - [ ] Vessel per Section 24045.10 B&P
     - [ ] Other:

   - [ ] Special Daily Beer ($15.00)
     - [ ] Charitable
     - [ ] Fraternal
     - [ ] Social
     - [ ] Political
     - [ ] Religious
     - [ ] Cultural
     - [ ] Amateur Sports Organization

3. Special Daily Wine ($30.00)

4. Special Daily Beer & Wine ($30.00)

5. Special Daily Wine ($15.00)

6. Special Temporary License ($100.00) (Different privileges depending on statute)
   - [ ] Television Station per Section 24045.2 or 24045.9 B&P
   - [ ] Nonprofit Corporation per Sections 24045.4 and 24045.6 B&P
   - [ ] Person conducting Estate Wine Sale per Section 24045.8 B&P
   - [ ] Women's Educational and Charitable Organization per Section 24045.3 B&P
   - [ ] Other:

7. Special Temporary Licenses, per Section

8. LICENSE NUMBER

9. NUMBER OF LICENSES NEEDED

10. EVENT TYPE
    - [ ] Dinner
    - [ ] Dance
    - [ ] Wedding
    - [ ] Lunch
    - [ ] Picnic
    - [ ] Barbeque
    - [ ] Social Gathering
    - [ ] Festival
    - [ ] Sports Event
    - [ ] Concert
    - [ ] Birthday
    - [ ] Mixer
    - [ ] Carnival
    - [ ] Dinner Dance
    - [ ] Other:

11. TOTAL # OF DAYS

12. ESTIMATED ATTENDANCE

13. HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND/OR CONSUMPTION

14. FROM

15. TO

16. EVENT IS OPEN TO THE PUBLIC
    - [ ] Yes
    - [ ] No

17. LOCATION IS WITHIN THE CITY LIMITS
    - [ ] Yes
    - [ ] No

18. TYPE OF ENTERTAINMENT
    - [ ] Yes
    - [ ] No

19. SECURITY GUARDS
    - [ ] Yes
    - [ ] No

20. If yes, how many?

21. SECURED PROPERTY OWNER'S Signature

22. REPRESENTATIVE'S NAME

23. REPRESENTATIVE'S TELEPHONE NUMBER

24. REPRESENTATIVE'S ADDRESS

25. ORGANIZATION'S MAILING ADDRESS (if different from #15 above)

26. AUTHORIZED REPRESENTATIVE'S SIGNATURE

27. LAW ENFORCEMENT APPROVAL BY (Name), if applicable

28. LAW ENFORCEMENT SIGNATURE

29. DATE SIGNED

30. FOR DEPARTMENT USE ONLY

31. PROPERTY OWNER APPROVAL REQUIRED
    - [ ] Yes, attached
    - [ ] No

32. CONDITIONS/ACKNOWLEDGMENTS REQUIRED
    - [ ] Yes, attached
    - [ ] No

33. DIAGRAM REQUIRED
    - [ ] Yes, attached
    - [ ] No

34. LAW ENFORCEMENT APPROVAL REQUIRED
    - [ ] Yes, attached
    - [ ] No

35. ISSUANCE DATE

ABC-221 (10/02)
CITY OF PORTERVILLE

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

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

1. Name and home address of the applicant:

   ____________________________ Phone # _______________________

   ____________________________

2. Address where amplification equipment is to be used:

   ____________________________ Phone # _______________________

3. Names and addresses of all persons who will use or operate the amplification equipment:

   ____________________________

   ____________________________

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

   ____________________________

5. Dates and hours of operation of amplification equipment:

   ____________________________

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

   ____________________________
I hereby certify that all statements and answers on this registration form are true and correct.

Applicant

Date

Chief of Police

Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc:


3/27/01
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
COMISION HONORIFICA MEXICANA-AMERICANA, INC.
CINCO DE MAYO FESTIVITIES
April 29, 2005 – May 1, 2005

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: The Comision Honorifica Mexicana-Americana, Inc., is requesting approval to hold its annual Cinco de Mayo festivities from April 29 to May 1, 2005. The event includes a parade down Main Street on Saturday, April 30, 2005, from 7:00 a.m. to 12:00 p.m., and a fiesta with a beer garden in the Municipal Ball Park from Friday, April 29, 2005, through Sunday, May 1, 2005, from 8:00 a.m. to midnight.

The following street and sidewalk closures are requested:

PARADE ROUTE: Main Street from Morton Avenue to Vine Avenue.
PARADE LINEUP:
Harrison Avenue from Division Street to the alley east of Main Street;
Thurman Avenue from Division Street to the alley east of Main Street; and
Putnam Avenue from Division Street to the alley east of Main Street.
PARADE DISBURSEMENT: Olive Avenue from Hockett Street to Third Street.
PARADE VIEWING:
Garden Avenue from the alley west of Main Street to the alley east of Main Street;
Mill Avenue from the alley west of Main Street to the alley east of Main Street; and
Oak Avenue from the alley west of Main Street to the alley east of Main Street.
SIDEWALKS: Main Street from Putnam Avenue to Olive Avenue, both sides.

No street closure has been requested for Olive Avenue between A Street and Plano Street for the fiesta; however staff is recommending that Council give the authority to the Chief of Police, or his designated representative, to close the street if the volume of pedestrian and vehicular traffic warrants closure for reasons of public safety.

The application has been submitted under the Community Civic Event Ordinance No. 1326, as amended. It has been routed according to the
ordinance regulations and reviewed by all the departments involved. The requirements are listed on the attached copy of the Application, Agreement and Exhibit “A.”.

The street closures for the parade will cause a disruption in Fixed Route bus service between 7:00 a.m. and 12 noon. Staff is recommending that Fixed Route bus service be suspended on Saturday, April 30, 2005, until 1:00 p.m. Demand-Response service will operate within its normal schedule.

RECOMMENDATION: That the Council approve:

1. The Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., subject to the restrictions contained in the Application, Agreement, and Exhibit “A”.

2. Authorize the Chief of Police, or his designee, to close Olive Avenue between A Street and Plano Street, if warranted to address public safety concerns; and

3. Authorize the Fixed Route bus service to suspend operations until 1:00 p.m. on Saturday, April 30, 2005.

ATTACHMENT: Community Civic Event Application, Agreement, Exhibit A Map, Outside Amplifier Permit, Alcoholic Beverage Permit
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: ___________________________ Event date: 4-29 thru 5-1-05

Name of Event: Cinco de Mayo Festivities
Sponsoring organization: Comision Honorifica Mex. Am
Address: 204 P.O. Box 2043
Authorized representative: FRED BELTRAN
Address: ___________________________
Event chairperson: Roberto dela Rosa
Location of event (location map must be attached): Parade on Main St. and festivities at Municipal Ballpark
Type of event/method of operation: Cinco de Mayo celebration, food booths, carnival, parade & entertainment
Nonprofit status determination: 501c3

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

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<tr>
<th>Service</th>
<th>Requested</th>
<th>City Services</th>
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<tbody>
<tr>
<td>Barricades (quantity)</td>
<td>Parade</td>
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<tr>
<td>Police protection</td>
<td>Yes</td>
<td>No</td>
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<td>Street sweeping</td>
<td>No</td>
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<td>Refuse pickup</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Other</td>
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Parks facility application required: Yes X No
Assembly permit required: Yes No

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

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<tr>
<th>Approve</th>
<th>Deny</th>
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<td>Bus Lic Spvr</td>
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<td>Pub Works Dir</td>
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<td>Comm Dev Dir</td>
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<td>Field Svcs Mgr</td>
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<td>Fire Chief</td>
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<td>Parks Dir</td>
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<td>Police Chief</td>
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<td>Risk Manager</td>
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</table>
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 or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

[Signatures and date]

(Name of organization)  (Signature)  (Date)
CITY OF PORTERVILLE

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

Name of event: **Cinco de Mayo Celebration**

Sponsoring organization: **Comision Hispanica Mexicana Americana**

Location: **Municipal Ballpark & Main St.** Event date: **4/29 thru 5/1/05**

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.

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<tr>
<th>Vendor name</th>
<th>Address</th>
<th>Telephone</th>
<th>Type of Activity</th>
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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: **Cinco de Mayo Parade**

Sponsoring organization: **Comisión Honorifica Mex. Am.**

Event date: **April 30, 2005**  
Hours: **10 AM to noon**

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
<thead>
<tr>
<th>Street Name</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
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</thead>
<tbody>
<tr>
<td>Main</td>
<td>Martin</td>
<td>Cleveland</td>
<td>Line-up</td>
</tr>
<tr>
<td>Main</td>
<td>Cleveland</td>
<td>Vine St</td>
<td>Parade</td>
</tr>
<tr>
<td>Olive</td>
<td>Hackett</td>
<td>Third</td>
<td>Parade</td>
</tr>
<tr>
<td>Second</td>
<td>Olive</td>
<td>Garden</td>
<td>Dispersal</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Name</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Sidewalks</td>
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<th>Street Name</th>
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<th>Activity</th>
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<tbody>
<tr>
<td>Parking lots and spaces</td>
<td>Location</td>
<td>Activity</td>
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</tr>
</tbody>
</table>
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

COMISION HONORIFICA MEXICANA-AMERICANA, INC.

CINCO DE MAYO FESTIVITIES

APRIL 29, 2005 - MAY 1, 2005

Business License Supervisor:
    S. Perkins

No requirements.

Public Works Director:
    Baldo Rodriguez

No comments.

Community Development Director:
    B. Dunlap

Obtain City Council authorization for activities in public right-of-way and ballfield.

Field Services Manager:
    B. Styles

City forces to install/remove barricades.

Fire Chief:
    F. Guyton

Keep Cleveland Avenue open.

Parks/Leisure Services Operations:
    M. Stowe

Repair all sprinkler and turf damage.

Police Chief:
    S. Rodriguez

Street closure requires council approval; beer garden required at ballpark festivities; parade should have adequate dispersal area.

Risk Manager:
    D. Pyle

See attached Exhibit A, page 2.
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Comision Honorifica Mexicana-Americana, Inc.
Event: Cinco de Mayo Festivities
Event Chairman: Roberto de la Rosa (559) 784-1214
Location: Parade - Main Street from Morton Avenue to Olive Avenue including the closure of select cross-streets and parallel streets
Fiesta - Municipal Ball Park on Olive Avenue
Date of Event: April 29, 2005 to May 1, 2005

RISK MANAGEMENT: Conditions of Approval

1. The use of sidewalks for any purpose other than to allow for the free-flow of pedestrian traffic is prohibited within a ten (10) ft. radius of all walk-up Automated Teller Machines (ATM), and the minimum clear sidewalk width for pedestrian traffic at all other locations is five (5) feet.

2. That the Comision Honorifica Mexicana-Americana, Inc., provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $2,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as “Additional Insured” against all claims arising from, or in connection with, the Permittee’s operation and sponsorship of the aforementioned Community Civic Event; and a Certificate of Liquor Liability Insurance evidencing coverage of not less than $1,000,000 per occurrence and naming the City of Porterville, its Officers, Employees, Agents and Volunteers as “Additional Insured” against all claims arising from, or in connection with, the Permittee’s operation of a beer garden.

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

   d. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A:VII, and the insurance company must be an “admitted” insurer in the State of California.
APPLICATION FOR DAILY LICENSE

Instructions: Complete all items. Submit with required fee (Cashier’s Check or Money Order) payable to ABC. Once license is issued, fee cannot be refunded.

1. ORGANIZATION’S NAME

Comision Honfiteca Mex. Am. Inc.

2. LICENSE TYPE (Check appropriate license type AND organization type)

<table>
<thead>
<tr>
<th>Daily General ($25.00) <em>(Includes beer, wine and distilled spirits)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Political Party/Affiliate Supporting Candidate for Public Office or Ballot Measure</td>
</tr>
<tr>
<td>☐ Fraternal Organization in Existence Over Five Years with Regular Membership</td>
</tr>
<tr>
<td>☒ Organization Formed for Specific Charitable or Civic Purpose</td>
</tr>
<tr>
<td>☐ Religious Organization</td>
</tr>
<tr>
<td>☐ Vessel per Section 24045.10 B&amp;P</td>
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<tr>
<td>☐ Other:</td>
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</table>

<table>
<thead>
<tr>
<th>Special Daily Beer ($15.00)</th>
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<tr>
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<td>☐ Religious</td>
</tr>
<tr>
<td>☒ Cultural</td>
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<tr>
<td>☐ Amateur Sports Organization</td>
</tr>
<tr>
<td>☐ Other:</td>
</tr>
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</table>

<table>
<thead>
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<th>Special Daily Beer &amp; Wine ($30.00)</th>
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<tbody>
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<tr>
<td>☐ Amateur Sports Organization</td>
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<tr>
<td>☐ Other:</td>
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<table>
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<tr>
<th>Special Daily Wine ($15.00)</th>
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<td>☐ Charitable</td>
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<td>☐ Fraternal</td>
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<td>☐ Political</td>
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<tr>
<td>☐ Amateur Sports Organization</td>
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<td>☐ Other:</td>
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<tr>
<th>Special Temporary License ($100.00)</th>
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<tr>
<td>☐ Television Station per Section 24045.2 or 24045.9 B&amp;P</td>
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<tr>
<td>☐ Nonprofit Corporation per Sections 24045.4 and 24045.6 B&amp;P</td>
</tr>
<tr>
<td>☐ Person conducting Estate Wine Sale per Section 24045.8 B&amp;P</td>
</tr>
<tr>
<td>☐ Women’s Educational and Charitable Organization per Section 24045.3 B&amp;P</td>
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<tr>
<td>☐ Other Special Temporary Licenses, per Section</td>
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<tr>
<th>License number</th>
<th>Amount $</th>
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3. EVENT TYPE

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<th>Wedding</th>
<th>Lunch</th>
<th>Picnic</th>
<th>Barbeque</th>
<th>Social Gathering</th>
<th>Festival</th>
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<th>Sports Event</th>
<th>Concert</th>
<th>Birthday</th>
<th>Mixer</th>
<th>Carnival</th>
<th>Dinner Dance</th>
<th>Other:</th>
</tr>
</thead>
</table>

4. TOTAL # OF DAYS 2

5. ESTIMATED ATTENDANCE

6. HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND/OR CONSUMPTION FROM 10 AM TO 10 PM

7. EVENT DATE(S) 4/29 to 5/1/05

8. EVENT LOCATION (Give facility name, address, number and name, and city)

Porterville Municipal Ballpark (Garden and) Porterville Municipal Ballpark (Garden and)

9. LOCATION IS WITHIN THE CITY LIMITS ☐ Yes ☐ No

10. TYPE OF ENTERTAINMENT

Musical bands

11. SECURITY GUARDS ☐ Yes ☐ No

12. AUTHORIZED REPRESENTATIVE’S NAME

Fred Beltran

13. REPRESENTATIVE’S ADDRESS

24737 Ave 80 Terra Bella CA 93270

14. REPRESENTATIVE’S TELEPHONE NUMBER

# 559 535-2607

15. ORGANIZATION’S MAILING ADDRESS (If different from #15 above)

P. O. Box 2043 Porterville Ca 93270

16. AUTHORIZED REPRESENTATIVE’S SIGNATURE

Fred Beltran

17. LAW ENFORCEMENT APPROVAL BY (Name), if applicable

LAW ENFORCEMENT SIGNATURE

DATE SIGNED 3/21/05

FOR DEPARTMENT USE ONLY

PROPERTY OWNER APPROVAL REQUIRED ☐ Yes, attached ☐ No

CONDITIONS/ACKNOWLEDGMENTS REQUIRED ☐ Yes, attached ☐ No

DIAGRAM REQUIRED ☐ Yes, attached ☐ No

LAW ENFORCEMENT APPROVAL REQUIRED ☐ Yes, attached ☐ No

DISTRICT APPROVAL BY (Name)

ABC EMPLOYEE SIGNATURE

ISSUANCE DATE

TOTAL P. 01
This application must be submitted 10 days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

1. Name and home address of the applicant:
   Fred Betran  
   Phone # 559 535-2607  
   24737 AVE 80 TERRA BELLA CA 93278

2. Address where amplification equipment is to be used:
   Porterville Municipal Ballpark  
   Phone # 559 285-6054

3. Names and addresses of all persons who will use or operate the amplification equipment:
   Radio Campesina 3106 S. Mooney Blvd. Visalia CA.

4. Type of event for which amplification equipment will be used:
   Cinco de Mayo Festivities

5. Dates and hours of operation of amplification equipment:
   4/29/05 - 9 AM to 2 PM - 6:00PM to 10:00 PM  
   4/30/05 - 12:00 noon to 11:00 PM  
   5/1/05 12:00 noon until 11:00 PM

6. A general description of the sound amplifying equipment to be used:
   Outdoor Concert
I hereby certify that all statements and answers on this registration form are true and correct.

[Signature]
Applicant

[Signature]
Chief of Police

3/21/05
Date

4/10/05
Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc: W/C

3/27/01
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
ROLLIN' RELICS CAR CLUB
ROLLIN' RELICS CAR SHOW - MAY 7, 2005

SOURCE: Administrative Services Department, Finance Division

COMMENT: Rollin' Relics Car Club is requesting approval to hold a car show on Saturday, May 7, 2005, from 9:00 a.m. to 4:00 p.m., in the northern section of Veterans' Park. The Club is asking for restricted use of the parking lot for event activities, and the ability to park cars on the grassy area between the playground at Newcomb Street and Henderson Avenue and the parking lot.

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

RECOMMENDATION: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Rollin' Relics Car Club, subject to the stated requirements contained in the Application, Agreement and Exhibit “A.”

ATTACHMENT: Community Civic Event Application and Agreement, Exhibit “A”, vendor list, closure request and outside amplifier permit.
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: 4/6/05  Event date: 05/07/05

Name of Event: Rollin' Relics Car Show
Sponsoring organization: Rollin' Relics Car Club  PHONE # 781-0726
Address: 1331 N. Main St. Suite 10
Authorized representative: Don Howard  PHONE # 359-0964
Address: 1331 N. Main St. Suite 10
Event chairperson: Don Howard  PHONE # 781-0726
Location of event (location map must be attached): Veterans Park

Type of event/method of operation: Car Show

Nonprofit status determination: Non-profit

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

Barricades (quantity):  Street sweeping  Yes  No
Police protection  Yes  No  Refuse pickup  Yes  No
Other:

Parks facility application required: Yes  No
Assembly permit required: Yes  No

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

Approve  Deny

Bus Lic Spvr
Pub Works Dir
Comm Dev Dir
Field Svcs 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 or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

Rollin' Relics Car Club  Don W. Hensel  09/07/05
(Name of organization) (Signature) (Date)
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

ROLLIN' RELICS CAR CLUB

ROLLIN' RELICS CAR SHOW

MAY 7, 2005

Business License Supervisor:
   S. Perkins

Vendor list required one week prior to event.

Public Works Director:
   B. Rodriguez

No comments.

Community Development Director:
   B. Dunlap

Obtain City Council approval for use of City Park.

Field Services Manager:
   B. Styles

No comments.

Fire Chief:
   F. Guyton

No comments.

Parks and Leisure Services Director:
   J. Perrine

Driving vehicles on the turf is prohibited (use pathway). Responsible for damaged sprinklers and/or turf. Additional refuse bin required. Clean up of litter required following event. Park cars away from Veteran’s Memorial.

Police Chief:
   S. Rodriguez

No comments.

Risk Manager:
   D. Pyle

See attached exhibit A, page 2.
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Rollin' Relics Car Club
Event: Rollin' Relics Car Show
Event Chairman: Don Howard
Location: Veterans' Park
Date of Event: May 7, 2005

RISK MANAGEMENT: Conditions of Approval

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

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

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A:VII, and the insurance company must be an "admitted" insurer in the State of California.
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: Rollin' Relics Car Show

Sponsoring organization: Rollin' Relics Car Club

Event date: 05/07/05 Hours: 9:00 AM - 4:00 PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Closed</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>N.A.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.A.</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Parking lots and spaces</td>
<td>Location</td>
<td>Activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking lot</td>
<td>East end of Veterans Park</td>
<td>Car Show</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This application must be submitted 10 days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

1. Name and home address of the applicant:
   
   Rollin' Relics Car Club
   Phone # __________________________

2. Address where amplification equipment is to be used:
   
   Veterans Park
   Phone # __________________________

3. Names and addresses of all persons who will use or operate the amplification equipment:
   
   DJ and event announcer

4. Type of event for which amplification equipment will be used:
   
   Car Show

5. Dates and hours of operation of amplification equipment:
   
   05/07/05 9:00 AM to 4:00 PM

6. A general description of the sound amplifying equipment to be used:
   
   PA system
I hereby certify that all statements and answers on this registration form are true and correct.

Rollin' Relics Car Club
Applicant

Silver Rodriguez
Chief of Police

4/6/05
Date

4-11-2005
Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc: w/c

3/27/01
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - NATIONAL FARM WORKERS SERVICE CENTER, DIA DE LAS MADRES, MAY 8, 2005

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: National Farm Workers Service Center is requesting approval for a partial street closure and use of the parking lot on the south side of Olive Avenue in conjunction with its Community Civic Event, Dia De Las Madres, to be held on Sunday, May 8, 2005, from 8:00 a.m. to 9:00 p.m. at the Municipal Ballpark. The closure is intended to accommodate a pedestrian crossing corridor on Olive Avenue from the fair gates on the north side of the street to the parking lot on the south side of the street. Street closures require Council approval, however, staff feels that the event will not warrant closure, only sponsor-controlled pedestrian crossing using barricades and signs to warn motorists of the event crossing.

This request is being made under Community Civic Event Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. All requirements are listed on the attached Application, Agreement and Exhibit “A.”

RECOMMENDATION:

1. That the Council approve the Community Civic Event Application and Agreement from the National Farm Workers Service Center, subject to the Restrictions and Requirements contained in Application, Agreement and Exhibit “A,” without closing Olive Avenue; and

2. That Council approve the use of the parking lot on the south side of Olive Avenue and the bare ground south of that parking lot for this event with sponsor-controlled pedestrian crossing.

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: 3/4/05         Event date: 5/8/05

Name of Event: OIA DE CAS MADRES

Sponsoring organization:       PHONE # 622-9401
NIFFW S C
Address: 3106 MOONEY BLVD VISALIA 93277

Authorized representative:    PHONE # 622-9401
Jeanette De La Rosa
Address: 3106 MOONEY BLVD VISALIA 93277

Event chairperson: Jeanette De La Rosa PHONE # 622-9401

Location of event (location map must be attached): MUNICIPAL BALLPARK

Type of event/method of operation: MOTHER’S DAY FESTIVAL

Nonprofit status determination: Fed ID #: 95-2466747

City services requested (any fees associated with these services will be billed separately):
Barricades (quantity): ACROSS OIVE ST  Street sweeping Yes X No
Police protection Yes No X Refuse pickup Yes X No
Other: 

Parks facility application required: Yes X No
Assembly permit required: Yes No

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

Approve Deny

——— ——— Bus Lic Spvr

——— ——— Pub Works Dir

——— ——— Comm Dev Dir

——— ——— Field Svcs 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 or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

NATIONAL FARM WORKERS
SERVICE CENTER

(Name of organization)  
(Signature)  
(Date)  
3/10/05
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: **Dia de las Madres**

Sponsoring organization: **National Farm Workers Service Center**

Location: **Municipal Ballpark** Event date: **May 8th, 2005**

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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3 of 4
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: Día de las madres

Sponsoring organization: N. F. W. S. C.

Event date: May 8th, 2005 Hours: 8:00 AM - 9:00 PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

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<th>Street Name</th>
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4 of 4
REQUIREMENTS FOR COMMUNITY CIVIC EVENT
CITY OF PORTERVILLE
DIA DE LAS MADRES
MAY 8, 2005

<table>
<thead>
<tr>
<th>Business License Supervisor:</th>
<th>Vendor list required - vendors need permits.</th>
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<tbody>
<tr>
<td>S. Perkins</td>
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<tr>
<td>Public Works Director:</td>
<td>Police to monitor event. If number of participants warrants closure of street, this will be determined by field officer.</td>
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<tr>
<td>B. Rodriguez</td>
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<tr>
<td>Community Development Director:</td>
<td>Obtain City Council approval for use of City Municipal Ballfield.</td>
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<td>B. Dunlap</td>
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<td>Field Services Manager:</td>
<td>No comments.</td>
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<td>Fire Chief:</td>
<td>No comments.</td>
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<td>F. Guyton</td>
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<td>Parks and Leisure Services Director:</td>
<td>Repair all damaged sprinklers and turf.</td>
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<td>M. Stowe</td>
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<tr>
<td>Police Chief:</td>
<td>Street closure requires council approval; adequate barricades/warnings for motorists/pedestrians.</td>
</tr>
<tr>
<td>S. Rodriguez</td>
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<tr>
<td>Risk Manager:</td>
<td>See attached exhibit A, page 2.</td>
</tr>
<tr>
<td>D. Pyle</td>
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</table>
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: National Farm Workers Service Center
Event: Dia De Las Madres
Event Chairman: Jeanette De La Rosa
Location: Porterville Fairgrounds, Municipal Ballfield
Date of Event: May 8, 2005
Time of Event: 8:00 a.m. to 9:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

D. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VII, and the insurance company must be an “admitted” insurer in the State of California.
APPLICATION FOR DAILY LICENSE

Instructions: Complete all items. Submit with required fee (Cashier's Check or Money Order) payable to ABC. Once license is issued, fee cannot be refunded.

1. ORGANIZATION'S NAME
   NATIONAL FARM WORKERS SERVICE CENTER

2. LICENSE TYPE (Check appropriate license type AND organization type)
   - Daily General ($25.00) (Includes beer, wine and distilled spirits)
   - Fraternal Organization in Existence Over Five Years with Regular Membership
   - Religious Organization
   - Vessel per Section 24045.10 B&P
   - Special Daily Beer ($15.00)
   - Special Daily Wine ($15.00)
   - Special Daily Beer & Wine ($30.00)
   - Other:

3. SPECIAL TEMPORARY LICENSE ($100.00) (Different privileges depending on statute)
   - Television Station per Section 24045.2 or 24045.9 B&P
   - Person conducting Estate Wine Sale per Section 24045.8 B&P
   - Nonprofit Corporation per Sections 24045.4 and 24045.6 B&P
   - Women's Educational and Charitable Organization per Section 24045.3 B&P
   - Other Special Temporary Licenses, per Section

   License number
   Amount $ 0

4. EVENT TYPE
   - Dinner
   - Dance
   - Wedding
   - Lunch
   - Picnic
   - Barbeque
   - Social Gathering
   - Sports Event
   - Concert
   - Birthday
   - Mixer
   - Carnival
   - Dinner Dance
   - Other:

5. TOTAL OF DAYS
   FROM 12:00 PM TO 8:00 PM
   1

6. ESTIMATED ATTENDANCE
   5000

7. EVENT DATE(S)
   MAY 8TH 2005

8. EVENT LOCATION (Give facility name, if any, street number and name, and city)
   MUNICIPAL BALLPARK

9. LOCATION IS WITHIN THE CITY LIMITS
   Yes

10. TYPE OF ENTERTAINMENT
   Festival

11. SECURITY GUARDS
   Yes

12. AUTHORIZED REPRESENTATIVE'S NAME
   Jeanette De La Rosa

13. REPRESENTATIVE'S ADDRESS
   3106 Money Blvd.
   Visalia, CA 93277

14. REPRESENTATIVE'S TELEPHONE NUMBER
   559-629-9941

15. ORGANIZATION'S MAILING ADDRESS (if different from #12 above)
   Same as # 15

16. AUTHORIZED REPRESENTATIVE'S SIGNATURE

17. DATE SIGNED

FOR DEPARTMENT USE ONLY

PROPERTY OWNER APPROVAL REQUIRED
   Yes, attached
   No

CONDITIONS/ACKNOWLEDGMENTS REQUIRED
   Yes
   No

DIAGRAM REQUIRED
   Yes
   No

DISTRICT APPROVAL BY (NAME)
   ABC EMPLOYEE SIGNATURE

TOTAL P. 01
CITY OF PORTERVILLE

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

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

1. Name and home address of the applicant:
   Jeanette De La Rosa Phone # 559-1622-9401
   3106 moorey BLVD VISALIA 93277

2. Address where amplification equipment is to be used:
   Municipal ballpark Phone #

3. Names and addresses of all persons who will use or operate the amplification equipment:

4. Type of event for which amplification equipment will be used:
   Mothers Day Festival

5. Dates and hours of operation of amplification equipment:
   5/8/05 8:00 AM - 9:00 PM

6. A general description of the sound amplifying equipment to be used:
   Concert Speakers Microphones
I hereby certify that all statements and answers on this registration form are true and correct.

[Signature]

Applicant

03/10/05

Date

Chief of Police

[Signature]

Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc: W/C

__________________________________________________

__________________________________________________

3/27/01
COUNCIL AGENDA: APRIL 19, 2005

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT -MADERA AIR RACES-MODEL AIRPLANE ACROBATIC CONTEST-MAY 13 THROUGH 15, 2005

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: Madera Air Races is requesting approval to hold a model airplane acrobatic contest on Friday, May 13, 2005, through Sunday, May 15, 2005 from 8:30 a.m. to 4:30 p.m. (Set up on Thursday, May 12, 2005). The Madera Air Races is requesting the closure of Porterville Airport back runway. This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended.

The application has been routed according to the ordinance regulations and reviewed by all of the departments involved. All requirements are listed on the attached Exhibit "A." The application, Exhibit "A," the agreement, request for street closures, and a map showing the street closures requested are attached.

RECOMMENDATION: That the City Council deny the application for this Community Civic Event based on safety concerns expressed by several departments and request staff to notify the applicant of the denial.

ATTACHMENT: Community Civic Event Application and Agreement, Vendor List, Exhibit A, Request for Street Closure, Outside Amplifier Permit, Application for Daily License, Additional Information from Madera Air Races, Letter to Jim McDonald, Airport Manager.

D.D. Appropriated/Funded C.M. Item No. 15
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: 2-23-05  Event date: 5-13 to 5-15 (Setup 5-12)

Name of Event: (sponsored) Porterville Aerobatic Contest - PAC

Sponsoring organization: Madura Air Race
Phone: 310 938 8269

Address: 1609 Amapola Ave - Torrance, CA 90501

Authorized representative: Lesley Burnett / David Bridi
Phone: 310 938 8269

Event chairperson: Lesley Burnett / David Bridi
Phone: 310 938 8269

Location of event (location map must be attached):
Porterville Airport - Back Runway

Type of event/method of operation: Model Airplane Aerobatic Contest

Nonprofit status determination: Hobby Club - Non Profit

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

Barricades (quantity): No
Street sweeping: Yes
Police protection: Yes
Refuse pickup: Yes
Other:

Parks facility application required: No
Assembly permit required: No

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

Approve  Deny

Bus Lic Spvr  NO REQUIREMENTS

Pub Works Dir
Comm Dev Dir
Field Svcs Mgr
Fire Chief
Parks Dir
Police Chief
Risk Manager

BENEFITS TO THE CITY DO NOT OUTFLOW
THE RISKS - SUGGEST THEY USE AN
"OFF AIRPORT" LOCATION, AMOUNT
TECHNICAL ADVISORY GROUP
RECOMMENDS "NOT" TO APPROVE.
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.

Madura Air Pace              Leslie Bean
(Name of organization)       (Signature)

2/23/05
(Data)
CITY OF PORTERVILLE

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

Name of event: Porterville Aerobatic Contest - PAC

Sponsoring organization: Madura Air Race

Location: Porterville Airport Back Runway

Event date: 5-13 to 5-15-05

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.

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<th>Vendor name</th>
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See additional notes:
Can provide at registration
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: ____________________________

Sponsoring organization: __________________

Event date: ____________________________  Hours: ____________________________

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

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<th>Street Name</th>
<th>Closed From</th>
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<th>Activity</th>
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4 of 4
REQUIREMENTS FOR COMMUNITY CIVIC EVENT
MADERA AIR RACES
MODEL AIRPLANE ACROBATIC CONTEST
MAY 13-15, 2005

Business License Supervisor:  
*S. Perkins*  
No requirements

Public Works Director:  
*B. Rodriguez*  
Public Works will defer to Airport Manager on decision to approve or not approve. However, if event proceeds, trash receptacles and disposal of cans will be required.

Community Development Director:  
*B. Dunlap*  
Resolve public safety issues with the Airport Manager prior to approval.

Field Services Manager:  
*B. Styles*  
No comments.

Fire Chief:  
*F. Guyton*  
Benefits to the City do “not” outweigh the risks. Suggest they use an “off airport” location. Airport Technical Advisory Group recommends “not” to approve.

Parks and Leisure Services Director:  
*J. Perrine*  
No Requirements

Police Chief:  
*S. Rodriguez*  
Generally, access to runway field is limited and controlled. Opening area to public would create safety concerns: ie: event goers moving out towards main runway - How would you control them? How would you control alcohol consumption by persons in attendance? If persons are injured on City property, City faces civil liability. Too many risks! Recommend denial.

Risk Manager:  
*D. Pyle*  
Recommend Airport closure if event moves forward.
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Madera Air Races
Event: Model Airplane Acrobatic Contest
Event Chairman: Lesley Burnett and David Bridi
Location: Porterville Municipal Airport
Date of Event: May 13-15, 2005
Time of Event: 8:30a.m. to 4:30 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Madera Air Races provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $2,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as “Additional Insured” against all claims arising from, or in connection with, the Permitee’s operation and sponsorship of the aforementioned Community Civic Event.

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

b. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A:VII, and the insurance company must be an “admitted” insurer in the State of California.
CITY OF PORTERVILLE

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

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

1. Name and home address of the applicant:
   
   Madura Air Race, Wesley Burnett
   Phone # 310 938 8269
   1609 Amapola, Torrance, CA 90501

2. Address where amplification equipment is to be used:
   
   Porterville Airport - Back Runway
   Phone #

3. Names and addresses of all persons who will use or operate the amplification equipment:
   
   N/A

4. Type of event for which amplification equipment will be used:
   
   Model Airplane Contest

5. Dates and hours of operation of amplification equipment:
   
   5-13 to 5-15-05 - 8:30 - 4:30

6. A general description of the sound amplifying equipment to be used:
   
   Regular sound system used for announcing a background music.
I hereby certify that all statements and answers on this registration form are true and correct.

Madera Air Race, Leslie Burnett  2/23/05
Applicant  Date

Chief of Police  Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc:  

3/27/01
APPLICATION FOR DAILY LICENSE

Instructions: Complete all items. Submit with required fee (Cashier's Check or Money Order) payable to ABC. Once license is issued, fee cannot be refunded.

1. ORGANIZATION'S NAME

2. LICENSE TYPE (Check appropriate license type AND organization type)

- Daily General ($25.00) (Includes beer, wine and distilled spirits)
  - Political Party/Affiliate Supporting Candidate for Public Office or Ballot Measure
  - Organization Formed for Specific Charitable or Civic Purpose
  - Other:

- Special Daily Beer ($15.00)
  - Charitable
  - Fraternal
  - Social
  - Civic

- Special Daily Beer & Wine ($20.00)
  - Religious Organization

- Special Daily Wine ($15.00)
  - Religious

- Special Temporary License ($100.00) (Different privileges depending on statute)
  - Television Station per Section 24045.2 or 24045.9 B&P
  - Nonprofit Corporation per Sections 24045.4 and 24045.8 B&P
  - Other Special Temporary Licenses, per Section

3. EVENT TYPE

- Dinner
- Dance
- Wedding
- Lunch
- Picnic
- Barbeque
- Social Gathering
- Festival
- Sports Event
- Concert
- Birthday
- Mixer
- Carnival
- Dinner Dance

4. TOTAL OF DAYS

5. ESTIMATED ATTENDANCE

6. HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND/OR CONSUMPTION FROM TO

7. EVENT LOCATION (Give facility name, city, street number and name, and city)

8. EVENT IS OPEN TO THE PUBLIC

9. LOCATION IS WITHIN THE CITY LIMITS

10. SECURITY GUARDS

11. TYPE OF ENTERTAINMENT

12. AUTHORIZED REPRESENTATIVE'S NAME

13. REPRESENTATIVE'S ADDRESS

14. REPRESENTATIVE'S TELEPHONE NUMBER

15. ORGANIZATION'S MAILING ADDRESS (If different from above)

16. AUTHORIZED REPRESENTATIVE'S SIGNATURE

17. DATE SIGNED

18. LAW ENFORCEMENT APPROVAL BY (Name), IF APPLICABLE

19. LAW ENFORCEMENT SIGNATURE

20. ISSUANCE DATE

FOR DEPARTMENT USE ONLY

PROPERTY OWNER APPROVAL REQUIRED

DISTRICT APPROVAL BY (Name)

ABC-221 (10/02)

No Alcohol
Additional Information

Risk Concerns
Our proposed contest should not impact the airport main runway nor the downwind route for landing. The position of our course is well past the downwind area. The course is set on the back runway and that would be far to close an area for an airplane to set up for landing (see drawing). We would have a 200 feet ceiling on flying. Also, these are not the normal type of model aircraft and pilots that use your runway on a weekly basis. These aircraft are very expensive, often as expensive as some full size private aircraft. The pilots are highly experienced and at the top of their sport (which requires super control skills in order to accomplish the maneuvers required) Many also hold pilot's licenses and all are very familiar with airports. We would not hold a contest in a place that was not suitable for this activity including safety and risk between models and full size aircraft.

Need wider turn than back runway to approach

Road closures on Application
We will not need any road closures for the event - it will all be held on the back runway area within the fences of the airport.

Listings on Application
We are not the type of activity (such as street fairs) that would be able to provide listings on participants or vendors before the event. Many check in at the event. Vendors are very minimal, primarily selling parts for the aircraft that compete. We do not hire any outside professional vendors for concessions, etc.

Experience
We have operated these types of contests on airports for 15 years and have an excellent safety record.

1609 Amapola Ave. - Torrance, CA 90501 - 310-320-4674 - 310-212-0764
Feb. 25, 2005

Jim McDonald
Airport Manager – Porterville, Ca.

Jim

Here’s the application or permit to hold and public event. The permit is for RC model airplanes to fly an aerobatic type contest event, Porterville Aerobatic Contest. The location would be the back unused runway as per diagrams and the application. The dates would be 5-13 to 5-15 (set-up 5-12) during the daytime.

I know that you told me about the concerns of some of the staff about possible safety issues. I’ve attached some additional information if helpful. The parties involved would like to get the town leaders consenses if this type of event would be possible now and also looking forward to future years. The backers would really like to have the event at the Porterville airport.

Thanks, for all your help.

Sincerely,

[Signature]

Morris Fruit
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
ANNUAL PORTERVILLE FAIR - MAY 18 - 22, 2005

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: The Porterville Community Fair Board is requesting approval for its annual Fair to be held from Wednesday, May 18 to Sunday, May 22, 2005. This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended. It has been routed according to the ordinance regulations and reviewed by all of the departments involved. All requirements are listed on the attached Exhibit “A.”

The following street closures during the Annual Porterville Fair, from May 18 to May 22, 2005:

<table>
<thead>
<tr>
<th>Street Closures</th>
<th>Wednesday, 18th</th>
<th>Thursday, 19th</th>
<th>Friday, 20th</th>
<th>Saturday, 21st</th>
<th>Sunday, 22nd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Olive Avenue - 3rd St. To Plano St.</td>
<td>7:00 a.m. to Midnight</td>
<td>7:00 a.m. to Midnight</td>
<td>7:00 a.m. to Midnight</td>
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<tr>
<td>Garden Avenue - Fig St. To Murry St.</td>
<td>6:00 p.m. to 11:00 p.m.</td>
<td>6:00 p.m. to 11:00 p.m.</td>
<td>7:00 p.m. to 11:00 p.m.</td>
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<td>Garden Avenue - Murry St. to Plano St.</td>
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<tr>
<td>Plano Street - Garden Ave. To Olive Ave. (Westerly lane only)</td>
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<td>8:30 p.m. to 11:00 p.m.</td>
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</table>

Street closures would be done with barricades and would not limit the access to the residents along the residential street frontages.

RECOMMENDATION: 1. That Council approve the Community Civic Event Application and Agreement from the Porterville Community Fair Board, subject to the Restrictions and Requirements contained in Application, Agreement and Exhibit “A;” and

2. That Council approve the use of the parking lot on the south side of Olive Avenue and bare ground south of that parking lot for fair patron parking and set up from May 18 - 22, 2005.


D.D. Appropriated/Funded C.M. Item No. 16
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: 3-14-05        Event date: May 18-22, 2005

Name of Event: Porterville Fair

Sponsoring organization: Porterville Fair

Address: P.O. Box 3109 - 500 E. Olive Ave Porterville

Authorized representative: Nancy Jost

Address: P.O. Box 3109, Porterville CA 93257

Event chairperson: John Cokins

Location of event (location map must be attached):

Type of event/method of operation: Community Fair

REQUEST FOR STREET CLOSURES

Nonprofit status determination: 501 C 3

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

Barricades (quantity): ______________ Street sweeping Yes ___ No ___

Police protection Yes ___ No ___ Refuse pickup Yes ___ No ___

Other: ____________________________

Parks facility application required: Yes ___ No ___

Assembly permit required: Yes ___ No ___

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

Approve     Deny

______       ______     Bus Lic Spvr

______       ______     Pub Works Dir

______       ______     Comm Dev Dir

______       ______     Field Svcs Mgr

______       ______     Fire Chief

______       ______     Parks Dir

______       ______     Police Chief

______       ______     Risk Manager

See Attached

Exhibit A
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 or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

Porterville Fair  Nancy Jordt  3-14-05
(Name of organization) (Signature) (Date)
CITY OF PORTERVILLE

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

Name of event: PORTERVILLE FAIR

Sponsoring organization: PORTERVILLE FAIR

Location: FAIRGROUNDS & BASEBALLPARK  Event date: MAY 18-22, 2005

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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<tr>
<td>WILL BE PROVIDED</td>
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CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: PORTERVILLE FAIR

Sponsoring organization: PORTERVILLE FAIR

Event date: MAY 17-22, 2005 Hours: 2:00 a.m. to midnight

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Closed</th>
<th>To</th>
<th>Activity</th>
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</thead>
<tbody>
<tr>
<td>OLIVE AVE</td>
<td>THIRD ST</td>
<td>PLANO ST</td>
<td>7:00 a.m. to 12:00 p.m</td>
</tr>
<tr>
<td>GARDEN AVE</td>
<td>FIFTH ST</td>
<td>MURRY ST</td>
<td>6:00 p.m. to 11:00 p.m</td>
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<td>Sidewalks</td>
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<tr>
<td>PLANO ST</td>
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<td>WEST TRAVEL LANE</td>
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<tr>
<td>GARDEN AVE</td>
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<tr>
<td>MURRY ST</td>
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<td>SATURDAY</td>
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<td>GARDEN AVE</td>
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<tr>
<td>MURRY ST</td>
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</table>

Parking lots and spaces | Location | Activity


4 of 4
REQUIREMENTS FOR COMMUNITY CIVIC EVENT
PORTERVILLE COMMUNITY FAIR BOARD
ANNUAL PORTERVILLE FAIR
MAY 18 - 22, 2005

Business Licence Supervisor:  
  S. Perkins  
  No requirements.

Public Works Director:  
  B. Rodriguez  
  No comments.

Community Development Director:  
  B. Dunlap  
  Obtain council approval for closure of Olive/Garden.

Field Services Manager:  
  B. Styles  
  Estimate for barricade services: $700.00.

Fire Chief:  
  F. Guyton  
  No comments.

Parks and Leisure Services Director:  
  M. Stowe  
  Repair all damaged sprinklers and turf.
  Restore pitcher’s mound.

Police Chief:  
  S. Rodriguez  
  Street closure requires council approval; adequate barricades: warnings for motorists and pedestrians.

Risk Manager:  
  D. Pyle  
  See attached exhibit A, page 2.
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Fair Board  
Event: Annual Porterville Fair  
Event Chairman: John Corkins  
Location: Olive Avenue, Garden Avenue and Plano Street  
Date of Event: May 18 - 22, 2005

RISK MANAGEMENT: Conditions of Approval

That the Porterville Fair Board provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $2,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents, and Volunteers as “Additional Insured” against all claims arising from, or in connection with, the Permittee’s operation and sponsorship of the aforementioned Community Civic Event; and a Certificate of Liquor Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents, and Volunteers as “Additional Insured” against all claims arising from, or in connection with, the Permittee’s operation of a beer garden.

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

C. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VII, and the insurance company must be an “admitted” insurer in the State of California.
This application must be submitted 10 days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

1. Name and home address of the applicant:

   PORTERVILLE FAIR
   P.O. Box 369, PORTERVILLE
   Phone # 781-6582

2. Address where amplification equipment is to be used:

   300 E OLIVE AVE
   Phone # 781-6582

3. Names and addresses of all persons who will use or operate the amplification equipment:

   

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

   CONCERTS

5. Dates and hours of operation of amplification equipment:

   

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

   

I hereby certify that all statements and answers on this registration form are true and correct.

Applicant  

Chief of Police

Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loudspeaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

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

cc:  

__________________________  

__________________________  

__________________________  

3/27/01
COUNCIL AGENDA: April 19, 2005

SUBJECT: RESOLUTION APPROVING THE FILING OF APPLICATION FOR THE SUMMER FOOD SERVICE PROGRAM

SOURCE: Department of Parks and Leisure Services

COMMENT: The Parks and Leisure Services Department is interested in applying for the Summer Food Service Program (SFSP) administered by the State of California Department of Education, Nutrition Services Division. The program is funded by the Food and Nutrition Service, an agency of the U.S. Department of Agriculture.

The SFSP provides free, nutritious meals and snacks to help children in low-income areas get the nutrition they need to learn, play, and grow, throughout the summer months when they are out of school.

Parks and Leisure would like to operate one (1) “open” site in conjunction with the Summer Day Camp Program. The SFSP will provide a nutritious lunch and one (1) healthy snack per child each weekday. By applying as an “open” site, any child, under the age of 18, who wished to have a meal and/or snack may come to the program to eat.

The program will be operated and monitored by Parks and Leisure Services utilizing Summer Day Camp Staff, causing no additional staffing needs. Leisure Services plans to contract food services through Porterville Unified School District, lunches will be prepared off site and delivered to the SFSP site. The meal cost estimate provided by Porterville Unified Nutrition Services is well below the meal reimbursement allowance. The grant reimburses meal costs as well as an administrative allowance, there are no expenses to be matched or absorbed by the City.

Participation in the SFSP also makes the City of Porterville eligible for a year-round after school snack program. This would allow for a healthy snack at after school sites who meet the program guidelines (50% of children in the area must qualify for free or reduced lunch).

RECOMMENDATION: That the City Council adopt the Resolution approving the filing of an application for the Summer Food Service Program, and appoint the Director of Parks and Leisure Services as agent of the City for this purpose.

ITEM NO.: 17

[Signatures: Dir., Approp./Funded, C.M.]
RESOLUTION NO. ______________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE,
APPROVING THE APPLICATION FOR THE SUMMER FOOD SERVICE PROGRAM

WHEREAS, the people of the United States have enacted the Summer Food Service Program for
the purpose of providing free, nutritious meals and snacks to children in low-income areas; and

WHEREAS, funds have been made available by the Food and Nutrition Service Agency of the U.S.
Department of Agriculture; and

WHEREAS, the California Department of Education, Nutrition Services Division has been
delegated the responsibility to administer said program; and

WHEREAS, the City of Porterville recognizes that just as the learning does not stop when school
lets out, neither does a child’s need for good nutrition; and

WHEREAS, the City of Porterville has a desire to see that no child in this community shall go
without the opportunity to have a nutritious lunch this summer.

NOW, THEREFORE, BE IT RESOLVED that the Porterville City Council hereby:

1. Approves the filing of an application for the Summer Food Service Program; and
2. Certifies that this Agency understands its legal obligations to the State upon approval of the
application; and
3. Appoints the Director of Parks and Leisure Services as agent of the City of Porterville to
conduct all negotiations and execute and submit all required documents, including, but not
limited to, applications, agreements, amendments, and payment requests, which may be
necessary for the completion of the project.

________________________________________________________________________

Pedro R. Martinez, City Mayor

ATTEST:
John Longley, City Clerk

By: __________________________

Georgia Hawley, Deputy
SUBJECT: FIRE ACT GRANT APPLICATION 2005

SOURCE: FIRE DEPARTMENT

COMMENT: Congress appropriated $500 million for this year’s Assistance to Firefighters Grant Program. Fire Departments throughout the country are developing grant applications for submission to the Federal Emergency Management Agency by the grant application deadline. All submissions will be reviewed by a committee and grants will be awarded on a competitive basis.

The City of Porterville Fire Department has developed a grant application requesting up to $150,000 in firefighter equipment.

Under the terms of the grant program, selected jurisdictions with a population of less than 50,000 may receive 90% of the requested funding from F.E.M.A. if they commit to a local match of 10%. The local matching funds must be in place and authorized prior to the issuance of the F.E.M.A. grant.

If the City of Porterville Fire Department is successful in obtaining a 90% F.E.M.A. grant in the amount up to $150,000, the local match of $15,000 is available in the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund # EL-2997.”

RECOMMENDATION: That the City Council:

1) Authorize staff to submit the application for funding to FEMA,

2) Authorize staff to accept the grant award if awarded,

3) Authorize the Mayor to sign for the acceptance of the grant,

4) Authorize the disbursement of funds from the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund # EL-2997” for the 10% match.

ATTACHMENTS: None
PUBLIC HEARING - CONTINUED

SUBJECT: CONSTRUCTION OF CONCRETE IMPROVEMENTS ON HENDERSON AVENUE STREET PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: This is the time and place for the continuation of the Public Hearing to discuss the proposed construction of concrete improvements for the subject project.

The Public Hearing was continued so that the City Attorney could review and provide comment on the feasibility of collecting concrete improvement fees when a property sold as opposed to when the property develops. Ms. Lew's paper on this issue is attached for Council's full reading.

The City Attorney describes two options whereby the City can collect reimbursement fees at the time a property sells. The first option involves making a written agreement with the property owner at the time of property development and whereby the owner agrees to pay the fees at the time of sale.

The second option provides for the owner to request that the development fee become a lien on the property. As Council will recall, there was considerable concern from the public over any potential creation of a lien due to the installation of concrete improvements.

In summary, the City Attorney recommended that Council not make any changes to the collection procedure due to enforcement difficulties.

The Henderson Avenue Reconstruction Project includes the construction of curbs, gutters, sidewalks and drive approaches in front of undeveloped properties and/or developed properties that lack these public improvements. Section 20-40.1 of the Municipal Code stipulates that these improvements, once constructed, shall be reimbursed to the City of Porterville upon the issuance of a new building permit. Section 20-40.2 of the Municipal Code allows the City to recover the cost of the concrete improvements when the owner pulls a building permit(s) from the City and said permit(s) has a valuation of $15,000 or more within a two (2) year period.

Dir ___ Appropriated/Funded ___ CM ___ Item No. 19
The Henderson Avenue Reconstruction Project also includes the removal and replacement of concrete improvements. The removal and replacement of concrete improvements will not cause an assessment to the fronting property owners.

Section 20-40.8 of the Municipal Code requires that each property owner affected by the project be notified of this Public Hearing. The notification clearly describes the City’s intent to seek reimbursement for the concrete improvements constructed by the City. This section also requires that City Council hold at least one additional Public Hearing prior to the establishment of a fee. Once the fee is established, the City shall record a general notice of “reimbursement fee” with the office of the Tulare County Recorder. The recorded document will officially notify the current owner and potential buyers that the property is subject to a concrete reimbursement fee.

RECOMMENDATION: That the City Council:

1. Take public comments, concerns and questions;

2. Authorize staff to start the construction of the stated concrete improvements for the stated project; and

3. Authorize staff to schedule a Public Hearing prior to the establishment of a fee for the concrete improvements, in accordance with the Mitigation Fee Act, upon completion of each project.

ATTACHMENTS: Locator Map
Reimbursement Spreadsheet
City Attorney Synopsis
## Exhibit "B"

### Henderson Ave. Reconstruction Project

#### Reimbursement for City Installed Improvements

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TO: Porterville City Council
FROM: Julia Lew
DATE: April 13, 2005
SUBJ: Review of whether the fee imposed for installation by the City of certain concrete improvements may be delayed to the time of sale of the property

This memo is prepared in response to an inquiry as to whether the development fee imposed by the City for the City's installation of sidewalks and other concrete improvements may be collected at the time of the sale of the property.

The fee itself, by its definition a "development fee" (and adopted by the City Council as such), is triggered and assessed at the time of certain development of the property, and cannot be assessed until that development occurs. There is no statutory mechanism available that allows the City to create a fee that is only triggered at the time of the sale of the property (whether before or after the development occurs). That being stated, the City does have broad flexibility in determining when it wishes to collect the fee. In theory, the City could amend its regulations to allow collection of the fee, to be deferred until time of sale. However, as discussed below, I do not advise that such an amendment be made.

There are two potential ways to collect the fee at the time of sale. The first involves making a written agreement with the property owner at the time of development of the property, where that owner agrees to pay the fees at the time of sale. The City would have to periodically check for any sale activity via the public records, and would have to rely on the owner notifying it if and when a sale is pending. Consequently, this option poses significant difficulties for City staff in making sure the fees are enforced and that the owner meets his or her obligations.

The second option is to allow the property owner to request that the development fee become a lien on his or her property, once the fee has been assessed. At the time the Council considered how to impose these fees, there was considerable concern from the members of the public over any potential creation of a lien on their property as a result of the installation of the improvements. Notwithstanding this concern, and while the City currently must give a property owner up to five years to pay the fee, there is nothing that currently prohibits an agreement between the City and the owner providing for the creation of a lien in lieu of payment. For that matter, when the fee is assessed and not paid as provided for pursuant to the City's regulations, the City already has the ability to obtain a judgment lien which would operate in the same fashion. No amendment to the current regulations is required to utilize these options (although if the City were to decide to allow
“voluntary” liens, I recommend that it be added to Section 20-40.8). However, under this scenario, the City may have to wait a long time for reimbursement, as it would not collect until the property is sold. The City’s lien may very well be subordinate to other liens on the property, so there is no guarantee that the City will receive full reimbursement. Additionally, what if a property owner develops but does not sell for many years? That owner reaps the benefit of the development without reimbursement to the City.

An additional consideration is that there are specific statutory procedures set forth for protesting development fees; further extending the “due dates” for these fees may toll these due process rights, and may cloud who in fact has those rights (the buyer v. the seller of the property).

In sum, due to the enforcement difficulties presented in deferring payment until time of sale, I do not recommend that the Council make any changes to the collection procedures at this time.
PUBLIC HEARING

SUBJECT: REIMBURSEMENT AGREEMENTS FOR CONCRETE IMPROVEMENTS CONSTRUCTED BY THE CITY - GRANITE HILLS STREETS RECONSTRUCTION, PHASE 2 AND MILO STREET RECONSTRUCTION PROJECTS

SOURCE: Public Works Department - Engineering Division

COMMENT: This is the time and place for a Public Hearing to discuss the establishment of a reimbursement fee for the construction of concrete improvements by the City during the Granite Hills Streets Reconstruction, Phase 2 and Milo Street Reconstruction Projects. The concrete improvements include curbs, gutters, sidewalks and drive approaches in front of undeveloped properties and/or developed properties that lack these public improvements.

Section 20-40.1 of the Municipal Code stipulates that concrete improvements, once constructed, shall be reimbursed to the City of Porterville upon the issuance of a new building permit. Section 20-40.2 of the Municipal Code allows the City to recover the cost of the concrete improvements when the owner pulls a building permit(s) from the City and said permit(s) has a valuation of $15,000 or more within a two (2) year period.

Section 20-40.8 of the Municipal Code requires that each property owner affected by the project be notified of this Public Hearing. The owners have been notified of this meeting and made aware of the reimbursement amount due upon development of their property in accordance with Section 20-40.2 of the Municipal Code.

Upon approval of the attached Resolutions, the City will record a general notice of “reimbursement fee” with the office of the Tulare County Recorder. The recorded document will officially notify the current owner and potential buyers that the property is subject to a concrete reimbursement fee.

Staff has calculated the cost of the concrete improvements constructed as a part of these two projects. The calculations are based on actual costs incurred by the City. A map of the affected property owners and the associated concrete reimbursement fee is attached for Council’s reference.

Dir ___ Appropriated/Funded ___ CM ____ Item No. 20 ___
RECOMMENDATION: That the City Council:

1. Open the public Hearing, take public comments, concerns and questions;

2. Approve the resolutions Implementing Development Charges for Construction of Curbs, Gutters, Sidewalks, and Drive Approaches; and

3. Authorize staff to record a general notice of “Reimbursement Fee” with the office of the Tulare County Clerk-Recorder.

ATTACHMENTS: Resolutions Locator Maps Reimbursement Spreadsheets
RESOLUTION NO. ____-2005

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE IMPLEMENTING
DEVELOPMENT CHARGES FOR
CONSTRUCTION OF CURB, GUTTER, SIDEWALK
AND DRIVE APPROACH IMPROVEMENTS
IN CONNECTION WITH THE MILO STREET RECONSTRUCTION PROJECT

WHEREAS, the City of Porterville ("City") has installed street improvements (i.e., sidewalk, curb, gutter and driveways) to serve properties with the Milo Street Reconstruction Project, shown on the locator map (Exhibit “A”) attached hereto and hereby made a part hereof; and

WHEREAS, City has paid the entire cost of the construction of said street improvements as shown in the tabulation contained in Exhibit “B”, which is attached and made a part hereof; and

WHEREAS, construction of said street improvements, including curb, gutter, sidewalk and drive approaches, was necessary to properly finish the street; and

WHEREAS, the property owner benefits from the improvements constructed across the frontage of his/her property; and

WHEREAS, equitable distribution of the cost of constructing said street improvements can only be obtained if the owner pays for the portion of construction of the improvements that benefit his/her property; and

WHEREAS, the owners of adjacent property have not paid, assumed or discharged any of the costs in connection with the construction of the street improvements listed on Exhibit “B”; and

WHEREAS, the described charges are a one-time charge and shall be used to reimburse the City and pay the City’s obligations with regard to the Local Transportation Fund used to fund the Milo Street Reconstruction Project; and

WHEREAS, the City Council has held a duly noticed public hearing concerning these charges;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES RESOLVE AS FOLLOWS:

1. The fees as set forth in Exhibit “B” will be required as a condition of development with regard to the properties listed. “Development” shall include building permits for substantial modifications in conformity with Porterville Municipal Code Section 20-40.2 or any other grants of approval for development of the parcel.

2. City shall deposit, invest, account for, and expend the fees, pursuant to the Mitigation Fee Act.

3. For existing single family residences subject to the charge, property owners may, at the time reimbursement is required, enter into a contract with the City for payment of the costs over a five year period.

4. At the time of Development, at the request of the property owner, the City shall verify the costs to the owner by field measurements to ensure the accuracy of the charge.

5. If the Development by the owner requires removal of any portion of the city installed improvements, the cost of such portion of improvements shall be deducted from the cost to be reimbursed by the owner.

6. Upon adoption of this Resolution, City shall record abstracts notifying property owners of the imposition of the charges with the Tulare County Recorder’s Office.

7. The fees shall go into effect in accordance with California law and the specific conditions of approval established concerning the applicable permits and applications.

ADOPTED this ________ day of _____________, 2005.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

by Georgia Hawley, Chief Deputy City Clerk
RESOLUTION NO. ____-2005

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE IMPLEMENTING
DEVELOPMENT CHARGES FOR
CONSTRUCTION OF CURB, GUTTER, SIDEWALK
AND DRIVE APPROACH IMPROVEMENTS
IN CONNECTION WITH THE GRANITE HILLS STREETS
RECONSTRUCTION, PHASE 2 PROJECT

WHEREAS, the City of Porterville ("City") has installed street improvements (i.e., sidewalk, curb, gutter and driveways) to serve properties with the Granite Hills Streets Reconstruction, Phase 2 Project, shown on the locator map (Exhibit “A”) attached hereto and hereby made a part hereof; and

WHEREAS, City has paid the entire cost of the construction of said street improvements as shown in the tabulation contained in Exhibit “B”, which is attached and made a part hereof; and

WHEREAS, construction of said street improvements, including curb, gutter, sidewalk and drive approaches, was necessary to properly finish the street; and

WHEREAS, the property owner benefits from the improvements constructed across the frontage of his/her property; and

WHEREAS, equitable distribution of the cost of constructing said street improvements can only be obtained if the owner pays for the portion of construction of the improvements that benefit his/her property; and

WHEREAS, the owners of adjacent property have not paid, assumed or discharged any of the costs in connection with the construction of the street improvements listed on Exhibit “B”; and

WHEREAS, the described charges are a one-time charge and shall be used to reimburse the City and pay the City’s obligations with regard to the Local Transportation Fund used to fund the Granite Hills Streets Reconstruction, Phase 2 Project; and

WHEREAS, the City Council has held a duly noticed public hearing concerning these charges;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES RESOLVE AS FOLLOWS:

1. The Fees as set forth in Exhibit “B” will be required as a condition of development with regard to the properties listed. “Development” shall include building permits for substantial modifications in conformity with Porterville Municipal Code Section 20-40.2 or any other grants of approval for development of the parcel.

2. City shall deposit, invest, account for, and expend the fees, pursuant to the Mitigation Fee Act.

3. For existing single family residences subject to the charge, property owners may, at the time reimbursement is required, enter into a contract with the City for payment of the costs over a five year period.

4. At the time of Development, at the request of the property owner, the City shall verify the costs to the owner by field measurements to ensure the accuracy of the charge.

5. If the Development by the owner requires removal of any portion of the city installed improvements, the cost of such portion of improvements shall be deducted from the cost to be reimbursed by the owner.

6. Upon adoption of this Resolution, City shall record abstracts notifying property owners of the imposition of the charges with the Tulare County Recorder’s Office.

7. The fees shall go into effect in accordance with California law and the specific conditions of approval established concerning the applicable permits and applications.

ADOPTED this ________ day of _____________, 2005.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

by Georgia Hawley, Chief Deputy City Clerk
Milo St. Reconstruction
Project Reimbursement for City Installed Improvements

Lots Involved in Improvement Project
February 2005

Pioneer Ave.

246-070-039
246-070-051
246-070-050
246-070-035
246-070-006
246-070-028

La Vida Ave.

Exhibit "A"
### Milo Street Reconstruction Project
Reimbursement for City Installed Improvements

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GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005 (CAMARENA)

COMMENT: The applicant is requesting a General Plan Amendment and Zone Change for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

General Plan Amendment 1-2005 (a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels consist of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) upon approval of General Plan Amendment 1-2005 (a).

ENVIRONMENTAL: On March 8, 2005, the Environmental Coordinator 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 period from March 18, 2005 to April 7, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.

City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. For this reason, Staff is recommending that the City Council hold the public hearing, take public testimony and continue this item to the meeting of May 3, 2005, so they can consider taking action concurrently with General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)).
RECOMMENDATION: That the City Council:

1. Open the public hearing on General Plan Amendment 1-2005 (a), hold the public hearing and take public testimony on the matter and continue it until May 3, 2005, to consider the proposal in conjunction with General Plan Amendment No. 2-2005 (Number to be changed to 1-2005(b)).

2. Adopt the draft resolution approving the Negative Declaration prepared for General Plan Amendment 1-2005 (a).

ATTACHMENT:

1. Complete Staff Report
TITLE:  GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005

APPLICANT: Richard Camarena
470 N. Sunnyside
Porterville, CA 93257

PROJECT LOCATION: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevew Avenue.

SPECIFIC REQUEST: The applicant is requesting a General Plan Amendment and Zone Change for those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevew Avenue.

PROJECT DETAILS: General Plan Amendment 1-2005 (a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Bellevew Avenue. The parcel located at the immediate southwest corner of Bellevew Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Avenue. The four (4) parcels consist of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

GENERAL PLAN LAND USE DESIGNATION: Heavy Commercial.

SURROUNDING AREA ZONING AND LAND USE:

North: City - Bellevew Street and commercial uses.
South: City - Vacant parcel, existing single family dwelling and a commercial use.
East: City - Sunnyside Street and multiple family residential uses.
West: City - Railroad track and vacant parcel.
STAFF ANALYSIS: Development of the site as proposed will provide needed housing in conformance with the City’s General Plan Land Use and Housing Elements and requirements of the State Subdivision Map Act and local ordinances.

Eventual development of the site with multiple family uses is anticipated to result in additional daily trips. Full build out of the four (4) parcels would allow a maximum of 28 units. Based on Porterville’s Circulation Element (1993), Multiple family residential uses generate 6.47 daily trips per unit. Based on the aforementioned, a total of 181.16 trips per day could be generated.

Sunnyside Street is a local street developed to 60 feet wide. Belleview Avenue is a local street developed to 60 feet wide. Traffic on Sunnyside Street has access from Morton Avenue to the south which has a traffic signal installed. Morton is designated as a four lane arterial street developed to 80 feet wide with the capacity to carry 25000 trips per day. One (1) local street (Avenue) immediately east of the subject site and three (3) local streets (Avenues) located north of the subject site extend east of Sunnyside Street to Main Street (four lane arterial street) developed to 80 feet wide with the capacity to carry 25000 trips per day. Belleview Avenue extending west of Sunnyside Street allows for circulation to the north and south via numerous different streets branching off of Belleview Avenue. No traffic count have been conducted in this area. However, no reports of congestion have occurred.

City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. For this reason, Staff is recommending that the City Council hold the public hearing, take public testimony and continue this item to the meeting of May 3, 2005, so they can consider taking action concurrently with General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)).

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of the proposed general plan amendment would not allow the change of zone as proposed. As a result, the existing residential structures would remain as “Legal Non-conforming Uses”.

2. Approve the project. Approval of the general plan amendment as proposed and zone change as proposed, would bring the existing residential uses into conformance with the General Plan and proposed zoning. Additionally, future development of the site with multiple family residential uses would be in conformance with the General Plan and Zoning.

ENVIRONMENTAL: On March 8, 2005, the Environmental Coordinator 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 period from March 18, 2005 to April 7, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.
DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: October 13, 2005

DATE ACCEPTED AS COMPLETE: March 8, 2005

RECOMMENDATION: That the City Council:

1. Open the public hearing on General Plan Amendment 1-2005 (a), hold the public hearing and take public testimony on the matter and continue it until May 3, 2005, to consider the proposal in conjunction with General Plan Amendment No. 2-2005 (Number to be changed to 1-2005(b)).

2. Adopt the draft resolution approving the Negative Declaration prepared for General Plan Amendment 1-2005 (a).

ATTACHMENTS:

1. Zoning/Land Use Map
2. Zone Change Application
3. Negative Declaration
4. Environmental Initial Study
5. Response from San Joaquin Unified Air Pollution District
6. Draft Resolution approving Negative Declaration for General Plan Amendment 1-2005 (a) and Zone Change 1-2005
7. Draft Resolution approving General Plan Amendment 1-2005 (a)
8. Draft Ordinance approving Zone Change 1-2005
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 GENERAL PLAN
AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-
2005 FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE
STREET, EXTENDING SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) and
Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street,
extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to no
more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting.

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1- 2005 (a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential for those four (4)
parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The
parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two
(2) single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet.

WHEREAS: Zone Change 1-2005 proposes to change the present zoning for the same four
(4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element.

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.

The proposed Negative Declaration was evaluated in light of the prepared environmental initial study, comments from interested parties and the public, as well as responses to written comments received during the review period. It was determined that potential impacts associated with the proposed project could be mitigated to a less than significant level through the implementation of the attached mitigation measures.

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 for a twenty (20) day review period from March 18, 2005 to April 7, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.

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.

City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habits exist and no impact will occur.

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.

8. That the environmental assessment and analysis prepared for this project supporting the Negative Declaration reflects the independent judgement of the City of Porterville.

9. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. The developer/applicant will be required to sign a document committing to comply with the adopted mitigation measures prior to any construction on the site.
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for General Plan Amendment 1-2005 (a) and Zone Change 1-2005, and that the mitigation measures defined in Attachment A shall be implemented by the applicant or his/her successors with project implementation.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _________________________
Georgia Hawley, Chief Deputy City Clerk
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005
(A)) WHICH PROPOSES TO CHANGE THE LAND USE DESIGNATION FROM HEAVY
COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR THOSE FOUR (4) PARCELS
LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING SOUTH OF
BELLEVUE AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) to
change the Land Use Element of the General Plan from Heavy Commercial to High Density
Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south
of Belleview Avenue; and

WHEREAS: In conjunction with General Plan Amendment 1-2005 (a), Zone Change
1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy
Commercial) to R-3 (Multiple Family); and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to no
more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting; and

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a); and

WHEREAS: The City Council received testimony from all interested parties relative to the
General Plan Amendment; and

WHEREAS: The City Council made the following findings:

1. That the proposed General Plan Amendment is consistent with the goals and policies
   of the General Plan.

2. The amendment to the Land Use Element of the General Plan to High Density
   Residential with the associated Zone Change 1-2005 from C-3 (Heavy Commercial)
   to R-3 (Multiple Family Residential) will allow for future development of the site
   to be in conformance with the General Plan and Zoning Ordinance.
3. That a Negative Declaration was prepared for this project in accordance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment and that implementation of the projects will comply with the recommended mitigation measures.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve General Plan Amendment 1-2005 (a) being an amendment to the Land Use Element of the General Plan as described above.

__________________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
Georgia Hawley, Chief Deputy City Clerk
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2005 FROM C-3 (HEAVY
COMMERCIAL TO R-3 (MULTIPLE FAMILY RESIDENTIAL FOR THOSE FOUR (4)
PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING
SOUTH OF BELLEVUE AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (Number changed to 1-2005 (a)) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan Amendments. State law prohibits the amendment of any required element of the General Plan more than four times in any calendar year. Since the zone change is contingent upon the general plan amendment, Staff is recommending that this item be continued to the City Council meeting of May 3, 2005, in order to consider it with General Plan Amendment 2-2005 (Number to be change to 1-2005 (b)).

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change 1-2005; and

WHEREAS: General Plan Amendment 1-2005(a), proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels consist of 41,874 square feet; and

WHEREAS: Zone Change 1-2005 proposes to change the subject property from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) contingent upon approval of General Plan Amendment 1-2005 (a) of the Land Use Element; 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 Zone Change 1-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 1-2005:
1. The Land Use Element of the General Plan (General Plan Amendment 1-2005 (a)) designates the four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue as High Density Residential.

2. That the proposed zoning to R-3 (Multiple Family Residential) for the same four (4) parcels is consistent with the proposed General Plan designation.

3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance will be allowed in the R-3 (Multiple Family) Zone subject to all other laws, rules and regulations.

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 classification 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 1-2005, is hereby re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview 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 C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

___________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _________________________
Georgia Hawley, Chief Deputy City Clerk
GENERAL PLAN AMEND 1-2005(a) AND ZONE CHANGE 1-2005

PROPOSED GENERAL PLAN AMENDMENT
HEAVY COMMERCIAL TO HIGH DENSITY RESIDENTIAL

PROPOSED ZONE CHANGE
C-3 TO R-3

ATTACHMENT
ITEM NO. 1
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 ... to Zone ... 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.

The property is situated on the West side of Street. between Street and Street. Exact legal description of said property being

1. Does public necessity require the proposed change? Is there a real need in 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.)

No

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.)

This property is suitable for Residential.
Surroundings is Residential.

3. Would the uses permitted by the proposed zone be detrimental in any way to surrounding property?  
(Explain reasons supporting your answer.)

No
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 underlining the portions that are in answer to this question.)

C - 3 TO R 3

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.)

<table>
<thead>
<tr>
<th>NO. ON MAP</th>
<th>NAME</th>
<th>ADDRESS</th>
<th>LOT</th>
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We, the undersigned property owners, hereby 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 signatures of owners of property actually included in the proposed reclassification. Attach extra sheets if necessary.

<table>
<thead>
<tr>
<th>NO. ON MAP</th>
<th>NAME</th>
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<tr>
<td></td>
<td>SHELLY J. STEVENS</td>
<td>487 N. SURVYSIDE</td>
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<td></td>
<td>RICHARD CAPARDOV</td>
<td>487 N. SURVYSIDE</td>
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<tr>
<td></td>
<td>JEFF BARAJEK</td>
<td>459 N. SURVYSIDE</td>
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STATE OF CALIFORNIA )
COUNTY OF TULARE )

OWNER'S DECLARATION

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 .......................................................... on this .................................................. day of .............................................., 19.............

Telephone Number 559. 310. 2078

Signed ..........................................................................................................................

Mailing Address 470 N. SURVYSIDE

PORTERVILLE, CA 93257

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 ..................................................

Date

Receipt No. ..................................................

By ..................................................

FOR THE PORTERVILLE CITY PLANNING COMMISSION
NEGATIVE DECLARATION

LEAD AGENCY: City of Porterville
291 North Main Street
Porterville, California 93257

PROJECT APPLICANTS: Richard Camarena
470 N. Sunnyside
Porterville, CA 93257

PROJECT TITLE: General Plan Amendment 1-2005 (Number changed to 1-2005(a) and Zone Change 1-2005).

ADDRESS/LOCATION: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

PROJECT APPLICANT: Richard Camarena

PROJECT DESCRIPTION: General Plan Amendment 1-2004, proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Curb, Gutter and sidewalk exists along the full frontage of the parcels fronting on Sunnyside Street and Belleview Avenue. The four (4) parcels consist of total of 41,874 square feet.

Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

CONTACT PERSON: Bradley D. Dunlap (559) 782-7460

Per Resolution No. 6956, 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 X were, ___ were not made a condition of the approval of the project.

On March 8, 2005, the Environmental Coordinator of the City of Porterville 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: March 8, 2005

Bradley D. Dunlap, Environmental Coordinator

291 N. Main St., Porterville, CA 93257 PHONE 559.782.7460 FAX 559.781.6437
CITY OF PORTERVILLE
ENVIRONMENTAL CHECKLIST FORM

1. Project Title: General Plan Amendment 1-2005 and Zone Change 1-2005.

2. Lead Agency Name and Address: City of Porterville
   291 North Main Street
   Porterville, CA 93257

3. Contact Person and Phone Number: Bradley D. Dunlap (559) 782-7460

4. Project Location: Those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue.

5. Project Sponsor's Name and Address: Richard Camarena
   470 N. Sunnyside
   Porterville, CA 93257

6. General Plan Designation: Heavy Commercial. Sunnyside Street is designated as a Local Street (60 foot wide, and Belleview Street is also designated as a Local Street but is developed to 80 foot wide.

7. Zoning: City C-3 (Heavy Commercial) Zone.

8. Description of the Project: (SEE ATTACHED LOCATOR MAP 3b).

   General Plan Amendment 1- 2004, proposes to change the Land Use Element of the General Plan from Heavy Commercial to High Density Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel. Curb, Gutter and sidewalk exists along the full frontage of the parcel fronting on Sunnyside Street and Belleview Avenue. The four (4) parcels consist of total of 41,874 square feet.

   Zone Change 1-2005 proposes to change the present zoning for the site from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan Amendment 1-2005 of the Land Use Element.

9. Surrounding Land uses and Setting:

   North: City - Belleview Street and commercial uses.
   South: City - Vacant parcel, existing single family dwelling and a commercial use.
   East: City - Sunndyside Street and multiple family residential uses.
   West: City - Railroad track and vacant parcel.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

    Porterville City Council.
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project.

<table>
<thead>
<tr>
<th>Land use and Planning</th>
<th>Biological Resources</th>
<th>X</th>
<th>Aesthetics</th>
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<tr>
<td>Population and Housing</td>
<td>Energy and Mineral Resources</td>
<td>Cultural Resources</td>
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<td>X Geological Problems</td>
<td>Hazards</td>
<td>Recreation</td>
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<td>X Water</td>
<td>Noise</td>
<td>Mandatory Findings of Significance</td>
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<td>X Air Quality</td>
<td>Public Services</td>
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<td>X Transportation and Circulation</td>
<td>X Utilities and Service Systems</td>
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DETERMINATION: (To be completed by the Lead Agency).

On the basis of this initial evaluation:

| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | X |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared. |
| I find that the proposed project MAY have a significant effect(s) on the environment, but the effect(s) (1) has/have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. If the effect is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" and will not be mitigated. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (1) have been analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards and (2) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project. |
| I find the proposed project could have a significant effect on the environment. Action to be determined by the Environmental Review Committee. |

Signature: 

Bradley D. Duntap, AICP
Printed Name: City of Porterville

For

EVALUATION OF ENVIRONMENTAL IMPACTS:
1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited for each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries that will not be mitigated by incorporation of mitigation in the project when the determination is made, an EIR is required.

4. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). Earlier analyses are discussed in Section 17 at the end of the checklist.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
**LAND USE**

- SCHOOL
- CR
- SUNNYSIDE
- PO
- VC
- CR
- APT
- APT
- APT

- ● = SINGLE FAMILY DWELLING
- VC = VACANT
- ▲ = TRIPLEX
- ■ = DUPLEX
- APT = INDIVIDUAL APARTMENTS
- CR = COMMERCIAL
- PO = PROFESSIONAL OFFICE

**ZONING**

- BELLEVIEW
- SUNNYSIDE
- SCHOOL
- MORTON

- HIGH DENSITY RESIDENTIAL
- PROFESSIONAL AND OFFICE
- PUBLIC & QUASI-PUBLIC
- HEAVY COMMERCIAL

- R=3 = Multiple Family Residential
- PO = Professional Office
- OA = Open Area
- C-3 = Heavy Commercial

**GENERAL PLAN AMENDMENT 1-2005**

- NORTH

**ZONE CHANGE 1-2005**

- SCHOOL
- CUSTOM HOUSE
- SUBJECT
- SITE
- MORTON

**PROPOSED GENERAL PLAN AMENDMENT**

- HEAVY COMMERCIAL

**PROPOSED ZONE CHANGE**

- C-3 TO R-3
CHECKLIST

NOTE: The emphasis of the environmental initial study will focus on the future construction of the site with multiple family residential uses once the general plan amendment and zone change have been approved.

1. **LAND USE AND PLANNING** -- Would the proposal:

   a. Conflict with general plan designation or zoning?

   Discussion: The proposed General Plan Amendment will change the existing land use designation from Heavy Commercial to High Density Residential. The subsequent change of zoning will ultimately change the existing zoning from C-3 (Heavy Commercial) to R-3 (Multiple family Residential) zone.

   The proposed zoning will be consistent with the General Plan designation and all future uses for the site will be in conformance with the proposed zoning supported by the General Plan designation. Therefore, the impact is less than significant.

   Source: 1 &12

   b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

   Discussion: The project as proposed will not conflict with any applicable environmental plans or policies adopted by agencies with jurisdiction over the project. Therefore, no impact will occur.

   Source: 1, 3 &4

   c. Be incompatible with existing land use in the vicinity?

   Discussion: The proposed project will allow for development as supported by the General Plan, Zoning Ordinance once the general plan amendment and zone change been approved. Development of the site with multiple family residential uses will be compatible with the multiple family residential uses located to the east of the subject site. Therefore, the project will not be incompatible with the existing land uses in the vicinity.

   Source: 1, 2, &30

   d. Affect agricultural resources or operations (e.g. impact to soils or farmlands, or impacts from incompatible land uses)?

   Discussion: The subject site is developed with single family residential dwellings. the site has not been utilized for any agricultural uses. No agricultural uses exist in this area. Therefore, the proposed project will not affect any agricultural resources or operations. Therefore, the proposed project will not affect any agricultural resources or operations.

   Source: 1 &30
e. Disrupt or divide the physical arrangement ______ ______ ______ X of an established community (including a low-income or minority community)?

Discussion: The project as proposed will not disrupt or divide the physical arrangement of the established community in this area.

Source: 1 & 30

2. POPULATION AND HOUSING -- Would the proposal:
   
a. Cumulatively exceed official regional or local population projections? ______ ______ ______ X

Discussion: The proposed project will allow for the development of multiple family residential uses on four (4) parcels consisting of 41,874 square feet. Porterville’s Zoning Ordinance allows one (1) unit for every 15,000 square feet of land per parcel in the R-3 Zone. The potential of 28 units could be built on these parcels. Based on the historical growth pattern, it is expected that Porterville’s population will continue to grow at about 2.5% annually. The project as proposed will not cause any substantial increase in local population projections.

Source: 1 & 3

b. Induce substantial growth in an area ______ ______ ______ X either directly or indirectly (e.g. through projects in an undeveloped area or major infrastructure)?

Discussion: Future development of the site will be required to develop in conformance with the General Plan. The area is developed with multiple family residential uses to the east, commercial use to the north, a vacant parcel to the west and a vacant parcel, single family dwelling and commercial use to the south. As such, no substantial growth in this area is expected to occur.

Source: 1 & 3

c. Displace existing housing, especially ______ ______ ______ X affordable housing?

Discussion: The subject site has five (5) existing single family residential uses on the site. No plans for removal of the existing single dwellings have been submitted. Therefore, no impact will occur.

Source: 1, 3 & 30
3. GEOLOGIC PROBLEMS -- Would the proposal result in or expose people to potential impacts involving:

a. Fault rupture?  

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from fault rupture.

Source: 7

b. Seismic ground shaking?

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from seismic ground shaking.

Source: 7

c. Seismic ground failure, including liquefaction?

Discussion: No faults are known to exist in this area. Therefore, the project will not expose people to hazards from seismic ground failure.

Source: 7

d. Seiche, tsunami, or volcanic hazard?

Discussion: The City of Porterville is not located in an area subject to Seiche, tsunami, or volcanic hazards. Therefore, the project will not create any seiche, tsunami or volcanic hazard to this area.

Source: 7

e. Landslides or mudflows?

Discussion: The subject site is flat. Therefore, the project will not create any landslides or mudflows.

Source: 7

f. Erosion; changes in topography or unstable soil conditions from excavation, grading or fill?

Discussion: Future development of the site with multiple family residential uses will result in ground disturbance through leveling, grading, etc., and absent proper control measures, could contribute to minor soil erosion during construction. Additionally, development on previously undisturbed soil with high expansion potential would create area of impermeability which will contribute to increased storm water runoff.
Mitigation: Mitigation measures include the enforcement of a site development plan or other development related conditions of approval requiring erosion control plans and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the California Building Code, etc., will be required.

Source: 7

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<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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Subsidence of the land?

Discussion: The proposed project and any future development of the site with multiple family residential uses will not effect the subsurface soil structure and therefore will not contribute to any subsidence of land.

Source: 4 & 7

Expansive soils?

Discussion: The subject site has medium to coarse textured soils with a high water infiltration rates. As a result, future development of the site will not be effected by expansive soils. Therefore, no impact will occur.

Source: 4, 22 & 29

Unique geologic or physical features?

Discussion: There are no unique geological or physical features in this area, therefore, the proposed project will have no impact.

Source: 4, 7 & 30

4. WATER -- Would the proposal result in:

Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

Discussion: Such patterns change incrementally as streets, gutters and pipelines are installed to handle additional surface drainage resulting from the development of impervious surfaces such as building and paving. The rate and amount of runoff will increase as these aforementioned features are constructed. The installation of the curbs, gutters and drop inlets to allow water to channeled into the existing storm drain line will prevent any future drainage problems in this area.

Mitigation: Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).

Source: 1 & 4
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b. Exposure of people or property to water related hazards such as flooding?  

Discussion: The FIRM Community Panel Number 060407 0010 D, October 15, 1985 Map indicates that the rear half of the subject site is located within Flood Zone C (Areas of minimal flooding). Therefore, no impact will occur.  

Source: 1, 4 & 26

c. Discharge into surface waters or other Alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?  

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.  

Source: 4, 7 & 26

d. Changes in the amount of surface water in any water body?  

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.  

Source: 4, 17 & 22

e. Changes in currents, or the course or direction of water movements?  

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.  

Source: 4, 7 & 26
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</table>

f. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?

Discussion: The site is within the boundaries of the City’s Water Master Plan. Development of the site was anticipated and adequate water supplies have been identified. It is anticipated that any future development of the site with multiple family residential uses should not substantially reduce the amount of water otherwise available for public water supplies. Therefore, no change in the quantity of ground water or the substantial loss of groundwater recharge capability will occur.

Source: 4, 7 & 26

g. Altered direction or rate of flow of groundwater?

Discussion: It is anticipated that any future development of the site with multiple family residential uses would not require any cuts or excavations other than minor grading, therefore, the direction of flow of groundwater will not be altered.

Source: 1 & 4

h. Impacts to groundwater quality?

Discussion: It is anticipated that any future development of the site with multiple family residential uses will not require any cuts or excavations other than minor grading, therefore, the direction of flow of groundwater will not be required.

Source: 1 & 4

i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?

Discussion: Ultimate development for the site it is not anticipated to significantly deplete groundwater supplies or reduce public water supply from the City’s unconfined groundwater aquifer, therefore, the impact is less than significant.

Source: 1 & 4
5. AIR QUALITY -- Would the proposal:

a. Violate any air quality standard or contribute to an existing or projected air quality violation?

Discussion: Future development of the site with multiple family residential uses will require equipment to be utilized in regard to the project and vehicular trips will be generated by construction crews during the construction stage of the project. Overall impacts to air quality form buildout as proposed by the General Plan is discussed in the Environmental Impact Report certified upon adoption of the current Land Use Element of the General Plan.

Mitigation: Mitigation of the effects resulting from increased vehicle trips must be accomplished through proper vehicle smog inspections and related efforts to reduce petroleum fueled transit. Additional mitigation measures include adequate circulation of vehicles to lessen concentrations of carbon monoxide in the area, promotion of car pooling and public transportation in the area, and the encouragement of non-motorized transportation modes (i.e./bicycles and walking).

MITIGATION THROUGH CONSTRUCTION MANAGEMENT:

1. The City will implement Regulation VIII of the SJVAPCD including:

   a. The prevention of dust from leaving the construction site during clearing, grading and excavation will be accomplished through regular truck spraying with water, sprinkling systems or emulsion sprays.

   b. Watering or spraying will be required to be done in the late morning and again at the end of the work day, with increased frequency throughout the day whenever wind is sustained or gusting at speeds in excess of 10 mph. If winds or gusting exceed 20 mph, vehicular activity will be required to cease.

   c. One or more of the following means of dust control should be employed after the completion of earth grading operations:

      i. Seeding and watering of new vegetation.
      ii. Hydro mulching or spreading of soil binders.
      iii. Maintenance of the site’s soil surface crust through repeated soakings.

2. Require construction equipment to be equipped with catalysts/particulate traps to reduce particulate and NOx emissions.

3. Limit engine idling at the project site.

4. Trees should be carefully selected and located to shade the proposed buildings during the hot summer months. This measure should be implemented on southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow the sun to reach the residences during the cold winter months.
5. As many energy-conserving features as possible should be included in the design/construction of the buildings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond building code requirements), energy efficient lighting, high efficiency appliances and solar-assisted water heating.

6. Electric or low nitrogen oxide (Nox) emitting gas-fired water heaters should be installed.

7. Natural gas lines and electrical outlets should be installed in the patio areas to encourage the use of gas and/or electrical barbecues.

8. Electrical outlets should be installed around the exterior of the buildings to encourage the use of electric landscape maintenance equipment.

9. Awnings or other shading mechanism for windows should be installed.

10. Ceiling fans should be installed.

11. Energy efficient windows (double pane and/or coated) should be installed.

12. High-albedo (reflecting) roofing material should be installed.

13. The following regulations of the San Joaquin Air Pollution Control District (Rule 4901 - Wood Burning fireplaces and Wood Burning Heaters) will apply to this project:
   
   a. In new residential developments with a density greater than two (2) dwelling units per acre, no person shall install a wood-burning fireplace.

   b. In new residential developments with a density equal to or greater than three (3) dwelling units per acre, no person shall install more than two (2) EPA Phase II Certified wood burning heaters (wood stove, pellet stove or wood-burning insert) per acre.

   c. No person shall install more than one (1) wood burning fireplace or wood burning heater in each new dwelling unit.

   d. A new residential development is defined as any single or multiple family housing unit, for which construction begins on or after January 1, 2004. Construction has begun when the foundation for the structure is constructed.

Source: 24

b. Expose sensitive receptors to pollutants? 

   X

Discussion: There is a multiple family residential complex to the east, a single family residential use to the south, commercial use to the north and a vacant parcel to the west. As a result, the development of the site may cause the surrounding uses be more sensitive to construction related dust generated at the time of future development of the site as proposed. The mitigation measures identified above will provide adequate protection for these residential and commercial uses.

Source: 24
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<td>c. Alter air movement, moisture, or temperature, or cause any change in climate?</td>
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Discussion: Due to the small scale of the project, air movement, moisture, temperature and change in the climate will not occur.

Source: 24

d. Create objectionable odors? | | | X |

Discussion: Due to the small scale of the project, no objectionable odors will occur.

Source: 24

6. TRANSPORTATION/CIRCULATION -- Would the proposal result in:

a. Increased vehicle trips or traffic congestion? | X |

Discussion: Eventual development of the site with multiple family uses is anticipated to result in additional daily trips. Full build out of the four (4) parcels would allow a maximum of 28 units. Based on Porterville's Circulation Element (1993), multiple family residential uses generate 6.47 daily trips per unit. Based on the aforementioned, a total of 181.16 trips per day could be generated.

Future development will necessitate the provision of adequate off-street parking. Hazards to motorists, bicyclists, and pedestrians will increase proportionate to the increase in traffic generated by subsequent development of the site.

Sunnyside Street is a local street developed to 60 feet wide. Bellevue Avenue is a local street developed to 60 feet wide. Traffic on Sunnyside Street has access from Morton Avenue to the south which has a traffic signal installed. Morton is designated as a four lane arterial street developed to 80 feet wide with the capacity to carry 25000 trips per day. One (1) local street (Avenue) immediately east of the subject site and three (3) local streets (Avenues) located north of the subject site extend east of Sunnyside Street to Main Street (four lane arterial street) developed to 80 feet wide with the capacity to carry 25000 trips per day. Bellevue Avenue extending west of Sunnyside Street allows for circulation to the north and south via numerous different streets branching off of Bellevue Avenue. No traffic count have been conducted in this area. However, no reports off congestion have occurred.

Mitigation: Mitigation measures include the careful design of the site's future development circulation patterns and conformance to the City's development standards and Circulation Element of the General Plan will provide partial mitigation. Subsequent development will be required to design and install proper and necessary traffic circulation facilities for both vehicular and pedestrian traffic. Additional mitigation measures include the development of existing and future contiguous streets to their full right-of-way widths, the provision of traffic signals if necessary.

Source: 1, 2 & 34
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<td>b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?</td>
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Discussion: Both Bellevue Avenue and Sunnyside Street are constructed to their full right-of-way width with existing curb, gutter and sidewalk on both sides. Therefore, no impact will occur.

Source: 1 & 2

c. Inadequate emergency access or access to nearby uses? | X | |

Discussion: Since no emergency access or nearby emergency uses exist, the project as proposed will not impede or block any accesses nearby. Therefore, no impact will occur.

Source: 1, 2 & 12

d. Insufficient parking capacity on-site or off-site? | X | |

Discussion: Eventual development of the site will require on-site parking in conformance with the Porterville Zoning Ordinance. Therefore, no impact will result in the insufficient parking capacity on-site.

Source: 1, 2 & 12

e. Hazards or barriers for pedestrians or bicyclists? | X | |

Discussion: Careful design of the site’s future development circulation patterns and conformance to the City’s development standards and Circulation Element of the General Plan will provide partial mitigation. Subsequent development will be required to design and install proper and necessary traffic circulation facilities for both vehicular and pedestrian traffic. Curb, gutter and sidewalk exists on both sides of Sunnyside Street and Bellevue Avenue. Therefore, hazards or barriers for pedestrians or bicyclist is less than significant.

Source: 1, 2 &12

f. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)? | X | |

Discussion: The project as proposed will not conflict with adopted policies supporting alternative transportation.

Source: 1, 2 & 31
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| g. | Rail, waterborne or air traffic impacts? | | | X |

Discussion: A railroad track exists to the west of the site. The project as proposed will not impact any rail, waterborne or air traffic.

Source: 1 & 2

7. **BIOLOGICAL RESOURCES -- Would the proposal result in an impact on:**

| a. | Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals or birds)? | | | X |

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 4, 5, 15 & 30

| b. | Locally designated species (e.g. heritage trees)? | | | X |

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 4, 5, 15 & 30

| c. | Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)? | | | X |

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 4, 5, 15 & 30

| d. | Wetland habitat (e.g. marsh, riparian and vernal pool)? | | X | |

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 4, 5, 15 & 30
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e. Wildlife dispersal or migration corridors?   ___  ___  ___  X  ___  

Discussion: City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no wildlife dispersal or migration corridors exist and no impact will occur.

Source: 4, 5, 15 & 30

8. **ENERGY AND MINERAL RESOURCES** -- Would the proposal:

   a. Conflict with adopted energy conservation plans?   ___  ___  ___  X  

Discussion: The project as proposed will not conflict with adopted energy conservation plans. Therefore, no change to exiting conservation plans and policies is proposed.

Source: 4

b. Use non-renewable resources in a wasteful and inefficient manner?   ___  ___  ___  X  

Discussion: The project will not directly require any non-renewable resources. Appropriate energy conservation measures as required by the California Building Code will apply, therefore, no impact will occur.

Source: 4

c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?   ___  ___  ___  X  

Discussion: There are no known mineral resources of value on the subject site, therefore, no impact will occur.

Source: 4

9. **HAZARDS** -- Would the proposal result in:

   a. A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?   ___  ___  ___  X  

Discussion: The subject site does not have any hazardous substances stored on the site. Additionally, any future development of the site with multiple family residential uses will not be allowed to store significant quantities of any hazardous substances, therefore, no impact will occur.

Source: 7
b. Possible interference with an emergency response plan or emergency evacuation plan?

Discussion: The project as proposed will not interfere with an emergency response plan or emergency evacuation plan. Therefore, no impact will occur.

Source: 7

c. The creation of any health hazard or potential health hazard?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance. The project as proposed will not create an potential health hazard. Therefore, no impact will occur.

Source: 7

d. Exposure of people to existing sources of potential health hazards?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance. The project as proposed will not create an potential health hazard. Therefore, no impact will occur.

Source: 7

e. Increased fire hazard in areas with flammable brush, grass or trees?

Discussion: All uses and future uses on the site must be in conformance with the Porterville Zoning Ordinance and must comply with the City of Porterville weed abatement program. Therefore, no impact will occur.

Source: 7

10. NOISE -- Would the proposal result in:

a. Increase in existing noise levels?

Discussion: Future development of the site with multiple family residential uses will create some noise during the construction stage of the project. This noise would cease once the construction is completed. Additionally, compliance with Section 3.3.2 of the Noise Element of the General Plan will be required.

Source: 6
b. **Exposure of people to severe noise levels?**

**Discussion:** Future development of the site with multiple family residential uses will create some noise during the construction stage of the project. This noise would cease once the construction is completed. Additionally, compliance with Section 3.3.2 of the Noise Element of the General Plan will be required. 

**Source:** 6

### 11. PUBLIC SERVICES -- Would the proposal result in impacts to:

a. **Fire protection?**

**Discussion:** The subject site is within the service area of the Porterville Fire Department. Sufficient capacity exists to serve the area.

**Source:** 1, 2, 3, 5, 7 & 8

b. **Police protection?**

**Discussion:** The subject site is within the service area of the Porterville Police Department. Sufficient capacity exists to serve the area.

**Source:** 1, 2, 3, 5, 7 & 8
c. **Schools?**

**Discussion:** Due to the small scale of the project, any future development of the site with multiple family residential uses would not require any additional new schools to be built. Therefore, no impact will occur.

**Source:** 1, 2, 3, 5, 7 & 8
d. **Maintenance of public facilities, including roads?**

**Discussion:** Streets already exist in which are presently being maintained by the City Field Service Division, therefore, no impact will occur.

**Source:** 1, 2, 3, 5, 7 & 8
e. **Other governmental services?**

**Discussion:** The project will not require the need for any additional governmental services.

**Source:** 1, 2, 3, 5, 7 & 8
12. **UTILITY AND SERVICE SYSTEMS**  --  Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

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a. Power or natural gas?  

Discussion: Electricity and natural gas exists at the site.  

Source: 1 & 3  

b. Communications systems?  

Discussion: Telephone lines exist at the site.  

Source: 1 & 3  

c. Local or regional water treatment or distribution facilities?  

Discussion: Water supply and distribution systems are designated to accommodate development to the subject site.  

Source: 21 & 28  

d. Sewer or septic tanks?  

Discussion: A 6" sewer line exists in Sunnyside Street and none in Belleview Avenue at this site.  
In 1994, the Water Treatment Plant increased it’s capacity from 4 million gallons per day to 8 million gallons per day. Current use is 4.6 million gallons per day. At this rate, sufficient capacity is available to handle a population of 71,300 (22 years at 2.5% growth per year).  

Source: 17, 20 & 21  

e. Storm water drainage?  

Discussion: Existing runoff is channeled by existing curb and gutter to an existing drop inlet and into a 12" storm drain line located to the north. It is not anticipated that any future development of the site with multiple family residential uses will require additional extension of a storm drain line(s) to the site. Therefore, no impact will occur.  

The site is within the boundaries of the City’s Master Plan for Storm Drainage (2001). Consequently, the storm water generated from future development of the site has been anticipated by the plan. Periodic future increases in the amount of water that will be generated into the drainage system will, therefore, occur as the site ultimately develops with multiple family residential uses and a commercial use, due to the creation of impervious surfaces. Water quality could be affected by chemicals (oil based residues) conveyed by storm water runoff from streets, driveways and other impervious surfaces.  

Mitigation: Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).  

Source: 17, 20 & 21
f. **Solid waste disposal?**

Discussion: The subject site is within the service area of the Porterville refuse service area. Sufficient capacity exists to serve the area. Therefore, no impact will occur.

Source: 17, 20 & 21

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g. **Local or regional water supplies?**

Discussion: A 6" water line exists in Sunnyside Street and Belleview Avenue.

Current water production capacity is 15,331 gpm. The current demand during the highest use month is approximately 14,000 gpm. The demand for 28 units is approximately 16.24 gpm.

The City adopted an addendum EIR for the City's Water Master Plan in February 2001 which called for the construction of seven new wells with a 1,000 gpm capacity each by the end of 2005. Based on the City's adopted Water Master Plan, mitigation measures have been addressed. One of those wells was constructed in 2002. Two more wells are currently under preliminary review for construction.

Continued implementation of the adopted Sewer and Water Master Plans will insure adequate service as development occurs with the Urban Development Boundary.

Source: 1, 4 & 21

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13. **AESTHETICS -- Would the proposal:**

a. **Affect a scenic vista or scenic highway?**

Discussion: There are no scenic vistas or scenic highways in the vicinity of the subject site.

Source: 1 & 5

---

b. **Have a demonstrable negative aesthetic effect?**

Discussion: Development of the subject is expected to commensurate to surrounding developed areas. No negative aesthetic effects will occur.

Source: 1 & 5

---

c. **Create light or glare?**

Discussion: New sources of light and glare will result from subsequent street lighting, and residential dwellings to be installed/developed.

Mitigation: Future development of the subject site with multiple family residential uses will require the installation of low profile exterior lighting which will be directed away from adjacent properties, as required by the City Zoning Ordinance, and will reduce the impact of outside lighting. Minimal glare is anticipated from street light and on-site lighting facilities accruing from the site's eventual development. This will serve to reduce potential hazards for autos, bicyclists, and pedestrians, as well as provide a secure environment for the occupants.
Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced as follows:

"No direct or reflected glare, whether produced by flood light, high temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of property on which the same is produced shall be permitted. Sky reflected glare from buildings or portions thereof shall be so controlled by such reasonable means as are practical to the end that the said sky reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs."

Source: 1, 5 & 12

14. CULTURAL RESOURCES -- Would the proposal:

a. Disturb paleontological resources? ____________ ____________ ____________ ____________ X

Discussion: No paleontological sites, or resources are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction.

Source: 4 & 30

b. Disturb archaeological resources? ____________ ____________ ____________ X ____________

Discussion: No archeological or historical sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction; as previously conducted surveys indicate that Native American habitation sites were located in the eastern sector of the City's urban area along the base of the Sierra Nevada foothills.

Should such resources be uncovered during subsequent construction, work will be halted and the requirements of Supplementary document "J" of the California Environmental Quality Act Guidelines shall be implemented.

Source: 4 & 30

c. Affect historical resources? ____________ ____________ ____________ ____________ X

Discussion: No archeological or historical sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction, as previously conducted surveys indicate that Native American habitation sites were located in the eastern sector of the City's urban area along the base of the Sierra Nevada foothills.

Source: 4 & 30

d. Have the potential to cause a physical change which would affect unique ethnic cultural values? ____________ ____________ ____________ X

Discussion: No archeological or historical sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction.

Source: 4 & 30
e. **Restrict existing religious or sacred uses within the potential impact area?**

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**Discussion:** No religious or sacred sites, structures, objects or buildings are known to exist on the site and it is unlikely that such will be discovered at the time of any future construction, as previously conducted surveys indicate that Native American habitation sites were located in the eastern sector of the City’s urban area along the base of the Sierra Nevada foothills.

**Source:** 4 & 30

15. **RECREATION -- Would the proposal:**

a. **Increase the demand for neighborhood or regional parks or other recreational facilities?**

   |                               |                                                          |                             | X         |

**Discussion:** City parks and other recreation facilities will be sufficient to accommodate the recreational needs stemming from subsequent multiple family residential development of the site with development of Master Planned facilities. However, the following mitigation measures will ultimately be necessary to accommodate City growth in the aggregate as future development occurs.

In order to provide a park and recreation system to meet the needs of the public, the City has adopted a Parks and Recreation Element of the General Plan. The Element defines the adopted goals and policies that are currently in place and being utilized. The Element’s goals are:

1. **Establish a system of parks and recreation facilities sufficiently diverse in design to effectively serve the needs and desires of all the citizens of Porterville.**

2. **Provide park and recreation facilities within close proximity to the residents they are designed to serve.**

Additionally, policy guidelines are defined in sufficient detail to ensure that future development of the subject site will be such that its impact on the quality and quantity of existing recreational opportunities will be properly addressed.

**Source:** 5 & 8

b. **Affect existing recreational opportunities?**

   |                               |                                                          |                             | X         |

**Discussion:** The subject site is not currently used for recreational activities.

**Source:** 5 & 8
16. **MANDATORY FINDINGS OF SIGNIFICANCE -- Would the proposal:**

a. Does the project 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?

Discussion: City staff conducted an on-site inspection. The subject site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

Source: 1 & 33

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

Discussion: The proposed General Plan Amendment will change the existing land use designation from Heavy Commercial to High Density Residential. The subsequent change of zoning will ultimately change the existing zoning from C-3 (Heavy Commercial) to R-3 (Multiple family Residential) zone.

The proposed zoning will be consistent with the General Plan designation and all future uses for the site will be in conformance with the proposed zoning supported by the General Plan designation. Therefore, no impact will occur.

Source: 1 & 33

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion: Development of the subject site is anticipated in the Land Use Element, Housing Element, Circulation Element, Water, Sewer, Storm Water Mater Plans. Appropriate infrastructure has been programed into each of these documents to accommodate the incremental effects of any future development of the site with multiple family residential uses and a commercial use.

Source: 1 & 33
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: Future development of the subject site will be required to comply with the standards of the Porterville Zoning Ordinance which is designated to ensure compatible development and adequate protection to neighboring residents, and commercial uses.

Source: 1 & 33

17. EARLIER ANALYSES (See Attached).

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

a) Earlier analysis used. Identify earlier analyses and state where they are available for review.

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.

Authority: Public Resources Code Sections 21083 and 21087.

18. SOURCE REFERENCES

1 Land Use Element of the Porterville General Plan (1998)
2 Circulation Element of the Porterville General Plan (1999)
3 Housing Element of the Porterville General Plan (1992)
4 Conservation Element of the Porterville General Plan (1998)
5 Open Space Element of the Porterville General Plan (1998)
6 Noise Element of the Porterville General Plan (1988)
7 Safety Element of the Tulare County General Plan (1998)
8 Parks and Recreation Element of the Porterville General Plan (2000)
9 Airport Master Plan (1990)
10 Porterville Strategic Plan (1992)
11 City of Porterville Subdivision Ordinance (1988)
12 City of Porterville Zoning Ordinance (1998)
13 City of Porterville Local Guidelines for Administering CEQA (1992)
14 Chapter 7, Article XIII of the Porterville City Code (1998)
15 Porterville Urban Area Boundary Biotic Survey (Hansen 1988)
16 Porterville Redevelopment Housing Strategic Plan (1994)
17 City of Porterville Storm Drainage Master Plan (2001)
18 California Building Code (2001)
19 Tulare County Congestion Management Program (1998)
20 City of Porterville Sewer Master Plan (2001)
21 City of Porterville Water Master Plan (2001)
22 City of Porterville Standard Plans and Specifications (1996)
23 San Joaquin Valley Air Pollution Control District Attainment Plan
24 San Joaquin Valley Unified Air Pollution Control District Regulation VII
25 Aerial photo records - City of Porterville
26 FEMA Flood Insurance Panels No. 060407 0010 D October 15, 1985
27 1990 Census Data/Tract and Block Group Maps
28 Existing Infrastructure and Facilities Capacity
29 Soils Conservation Service Maps - Tulare County (1982)
30 On-site field inspection
31 City of Porterville Transit Development Plan
32 Emergency Services Plan - Tulare County Operational Area
33 City of Porterville Urban Water Management Plan
San Joaquin Valley
Air Pollution Control District

April 6, 2005

Attn: Mr. Bradley Dunlap
City of Porterville
291 North Main Street
Porterville, California 93257

RE: ND for GPA 1-2005 & ZC 1-2005

Dear Mr. Dunlap:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the documentation provided and has the following comments:

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10 & PM2.5). Although this project alone would not generate significant air emissions, a concerted effort should still be made to reduce the increase in emissions from this project, as outlined below:

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleyair.org/rules/1ruleslist.htm.

**Regulation VIII** (Fugitive PM10 Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill/operations, etc.

The District's Governing Board approved amendments to Regulation VIII that became effective on October 1, 2004. If a residential project is 10.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a residential site is 1.0 to less than 10.0 acres, an owner/operator must provide written

David L. Crow
Executive Director/Air Pollution Control Officer

ATTACHMENT
ITEM NO. 5
notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.1). A template of the District's Dust Control Plan is available at: http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf

**Rule 4103** (Open Burning) regulates the burning of agricultural material. Agricultural material shall not be burned when the land use is converting from agriculture to nonagricultural purposes. In the event that the project burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

**Rule 4901** (Wood Burning Fireplaces and Wood Burning Heaters) and **Rule 4902** (Residential Water Heaters) limit the emissions of PM10 and NOx in residential developments. On July 17, 2003, the District's Governing Board adopted amendments to Rule 4901. Construction plans for residential developments may be affected by section 5.3, specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments.

Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.

5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.

5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

More information about Rule 4901 can be found at our website- www.valleyair.org. For compliance assistance, please contact Mr. Wayne Clarke, Air Quality Compliance Manager, at 230-5968.

This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:
From Table 6-3 of the District's Guide to Assessing and Mitigating Air Quality Impacts 2002 revision (GAMAQI)
- Install Sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent
- Install wheel washers for all exiting trucks, or was off all trucks and equipment leaving the site
- Install wind breaks at windward side(s) of construction areas
- Limit area subject to excavation, grading, and other construction activity at any one time

From Table 6-4 of the GAMAQI:
- Use of Alternative fueled or catalyst equipped diesel construction equipment.
- The project applicant should identify the construction equipment that can feasibly be switched from conventional to alternative-fueled or catalyst-equipped diesel equipment. The project applicant should identify a minimum of alternative fueled or catalyst-equipped diesel construction equipment that will be used for this project. As an example of alternative fuels, not all biodiesels or biodiesel blends will result in reduced NOx emissions. According to the EPA’s website, biodiesel use generally results in an increase in NOx emissions. The California Air Resources Board (CARB) has certified specific biodiesels for NOx reduction. Only biodiesels that have been certified by CARB should be used. For more information on biodiesel or other types of alternative fuels, please call Mr. Chris Acree, Air Quality Specialist, at (559) 230-5829. The applicant should calculate the associated emission reductions from implementing this mitigation measure.
- Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use
  - The project applicant should specify the conditions of reduced hours or reduced amount of equipment. Will operation hours be reduced under certain circumstances such as during levels of high ambient air pollution or high temperatures? Will the amount of equipment in use be reduced during peak travel on nearby roads? To what degree is it anticipated that this mitigation measure will be implemented?
- Implement activity management (e.g. rescheduling activities to reduce short-term impacts)
  - The applicant should specify what measures will be implemented.
- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways
  - The project applicant should state the criteria for curtailing construction activities, and the steps that will be taken to reduce emissions. For curtailment during periods of high ambient pollutant concentrations, the criteria should be set in terms of the Air Quality Index. See the table below for more information on the Air Quality Index.

http://www.epa.gov/airnow/aji.html#good
<table>
<thead>
<tr>
<th>Air Quality Index Levels of Health Concern</th>
<th>Numerical Value</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>0-50</td>
<td>Air quality is considered satisfactory, and air pollution poses little or no risk.</td>
</tr>
<tr>
<td>Moderate</td>
<td>51-100</td>
<td>Air quality is acceptable; however, for some pollutants there may be a moderate health concern for a very small number of people who are unusually sensitive to air pollution.</td>
</tr>
<tr>
<td>Unhealthy for Sensitive Groups</td>
<td>101-150</td>
<td>Members of sensitive groups may experience health effects. The general public is not likely to be affected.</td>
</tr>
<tr>
<td>Unhealthy</td>
<td>151-200</td>
<td>Everyone may begin to experience health effects; members of sensitive groups may experience more serious health effects.</td>
</tr>
<tr>
<td>Very Unhealthy</td>
<td>201-300</td>
<td>Health alert: everyone may experience more serious health effects.</td>
</tr>
<tr>
<td>Hazardous</td>
<td>&gt; 300</td>
<td>Health warnings of emergency conditions. The entire population is more likely to be affected.</td>
</tr>
</tbody>
</table>

Additional Mitigation Measures:
- When feasible, construction activity should occur during early morning, late evening, and night time hours. Ozone formation is directly related to temperature and sunlight. If the project emits short-lived ozone precursors during cooler hours, the project's local impact will be reduced.
- Pave haul roads in the project area.
- Construction equipment should have engines that are at least Tier I (as certified by the Air Resources Board). Tier I and Tier II engines have a significantly less PM and NOx emissions compared to uncontrolled engines. To find engines certified by the Air Resources Board, see [http://www.arb.ca.gov/msprog/offroad/cert/cert.php](http://www.arb.ca.gov/msprog/offroad/cert/cert.php). This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as.
- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.

For Structural Soil see http://www.hort.cornell.edu/uhi/outreach/csc/
For Tree Selection see http://www.ufei.org/
For Urban Forestry see http://www.coolcommunities.org
http://wcufre.ucdavis.edu

- If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.
  - Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

- Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling. Connections to nearby public uses and commercial areas should be made as direct as possible to promote walking for some trips. Pedestrian and bike-oriented design reduces motor vehicle usage and their effects on air quality. Sidewalks and bikeways should be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways should be designed to be accommodating and appropriately sized for anticipated future pedestrian and bicycle use. Such pathways should be easy to navigate, designed to facilitate pedestrian movement through the project, and create a safe environment for all potential users (pedestrian, bicycle and disabled) from obstacles and automobiles. Pedestrian walkways should be created to connect all buildings throughout the project. The walkways should create a safe and inviting walking environment for people wishing to walk from one building to another.

- As many energy-conserving features as possible should be included the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
  - See http://www.energy.ca.gov/title24/.
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient widows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See http://eetd.lbl.gov/coolroof/
  - Cool Paving. “Heat islands” created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. See http://www.harc.edu/harc/Projects/CoolHouston/, http://eande.lbl.gov/heatisland/
  - Radiant heat barrier. See http://www.eere.energy.gov/consumerinfo/refbriefs/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov/
- Install solar water-heating system(s)
- Install photovoltaic cells
- Install geothermal heat pump system(s)
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when practicable
- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
- See http://www.eere.energy.gov/RE/solar_passive.html
- Utilize day lighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Low or non-polluting landscape maintenance equipment (e.g. electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edgers, etc.)
- Pre-wire the unit(s) with high speed modern connections/DSL and extra phone lines
- Natural gas fireplaces (instead of wood-burning fireplaces or heaters)
- Natural gas lines (if available to this area) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues
- Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:
http://www.consumerenergycenter.org/index.html
http://www.ciwmb.ca.gov/GreenBuilding/

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (661) 326-6980.

Sincerely,

[Signature]

Heather Ellison
Air Quality Planner
Southern Region

c: file
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 GENERAL PLAN
AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005 (A)) AND ZONE CHANGE 1-2005
FOR THOSE FOUR (4) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE
STREET, EXTENDING SOUTH OF BELLEVIEV AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) and
Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside Street,
extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to no
more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting.

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1- 2005 (a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential for those four (4)
parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue. The
parcel located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two
(2) single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet.

WHEREAS: Zone Change 1-2005 proposes to change the present zoning for the same four
(4) parcels from C-3 (Heavy Commercial) to R-3 (Multiple Family) upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element.
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.

The proposed Negative Declaration was evaluated in light of the prepared environmental initial study, comments from interested parties and the public, as well as responses to written comments received during the review period. It was determined that potential impacts associated with the proposed project could be mitigated to a less than significant level through the implementation of the attached mitigation measures.

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 for a twenty (20) day review period from March 18, 2005 to April 7, 2005. The only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into the Mitigation Monitoring Program Attachment A of the draft environmental resolution.

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.

City staff conducted an on-site inspection. The entire site is developed with single family residential uses. The site contains ornamental vegetation found on residential lots. As such, no endangered, threatened or rare species or habits exist and no impact will occur.

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.
8. That the environmental assessment and analysis prepared for this project supporting the Negative Declaration reflects the independent judgement of the City of Porterville.

9. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. The developer/applicant will be required to sign a document committing to comply with the adopted mitigation measures prior to any construction on the site.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Negative Declaration prepared for General Plan Amendment 1-2005 (a) and Zone Change 1-2005, and that the mitigation measures defined in Attachment A shall be implemented by the applicant or his/her successors with project implementation.

____________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By __________________________
Georgia Hawley, Chief Deputy City Clerk
### Attachment A

**Mitigation Monitoring Program**

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Mitigation Measures</th>
<th>Monitoring</th>
<th>Agency Responsible</th>
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<tbody>
<tr>
<td><strong>Geologic Problems</strong></td>
<td>Mitigation measures include the enforcement of site development plans or other development-related conditions of approval requiring erosion control plans, and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the Uniform Building Code, etc., will be required. Additionally, depending on the soils report, an engineered foundation design would be required. As an alternative, the removal of native soil could be replaced with non-expansive material.</td>
<td>Conformance with the City Storm Drain Master Plan (2001) and requirements relative to grading, the Uniform Building Code, etc., will be required.</td>
<td>City of Porterville</td>
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<td>3.f</td>
<td>Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.</td>
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<td>3.h</td>
<td>Expansive soils.</td>
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<tr>
<td>Water</td>
<td>Mitigation measures include the enforcement of a site development plan or the development related conditions of approval requiring erosion control plans and the conservation of vegetation, with soil disturbance to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the California Building Code, etc., will be required. Additional mitigation will require compliance with Federal, State and local regulation requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>City of Porterville</td>
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</table>

4.a Changes in absorption rates, drainage patterns or the rate and amount of surface runoff.

Prior to the approval of grading plans, improvement plans, final map, or building permits on the subject site, the developer/applicant shall secure the appropriate F.E.M.A. map revisions to designate a Base Flood Elevation, or to remove the subject site from the 100 year Flood Zone.
<table>
<thead>
<tr>
<th>Potential Impact</th>
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<tbody>
<tr>
<td><strong>Air Quality</strong></td>
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<tr>
<td>5.a Violate any air quality standard or contribute to an existing or projected air quality violation.</td>
<td>The developer/applicant shall assure compliance with applicable San Joaquin Valley Unified Air Pollution Control District Rules (e.g., Numbers 8010, 8020 and 8030), regarding fugitive dust, as well as Section 7-8, Project Site Maintenance of the Standard Specifications. The developer/applicant shall provide a street sweeper as necessary to comply. Mitigation of the effects resulting from increased vehicle trips must be accomplished through proper vehicle smog inspections and related efforts to reduce petroleum fueled transit. Additional mitigation measures include adequate circulation of vehicles to lessen concentrations of carbon monoxide in the area, promotion of car pooling and public transportation in the area, and the encouragement of non-motorized transportation modes (i.e./bicycles and walking). Mitigation through construction management. 1. The City will implement Regulation VIII of the SJVUAPCD including:</td>
<td>The State of California, California Air Resources Board (CARB) and San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) are expected to maintain their commitment to this program.</td>
<td>State of California CARB, SJVUAPCD, City of Porterville</td>
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<tr>
<td>Potential Impact</td>
<td>Mitigation Measures</td>
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<tr>
<td>Air Quality</td>
<td>a. The prevention of dust from leaving the construction site during clearing, grading and excavation will be accomplished through regular truck spraying with water, sprinkling systems or emulsion sprays.</td>
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<td>b. Watering or spraying will be required to be done in the late morning and again at the end of the work day, with increased frequency throughout the day whenever wind is sustained or gusting at speeds in excess of 10 MPH. If winds or gusting exceed 20 MPH, vehicular activity will be required to cease.</td>
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<td>c. One or more of the following means of dust control should be employed after the completion of earth grading operations:</td>
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<td>i. Seeding and watering of new vegetation.</td>
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<td>ii. Hydromulching or spreading of soil binders.</td>
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<td>iii. Maintenance of the site’s soil surface crust through repeated soakings.</td>
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<td>Potential Impact</td>
<td>Mitigation Measures</td>
<td>Monitoring</td>
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<tr>
<td>Air Quality</td>
<td>2. Trees should be carefully selected and located to shade the structures during the hot summer months. This measure should be implemented on southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow the sun to reach the residences during the cold winter months. 3. As many energy-conserving features as possible should be included in the design/construct of the new dwellings. Examples include (but are not limited to) increased wall and ceiling insulation (beyond building code requirements), energy efficient lighting, high efficiency appliances and solar-assisted water heating. 4. Electric or low nitrogen oxide (NOX) emitting gas-fired water heaters should be installed. 5. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electric barbecues.</td>
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<tr>
<td>Potential Impact</td>
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<tr>
<td>Air Quality</td>
<td>6. Electrical outlets should be installed around the exterior of the units to encourage the use of electric landscape maintenance equipment.</td>
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<td>7. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electric barbecues.</td>
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<td>8. Limit engine idling at the project site.</td>
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<td>9. If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, appropriate easements should be reserved to provide for future improvements such as bus turnouts, loading areas and shelters.</td>
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<td></td>
<td>10. Sidewalks and bikeways should be installed throughout as much of the project as possible to encourage walking and bicycling.</td>
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<td>11. With the purchase of any house, included Air Quality incentive items is natural gas barbecues and electric lawnmowers.</td>
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<td>Potential Impact</td>
<td>Mitigation Measures</td>
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<tr>
<td>Air Quality</td>
<td>12. Any gas-fired appliances should be low nitrogen oxide (NOX) emitting gas-fired appliances complying with California NOX Emission Rule #1121.</td>
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<td>5.a (continued)</td>
<td>13. House units should be oriented to maximize passive solar cooling and heating when practicable.</td>
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<td></td>
<td>14. The following regulations of the San Joaquin Air Pollution Control District (Rule 4901 - Wood Burning Fireplaces and Wood Burning Heaters) will apply to this project.</td>
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</tr>
<tr>
<td></td>
<td>a. In new residential developments with a density greater than two (2) dwelling units per acre, no person shall install a wood-burning fireplace.</td>
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<td></td>
<td>b. In new residential developments with a density equal to or greater than three (3) dwelling units per acre, no person shall install more than two (2) EPA Phase II Certified wood burning heaters (wood stove, pellet stove or wood-burning insert) per acre.</td>
<td></td>
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<td></td>
<td>c. No person shall install more than one (1) wood burning fireplace or wood burning heater in each new dwelling unit.</td>
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<td>Potential Impact</td>
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<td><strong>Air Quality</strong></td>
<td>d. A new residential development is defined as any single or multiple family housing unit for which construction begins on or after January 1, 2004. Construction has begun when the foundation for the structure is constructed.</td>
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<td>5.a (continued)</td>
<td>14. Awnings or other shading mechanism for windows should be installed.</td>
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<td>15. Ceiling fans should be installed</td>
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<td>16. Energy efficient window (double pane/or coated) should be installed.</td>
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<tr>
<td><strong>TRAFFIC</strong></td>
<td>Mitigation measures include the careful design of the site's future development circulation patterns and conformance to the City's development standards and Circulation Element of the General Plan will provide partial mitigation. Subsequent development will be required to design and install proper and necessary traffic circulation facilities for both vehicular and pedestrian traffic. Additional mitigation measures include the development of existing and future contiguous streets to their full right-of-way widths, and the provision of traffic signals if necessary.</td>
<td>City of Porterville</td>
<td>City of Porterville</td>
</tr>
<tr>
<td>Potential Impact</td>
<td>Mitigation Measures</td>
<td>Monitoring</td>
<td>Agency Responsible</td>
</tr>
<tr>
<td>-------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Utilities and Service Systems 12.e Storm water drainage.</td>
<td>The site is within the boundaries of the City’s Master Plan for Storm Drainage (2001). Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards). The installation of storm drain lines in conformance with Federal, State, and local environmental protection requirements and the City’s Storm Drainage Master Plan will be required.</td>
<td>The City of Porterville and the affected utility companies.</td>
<td>The City of Porterville and the affected utility companies.</td>
</tr>
<tr>
<td>Aesthetics 13.c Create light and glare.</td>
<td>The installation of low profile exterior lighting will be directed away from adjacent properties, as required by the City Zoning Ordinance, and will reduce the impact of outside lighting. Minimal glare is anticipated from street lights and on-site lighting facilities accruing from the site’s eventual development. This will serve to reduce potential hazards for autos, bicyclists, and pedestrians, as well as provide a secure environment for the occupants.</td>
<td>Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced.</td>
<td>City of Porterville</td>
</tr>
</tbody>
</table>
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING GENERAL PLAN AMENDMENT 1-2005 (NUMBER CHANGED TO 1-2005
(A)) WHICH PROPOSES TO CHANGE THE LAND USE DESIGNATION FROM HEAVY
COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR THOSE FOUR (4) PARCELS
LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING SOUTH OF
BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (a) to
change the Land Use Element of the General Plan from Heavy Commercial to High Density
Residential for those four (4) parcels located on the west side of Sunnyside Street, extending south
of Belleview Avenue; and

WHEREAS: In conjunction with General Plan Amendment 1-2005 (a), Zone Change
1-2005 proposes to change the present zoning for the same four (4) parcels from C-3 (Heavy
Commercial) to R-3 (Multiple Family); and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan to no
more than four times in any calendar year. For this reason, Staff recommended that this item be
continued to the City Council meeting of May 3, 2005, in order to consider it with and additional
General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone Change 2-2005
scheduled for that meeting; and

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a); and

WHEREAS: The City Council received testimony from all interested parties relative to the
General Plan Amendment; and

ATTACHMENT
ITEM NO. 7
WHEREAS: The City Council made the following findings:

1. That the proposed General Plan Amendment is consistent with the goals and policies of the General Plan.

2. The amendment to the Land Use Element of the General Plan to High Density Residential with the associated Zone Change 1-2005 from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) will allow for future development of the site to be in conformance with the General Plan and Zoning Ordinance.

3. That a Negative Declaration was prepared for this project in accordance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment and that implementation of the projects will comply with the recommended mitigation measures.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve General Plan Amendment 1-2005 (a) being an amendment to the Land Use Element of the General Plan as described above.

________________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _______________________________
Georgia Hawley, Chief Deputy City Clerk
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2005 FROM C-3 (HEAVY
COMMERCIAL TO R-3 (MULTIPLE FAMILY RESIDENTIAL FOR THOSE FOUR (4)
PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE STREET, EXTENDING
SOUTH OF BELLEVIEW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting
of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-2005 (Number
changed to 1-2005 (a)) and Zone Change 1-2005 for those four (4) parcels located on the west side
of Sunnyside Street, extending south of Belleview Avenue; and

WHEREAS: City staff is currently processing an unusually large number of General Plan
Amendments. State law prohibits the amendment of any required element of the General Plan more
than four times in any calendar year. Since the zone change is contingent upon the general plan
amendment, Staff is recommending that this item be continued to the City Council meeting of May
3, 2005, in order to consider it with General Plan Amendment 2-2005 (Number to be change to 1-
2005 (b)).

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those four
(4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue to the
City Council meeting of May 3, 2005; and

WHEREAS: At the continued public hearing of the City Council of the City of Porterville
on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and Zone Change
1-2005; and

WHEREAS: General Plan Amendment 1-2005(a), proposes to change the Land Use
Element of the General Plan from Heavy Commercial to High Density Residential. The parcel
located at the immediate southwest corner of Belleview Avenue and Sunnyside Street has two (2)
single family residential dwellings. The remaining three (3) parcels extending to the south along
Sunnyside Street have one (1) single family residential dwelling on each parcel. The four (4) parcels
consist of 41,874 square feet; and

WHEREAS: Zone Change 1-2005 proposes to change the subject property from C-3
(Heavy Commercial) to R-3 (Multiple Family Residential) contingent upon approval of General Plan
Amendment 1-2005 (a) of the Land Use Element; and

ATTACHMENT
ITEM NO. 8
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 Zone Change 1-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 1-2005:

1. The Land Use Element of the General Plan (General Plan Amendment 1-2005 (a)) designates the four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue as High Density Residential.

2. That the proposed zoning to R-3 (Multiple Family Residential) for the same four (4) parcels is consistent with the proposed General Plan designation.

3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance will be allowed in the R-3 (Multiple Family) Zone subject to all other laws, rules and regulations.

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 classification 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 1-2005, is hereby re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview 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 C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

____________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By ____________________________
  Georgia Hawley, Chief Deputy City Clerk
ZONE CHANGE 1–2005

PROPOSED ZONE CHANGE
C–3 TO R–3

CITY COUNCIL
ORDINANCE NO. __________

EXHIBIT "A"
PUBLIC HEARING

SUBJECT: INCREASING FEES IN ACCORDANCE WITH THE MITIGATION FEE ACT AND ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENR COST INDEX

SOURCE: PUBLIC WORKS DEPARTMENT

COMMENT: The Mitigation Fee Act became effective January 1, 1989. It requires the City to give notice, to anyone requesting notice, prior to the effective date of a fee increase for any fee created after January 1, 1989. The Building Industry Association of Tulare and Kings Counties has requested that they be notified. Most of the fees in Exhibit “H” Connection Fees were in effect before January 1, 1989 and have only been increased by the Engineering News Record 20 City Construction Cost Index since then. Again this year, the City staff is giving a 60-day notice to the Building Industry Association for all fees covered by the Mitigation Fee Act. The applicable fees are: 1) Hillside Development Trunk Line Sewer Fees; 2) Hillside Development Water Trunk Fees; 3) Transportation Impact Fees; and 4) Parks Impact Fees.

In accordance with City Council directives, the staff calculates fee adjustments annually. In the past, this has been done by staff without reporting to City Council. The policy as of 2003, is to ask City Council to take formal action on adjustments before the new fees become effective in accordance with the Mitigation Fee Act. Additionally, the same policy requires reporting the fees not covered under the Mitigation Fee Act to the City Council.

The proposed fee adjustments will go into effect on July 1, 2004.

The fee adjustments are shown in the attached Exhibit “A” Park Impact Fees and Exhibit “H” Connection Fees.

RECOMMENDATION: That the City Council act to approve the proposed increases in fees shown in the attached Exhibits “A” and “H.”

ATTACHMENT: Exhibit “A” Park Impact Fees
Exhibit “H” Connection Fees

Dir ___ Appropriated/Funded ___ CM ____ Item No. ___22___
EXHIBIT 'A'

PARK IMPACT FEES ©

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date 07/01/04</th>
<th>Effective Date 07/01/05*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family (R-1) ▲</td>
<td>$525</td>
<td>$547</td>
</tr>
<tr>
<td>2. Multiple Family Per Unit ▲</td>
<td>$407</td>
<td>$424</td>
</tr>
<tr>
<td>3. Mobile Homes ▲</td>
<td>$294</td>
<td>$306</td>
</tr>
</tbody>
</table>

To be increased annually by the Engineering News Record Construction Cost Index.

▲ Resolution #2-99 (Establishing ENR Annual Adjustment)
* Based on ENR Index = 7309
© Fees Covered by the Mitigation Fee Act
## EXHIBIT 'H'

### CONNECTION FEES

#### TRUNK LINE SEWER FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Old</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (<strong>142-02</strong>)</td>
<td>7/1/04</td>
<td>$798</td>
<td>$832</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$1,463</td>
<td>$1,524</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$3,399</td>
<td>$3,542</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$7,930</td>
<td>$8,263</td>
</tr>
<tr>
<td>Institutional - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$551</td>
<td>$574</td>
</tr>
<tr>
<td>Commercial &amp; Professional Office - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$2,067</td>
<td>$2,154</td>
</tr>
<tr>
<td>Industrial - per acre (<strong>94-90</strong>)</td>
<td>7/1/04</td>
<td>$8,822</td>
<td>$9,193</td>
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</table>

#### SEWER CONNECTION CHARGES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Old</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Six Inch or Smaller - per foot</td>
<td>7/1/04</td>
<td>$7.90</td>
<td>$8.23</td>
</tr>
<tr>
<td>Eight Inch - per foot</td>
<td>7/1/04</td>
<td>$10.37</td>
<td>$10.81</td>
</tr>
</tbody>
</table>

#### WATER TRUNK FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Old</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (<strong>142-02</strong>)</td>
<td>7/1/04</td>
<td>$1,149</td>
<td>$1,197</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$2,395</td>
<td>$2,496</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$5,995</td>
<td>$6,247</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$13,997</td>
<td>$14,585</td>
</tr>
<tr>
<td>Institutional - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$1,563</td>
<td>$1,629</td>
</tr>
<tr>
<td>Commercial and Professional Office - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$1,799</td>
<td>$1,875</td>
</tr>
<tr>
<td>Industrial - per acre (<strong>93-90</strong>)</td>
<td>7/1/04</td>
<td>$13,823</td>
<td>$14,404</td>
</tr>
</tbody>
</table>

#### WATER CONNECTION FEE

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Old</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connection Charges - per foot</td>
<td>7/1/04</td>
<td>$6.76</td>
<td>$7.04</td>
</tr>
</tbody>
</table>

#### STORM DRAINAGE FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Old</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family (R-1) - per acre (**inc. Hillside Dev.) (<strong>95-90</strong>)</td>
<td>7/1/04</td>
<td>$3,945</td>
<td>$4,111</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (<strong>95-90</strong>)</td>
<td>7/1/04</td>
<td>$5,262</td>
<td>$5,483</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (<strong>95-90</strong>)</td>
<td>7/1/04</td>
<td>$7,893</td>
<td>$8,225</td>
</tr>
<tr>
<td>Commercial, Industrial &amp; Institutional - per acre (<strong>95-90</strong>)</td>
<td>7/1/04</td>
<td>$10,522</td>
<td>$10,964</td>
</tr>
</tbody>
</table>
STREET LIGHT FEES

1. Multiple Family - per foot $2.05 $2.14
2. Commercial/Industrial - per foot $2.59 $2.70

FIRE HYDRANT FEES

1. Multiple Family - per foot $2.68 $2.79
2. Commercial/Industrial - per foot $3.97 $4.14

TRANSPORTATION IMPACT FEES

1. Single Family (R-1) per unit (▲ 50-98) $844 $879
2. Multiple Family (per unit) (▲ 50-98) $571 $595
3. General Office/ Institutional (per 1,000 sq ft of gross floor) (▲ 50-98) $2,172 $2,263
4. Commercial (per 1,000 square feet of gross floor area) (▲ 50-98) $4,132 $4,306
5. Light Industrial (per 1,000 square feet of gross floor area) (▲ 50-98) $616 $642

FRONTAGE IMPROVEMENT VALUATION

1. Frontage Improvements are required when the Building Permit valuation is over ◆ $15,000 $15,630
   (Beginning 2/19/04 - over a two-year period)

▲ Resolution Establishing ENR Annual Adjustment
◆ Ordinance No. 1644 dated 2-19-04 (includes Annual Adjustment by ENR)
❖ Resolution No. 84-2003 dated 7-1-03
© Fees Covered by the Mitigation Fee Act
* Based on ENR Index = 7309

** Institutional, Commercial and Industrial water and sewer trunk line fees will be collected based upon the amount stated above, but shall be adjusted after monitoring of actual usage to the following fees:

Water - $144.67 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

Sewer - $122.97 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).

BSR:MKR:vs
SUBJECT: SECOND READING - ORDINANCE 1666, TAXICAB AND OTHER VEHICLES FOR HIRE

SOURCE: Administrative Services Department/City Clerk Division


RECOMMENDATION: That Council give Second Reading to Ordinance No. 1666 and waiving further reading, and adopt said ordinance.

Attachment: Ordinance No. 1666
ORDINANCE NO. 1666

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE MUNICIPAL CODE, CHAPTER 23, TAXICABS AND OTHER VEHICLES FOR HIRE


WHEREAS: The proposed amendment will allow the a more effective and efficient regulation of the vehicle for hire activity in the City of Porterville.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby amend Chapter 23, Taxicab and Other Vehicles for Hire, as follows:

SECTION 1: Article 1, In General, Section 23-4, is hereby amended as follows:

Sec. 23-4. Persons not eligible to operate/drive vehicle.

No taxicab or automobile for hire shall be operated by any person under the age of eighteen (18) years; or by any person who does not possess a valid California driver’s license; or by any person who does not possess a valid taxicab driver permit; or by any person who is known to be habitually under the influence of intoxicating drugs, liquors or combination of both.

SECTION 2: Article 1, In General, Section 23-6, is hereby amended as follows:

Sec. 23-6. Parking.

No automobile for hire or taxicab shall remain standing upon any portion of any public street within the city, except for loading and unloading passengers and then not for a period of more than five (5) minutes, excepting at such stand as may be designated and described in the permit. This section shall not apply to any automobile for hire or taxicab while the same is engaged by or being paid for by a passenger. During operating hours, taxicabs shall not be parked in residential areas unless during the course of business. During non-operating hours the taxicabs shall be parked at the business location. Taxi drivers who are “on-call” may park the taxicab on front of their residence during the time during which they are on call, provided no more than one (1) taxicab is parked at that location.
SECTION 3: Article 1, In General, Section 23-9.1, is hereby amended as follows:

Sec. 23-9.1 Mechanical Inspection.

All vehicles permitted to be operated under a permit issued pursuant to this chapter shall be in safe operating condition and shall be inspected annually by a qualified mechanic certified by the State of California Department of Consumer Affairs. The police department shall provide inspection forms, which the mechanic shall complete and certify. The permit holder shall submit the completed inspection form to the police department.

In the event said vehicle is found to be unsafe because of defective brakes, lights, or other operating defect, said vehicle shall not be used as a taxicab or vehicle for hire until such defect has been corrected. The cost of said inspection shall be at the expense of the taxicab/automobile for hire company.

SECTION 4: Article 1, In General, Section 23-9.2 is hereby amended as follows:

Sec. 23-9.2 Taximeters; condition, operation.

Every taxicab shall be equipped with a single tariff taximeter or other measuring instrument. The use of any inaccurate taximeter or other measuring instrument for the purpose of gauging or indicating distance traveled, or waiting time for the purpose of fixing rates to be collected from the public, is hereby prohibited. It shall be the duty of the owner using any taximeter or other measuring instrument to keep said taximeter or measuring instrument in an accurate condition.

The permit holder shall provide proof that each vehicle’s taximeter is inspected a minimum of once a year, and immediately upon a change effecting the meter rate, by the Tulare County Department of Weights and Measures. The taximeter shall be subject to inspection at any time by the Tulare County Department of Weights and Measures.

Every taximeter or other measuring instrument used for the purpose of gauging or indicating distance traveled, or waiting time, or for the purpose of computing fares to be collected from the public, shall be of a type approved and subjected to inspection at any time by the Chief of Police or his designee. A police officer who receives a complaint from any person that the rate charged is more than the legal rate shall report such fact to the Chief of Police, who shall cause such taximeter or other measuring instrument to be inspected at once.

The taximeter shall be so placed in a taxicab that the reading dial showing the amount to be charged shall be well lighted and readily discernible by the passenger riding in
such taxicab, unless such taxicab is equipped and operated as a receipt-printing
taximeter.

All drivers of taxicabs, upon payment of the fare, shall give a receipt when requested
for the fare paid.

All taxicab drivers shall cause the taximeter to be in the non-recording position at the
termination of each service.

The taxicab driver, while carrying passengers or under employment, shall not cause the
taximeter to be in such position as to denote that such taxicab is not employed, or in
such position as to denote that he is employed at a rate or fare different than that to
which he is entitled.

SECTION 5: Article 1, In General, Section 23-9.3 is hereby added as follows:

Sec. 23-9.3 Authority of Police Department to Inspect Taxicabs

The Chief of Police or his designee, under his/her direction, shall have the right at any
time, when a taxicab or vehicle for hire is not transporting a customer and after
displaying proper identification, to enter into that vehicle for the purpose of
ascertaining whether or not any of the provisions set forth in this chapter are being
violated.

Such inspection may occur when a customer is present and the Chief of Police of
his/her designee has probable cause to believe a violation is present.

SECTION 6: Article 1, In General, Section 23-10 is hereby amended as follows:

Sec. 23-10. Rates.

The operator or owner of a taxicab shall post charges and rates in both the front and
rear passenger sections of said vehicle and in a manner so that the same shall be clearly
visible to passengers.

The city council shall have the power and right at all times for the duration of the taxi
license to regulate and establish reasonable rates and charges. The taxi company
licensee shall submit a list of all proposed rates increases to the city no less than thirty
(30) days prior to the proposed increase taking effect. If the licensee does not receive
any notification from the city, they may presume that there are no objections on the
part of the city to the rate increase. The establishment of rates and charges shall be
discretionary with the city council.
SECTION 7: Article 1, In General, Section 23-9.13.1 is hereby added as follows:

Sec. 23-13.1 Out of service taxicabs.

When a taxicab is not in service but is being operated on public streets, a sign shall be affixed on each side of the vehicle, clearly identifying the vehicle as being “Out of Service.”

SECTION 8: Article II, Operating/driver Permit, Section 23-14 is hereby amended as follows:

Sec. 23.14 Operating/driver permit required.

It shall be unlawful to operate or cause to be operated, an automobile for hire, or a taxicab upon any public street within the city without first having obtained a permit to do so in accordance with the provisions hereof, and without complying or having complied with all the provisions of this chapter as well as those applicable sections of chapter 15.

No company shall operate a taxicab or vehicle for hire business within the City of Porterville without having first obtained a business license and an operating permit from the City of Porterville. No person shall be allowed to drive a taxicab or vehicle for hire without having first obtained a driver’s permit from the City of Porterville.

SECTION 9: Article II, Operating/driver Permit, Section 23-16 is hereby amended as follows:

Sec. 23-16. Application – Contents; fee.

Any person desiring to obtain a permit required by section 23-14 shall pay a fee, as fixed by resolution of the city council, and shall make application for such permit to the chief of police. An operator’s permit application shall set forth:

The name and address of the applicant, and if the same be a corporation, the names of its principal officers, or if the same be a partnership, association or fictitious company, the names of the partners or persons comprising the association or company, with the address of each.

(a) A statement as to whether the permit is desired for an automobile for hire, or a taxicab.

(b) The description of every motor vehicle which the applicant proposes to use, giving:

   a. Trade name;
b. Motor and serial number;
c. State license number;
d. Seating capacity;
e. Body style.

(c) The street number and exact location where the applicant proposes to stand each automobile.

(d) Proposed schedule of rates or fares to be charged for carrying of passengers in such automobile.
(e) The distinctive color scheme, name, monogram, or insignia, which shall be used on such automobile, along with an identifying vehicle number.

A driver’s permit application shall set forth:

1. The name, date of birth, physical description, address, and phone number of the applicant.

2. The applicant’s California Driver’s license number, status, and driving history.

3. Place of employment with contact address and phone number.

4. Listing of all previous arrests and convictions.

5. Other information as deemed pertinent by the Chief of Police.

SECTION 10: Article II, Operating/driver Permit, Section 23-21 is hereby amended as follows:

Sec. 23-21. Deposit of insurance policy prerequisite to issuance of operators permit.

Before an operator’s permit required in section 23-14 shall be issued by the chief of police, the applicant shall deliver to the city clerk a policy of insurance, executed by a company duly authorized under the laws of the state to do an insurance business, by the provisions of which policy the company promises and undertakes to pay in full all claims for damages to persons or property resulting from the operation of the automobile referred to in such application; provided, that the minimum amount for which liability shall be assumed for injury to or death of one person in any one accident shall be fifty thousand dollars ($50,000.00), one hundred thousand dollars ($100,000.00) to more than one person on any one accident, and the minimum amount for which liability shall be assumed for destruction of property in any one accident shall be twenty-five thousand dollars ($25,000.00).
SECTION 11: Article II, Operating/driver Permit, Section 23-28 is hereby amended as follows:

Sec. 23-28. Permit validity period.
A permit required by this article shall be valid for no longer than a period of one (1) year. Renewal permits must be completed during the month of January each year.

SECTION 12: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

____________________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

_________________________________
Georgia Hawley, Chief Deputy City Clerk
STAFF REPORT

TITLE: "D" OVERLAY SITE REVIEW 1-2005

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting approval of a "D" Overlay Site Review to allow the development of a 10,311± square foot single story Dialysis building to be located generally at the northwest corner of Pearson Drive and Cleveland Avenue. The subject site is within the PO(D) (Professional Office - Design Review Overlay) Zone.

PROJECT DETAILS: The proposed building is rectangular in shape extending east and west. The proposed entrances into the building will be located on the east and west end. Ingress and egress to the parking lot will be from the west side of Pearson Drive and the north side of Cleveland Avenue. In addition to the proposed parking to be provided on the dialysis site, the existing parking located on the east side of Pearson Drive will be expanded to the north to include 8,094± square feet of additional parking. The sides of the building will have a cement plaster finish, “Silver Fox” in color. The architectural band around the upper portion of the entire building will have a cement plaster finish, “Snow White” in color. The windows (Storefront window system-frames) will be a blue/green combination in color. The building has been designed to be compatible with the existing outpatient treatment medical building to the south.

The dialysis facility will have no full time physicians, but will have 22 full time employees, with only eleven (11) employees at the center each day. The dialysis center will not have any beds, but will have 30 dialysis chairs.

A conceptual plan for Phase II indicates that a future proposed 19,029± square foot building and additional parking is proposed for the west end of the existing outpatient treatment medical building located to the south of the subject site. Since this is conceptual, future approval of this plan will require an additional “D” Overlay Site Review to be approval by the City Council.

Medical offices require a minimum of one (1) parking space for every 200 square feet of floor space. The proposed Dialysis building will have a total of 10,311± square feet. The existing outpatient treatment medical building located to the south of the subject site has a total of 34,120± square feet. The total number of parking spaces required for the existing and proposed buildings equates to 223 parking spaces. Existing and proposed parking to be provided will total 338 parking spaces.

DD_____ APPROPRIATED/FUNDED _____ CM_______ ITEM NO. 24
Sierra View District Hospital has acted as Lead Agency in the preparation of an initial study and Mitigated Negative Declaration in compliance with the California Environmental Quality Act. As a responsible agency with decision making authority over the project, the City Council is asked to affirm the environmental document and approve the document to meet the City’s environmental clearance requirements.

RECOMMENDATION: That the City Council:

1. Put in CEQA action recommendation resolution for “D” Overlay Site Review 1-2005;

2. Adopt the draft resolution containing findings and conditions in support of the approval for “D” Overlay Site Review 1-2005 subject to conditions of approval.

ATTACHMENTS:

1. Complete Staff Report.
STAFF REPORT

TITLE: “D” OVERLAY SITE REVIEW 1-2005

OWNER/APPLICANT: Sierra View District Hospital
456 West Putnam Avenue
Porterville, CA 93257

REPRESENTATIVE: Quad Knopf, Inc.
5110 W. Cypress Avenue
P.O. Box 3699
Visalia, CA 93278

PROJECT LOCATION: Generally at the northwest corner of Pearson Drive and Cleveland Avenue.

SPECIFIC REQUEST: The applicant is requesting approval of a “D” Overlay Site Review to allow the development of a 10,311± square foot single story Dialysis building. The subject site is within the PO(D) (Professional Office - Design Review Overlay) Zone.

PROJECT DETAILS: The proposed building is rectangular in shape extending east and west. The proposed entrances into the building will be located on the east and west end. Ingress and egress to the parking lot will be from the west side of Pearson Drive and the north side of Cleveland Avenue. In addition to the proposed parking to be provided on the dialysis site, the existing parking located on the east side of Pearson Drive will be expanded to the north to include an additional 8,094± square feet of additional parking. The sides of the building will have a cement plaster finish, “Silver Fox” in color. The architectural band around the upper portion of the entire building will have a cement plaster finish, “Snow White” in color. The windows (Storefront window system-frames) will be a blue/green combination in color. The building has been designed to be compatible with the existing outpatient treatment medical building to the south.

The dialysis facility will have no full time physicians, but will have 22 full time employees, with only eleven (11) employees at the center each day. The dialysis center will not have any beds, but will have 30 dialysis chairs.

A conceptual plan for Phase II indicates that a future proposed 19,029± square foot building and additional parking is proposed for the west end of the existing outpatient treatment medical building located to the south of the subject site. Since this is conceptual, future approval of this plan will require an additional “D” Overlay Site Review to be approval by the City Council.
GENERAL PLAN DESIGNATION: Professional and Office

EXISTING ZONING: PO(D)

STAFF ANALYSIS: Medical offices require a minimum of one (1) parking space for every 200 square feet of floor space. The proposed Dialysis building will have a total of 10,311± square feet. The existing outpatient treatment medical building located to the south of the subject site has a total of 34,120± square feet. The total number of parking spaces required for the existing and proposed buildings equates to 223 parking spaces. Existing and proposed parking to be provided will total 338 parking spaces. The building has been designed to be compatible with the existing outpatient treatment medical building to the south.

Sierra View District Hospital was the lead agency on this project. Quad Knopf, the applicant’s consultant, prepared the environmental initial study and routed it to the State Clearing House (No. 200411113) for public agency comments. The review period ran from November 29, 2004, to December 28, 2004. As a result of those comments, the final Mitigated Negative Declaration, and incorporated mitigation measures have been addressed. It should be noted that the Mitigated Negative Declaration took into consideration both the proposed Dialysis project and the Phase II portion for the future expansion of the outpatient treatment building to be located on the west end of the existing outpatient building.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: March 19, 2005

DATE ACCEPTED AS COMPLETE: March 25, 2005

RECOMMENDATION: Staff recommends that the City Council:

1. Affirm and approve a resolution for “D” Overlay Site Review 1-2005;

2. Adopt the draft resolution containing findings and conditions in support of the approval for “D” Overlay Site Review 1-2005 subject to conditions of approval.

ATTACHMENTS:

1. Site Plan, conceptual site plan for Phase II and elevations of the Dialysis building. (Exhibit “A”)
2. Environmental Initial Study
3. Draft Resolution of affirmation for the approved Mitigated Negative Declaration
4. Draft Resolution of approval for “D” Overlay Site Review 1-2005
INITIAL STUDY
AND
MITIGATED NEGATIVE DECLARATION
SIERRA VIEW DISTRICT HOSPITAL
MASTER PLAN

December 2004

Lead Agency: Sierra View District Hospital
465 West Putnam
Porterville, CA 93257

Contact Person: Bruce Peterson
Director of General Services
Phone: (559) 784-1110
Fax: (559) 784-2574

Consultant: Quad Knopf, Inc.
5110 W. Cypress Avenue
P.O. Box 3699
Visalia, CA 93278

Contact Person: Stephen Peck, AICP
Principal Planner
Phone: (559) 733-0440
Fax: (559) 733-7821
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SECTION ONE

INTRODUCTION
SECTION ONE – INTRODUCTION

1.1 CEQA Requirements

This document is the Initial Study/Mitigated Negative Declaration on the potential environmental effects of buildout of the Sierra View District Hospital Master Plan. Sierra View District Hospital will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

Section 15063 of the CEQA Guidelines requires a Lead Agency to prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. The purposes of an Initial Study, as listed under Section 15063[c] of the CEQA Guidelines, include:

1) Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR [Environmental Impact Report] or a Negative Declaration.

2) Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration.

3) Assist in the preparation of an EIR, if one is required, by:
   
   (A) Focusing the EIR on the effects determined to be significant,
   (B) Identifying the effects determined not to be significant,
   (C) Explaining the reasons for determining that potentially significant effects would not be significant, and
   (D) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project’s environmental effects.

4) Facilitate environmental assessment early in the design of a project;

5) Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;

6) Eliminate unnecessary EIRs;

7) Determine whether a previously prepared EIR could be used with the project.

This Initial Study/Mitigated Negative Declaration has been prepared in response to the requirements presented above. The proposed project consists of buildout of the Hospital’s Master Plan. The project involves the addition of a chronic dialysis center, a future planned outpatient surgery center, parking areas and various Hospital improvements.
1.2 Prior Environmental Documents

There are no prior Initial Studies or Environmental Impact Reports for this project.

Referenced in this Study are the following reports:

City of Porterville General Plan
City of Porterville General Plan EIR
Sierra View District Hospital Master Plan
Reconnaissance Level Biological Survey
Traffic Impact Study
Cultural Resources Records Report
SECTION TWO

PROJECT DESCRIPTION
SECTION TWO – PROJECT DESCRIPTION

Introduction

This Mitigated Negative Declaration has been prepared under the direction of the Sierra View District Hospital (District), the Lead Agency under CEQA, to analyze the potential effects of approving and implementing the Hospital Master Plan Project (Project). The proposed Project involves the addition of a chronic dialysis center, a future medical facility/office building, parking areas and various Hospital improvements.

2.1 Project Location

The Project site is located at the intersection of Pearson Drive and Cleveland Avenue, in Porterville, California, Assessor Parcel Numbers (APN) 252-260-074-000, 252-260-0T1-000, 252-260-081-000, 252-260-082-000, and 252-260-044-000 in Township 21 South, Range 27 East, Section 26, in the Porterville 7.5-minute USGS quadrangle (see Figures 2-1 and 2-2).

2.2 Project Description

The proposed Project consists of two phases of construction: 1) a new 10,311 sq. ft. outpatient dialysis building, and; 2) a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping, and other related improvements (see Figure 2-3). There is an existing 34,120 sq. ft. building and associated facilities on site. The dialysis center will have no full time physicians, but will have 22 full time employees, with only half (11 employees) at the center each day. The dialysis center will not have any beds, but will have 30 dialysis chairs.

Sierra View District Hospital was founded in 1958. In 1993, a substantial expansion was undertaken resulting in the current hospital campus. The hospital currently provides the following services on site:

- 24-hour emergency department
- 157 licensed beds
- Cancer treatment
- In-patient and out-patient laboratory services
- In-patient and out-patient surgery
- Dialysis services
- Out-patient radiology and imaging services
- Rehabilitation services
- Pharmacy
- Social services
- Sub acute unit
The Hospital Master Plan was developed to:

- Improve outpatient care services by providing the best technology available for the patients served
- Alleviate testing wait times for out-patients due to in-patient priorities
- Improve customer service
- Reduce renovation disruptions and control cost while maximizing revenue and use of existing facilities
- Plan for future expansion of the of the campus to eliminate future relocation.

2.3 Environmental Setting

EARTH

The Porterville area is within the Great Valley geomorphic province of California. The Valley is located between the foothills of the Sierra Nevada on the east and the Coast Ranges on the west. Large, gently sloping alluvial (stream-deposited) fans cover the eastern side of the Valley and were formed by rivers, which flow in a westerly direction from the Sierra Nevada.

The Project site is within the alluvial terraces in the eastern part of the San Joaquin Valley. The site is relatively flat topography with property boundaries matching surface elevations of adjoining roads and properties. Elevation (Above Mean Sea Level) is approximately 459 feet.

Soil in the Project area is composed of San Emigdio-Yettem-Honout, which is characterized as very deep, nearly level to gently sloping, well drained sandy loams. Minor soils within this unit found in the Porterville area include Greenfield and Tujunga. The major soils are used mainly for orchards, vineyards and cultivated crops.

AIR QUALITY

The project lies within the Tulare County portion of the San Joaquin Valley Air Basin (SJV Air Basin). The air quality of the Valley is directly related to the ability of the atmosphere to dilute and transport pollutants. However, the climate and meteorology within the Valley are conducive to the creation and entrapment of air pollution. Air pollution within the Valley is, in part, a result of the enclosed air basins, which experience long periods of inversion, a relatively light wind flow and a generous amount of sunlight. The SJV Air Basin is comprised of eight counties: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and central and western Kern. The Basin periodically exceeds State and/or federal standards for levels of ozone and fine particulate matter (see Table 2-1).

The San Joaquin Valley’s PM10 problem is caused by the same emissions which cause ozone concentrations: ROG and NOx. In addition, PM10 concentrations are the result of other human activities, including agricultural operations, industrial processes,
combustion of fossil fuels, construction and demolition, and diversion of road dust into the air. Natural sources of PM$_{10}$ include windblown dust and wildfires.

### Table 2-1
State and Federal Ambient Air Quality Standards
Ozone, Carbon Monoxide and PM$_{10}$

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Averaging Time</th>
<th>California Standards $^1$</th>
<th>National Standards $^1$</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Concentration $^3$</td>
<td>Method $^4$</td>
</tr>
<tr>
<td>Ozone</td>
<td>1 Hour</td>
<td>0.09 ppm (180 ug/m$^3$)</td>
<td>Ultraviolet Photometry</td>
</tr>
<tr>
<td>Carbon Monoxide</td>
<td>8 Hour</td>
<td>9.0 ppm (10 mg/m$^3$)</td>
<td>Non-dispersive Infrared Spectroscopy (NDIR)</td>
</tr>
<tr>
<td></td>
<td>1 Hour</td>
<td>20 ppm (23 mg/m$^3$)</td>
<td>Spectroscopy (NDIR)</td>
</tr>
<tr>
<td>Suspended Particulate Matter (PM$_{10}$)</td>
<td>Annual Geometric Mean</td>
<td>30 ug/m$^3$</td>
<td>Size Selective Inlet High Volume Sampler And Gravimetric Analysis</td>
</tr>
<tr>
<td></td>
<td>24 Hour</td>
<td>50 ug/m$^3$</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>Annual Arithmetic Mean</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

**NOTES:**
1) California standards for ozone, carbon monoxide and particulate matter – PM$_{10}$, are values that are not to be exceeded.
2) National standards, other than ozone and those based on annual averages or annual arithmetic means, are not to be exceeded more than once a year. The ozone standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above the standard is equal to or less than one.
3) Concentration expressed first in units in which it was promulgated. Equivalent units given in parenthesis are based upon a reference temperature of 25 C and a reference pressure of 760 mm of mercury (1,013.2 millibar); ppm in this table refers to ppm by volume, or micromoles of pollution per mole of gas.
4) Any equivalent procedure which can be shown to the satisfaction of the Air Resources Board to give equivalent results at or near the level of the air quality standard may be used.
5) National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health. Each state must attain the primary standards no later than three years after that state’s implementation plan is approved by the Environmental Protection Agency (EPA).
6) National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollution. Each state must attain the secondary standards within a “reasonable time” after the implementation plan is approved by the EPA.
7) Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the EPA.

**SOURCE:** State of California, Air Resources Board.

The SJV Air Basin had one of the most severe air pollution problems in the State of California and the nation and is an extreme nonattainment area. Air pollution is
hazardous to health, diminishes the production and quality of many agricultural crops, reduces visibility, degrades or soils materials, and damages native vegetation.

During construction, the District must comply with the San Joaquin Valley Air Pollution Control District’s Regulation VIII Control Measures to minimize effects on air quality.

The existing air quality in the Project vicinity can be described by ambient air quality data at the nearest SJV Air Basin air monitoring station, which is located in Bakersfield. Table 2-2 contains a summary of the number of days that air quality exceeded the federal and state standards for PM$_{10}$ and ozone from 1994 through 2002, the nine most recent years for which annual data have been published by the California Air Resources Board.

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<tbody>
<tr>
<td>Ozone</td>
<td>27</td>
<td>59</td>
<td>66</td>
<td>14</td>
<td>29</td>
<td>44</td>
<td>41</td>
<td>46</td>
<td>28</td>
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<tr>
<td>PM$_{10}$</td>
<td>79</td>
<td>130</td>
<td>120</td>
<td>49</td>
<td>45</td>
<td>21</td>
<td>54</td>
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<tr>
<td>Ozone</td>
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<tr>
<td>PM$_{10}$</td>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>9</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**WATER RESOURCES**

Mean annual precipitation in the Porterville area is approximately 11 inches per year. Rainfalls are concentrated predominantly during the 6 months from November through April.

Flooding within the City's Urban Area Boundary could potentially result from man-made development (stormwater runoff, ponding basins, etc.) and/or overflow of natural water courses. The need to release large volumes of water during major storm events from Success Reservoir, located on the Tule River east of the City, poses the most significant threat. Most potential flooding problems within the Porterville Urban Area Boundary are related to the rise of the water level of the Tule River during precipitation events and sheetflow from the hills located in the northeastern sector of the City. Flooding of the Tule River is presently not considered hazardous in the City because the City does not permit development in the flood plain without adequate mitigation and the elevation of the channel is lower than adjacent land. The Project site is outside the 100-year flood plain according to the City of Porterville Land Use, Open Space, Conservation and Safety Elements of the General Plan, 1998. The nearest waterway in the Project vicinity is the Porter Slough, which is not considered a significant flood hazard.
BIOLOGICAL RESOURCES

The natural vegetation communities of the southern San Joaquin Valley historically supported a diverse assemblage of plant and animal species. The conversion of native and naturalized plant communities by agricultural development, road construction, dam construction, and urbanization has significantly reduced available wildlife and plant habitat. As a result of this conversion, several species of both plants and animals have been extirpated from the southern San Joaquin Valley, and populations of other species have declined significantly. As a result, and as directed by state and federal legislation, the California Department of Fish and Game and the United States Fish and Wildlife Service have listed many southern San Joaquin Valley species as threatened, endangered, or as candidates for state or federal listing. A Reconnaissance Level Biological Survey was conducted by Quad Knopf, Inc., Biologist Jim Jones to determine the potential presence of species. The field survey consisted of walking the project site, documenting all pertinent information. A records search of the California Department of Fish and Game’s Natural Diversity database was also conducted as well as the California Native Plant Society’s database to identify rare and endangered plant and animal species.

CULTURAL RESOURCES

The Southern Valley Yokuts were early inhabitants of the Porterville area and had a mixed economy based primarily on fish, waterfowl, shellfish, roots, and seeds. The Porterville area was formerly occupied by the Koyete Indians, a sub-tribe of the Yokuts. The Koyete’s principal village, called Chokowisho, was situated on Murray Hill, between Porter Slough and the Tule River. Due to an abundance of resources, the Yokuts developed a culture of comparatively great material wealth and tended to live in large, more permanent settlements. A cultural resources records search on the project site by the Southern San Joaquin Valley Information Center was completed on June 14, 2004.

CIRCULATION/TRANSPORTATION

The traffic study evaluated the potential traffic impacts of a proposed dialysis center and future surgery center associated with the Sierra View Hospital in Porterville. It is anticipated that the project will generate a fairly low volume of new trips. Pearson Drive, a local street with low traffic volumes, provides access to the Project site. The Cleveland Avenue alignment is currently designated as a collector and implementation of the plan would require its declassification and/or abandonment. A traffic study was conducted to determine if intersections have sufficient capacity to accommodate the increased traffic, without Cleveland Avenue.

UTILITIES

The utilities on the Project site are provided by the City of Porterville and by State-regulated public utility companies. The Hospital intends to connect to the utility lines currently serving the existing building on site.
Utility Service is provided to the site as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Provider</th>
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</thead>
<tbody>
<tr>
<td>Electric</td>
<td>Southern California Edison</td>
</tr>
<tr>
<td>Gas</td>
<td>Southern California Gas</td>
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<td>Refuse</td>
<td>City of Porterville Field Services Division</td>
</tr>
<tr>
<td>Sewer</td>
<td>City of Porterville</td>
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<tr>
<td>Telephone</td>
<td>Pacific Bell</td>
</tr>
<tr>
<td>Water</td>
<td>City of Porterville</td>
</tr>
<tr>
<td>Storm Drainage</td>
<td>City of Porterville</td>
</tr>
</tbody>
</table>
SECTION THREE

EVALUATION OF ENVIRONMENTAL IMPACTS
SECTION THREE – EVALUATION OF ENVIRONMENTAL IMPACTS

3.1 Environmental Checklist and Discussion

1. Project title:
   Sierra View District Hospital Master Plan

2. Lead agency name and address:
   Sierra View District Hospital
   465 W. Putnam Ave.
   Porterville, CA 93257

3. Contact person and phone number:
   Bruce Peterson
   (559) 784-1110

4. Project location:
   USGS Porterville Quadrangle map, the site is in the southwest quarter of section 35 in Township 21 South, Range 27 East, Section 26, in the Porterville 7.5-minute USGS Quadrangle

5. Project sponsor’s name and address:
   Sierra View District Hospital
   465 W. Putnam Ave.
   Porterville, CA 93257

6. General plan designation: Professional and Office

7. Zoning: Professional and Office

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
   The Project consists of the build out of the Sierra View District Hospital Master Plan. The Project includes the construction of a new 10,311 sq. ft. outpatient dialysis building, a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping, and other related improvements.

9. Surrounding land uses and setting: Briefly describe the project’s surroundings:
   See text of Initial Study/Mitigated Negative Declaration
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

- California Regional Water Quality Control Board, Central Valley Region
- California Department of Health Services
- City of Porterville Permitting
- Division of the State Architect
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

☐ Aesthetics ☐ Agriculture Resources ☐ Air Quality
☐ Biological Resources ☐ Cultural Resources ☐ Geology/Soils
☐ Hazards & Hazardous Materials ☐ Hydrology/Water Quality ☐ Land Use/Planning
☐ Mineral Resources ☐ Noise ☐ Population/Housing
☐ Public Services ☐ Recreation ☐ Transportation/Traffic
☐ Utilities/Service Systems ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Prepared by: Stephen J. Feck
Principal
Quad Knopf, Inc.

Date: 11/28/04

Sierra View District Hospital Master Plan
Initial Study/Mitigated Negative Declaration

December 2004
3 - 3
3.1.1 Aesthetics –

Would the project:

a) Have a substantial adverse effect on a scenic vista?
   - Potentially Significant Impact
   - Less Than Significant With Mitigation Incorporation
   - Less Than Significant Impact
   - No Impact

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
   - Potentially Significant Impact
   - Less Than Significant With Mitigation Incorporation
   - Less Than Significant Impact
   - No Impact

c) Substantially degrade the existing visual character or quality of the site and its surroundings?
   - Potentially Significant Impact
   - Less Than Significant With Mitigation Incorporation
   - Less Than Significant Impact
   - No Impact

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?
   - Potentially Significant Impact
   - Less Than Significant With Mitigation Incorporation
   - Less Than Significant Impact
   - No Impact

Response:

Scenic Vista and Resources (a, b, c): The site is located on flat ground that has been previously graded. No known aesthetic resources exist on the site, and it is not within any City or county-identified scenic vista. The site is currently a vacant lot and bounded on the north, east and south by residential and commercial development. To the west is vacant land. The Porter Slough is located immediately south of the Project area. The design of the Project would be consistent with the design of existing and recently-constructed buildings in the Project area.

Conclusion: The Project will have no impact on scenic resources.

Security Lighting (d): Lighting from security lighting for the parking lot may be noticeable to residents near the site.

Conclusion: Security lights will be used throughout the site and will be visible to nearby residents. The Hospital District will consult with a lighting engineer so that the light source itself is not visible outside of the perimeter of the site, and so that any indirect light does not exceed a 0.5-foot candle increase. This mitigation will reduce this impact to less than significant.
3.1.2 Agriculture Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Response:

Prime Farmland (a): San Emigdio Loam is the predominant soil at the site and throughout the City of Porterville. This very deep, well-drained soil is on alluvial fans. San Emigdio Loam is a prime farmland soil with a Class I (17) capability (irrigated) for agricultural use and a Storie Index rating of 90. The Project site, however, is substantially surrounded by urban development, is planned for non-agricultural uses, and is not feasible to farm on an economic scale. The Project site therefore is not considered “prime farmland.”

Conclusion: Development of the site for the Hospital will result in a less than significant impact on the loss of prime farmland.

Zoning (b): The site is zoned Professional and Office, and is not in a Williamson Act Contract.
Conclusion: Development of the Project will not conflict with existing zoning for agricultural use. There is no impact.

Agricultural Preserve/Williamson Act (b): The Project site is not in an area designated as an Agricultural Preserve by the County of Tulare. The land is not involved in a Williamson Act contract with Tulare County.

Conclusion: There is no impact.

Farmland Conversion (c): The area in which the Project will occur is not in agricultural production. The Project is consistent with the City of Porterville’s General Plan, which designates the land as Professional and Office.

Conclusion: There will be no impact.
3.1.3 Air Quality

Where available, the significance criteria established by the applicable air quality management of air pollution control district may be relied upon to make the following determinations. Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b)</td>
<td>Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c)</td>
<td>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is no-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d)</td>
<td>Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e)</td>
<td>Create objectionable odors affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Response:

Air Quality Plans (a, b, c): The Project will not exceed the Small Project Analysis Level (SPAL) established by the Air District. The Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) utilizes the threshold of 78,000 square feet of medical office space as potentially significant. The Project, totaling approximately 29,340 square feet, falls far below the threshold and therefore a full air quality analysis is not required. The GAMAQI also establishes a 10 ton/year pollutant threshold for ROG and NOx to be considered significant. An URBEMIS Model was run (see Appendix A) for the Project confirms showing a total of 2.24 tons per year for ROG and 3.11 tons per year for NOx, and 2.18 tons per year for PM$_{10}$. These levels are below the level of significance threshold established by the SJVAPCD. See Table 3-1.
Table 3-1
Ozone Precursor Emissions
Sierra View District Hospital

<table>
<thead>
<tr>
<th>Construction Emission Estimates</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>PM_{10}</th>
<th>SO_{2}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totals (tpy, unmitigated)</td>
<td>0.71</td>
<td>0.05</td>
<td>0.03</td>
<td>0.01</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals (tpy, mitigated)</td>
<td>0.71</td>
<td>0.05</td>
<td>0.03</td>
<td>0.01</td>
<td>0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Area Source Emission Estimates</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>PM_{10}</th>
<th>SO_{2}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totals (tpy, unmitigated)</td>
<td>0.01</td>
<td>0.04</td>
<td>0.07</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals (tpy, mitigated)</td>
<td>0.00</td>
<td>0.04</td>
<td>0.08</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operational (Vehicle) Emission Estimates</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>PM_{10}</th>
<th>SO_{2}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totals (tpy, mitigated)</td>
<td>2.23</td>
<td>3.07</td>
<td>27.22</td>
<td>2.18</td>
<td>0.02</td>
</tr>
<tr>
<td>Total (tons/year)</td>
<td>2.24</td>
<td>3.11</td>
<td>27.3</td>
<td>2.18</td>
<td>0.02</td>
</tr>
</tbody>
</table>

**Conclusion:** The Project will not have a significant effect on the Air Basin. During construction, the Hospital District will comply with the SJVAPCD’s Regulation VIII control measures to minimize effects on air quality.

**Substantial Pollutant Concentrations or Odors (d, e):** Construction and operation of the Hospital is not expected to generate substantial pollutant concentrations or objectionable odors.

**Conclusion:** No impacts will result.
3.1.4 Biological Resources –

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Response: Sensitive or Special Status Species: A reconnaissance-level biological survey for threatened, endangered, and other special-status plant and animal species of the proposed Project site was conducted by a qualified Knopf biologist (see Appendix B).
The reconnaissance level biological survey conducted for the proposed project site determined that while there was a possibility that 24 Special-status species could occur on the site, only elderberry shrubs were present, a habitat for the federal threatened Valley elderberry longhorn beetle, were present. The only animal species identified is the valley elderberry longhorn beetle.

A total of nine blue elderberry shrubs with at least one stem 1-inch or greater at ground level were identified in the Project area (see Figure 3, Photographs 7 - 14 of Appendix B).

Figure 3-1 indicates the approximate locations of all elderberry shrubs within 100 feet of the Project. Shrubs 3, 4, 5, 6, 7, 8 and 9 would be located within the 100 foot buffer zone established by the USFWS. Prior to construction, these elderberry shrubs will be flagged by a qualified biologist and a 20-foot barrier constructed around the shrubs. Prior to construction of the surgery center and expanded parking lot, Shrubs 1 and 2 would be transplanted and monitored in accordance with USFWS Conservation Guidelines for the Valley Elderberry Beetle (see Appendix B). Consultation with the Fish and Wildlife Services would be requested prior to Phase 2. Shrubs 8 and 9 are within 25 feet of the proposed facility. To prevent the possible disturbance to elderberry shrubs (8 and 9), the District will establish a 20 foot fenced buffer area around the shrubs, and locate the building to provide a five-foot minimum-foot construction area.

**Conclusion:** Less than significant impact with mitigation would occur.

**Riparian Habitat/Wetlands (b, c):** The Porter slough is located adjacent to, but not on the proposed Project site. The Project will not have a substantial adverse effect on any riparian habitat or federally protected wetlands.

**Conclusion:** The Project site is not considered by the biological survey to be a sensitive habitat area of a wetlands and no impact would occur.

**Wildlife Corridors/Protected Biological Resources (d, e):** See Response 3.1.4a).

**Conclusion:** No impact would occur.
Habitat Conservation Plan (f): See Response 3.1.4a).

Conclusion: No impact would occur.
3.1.5 Cultural Resources –

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064385?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

Response:

Cultural Resources (a, b, c, d): There could be disturbances or destruction of cultural or historic resources resulting from the construction activities associated with the Project. The Project is located on a flat plain comprising the east side of the Southern San Joaquin Valley. A cultural resources records search of the Project site and surrounding area was conducted by Jill Gardner from the Center for Archaeological Research, California State University, Bakersfield, Appendix C. The records search indicated that two cultural resource studies have been conducted directly on the subject property and seven have been conducted within approximately one half mile of the Project site. None of these studies reported any prehistoric documented historical structures. No subsurface investigations have been done and the possibility exists that buried cultural resources could exist on site.

There are no known cultural resources within the subject property or within a half-mile radius that are listed in the National Register of Historic Places, California Register of Historic Resources, California Points of Interest, California Inventory of Historic Resources, or the California State Historic Landmarks (See Appendix C, Cultural Resources Records Search).
Conclusion: As recommended by SJV Historic Resources Information Center, potential impacts can be mitigated by ceasing all construction operations within 50 feet of a find during construction so that a qualified professional archaeologist may conduct a field survey to determine the significance of the find. Adherence to this protocol would reduce the impact on cultural resources to a less than significant level.
3.1.6 Geology/Soils –

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving?

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

[ ☐ ☐ ☒ ☐ ]

ii) Strong seismic ground shaking?

[ ☐ ☐ ☒ ☐ ]

iii) Seismic-related ground failure, including liquefaction.

[ ☐ ☐ ☒ ☐ ]

iv) Landslides

[ ☐ ☐ ☒ ☐ ]

b) Result in substantial soil erosion or the loss of topsoil?

[ ☐ ☐ ☒ ☐ ]

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction of collapse?

[ ☐ ☐ ☒ ☐ ]

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building code (1994), creating substantial risks to life or property?

[ ☐ ☐ ☒ ☐ ]

Response:

The City of Porterville is not located on a known fault according to the Five County Seismic Safety Element and the Division of Mines and Geology Fault Activity Map of California and Adjacent Areas, 1994.

Groundshaking has occurred, and will occur periodically in Porterville from distant earthquakes. The nearest known active fault is the Coalinga fault, located 60 miles west of the Project site. This previously unmapped fault generated a Richter magnitude 6.7 earthquake in 1983.
The Project will be designed in compliance with Title 24 Uniform Building Code.

Conclusion: The probability of surface fault ruptures within the vicinity of the site is slight as the Project site is not situated on any major fault system.

Soil Stability (b, c, d): Soil in the proposed site is well drained and underlain with hardpan. Landslides, lateral spreading, subsidence, liquefaction, and expansion will not occur with this type of soil.

Conclusion: There are no significant impacts associated with the proposed Project.
### 3.1.7 Hazards/Hazardous Materials –

Would the project:

<table>
<thead>
<tr>
<th>Question</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ ☑</td>
</tr>
<tr>
<td>For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑ ☑</td>
</tr>
<tr>
<td>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

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Response:

Hazards (a, b, c, d): The Hospital District is responsible for overseeing the use, storage, transport, and disposal of hazardous materials in and around the hospital facilities.

The Hospital District currently employs procedures and measures to be used by all departments on the Hospital complex while handling or disposing of hazardous materials or wastes. This includes descriptions of the handling, storage, and disposal of hazardous materials, procedures for exposure and spill incidents, and control of access to hazardous materials.

Hazardous materials and wastes handled on the Project site include sharps, pharmaceuticals, 100 percent ethylene oxide (EO), nitrous oxide, glutaraldehyde, formaldehyde, paint thinner, cleaning solvents, soiled linens, and compressed gas. All hazardous materials are disposed of in bags, which are in turn placed in sealed rubber containers and stored in a locked area on the hospital complex.

Empty compressed natural gas containers are marked empty, their valve safety caps are replaced, and they are returned promptly to the original provider. Gas containers being used are secured to a storage rack and clearly labeled.

The District complies with the Hazard Communication/Right-to-know Law by informing all employees of potentially hazardous materials. Each employee is also trained in first aid, provided with Material Safety Data Sheets, and trained in the use of personal protective equipment, hazardous material/waste handling, storage, disposal procedures, and emergency response procedures.

All personnel training sessions are documented, evaluated, and reviewed periodically to ensure their effectiveness.

Conclusion: The Project will have no impact associated with hazardous materials.

Airports (e, f): The Project site is located outside the two-mile buffer of any public or private airstrip. The nearest airstrip is the Porterville Municipal Airport, located approximate three miles southwest of the City of Porterville.
Conclusion: The Project will have no impact on public or private airport use.

Emergency Response Plan (g): The Project will not alter any county or City emergency response plan or emergency evacuation plan.

Conclusion: The Project will not have a significant impact on emergency plans.

Wildland Fires (h): Grasslands do not exist in the site vicinity. Surrounding lands are either commercial, residential, or vacant lands.

Conclusion: There is no danger of wildland fires within the Project vicinity.
3.1.8 Hydrology/Water Quality –

Would the project:

a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☐ ☒

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☒ ☐

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? ☐ ☐ ☐ ☒

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? ☐ ☐ ☒ ☐

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ☐ ☐ ☒ ☐

f) Otherwise substantially degrade water quality? ☐ ☐ ☐ ☒

g) Place housing within a 100-year flood hazard area as mapped on a federal flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☒

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? ☐ ☐ ☐ ☒
<table>
<thead>
<tr>
<th>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

**Response:**

**Water Quality (a, f):** The proposed commercial uses will be on the City’s water, storm water and sewer systems, which have adequate capacity to accommodate the increased flows. The project will also include preparation of a Storm Water Pollution Prevention Plan to mitigate storm runoff.

**Conclusion:** No impact on water quality will occur.

**Groundwater (b):** The site is currently a vacant lot. The proposed Project will receive its water from the local water service company and the source will remain groundwater.

**Conclusion:** The impact on groundwater will be less than significant.

**Stream or River (c):** Porter Slough is located to the south of the Project site. The Project does not involve any alteration to, or disturbances of the Porter Slough.

**Conclusion:** There will be no impact on any stream or river.

**Drainage Pattern (d, e):** The Project will not alter any drainage patterns or contribute to water runoff that would exceed the capacity of existing stormwater drainage systems. The project is constructed within the confines of the City’s Storm Drain Master Plan.

**Conclusion:** The drainage related impacts are less than significant.

**Flood Hazard (g, h):** The Federal Emergency Management Agency’s Flood Insurance Rate Map shows that the site is not within a 100-year flood hazard zone.

**Conclusion:** No flood hazard impact will occur.
**Dam Failure Inundation (i):** The only upstream dam or levee which could conceivably affect the Project area is the Lake Success Dam and Reservoir. Information obtained from the Corps of Engineers, the agency responsible for dam operation, indicates that if catastrophic failure of the dam were to occur, the Project site would be at the calculated three-foot depth inundation area, with flood waters arriving approximately one-half hour after such failure occurred. This period would allow minimal but adequate time to prepare the site for expected flooding and evacuation.

**Conclusion:** The City of Porterville has adopted a Flood Evacuation Plan to provide for the protection of life and property through evacuation of areas that would be inundated. The low probability of the occurrence of dam failure, large volume of flood water available for dilution of potential pollutants, and the relatively long warning period to ready the site for flooding indicate that inundation related to dam failure is not a significant risk to the Project site, and thus a less than significant impact.

**Seiche/Tsunami/Mudflows (j):** There is no potential for Seiche or tsunami due to the lack of a significant water body near the site. The site is flat, therefore eliminating the possibility for a mudflow.

**Conclusion:** There will be no impact.
### 3.1.9 Land Use/Planning –

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Response:**

**Community Development (a):** The land is surrounded by residential and commercial developments. The proposed project is located on land currently zoned as Professional and Office and will be located adjacent to existing Hospital facilities.

**Conclusion:** The Project will not impede the orderly growth and development in the Porterville area.

**General Plan/Zoning (b):** The Project site is designated as Professional and Office. The traffic study demonstrates declassification and abandonment of Cleveland Avenue will not impact the existing circulation system.

**Conclusion:** There will be no impact as a result of the Project.

**Habitat Conservation Plan (c):** There are no applicable habitat conservation plans relevant to the proposed Project.

**Conclusion:** There will be no impact as a result of the Project.
3.1.10 Mineral Resources –

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? □ □ □ ☒

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? □ □ □ ☒

Response: Mineral Resources (a, b): No known mineral resources exist on the Project site.

Conclusion: The Project will not adversely impact existing mineral resources.
3.1.11 Noise –

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? □ ☒ ☐ ☐ ☐

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? □ ☐ ☐ ☐ ☒

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? □ ☒ ☐ ☐ ☐

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? □ ☒ ☐ ☐ ☐

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? □ ☐ ☐ ☐ ☒

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? □ ☐ ☐ ☐ ☒

Response:

**Increased Noise Levels (a, c, d):** Construction of the proposed Project will cause a short-term increase in ambient noise. Construction noise impacts are considered short-term. Earthmoving, materials handling, stationary equipment, and impact equipment and vehicles generate noise during clearing, excavation, grading, structure, roadway and utility construction operations associated with the development of the proposed project.

Actual noise levels generated by equipment and experienced at nearby residences and at the Hospital during construction will vary hourly, daily, and weekly because
the number and types of equipment used would vary. Noise could be produced by diesel powered motor graders, tractors, forklifts, loaders, rollers, asphalt pavers, generators, flatbed trucks and delivery trucks. During the construction of the Project, noise from construction activities would potentially impact outdoor activity areas of the Hospital. Construction noise experienced inside the Hospital will not be significant because the Hospital shell will effectively reduce exterior noise to levels that will be inaudible at most locations. Construction activities would most likely occur only during the daytime hours.

**Conclusion:** The Project will result in a short-term construction noise level that could exceed community noise standards. The following measure will be implemented to reduce noise impacts to a less than significant level:

Noise producing equipment for construction shall be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on weekends. Also, mufflers and fan housings shall be used on all construction equipment. After the proposed mitigation this short-term noise increase is a less than significant impact.

**Groundborne Vibrations (b):** Operation of the Project would not result in any excessive groundborne vibration or groundborne noise levels.

**Conclusion:** There will not be any adverse impacts.

**Airport/Private Airstrip (e), (f):** The proposed Project is not located within two miles of a public or private airstrip. The closest airport is the Porterville Municipal Airport, located approximate three miles southwest of the City of Porterville.

**Conclusion:** No impact will occur.
3.1.12 Population and Housing –

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Response: Population Growth (a): Development of the new District Hospital is in response to the existing and proposed increased growth in the Porterville area.

Conclusion: The Project will not induce population growth and therefore will have no impact.

Housing (b, c): There are no dwellings on the proposed Project site.

Conclusion: There will be no displacement of housing units, and therefore no housing-related impacts.
3.1.13 Public Services –

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impact, in order to maintain acceptable service ratios for any of the public services:

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<td>Other public facilities?</td>
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Response: Fire Protection Services: The additional area of development would increase the number of structures requiring fire protection. However, normal precautionary measures and building codes will be followed to reduce unnecessary risk of fire. On-site fire suppression systems and sprinkler systems will be incorporated into building and design in accordance with local codes and ordinances. The two fully staffed fire stations in the City of Porterville have been strategically located to provide response times of five minutes or less to all areas of the City.

Conclusion: The Project is within the planned growth of the City and the number of stations in Porterville is sufficient to maintain acceptable standards of fire suppression and control.

The Project will create a less than significant demand for fire safety services and is therefore a less than significant effect.

Police Protection Services: The Project may increase the demands for law enforcement services by the Porterville Police Department. While the number of requests for
police services in the Project area will increase as the number of employees, patients and visitors expand, the primary effect on law enforcement services will be associated with traffic conditions. The Hospital maintains a security service that patrols the Hospital grounds and parking lots. While this service will be expanded to meet the Project requirements, this will not eliminate the need for police response associated with any criminal activities or increased response to traffic accidents.

**Conclusion:** The Police Department can adequately serve the Project and will not need to hire additional police officers or purchase new equipment or vehicles to meet the service requirements, the effect on law enforcement is considered to be less than significant.

**School Facilities:** The Project is not growth inducing and will create a less than significant demand for additional facilities.

**Conclusion:** No Impact.

**Park Facilities:** The need for park facilities are directly related to residential population in the community. The Project does not include any residential uses and therefore will create no impact on park facilities.

**Conclusion:** No Impact.
### 3.1.14 Recreation -

Would the project:

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<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
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<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?</td>
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</table>

**Response:**

**Recreational Facilities (a, b):** The Project will not alter the existing use of recreation facilities and no new recreational facilities will be constructed as a result of the Project.

**Conclusion:** No Impact.
3.1.15 Transportation/Traffic –

Would the project:

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Result in inadequate parking capacity?

Response: Traffic (a, b): The Traffic Impact Analysis Study (See Appendix D) prepared for the Project concluded that the Project would generate a fairly low volume of new trips. Peak hour Levels of Service at surrounding intersections is expected to remain at the same level as the current levels with existing conditions. The number of project peak hour trips is estimated to be between 23 to 69. The roads/intersections studied include West Morton Avenue, Pearson Drive, and West Putnam Avenue. Trip generation as a result of the Project was calculated using the Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition, based on building square footage for a medical building. For the purposes of this study, the PM peak hour traffic was used as the worst-case scenario and distributed onto the street system using an even split between W. Morton Avenue and W. Putnam Avenue. The study scope
was limited to the intersections of Pearson Drive at W. Morton Avenue and W. Putnam Avenue, as Project traffic volumes beyond these intersections are dispersed to non-significant levels.

**Conclusion:** No direct significant traffic impacts will occur as a result of the Project.

**Air Traffic Patterns (c):** The Project site is located well outside the two-mile buffer of any public or private airstrip. The nearest airstrip is the Porterville Municipal Airport, located approximate three miles southwest of the City of Porterville.

**Conclusion:** The Project will have no impact on public or private airport use.

**Design Hazards (d):** Traffic Study recommends that any street parking be restricted to within 50 feet of the Pearson Avenue Plaza entrance and eliminate on-street parking on Pearson if there is a median.

**Conclusion:** The Project will not result in any design hazards, as mitigated.

**Emergency Access/Parking Capacity (e, f):** According to the Traffic Impact Study, the Project will not lower the level of service on surrounding circulation routes.

The City of Porterville requires 1 parking stall per 200 square feet of building space for medical office building. There are currently 82 parking stalls that serve the existing building. The proposed Project includes an additional 237 parking stalls (totaling 319 parking stalls). At buildout, the approximate square footage of all buildings for the Project is estimated to be 63,460 square feet, which would require 318 parking stalls.

**Conclusion:** The Project will have no impact on emergency access or parking capacity.
3.1.16 Utilities/Service Systems –

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? □ □ □ □ ×

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? □ □ □ □ ×

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? □ □ × □ □

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? □ □ × □ □

e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments? □ □ × □ □

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? □ □ × □ □

g) Comply with federal, state, and local statutes and regulations related to solid waste? □ □ □ □ ×

Response:

Wastewater (a, b, e): The utilities on the Project site are provided by the City of Porterville and by State-regulated public utility companies. Sanitary sewers and storm drains are City-owned and maintained. Wastewater will be treated at the Porterville Wastewater Treatment Facility. The Project will create a negligible increase in City wastewater generation and will not conflict with the facility’s capacity limits.
Conclusion: The City’s collection lines within the Project vicinity have the capacity to serve the Project.

Storm Water (c): See Section 3.1.8 Hydrology/Water Quality.

Water Service (d): Existing water supplies and wastewater treatment facilities are expected to suffice, based on historic water supply to the City and current capacity of the Porterville wastewater treatment facility.

Conclusion: No Impact.

Solid Waste (f, g): The Project’s generated refuse would be sent to the Teapot Dome landfill, which has adequate capacity to service the Project. The Project will comply with required regulations related to solid waste.

Conclusion: No Impact.
3.2 Mandatory Findings of Significance

a) Does the project 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?

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<tr>
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b) Does the project have impacts that are individually limited, but cumulatively considerable?

(“Cumulatively considerable” means that the incremental effects of a 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)?

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c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

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Response:

The proposed Project would not 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 disturb paleontological resources or eliminate important examples of the major periods of California history or prehistory. The proposed Project is consistent with long-range plans for the community and would not be inconsistent with existing environmental plans. The Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc.)
SECTION FOUR

LIST OF PERSONS THAT PREPARED INITIAL STUDY / NEGATIVE DECLARATION
SECTION FOUR — LIST OF PERSONS THAT PREPARED INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

Quad Knopf, Inc.

Stephen J. Peck, AICP, Project Manager
Travis Crawford, Analyst
Jan Chubbuck, Office Manager

Traffic

John Schuler, Ruettgers & Schuler

California State University, Bakersfield
Center for Archaeological Research

Jill Gardner, Archaeologist
APPENDICES
Appendix A

URBEMIS Air Quality Model
CONSTRUCTION EMISSION ESTIMATES

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AREA SOURCE EMISSION ESTIMATES

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OPERATIONAL (VEHICLE) EMISSION ESTIMATES

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SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

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## SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

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**CONSTRUCTION EMISSION ESTIMATES**

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**REA SOURCE EMISSION ESTIMATES**

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**OPERATIONAL (VEHICLE) EMISSION ESTIMATES**

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**SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES**

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### DETAIL REPORT

*Founds/Day - Winter*

**Construction Start Month and Year:** June, 2005  
**Construction Duration:** 12 months  
**Total Land Use Area to be Developed:** 0 acres  
**Maximum Acreage Disturbed Per Day:** 0 acres  
**Single Family Units:** 0  
**Multi-Family Units:** 0  
**Retail/Office/Industrial/Industrial Square Footage:** 33900

#### CONSTRUCTION EMISSION ESTIMATES UNMITIGATED (lbs/day)

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</thead>
<tbody>
<tr>
<td><strong>Phase 1 - Demolition Emissions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fugitive Dust</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Off-Road Diesel</td>
<td>0.00</td>
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<td>0.00</td>
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</tr>
<tr>
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<td>0.00</td>
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<tr>
<td>Worker Trips</td>
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<td>0.00</td>
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<tr>
<td><strong>Maximum lbs/day</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td><strong>Phase 2 - Site Grading Emissions</strong></td>
<td></td>
<td></td>
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<tr>
<td>Fugitive Dust</td>
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<td></td>
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<td></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>Off-Road Diesel</td>
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<tr>
<td>On-Road Diesel</td>
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<tr>
<td>Worker Trips</td>
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<td>0.00</td>
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</tr>
<tr>
<td><strong>Maximum lbs/day</strong></td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td><strong>Phase 3 - Building Construction</strong></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Bldg Const Off-Road Diesel</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Bldg Const Worker Trips</td>
<td>0.10</td>
<td>0.06</td>
<td>1.25</td>
<td>0.00</td>
<td>0.01</td>
<td>0.00</td>
<td>0.01</td>
</tr>
<tr>
<td>Arch Coatings Off-Gas</td>
<td>0.00</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Arch Coatings Worker Trips</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Asphalt Off-Gas</td>
<td>0.00</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Asphalt Off-Road Diesel</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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</tr>
<tr>
<td>Asphalt On-Road Diesel</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>Asphalt Worker Trips</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Maximum lbs/day</strong></td>
<td>0.10</td>
<td>0.06</td>
<td>1.25</td>
<td>0.00</td>
<td>0.01</td>
<td>0.00</td>
<td>0.01</td>
</tr>
<tr>
<td><strong>Max lbs/day all phases</strong></td>
<td>0.10</td>
<td>0.06</td>
<td>1.25</td>
<td>0.00</td>
<td>0.01</td>
<td>0.00</td>
<td>0.01</td>
</tr>
</tbody>
</table>

#### 2006*

**Phase 1 - Demolition Emissions**

| Fugitive Dust |     |     |     |     | 0.00       | 0.00          | 0.00      |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| **Maximum lbs/day** | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| **Phase 2 - Site Grading Emissions** |     |     |     |     | 0.00       | 0.00          | 0.00      |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| **Maximum lbs/day** | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |

**Phase 3 - Building Construction**

| Bldg Const Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Bldg Const Worker Trips | 0.09 | 0.06 | 1.18 | 0.00 | 0.01       | 0.00          | 0.01      |
| Arch Coatings Off-Gas 57.01 | -     |     |     |     | 0.00       | 0.00          | 0.01      |
| Arch Coatings Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Asphalt Off-Gas | 0.00 |     |     |     | 0.00       | 0.00          | 0.00      |
| Asphalt Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Asphalt On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| Asphalt Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00       | 0.00          | 0.00      |
| **Maximum lbs/day** | 57.18 | 0.08 | 1.94 | 0.00 | 0.02       | 0.00          | 0.02      |

**Max lbs/day all phases**

| 57.18 | 0.08 | 1.94 | 0.00 | 0.02 | 0.00 | 0.02 |
### Phase 1 - Demolition Assumptions
- Start Month/Year for Phase 1: Jun '05
- Base 1 Duration: 0.6 months
- Building Volume Total (cubic feet): 0
- Building Volume Daily (cubic feet): 0
- Miles per round trip set to zero

### Off-Road Equipment

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

### Phase 2 - Site Grading Assumptions
- Start Month/Year for Phase 2: Jun '05
- Base 2 Duration: 1.2 months
- Off-Road Truck Travel (VMT): 0

### Off-Road Equipment

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

### Phase 3 - Building Construction Assumptions
- Start Month/Year for Phase 3: Jul '05
- Phase 3 Duration: 10.2 months
- Subphase Building Duration: 10.2 months

### Off-Road Equipment

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>
- Start Month/Year for SubPhase Architectural Coatings: May '06
- SubPhase Architectural Coatings Duration: 1 months
- Start Month/Year for SubPhase Asphalt: May '06
- SubPhase Asphalt Duration: 0.5 months
- Acres to be Paved: 0

### Off-Road Equipment

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>
### AREA SOURCE EMISSION ESTIMATES (Winter Pounds per Day, Unmitigated)

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Gas</td>
<td>0.02</td>
<td>0.23</td>
<td>0.09</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Wood Stoves</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Fireplaces</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Landscaping - No winter emissions</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Consumer Prdcts</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>TOTALS (lbs/day, unmitigated)</td>
<td>0.02</td>
<td>0.23</td>
<td>0.09</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### AREA SOURCE EMISSION ESTIMATES (lbd/day, mitigated)

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Gas</td>
<td>0.01</td>
<td>0.23</td>
<td>0.08</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Wood Stoves</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Fireplaces</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Landscaping - No winter emissions</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Consumer Prdcts</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>TOTALS (lbs/day, mitigated)</td>
<td>0.01</td>
<td>0.23</td>
<td>0.08</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Area Source Mitigation Measures**

Orient Buildings North/South: Camrci Space Heat.
Percent Reduction (ROG 11% NOx 13.5% CO 17.5% SO2 0% PM10 12.5%)
### UNMITIGATED OPERATIONAL EMISSIONS

<table>
<thead>
<tr>
<th>Hospital</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>14.03</td>
<td>21.74</td>
<td>161.48</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

**TOTAL EMISSIONS (lbs/day)**

<table>
<thead>
<tr>
<th>Hospital</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>14.03</td>
<td>21.74</td>
<td>161.48</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

Includes correction for passby trips.
Includes a double counting reduction for internal trips.

### OPERATIONAL (Vehicle) EMISSION ESTIMATES

**Analysis Year:** 2005  **Temperature (°F):** 40  **Season:** Winter

**EMFAC Version:** EMFAC2002 (9/2002)

**Summary of Land Uses:**

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>36.13 trips / 1000 sq. ft.</td>
<td>33.90</td>
<td>1,224.81</td>
</tr>
</tbody>
</table>

**Vehicle Assumptions:**

#### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
<th>Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Auto</td>
<td>56.10</td>
<td>2.30</td>
<td>97.10</td>
<td>0.60</td>
</tr>
<tr>
<td>Light Truck &lt; 3,750 lbs</td>
<td>15.10</td>
<td>4.00</td>
<td>93.40</td>
<td>2.60</td>
</tr>
<tr>
<td>Light Truck 3,751-5,750 lbs</td>
<td>15.50</td>
<td>1.90</td>
<td>96.80</td>
<td>1.30</td>
</tr>
<tr>
<td>HD Truck 5,751-8,500 lbs</td>
<td>6.80</td>
<td>1.50</td>
<td>95.60</td>
<td>2.90</td>
</tr>
<tr>
<td>Lite-Heavy 8,501-10,000 lbs</td>
<td>1.00</td>
<td>0.00</td>
<td>88.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000 lbs</td>
<td>0.30</td>
<td>0.00</td>
<td>66.70</td>
<td>33.30</td>
</tr>
<tr>
<td>HD-Heavy 14,001-33,000 lbs</td>
<td>1.00</td>
<td>0.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000 lbs</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Gas Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>97.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>78.60</td>
<td>7.10</td>
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</table>

**Travel Conditions**

<table>
<thead>
<tr>
<th>Home-Work</th>
<th>Home-Shop</th>
<th>Home-Other</th>
<th>Commute</th>
<th>Non-Work</th>
<th>Customer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Trip Length (miles)</td>
<td>10.8</td>
<td>7.3</td>
<td>7.5</td>
<td>9.5</td>
<td>7.4</td>
</tr>
<tr>
<td>Rural Trip Length (miles)</td>
<td>16.8</td>
<td>7.1</td>
<td>7.9</td>
<td>14.7</td>
<td>6.6</td>
</tr>
<tr>
<td>Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>% of Trips - Residential</td>
<td>32.9</td>
<td>18.0</td>
<td>49.1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**% of Trips - Commercial (by land use)**

| Hospital | 25.0 | 12.5 | 62.5 |
# Mitigated Operational Emissions

<table>
<thead>
<tr>
<th>Hospital</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>14.03</td>
<td>21.74</td>
<td>161.48</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

Total Emissions (lbs/day) 14.03 21.74 161.48 0.12 11.93

## Operational (Vehicle) Emission Estimates

**Analysis Year:** 2005  **Temperature (F):** 40  **Season:** Winter  
**EMFAC Version:** EMFAC2002 (9/2002)

### Summary of Land Uses:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>36.13 trips / 1000 sq. ft.</td>
<td>33.90</td>
<td>1,224.81</td>
</tr>
</tbody>
</table>

### Vehicle Assumptions:

#### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
<th>Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Auto</td>
<td>56.10</td>
<td>2.30</td>
<td>97.10</td>
<td>0.60</td>
</tr>
<tr>
<td>Light Truck &lt; 3,750 lbs</td>
<td>15.10</td>
<td>4.00</td>
<td>93.40</td>
<td>2.60</td>
</tr>
<tr>
<td>Light Truck 3,751-5,750</td>
<td>15.50</td>
<td>1.90</td>
<td>96.80</td>
<td>1.30</td>
</tr>
<tr>
<td>Med Truck 5,751-8,500</td>
<td>6.80</td>
<td>1.50</td>
<td>95.60</td>
<td>2.90</td>
</tr>
<tr>
<td>Lite-Heavy 8,501-10,000</td>
<td>1.00</td>
<td>0.00</td>
<td>80.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000</td>
<td>0.30</td>
<td>0.00</td>
<td>66.70</td>
<td>33.30</td>
</tr>
<tr>
<td>Med-Heavy 14,001-22,000</td>
<td>1.00</td>
<td>10.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 22,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Line Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>78.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

### Travel Conditions

<table>
<thead>
<tr>
<th>Home-Work</th>
<th>Home-Shop</th>
<th>Home-Other</th>
<th>Commute</th>
<th>Non-Work Customer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Trip Length (miles)</td>
<td>10.8</td>
<td>7.3</td>
<td>7.5</td>
<td>9.5</td>
</tr>
<tr>
<td>Rural Trip Length (miles)</td>
<td>16.8</td>
<td>7.1</td>
<td>7.9</td>
<td>14.7</td>
</tr>
<tr>
<td>Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>% of Trips - Residential</td>
<td>32.9</td>
<td>18.0</td>
<td>49.1</td>
<td></td>
</tr>
</tbody>
</table>

% of Trips - Commercial (by land use)

| Hospital | 25.0 | 12.5 | 62.5 |
ENVIRONMENTAL FACTORS APPLICABLE TO THE PROJECT

Pedestrian Environment

- Side Walks/Paths: No Sidewalks
- Street Trees Provide Shade: No Coverage
- Pedestrian Circulation Access: No Destinations
- Visually Interesting Uses: No Uses Within Walking Distance
- Street System Enhances Safety: No Streets
- Pedestrian Safety from Crime: No Degree of Safety
- Visually Interesting Walking Routes: No Visual Interest

0.0 <- Pedestrian Environmental Credit
0.0 /19 = 0.0 <- Pedestrian Effectiveness Factor

Transit Service

- Transit Service: Dial-A-Ride or No Transit Service

0.0 <- Transit Effectiveness Credit
0.0 <- Pedestrian Factor
0.0 /10 = 0.0 <- Transit Effectiveness Factor

Cycle Environment

- Interconnected Bikeways: No Bikeway Coverage
- Bike Routes Provide Paved Shoulders: No Routes
- Safe Vehicle Speed Limits: No Routes Provided
- Safe School Routes: No Schools
- Uses w/in Cycling Distance: No Uses w/in Cycling Distance
- Bike Parking Ordinance: No Ordinance or Unenforceable

0.0 <- Bike Environmental Credit
0.0 /20 = 0.0 <- Bike Effectiveness Factor
MUTIGATION MEASURES SELECTED FOR THIS PROJECT
(All mitigation measures are printed, even if the selected land uses do not constitute a mixed use.)

Transit Infrastructure Measures

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>15.0</th>
<th>15.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Pedestrian Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>2.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Pedestrian Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>2.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Bicycle Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>7.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Bike Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>5.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Operational Measures (Applying to Commute Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>0.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Operational Measures (Applying to Employee Non-Commute Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>0.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

Operational Measures (Applying to Customer Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>0.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

 Measures Reducing VMT (Non-Residential)

<table>
<thead>
<tr>
<th>VMT Reduced</th>
<th>Measure</th>
<th>0.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
</table>

 Measures Reducing VMT (Residential)

<table>
<thead>
<tr>
<th>VMT Reduced</th>
<th>Measure</th>
<th>0.0</th>
<th>&lt;= Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travel Mode</td>
<td>Work Trips</td>
<td>Employee Trips</td>
<td>Customer Trips</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Pedestrian</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Transit</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Cycle</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Tals</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Construction

Phase 2 mitigation measure Soil Disturbance: Apply soil stabilizers to inactive areas
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Replace ground cover in disturbed areas quickly
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Water exposed surfaces - 3x daily
has been changed from off to on.
Phase 2 mitigation measure Stockpiles: Cover all stock piles with tarps
has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Water all haul roads 2x daily
has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Reduce speed on unpaved roads to < 15 mph
has been changed from off to on.

Changes made to the default values for Area

The area source mitigation measure option switch changed from off to on.
Mitigation measure Orient Buildings North/South: Cnrcl Space Heat.
has been changed from off to on.

Changes made to the default values for Operations

The pass by trips option switch changed from off to on.
The operational emission year changed from 2004 to 2005.
The travel mode environment settings changed from both to: non-residential
Mitigation measure Provide Wide Sidewalks and Onsite Pedestrian Facilities:1
has been changed from off to on.
Mitigation measure Project Uses Parking Structures/Small Dispersed Lots:1
has been changed from off to on.
Mitigation measure Provide Street Lighting:0.5
has been changed from off to on.
Mitigation measure Project Provides Shade Trees to Shade Sidewalks:0.5
has been changed from off to on.
### Construction Start Month and Year: June, 2005
### Construction Duration: 12
### Total Land Use Area to be Developed: 0 acres
### Maximum Acreage Disturbed Per Day: 0 acres
### Single Family Units: 0 Multi-Family Units: 0
### Retail/Office/Institutional/Industrial Square Footage: 33500

#### INSTRUCTION EMISSION ESTIMATES UNMITIGATED (lbs/day)

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10 TOTAL</th>
<th>PM10 EXHAUST</th>
<th>PM10 DUST</th>
</tr>
</thead>
</table>
| **2005**
| **Case 1 - Demolition Emissions**
| Abrasive Dust | - | - | - | - | 0.00 | 0.00 | 0.00 |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | - | 0.00 | 0.00 | 0.00 |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Phase 2 - Site Grading Emissions**
| Abrasive Dust | - | - | - | - | 0.00 | 0.00 | 0.00 |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Case 3 - Building Construction**
| Bldg Const Off-Road Diesel | 0.00 | 0.00 | 0.00 | - | 0.00 | 0.00 | 0.00 |
| Bldg Const Worker Trips | 0.10 | 0.06 | 1.25 | 0.00 | 0.01 | 0.00 | 0.01 |
| Arch Coatings Off-Gas | 0.00 | - | - | - | - | - | - |
| Arch Coatings Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Asphalt Off-Gas | 0.00 | - | - | - | - | - | - |
| Asphalt Off-Road Diesel | 0.00 | 0.00 | 0.00 | - | 0.00 | 0.00 | 0.00 |
| Asphalt On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Asphalt Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 0.10 | 0.06 | 1.25 | 0.00 | 0.01 | 0.00 | 0.01 |
| Max lbs/day all phases | 0.10 | 0.06 | 1.25 | 0.00 | 0.01 | 0.00 | 0.01 |

#### **2006**

| **Case 1 - Demolition Emissions**
| Abrasive Dust | - | - | - | - | 0.00 | 0.00 | 0.00 |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | - | 0.00 | 0.00 | 0.00 |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Phase 2 - Site Grading Emissions**
| Abrasive Dust | - | - | - | - | 0.00 | 0.00 | 0.00 |
| Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Case 3 - Building Construction**
| Bldg Const Off-Road Diesel | 0.00 | 0.00 | 0.00 | - | 0.00 | 0.00 | 0.00 |
| Bldg Const Worker Trips | 0.09 | 0.06 | 1.18 | 0.00 | 0.01 | 0.00 | 0.01 |
| Arch Coatings Off-Gas | 57.01 | - | - | - | - | - | - |
| Arch Coatings Worker Trips | 0.08 | 0.04 | 0.97 | 0.00 | 0.01 | 0.00 | 0.01 |
| Asphalt Off-Gas | 0.00 | - | - | - | - | - | - |
| Asphalt Off-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Asphalt On-Road Diesel | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Asphalt Worker Trips | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maximum lbs/day | 57.18 | 0.08 | 1.94 | 0.00 | 0.02 | 0.00 | 0.02 |
| Max lbs/day all phases | 57.18 | 0.08 | 1.94 | 0.00 | 0.02 | 0.00 | 0.02 |
Phase 1 - Demolition Assumptions
Start Month/Year for Phase 1: Jun '05
Phase 1 Duration: 0.6 months
Building Volume Total (cubic feet): 0
Building Volume Daily (cubic feet): 0
Miles per round trip set to zero

<table>
<thead>
<tr>
<th>Off-Road Equipment</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Phase 2 - Site Grading Assumptions
Start Month/Year for Phase 2: Jun '05
Phase 2 Duration: 1.2 months
On-Road Truck Travel (VMT): 0

<table>
<thead>
<tr>
<th>Off-Road Equipment</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Phase 3 - Building Construction Assumptions
Start Month/Year for Phase 3: Jul '05
Phase 3 Duration: 10.2 months
Start Month/Year for SubPhase Building: Jul '05
SubPhase Building Duration: 10.2 months

<table>
<thead>
<tr>
<th>Off-Road Equipment</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Start Month/Year for SubPhase Architectural Coatings: May '06
SubPhase Architectural Coatings Duration: 1 month
Start Month/Year for SubPhase Asphalt: May '06
SubPhase Asphalt Duration: 0.5 months

<table>
<thead>
<tr>
<th>Off-Road Equipment</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Acres to be Paved: 0
<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Gas</td>
<td>0.02</td>
<td>0.23</td>
<td>0.09</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Food Stoves - No Summer emissions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fireplaces - No Summer emissions</td>
<td>0.08</td>
<td>0.01</td>
<td>0.58</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Consumer Products</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTALS (lbs/day, unmitigated)</strong></td>
<td>0.10</td>
<td>0.23</td>
<td>0.67</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
### UNMITIGATED OPERATIONAL EMISSIONS

<table>
<thead>
<tr>
<th></th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>14.35</td>
<td>143.01</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

TOTAL EMISSIONS (lbs/day)

<table>
<thead>
<tr>
<th></th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>14.35</td>
<td>143.01</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

Includes correction for passby trips.
Includes a double counting reduction for internal trips.

### OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2005  Temperature (F): 85  Season: Summer


Summary of Land Uses:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>36.13 trips / 1000 sq. ft.</td>
<td>33.90</td>
<td>1,224.01</td>
</tr>
</tbody>
</table>

Vehicle Assumptions:

#### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
<th>Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Auto</td>
<td>56.10</td>
<td>2.30</td>
<td>97.10</td>
<td>0.60</td>
</tr>
<tr>
<td>Light Truck &lt; 3,750 lbs</td>
<td>15.10</td>
<td>4.00</td>
<td>93.40</td>
<td>2.60</td>
</tr>
<tr>
<td>Light Truck 3,751- 5,750</td>
<td>15.50</td>
<td>1.90</td>
<td>96.80</td>
<td>1.30</td>
</tr>
<tr>
<td>Med Truck 5,751- 8,500</td>
<td>6.80</td>
<td>1.50</td>
<td>95.60</td>
<td>2.90</td>
</tr>
<tr>
<td>Lite-Heavy 8,501-10,000</td>
<td>1.00</td>
<td>0.00</td>
<td>80.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000</td>
<td>0.30</td>
<td>0.00</td>
<td>66.70</td>
<td>33.30</td>
</tr>
<tr>
<td>Med-Heavy 14,001-33,000</td>
<td>1.00</td>
<td>10.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Line Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>78.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

#### Travel Conditions:

<table>
<thead>
<tr>
<th>Home-Work</th>
<th>Home-Shop</th>
<th>Home-Other</th>
<th>Commute</th>
<th>Non-Work Customer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Commercial</td>
<td>Residential</td>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Urban Trip Length (miles)</td>
<td>10.8</td>
<td>7.3</td>
<td>7.5</td>
<td>9.5</td>
</tr>
<tr>
<td>Rural Trip Length (miles)</td>
<td>16.8</td>
<td>7.1</td>
<td>7.9</td>
<td>14.7</td>
</tr>
<tr>
<td>Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>% of Trips - Residential</td>
<td>32.9</td>
<td>18.0</td>
<td>49.1</td>
<td>25.0</td>
</tr>
</tbody>
</table>
### MITIGATED OPERATIONAL EMISSIONS

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>11.34</td>
<td>14.35</td>
<td>143.01</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

### TOTAL EMISSIONS (lbs/day)

<table>
<thead>
<tr>
<th></th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
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<td>11.34</td>
<td>14.35</td>
<td>143.01</td>
<td>0.12</td>
<td>11.93</td>
</tr>
</tbody>
</table>

### OPERATIONAL (Vehicle) EMISSION ESTIMATES

**Analysis Year: 2005**  **Temperature (F): 85**  **Season: Summer**


**Summary of Land Uses:**

<table>
<thead>
<tr>
<th></th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>36.13 trips / 1000 sq. ft.</td>
<td>33.90</td>
<td>1,224.81</td>
</tr>
</tbody>
</table>

### Vehicle Assumptions:

#### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
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</tr>
<tr>
<td>Light Truck 3,751-5,750</td>
<td>15.50</td>
<td>1.90</td>
<td>96.80</td>
<td>1.30</td>
</tr>
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### Travel Conditions

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<tr>
<td>Home-</td>
<td>Work</td>
<td>Home-Other</td>
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<td>Urban Trip Length (miles)</td>
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<td>Rural Trip Length (miles)</td>
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### % of Trips - Commercial (by land use)

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<td>25.0</td>
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</table>
ENVIRONMENTAL FACTORS APPLICABLE TO THE PROJECT

Pedestrian Environment

0.0  Side Walks/Paths: No Sidewalks
0.0  Street Trees Provide Shade: No Coverage
0.0  Pedestrian Circulation Access: No Destinations
0.0  Visually Interesting Uses: No Uses Within Walking Distance
0.0  Street System Enhances Safety: No Streets
0.0  Pedestrian Safety from Crime: No Degree of Safety
0.0  Visually Interesting Walking Routes: No Visual Interest

0.0  <- Pedestrian Environmental Credit
0.0  /19 = 0.0  <- Pedestrian Effectiveness Factor

Transit Service

0.0  Transit Service: Dial-A-Ride or No Transit Service

0.0  <- Transit Effectiveness Credit
0.0  <- Pedestrian Factor
0.0  <-Total
0.0  /110 = 0.0  <-Transit Effectiveness Factor

Bicycle Environment

0.0  Interconnected Bikeways: No Bikeway Coverage
0.0  Bike Routes Provide Paved Shoulders: No Routes
0.0  Safe Vehicle Speed Limits: No Routes Provided
0.0  Safe School Routes: No Schools
0.0  Uses w/in Cycling Distance: No Uses w/in Cycling Distance
0.0  Bike Parking Ordinance: No Ordinance or Unenforceable

0.0  <- Bike Environmental Credit
0.0  /20 = 0.0  <- Bike Effectiveness Factor
MITIGATION MEASURES SELECTED FOR THIS PROJECT

1. Mitigation measures are printed, even if he selected land uses do not constitute a mixed use.

Transit Infrastructure Measures

| Trips Reduced | Measure | 1.0 | Credit for Existing or Planned Community Transit Service | 1.0 <- Totals |

Pedestrian Enhancing Infrastructure Measures (Residential)

| Trips Reduced | Measure | 2.0 | Credit for Surrounding Pedestrian Environment | 2.0 <- Totals |

Pedestrian Enhancing Infrastructure Measures (Non-Residential)

| Trips Reduced | Measure | 2.0 | Credit for Surrounding Pedestrian Environment | 2.0 <- Totals |
|              |        | 0.0 | Provide Wide Sidewalks and Onsite Pedestrian Facilities | 0.0 |
|              |        | 0.5 | Project Uses Parking Structures/Small Dispersed Lots | 0.5 |
|              |        | 0.5 | Provide Street Lighting | 0.5 |
|              |        | 0.5 | Project Provides Shade Trees to Shade Sidewalks | 0.5 |
|              |        | 5.0 <- Totals | 5.0 |

Bike Enhancing Infrastructure Measures (Residential)

| Trips Reduced | Measure | 7.0 | Credit for Surrounding Bicycle Environment | 7.0 <- Totals |

Bike Enhancing Infrastructure Measures (Non-Residential)

| Trips Reduced | Measure | 1.0 | Credit for Surrounding Area Bike Environment | 1.0 <- Totals |

Operational Measures (Applying to Commute Trips)

| Trips Reduced | Measure | 1.0 <- Totals | 1.0 |

Operational Measures (Applying to Employee Non-Commute Trips)

| Trips Reduced | Measure | 1.0 <- Totals | 1.0 |

Operational Measures (Applying to Customer Trips)

| Trips Reduced | Measure | 1.0 <- Totals | 1.0 |

Measures Reducing VMT (Non-Residential)

| Red. | Measure | 0.0 | Park and Ride Lots | 0.0 <- Totals |

Measures Reducing VMT (Residential)

<p>| Red. | Measure | 0.0 &lt;- Totals | 0.0 |</p>
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<tr>
<th>Travel Mode</th>
<th>Home-Work Trips</th>
<th>Home-Shop Trips</th>
<th>Home-Other Trips</th>
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<tr>
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<tr>
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</table>
Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Construction

Phase 2 mitigation measure Soil Disturbance: Apply soil stabilizers to inactive areas
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Replace ground cover in disturbed areas quickly
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Water exposed surfaces - 3x daily
has been changed from off to on.
Phase 2 mitigation measure Stockpiles: Cover all stock piles with tarps
has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Water all haul roads 2x daily
has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Reduce speed on unpaved roads to < 15 mph
has been changed from off to on.

Changes made to the default values for Area

Area source mitigation measure option switch changed from off to on.
mitigation measure Orient Buildings North/South: Control Space Heat.
has been changed from off to on.

Changes made to the default values for Operations

Pass by trips option switch changed from off to on.
Device operational emission year changed from 2004 to 2005.
The travel mode environment settings changed from both to: non-residential
Mitigation measure Provide Wide Sidewalks and Onsite Pedestrian Facilities: 1
has been changed from off to on.
Mitigation measure Project Uses Parking Structures/Small Dispersed Lots: 1
has been changed from off to on.
Mitigation measure Provide Street Lighting: 0.5
has been changed from off to on.
Mitigation measure Project Provides Shade Trees to Shade Sidewalks: 0.5
has been changed from off to on.
Construction Start Month and Year: June, 2005  
Construction Duration: 12  
Total Land Use Area to be Developed: 0 acres  
Maximum Acreage Disturbed Per Day: 0 acres  
Single Family Units: 0  
Multi-Family Units: 0  
Retail/Office/Institutional/Industrial Square Footage: 33900

**CONSTRUCTION EMISSION ESTIMATES UNMITIGATED (tons/year)**

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<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10 TOTAL</th>
<th>PM10 EXHAUST</th>
<th>PM10 DUST</th>
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<td><strong>Phase 1 - Demolition Emissions</strong></td>
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*** 2006***

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<th>PM10 EXHAUST</th>
<th>PM10 DUST</th>
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</tbody>
</table>
Phase 1 - Demolition Assumptions
Start Month/Year for Phase 1: Jun '05
Case 1 Duration: 0.6 months
Building Volume Total (cubic feet): 0
Miles per round trip set to zero

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
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Phase 2 - Site Grading Assumptions
Start Month/Year for Phase 2: Jun '05
Case 2 Duration: 1.2 months
Road Truck Travel (VMT): 0

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<th>Load Factor</th>
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Phase 3 - Building Construction Assumptions
Start Month/Year for Phase 3: Jul '05

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<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

SubPhase Building Duration: 10.2 months
SubPhase Building Duration: 10.2 months

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Start Month/Year for SubPhase Architecture Coatings: May '06
SubPhase Architectural Coatings Duration: 1 months

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Start Month/Year for SubPhase Asphalt: May '06
SubPhase Asphalt Duration: 0.5 months

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Horsepower</th>
<th>Load Factor</th>
<th>Hours/Day</th>
</tr>
</thead>
</table>

Acres to be Paved: 0
### Area Source Emission Estimates

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Gas</td>
<td>0.00</td>
<td>0.04</td>
<td>0.02</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Wood Stoves</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Fireplaces</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>0.01</td>
<td>0.00</td>
<td>0.05</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Consumer Prdcts</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTALS (typ, unmitigated)</strong></td>
<td>0.01</td>
<td>0.04</td>
<td>0.07</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### Area Source Emission Estimates

<table>
<thead>
<tr>
<th>Source</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Gas</td>
<td>0.00</td>
<td>0.04</td>
<td>0.01</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Wood Stoves</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Fireplaces</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>0.01</td>
<td>0.00</td>
<td>0.05</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Consumer Prdcts</td>
<td>0.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTALS (typ, mitigated)</strong></td>
<td>0.00</td>
<td>0.04</td>
<td>0.07</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Area Source Mitigation Measures

Orient Buildings North/South: Comrcl Space Heat.
Percent Reduction (ROG 11% NOx 13.5% CO 17.5% SO2 0% PM10 12.5%)
## Unmitigated Operational Emissions

<table>
<thead>
<tr>
<th>Hospital</th>
<th>ROG</th>
<th>NOx</th>
<th>CO</th>
<th>SO2</th>
<th>PM10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.23</td>
<td>3.07</td>
<td>27.22</td>
<td>0.02</td>
<td>2.18</td>
</tr>
</tbody>
</table>

**Total Emissions (tons/yr)**

<table>
<thead>
<tr>
<th>Hospital</th>
<th>2.23</th>
<th>3.07</th>
<th>27.22</th>
<th>0.02</th>
<th>2.18</th>
</tr>
</thead>
</table>

Includes correction for passby trips. Includes a double counting reduction for internal trips.

## Operational (Vehicle) Emission Estimates

**Analysis Year**: 2005  **Temperature (F)**: 85  **Season**: Annual


**Summary of Land Uses:**

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Trip Rate</th>
<th>Size</th>
<th>Total Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>36.13 trips / 1000 sq. ft.</td>
<td>33.90</td>
<td>1,224.81</td>
</tr>
</tbody>
</table>

**Vehicle Assumptions:**

### Fleet Mix:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Percent Type</th>
<th>Non-Catalyst</th>
<th>Catalyst</th>
<th>Diesel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Auto</td>
<td>56.10</td>
<td>2.30</td>
<td>97.10</td>
<td>0.60</td>
</tr>
<tr>
<td>Light Truck &lt; 3,750 lbs</td>
<td>15.10</td>
<td>4.00</td>
<td>93.40</td>
<td>2.60</td>
</tr>
<tr>
<td>Light Truck 3,751-5,750</td>
<td>15.50</td>
<td>1.90</td>
<td>96.60</td>
<td>1.30</td>
</tr>
<tr>
<td>MD Truck 5,751-8,500</td>
<td>6.80</td>
<td>1.50</td>
<td>95.60</td>
<td>2.90</td>
</tr>
<tr>
<td>Lite-Heavy 8,501-10,000</td>
<td>1.00</td>
<td>0.00</td>
<td>80.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Lite-Heavy 10,001-14,000</td>
<td>0.30</td>
<td>0.00</td>
<td>66.70</td>
<td>33.30</td>
</tr>
<tr>
<td>Med-Heavy 14,001-33,000</td>
<td>1.00</td>
<td>10.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>10.00</td>
<td>90.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>10.00</td>
<td>90.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>100.00</td>
<td>0.00</td>
</tr>
<tr>
<td>itor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>78.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

### Travel Conditions

<table>
<thead>
<tr>
<th>Home-Work</th>
<th>Home-Shop</th>
<th>Home-Other</th>
<th>Commute</th>
<th>Non-Work</th>
<th>Customer</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.8</td>
<td>7.3</td>
<td>7.3</td>
<td>9.5</td>
<td>7.4</td>
<td>7.4</td>
</tr>
<tr>
<td>16.8</td>
<td>7.1</td>
<td>7.9</td>
<td>14.7</td>
<td>6.6</td>
<td>6.6</td>
</tr>
<tr>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>32.9</td>
<td>18.0</td>
<td>49.1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Of Trips - Residential (by land use)

| Hospital | 25.0 | 12.5 | 62.5 |

### Of Trips - Commercial (by land use)
MITIGATED OPERATIONAL EMISSIONS

<table>
<thead>
<tr>
<th>Hospital</th>
<th>ROG</th>
<th>NOx</th>
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<th>SO2</th>
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<td>3.07</td>
<td>27.22</td>
<td>0.02</td>
<td>2.18</td>
</tr>
</tbody>
</table>

TOTAL EMISSIONS (tons/yr) 2.23 3.07 27.22 0.02 2.18

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2005 Temperature (F): 85 Season: Annual


Summary of Land Uses:

<table>
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Vehicle Assumptions:

Fleet Mix:

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<td>1.30</td>
</tr>
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<td>Med Truck 5,751-8,500</td>
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<td>10.00</td>
<td>20.00</td>
<td>70.00</td>
</tr>
<tr>
<td>Heavy-Heavy 33,001-60,000</td>
<td>0.80</td>
<td>0.00</td>
<td>12.50</td>
<td>87.50</td>
</tr>
<tr>
<td>Line Haul &gt; 60,000 lbs</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Urban Bus</td>
<td>0.10</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>1.60</td>
<td>87.50</td>
<td>12.50</td>
<td>0.00</td>
</tr>
<tr>
<td>School Bus</td>
<td>0.30</td>
<td>0.00</td>
<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>Motor Home</td>
<td>1.40</td>
<td>14.30</td>
<td>76.60</td>
<td>7.10</td>
</tr>
</tbody>
</table>

Travel Conditions

<table>
<thead>
<tr>
<th>Home-Work</th>
<th>Residential</th>
<th>Home-Shop</th>
<th>Home-Other</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Trip Length (miles)</td>
<td>10.8</td>
<td>7.3</td>
<td>7.5</td>
<td>9.5</td>
</tr>
<tr>
<td>Rural Trip Length (miles)</td>
<td>16.8</td>
<td>7.1</td>
<td>7.9</td>
<td>14.7</td>
</tr>
<tr>
<td>Trip Speeds (mph)</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
<td>35.0</td>
</tr>
<tr>
<td>% of Trips - Residential</td>
<td>32.9</td>
<td>18.0</td>
<td>49.1</td>
<td></td>
</tr>
<tr>
<td>% of Trips - Commercial (by land use)</td>
<td>25.0</td>
<td>12.5</td>
<td>62.5</td>
<td></td>
</tr>
</tbody>
</table>
VIROONENTIAL FACTORS APPLICABLE TO THE PROJECT

Pedestrian Environment

- Side Walks/Paths: No Sidewalks
- Street Trees Provide Shade: No Coverage
- Pedestrian Circulation Access: No Destinations
- Visually Interesting Uses: No Uses Within Walking Distance
- Street System Enhances Safety: No Streets
- Pedestrian Safety from Crime: No Degree of Safety
- Visually Interesting Walking Routes: No Visual Interest

\( \frac{0}{10} = 0.0 \) <- Pedestrian Environmental Credit

\( \frac{0}{19} = 0.0 \) <- Pedestrian Effectiveness Factor

Transit Service

- Transit Service: Dial-A-Ride or No Transit Service

\( \frac{0}{10} = 0.0 \) <- Transit Effectiveness Credit

\( \frac{0}{10} = 0.0 \) <- Total

\( \frac{0}{110} = 0.0 \) <- Transit Effectiveness Factor

Cycle Environment

- Interconnected Bikeways: No Bikeway Coverage
- Bike Routes Provide Paved Shoulders: No Routes
- Safe Vehicle Speed Limits: No Routes Provided
- Safe School Routes: No Schools
- Uses w/in Cycling Distance: No Uses w/in Cycling Distance
- Bike Parking Ordinance: No Ordinance or Unenforceable

\( \frac{0}{20} = 0.0 \) <- Bike Environmental Credit

\( \frac{0}{20} = 0.0 \) <- Bike Effectiveness Factor
MITIGATION MEASURES SELECTED FOR THIS PROJECT
(All mitigation measures are printed, even if the selected land uses do not constitute a mixed use.)

Transit Infrastructure Measures

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.0</td>
<td>Credit for Existing or Planned Community Transit Service</td>
<td>15.0</td>
</tr>
</tbody>
</table>

Pedestrian Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0</td>
<td>Credit for Surrounding Pedestrian Environment</td>
<td>2.0</td>
</tr>
</tbody>
</table>

Pedestrian Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0</td>
<td>Credit for Surrounding Pedestrian Environment</td>
<td>2.0</td>
</tr>
<tr>
<td>1.0</td>
<td>Provide Wide Sidewalks and Onsite Pedestrian Facilities</td>
<td>1.0</td>
</tr>
<tr>
<td>1.0</td>
<td>Project Uses Parking Structures/Small Dispersed Lots</td>
<td>1.0</td>
</tr>
<tr>
<td>0.5</td>
<td>Provide Street Lighting</td>
<td>0.5</td>
</tr>
<tr>
<td>0.5</td>
<td>Project Provides Shade Trees to Shade Sidewalks</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.0</td>
</tr>
</tbody>
</table>

Bicycle Enhancing Infrastructure Measures (Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0</td>
<td>Credit for Surrounding Bicycle Environment</td>
<td>7.0</td>
</tr>
</tbody>
</table>

Bike Enhancing Infrastructure Measures (Non-Residential)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0</td>
<td>Credit for Surrounding Area Bike Environment</td>
<td>5.0</td>
</tr>
</tbody>
</table>

Operational Measures (Applying to Commute Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td></td>
<td>0.0</td>
</tr>
</tbody>
</table>

Operational Measures (Applying to Employee Non-Commute Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td></td>
<td>0.0</td>
</tr>
</tbody>
</table>

Operational Measures (Applying to Customer Trips)

<table>
<thead>
<tr>
<th>% Trips Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td></td>
<td>0.0</td>
</tr>
</tbody>
</table>

Measures Reducing VMT (Non-Residential)

<table>
<thead>
<tr>
<th>VMT Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td>Park and Ride Lots</td>
<td>0.0</td>
</tr>
</tbody>
</table>

Measures Reducing VMT (Residential)

<table>
<thead>
<tr>
<th>VMT Reduced</th>
<th>Measure</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0</td>
<td></td>
<td>0.0</td>
</tr>
<tr>
<td>Travel Mode</td>
<td>Travel Trips</td>
<td>Home-Work Trips</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Pedestrian</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Transit</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Bicycle</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Travel Mode</td>
<td>Work Trips</td>
<td>Employee Trips</td>
</tr>
<tr>
<td>Pedestrian</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Transit</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Bicycle</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Other</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Construction

Phase 2 mitigation measure Soil Disturbance: Apply soil stabilizers to inactive areas has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Replace ground cover in disturbed areas quickly has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Water exposed surfaces - 3x daily has been changed from off to on.
Phase 2 mitigation measure Stockpiles: Cover all stock piles with tarps has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Water all haul roads 2x daily has been changed from off to on.
Phase 2 mitigation measure Unpaved Roads: Reduce speed on unpaved roads to < 15 mph has been changed from off to on.

Changes made to the default values for Area

The area source mitigation measure option switch changed from off to on.
Mitigation measure Orient Buildings North/South: Carcl Space Heat. has been changed from off to on.

Changes made to the default values for Operations

The pass by trips option switch changed from off to on.
The operational emission year changed from 2004 to 2005.
The travel mode environment settings changed from both to: non-residential
Mitigation measure Provide Wide Sidewalks and Onsite Pedestrian Facilities:1 has been changed from off to on.
Mitigation measure Project Uses Parking Structures/Small Dispersed Lots:1 has been changed from off to on.
Mitigation measure Provide Street Lighting:0.5 has been changed from off to on.
Mitigation measure Project Provides Shade Trees to Shade Sidewalks:0.5 has been changed from off to on.
Appendix B

Biological Survey Report
June 10, 2004

Travis Crawford
Environmental Planner
Quad Knopf, Inc.
5110 W. Cypress Avenue
Visalia, California 93277

RE: Reconnaissance Level Biological Survey Results for the Proposed Sierra View District Hospital Outpatient Dialysis Center Project Located in Porterville, California

Dear Travis:

Sierra View District Hospital is proposing to construct the new Outpatient Dialysis Center as part of the Sierra View District Hospital master plan. The project site is located at the intersection of Pearson Drive and Cleveland Avenue, in Porterville, California. More specifically, it is located on APN 252-260-074-000, 252-260-0T1-000, 252-260-081-000, 252-260-082-000, and 252-260-044-000 in Township 21 South, Range 27 East, Section 26, in the Porterville 7.5-minute USGS quadrangle (Figures 1 & 2). The proposed project consists of the construction of a new 18,512 sq. ft. outpatient dialysis building, paved parking lots, sidewalks, landscaping, and other structures. There is an existing 34,120 sq. ft. building and associated facilities on site. The new facilities are needed to provide additional treatment for dialysis patients (Figure 3).

Quad Knopf, Inc. was retained to conduct a biological survey of the proposed project area. Prior to conducting the field survey, a query of the California Department of Fish and Game Natural Diversity Data Base (NDDB) (CDFG 2004) was conducted for the Porterville, Success Dam, Fountain Springs, Ducor, Sausalito School, Woodville, Cairns Corner, Lindsay, and Frazier Valley USGS 7.5-minute quadrangles. A review of literature and the NDDB query indicated that ten special-status animal species, twelve special-status plant species, and two natural vegetation communities of concern have been reported for these quadrangles. In addition to these reviews, a query of the California Native Plant Society’s Electronic Inventory (CNPS 2004) was conducted for the same quadrangles to provide information on additional plant species of concern that have the potential to occur in the project area and surrounding vicinity. This review resulted in two additional plant species. Table 1 lists the results of these reviews.
References

California Department of Fish and Game. 2004. California Natural Diversity Data Base, California Department of Fish and Game, Sacramento, CA.


<table>
<thead>
<tr>
<th>Species</th>
<th>Habitat</th>
<th>Status</th>
<th>Potential Occurrence in Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Animals</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Branchinecta lynchii</em> (Vernal pool fairy shrimp)</td>
<td>Vernal pools.</td>
<td>FT</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
</tr>
<tr>
<td><em>Buteo swainsoni</em> (Swainson’s hawk)</td>
<td>Stands with few trees in juniper-sage flats, riparian, and oak savannah habitats. Requires adjacent suitable foraging areas such as grasslands, grain fields, or alfalfa, that support rodent populations.</td>
<td>MBTA, CT</td>
<td>Low to None. Project site is located in a highly urbanized setting with no foraging opportunities for this species. Entire project site is disked regularly. No nest trees located on the project site.</td>
</tr>
<tr>
<td><em>Desmocerus californicus dimorphis</em> (Valley elderberry longhorn beetle)</td>
<td>Elderberry shrubs in the Sacramento and San Joaquin Valleys.</td>
<td>FT</td>
<td>Present. Several elderberry shrubs occur on site and on adjacent lands. Exit holes observed on two of these shrubs.</td>
</tr>
<tr>
<td><em>Dipodomys nitratoides nitratoides</em> (Tipton kangaroo rat)</td>
<td>Saltbrush scrub and sink scrub communities in the Tulare Lake Basin of the southern San Joaquin Valley. Requires soft, friable soils which escape seasonal flooding.</td>
<td>FE, CE</td>
<td>None. Entire project site is disked regularly.</td>
</tr>
<tr>
<td><em>Gymnogyps californianus</em> (California condor)</td>
<td>Requires vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites.</td>
<td>FE, MBTA, CE</td>
<td>None. No nesting or foraging habitat present.</td>
</tr>
<tr>
<td><em>Lyttia molest</em> (Molestan blister beetle)</td>
<td>Inhabits the Central Valley, from Contra Costa to Kern and Tulare Counties.</td>
<td>---</td>
<td>Very low. Not reported in area for many years. Entire project site is disked regularly.</td>
</tr>
<tr>
<td><em>Perognathus inornatus inornatus</em> (San Joaquin pocket mouse)</td>
<td>Typically found in grasslands and blue oak savannas. Requires friable soils.</td>
<td>---</td>
<td>None. Entire project site is disked regularly.</td>
</tr>
<tr>
<td>Species/Mammal</td>
<td>Description</td>
<td>Management</td>
<td>Status</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>------------</td>
<td>--------</td>
</tr>
<tr>
<td><em>Rana boylii</em> (Foothill yellow-legged frog)</td>
<td>Partly shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. Requires at least some cobble-sized substrate for egg-laying.</td>
<td>CSC</td>
<td>None. No habitat present.</td>
</tr>
<tr>
<td><em>Spea hammondii</em> (Western spadefoot)</td>
<td>Vernal pools and other wet areas within grasslands.</td>
<td>CSC</td>
<td>None. No habitat present.</td>
</tr>
<tr>
<td><em>Vulpes macrotus mutica</em> (San Joaquin kit fox)</td>
<td>Chenopod scrub, grasslands, sometimes forage in agricultural areas. Requires a suitable prey base.</td>
<td>FE, CT</td>
<td>Unlikely. Area is highly developed, open areas are disked, and no recent occurrences reported within 6 miles of project area.</td>
</tr>
</tbody>
</table>

**Plants**

<table>
<thead>
<tr>
<th>Species/Scientific Name</th>
<th>Description</th>
<th>Management</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Atriplex cordulata</em> (Heartscale)</td>
<td>Alkaline flats and scalds with sandy soils, within Chenopod scrub, grasslands, and meadows.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Atriplex erecticaulis</em> (Earlimart orache)</td>
<td>Grasslands.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Atriplex persistens</em> (Vernal pool smallscale)</td>
<td>Vernal pools.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Atriplex subtilis</em> (Subtle orache)</td>
<td>Grasslands.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Caulanthus californicus</em> (California jewel-flower)</td>
<td>Sandy soils within Chenopod scrub, pinyon and juniper woodland, and grasslands.</td>
<td>FE, CE, 1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Delphinium recurvatum</em> (Recurved larkspur)</td>
<td>Alkaline soils in Chenopod scrub, cismontane woodlands, and grasslands.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Eryngium spinosepalum</em> (Spiny-sepaled button-celery)</td>
<td>Vernal pools, depressions within grasslands.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Fritillaria striata</em> (Striped adobe-lily)</td>
<td>Cismontane woodland, grasslands with heavy clay adobe soils.</td>
<td>CT, 1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td><em>Lianthus serrulatus</em> (Madera linanthus)</td>
<td>Dry slopes, often on decomposed granite in cismontane woodlands or lower montane coniferous forests.</td>
<td>1B</td>
<td>None. No habitat present. Entire project site is disked regularly.</td>
<td></td>
</tr>
<tr>
<td>Plant Name</td>
<td>Habitat Description</td>
<td>Abundance</td>
<td>Condition</td>
<td>Notes</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>-----------------------------------------------------------------------</td>
</tr>
<tr>
<td><em>Mimulus pictus</em></td>
<td>Bare ground around gooseberry bushes or around granite rock outcrops within broad-leaved upland forests or cismontane woodlands.</td>
<td>IB</td>
<td>None</td>
<td>No habitat present. Entire project site is disked regularly.</td>
</tr>
<tr>
<td><em>Pseudobahia peirsonii</em></td>
<td>Adobe clay soils within foothill woodlands and grasslands.</td>
<td>FT, CE, IB</td>
<td>None</td>
<td>No habitat present. Entire project site is disked regularly.</td>
</tr>
<tr>
<td><em>Sidalcea keckii</em></td>
<td>Grassy slopes in blue oak woodlands and grasslands.</td>
<td>FE, IB</td>
<td>None</td>
<td>No habitat present. Entire project site is disked regularly.</td>
</tr>
</tbody>
</table>

**Natural Vegetation Communities of Concern**

<table>
<thead>
<tr>
<th>Community</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Claypan Vernal Pool</td>
<td>Not present.</td>
</tr>
<tr>
<td>Sycamore Alluvial Woodland</td>
<td>Not present.</td>
</tr>
</tbody>
</table>

**Abbreviations:**
- FE = Federal Endangered Species
- FT = Federal Threatened Species
- MBTA = Species fully protected by the Migratory Bird Treaty Act
- CE = California Endangered Species
- CT = California State Threatened Species
- CSC = California Department of Fish and Game Species of Special Concern
- IB = Plants categorized by the California Native Plant Society as Rare, Threatened, or Endangered in California and elsewhere.
- --- = None

**Sources:**
- California Department of Fish and Game. 2004. California Natural Diversity Database, California Department of Fish and Game, Sacramento, CA.
<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Animals</strong></td>
<td></td>
</tr>
<tr>
<td>Aphelocoma coerulescens</td>
<td>Scrub jay</td>
</tr>
<tr>
<td>Corvus brachyrhynchos</td>
<td>American crow</td>
</tr>
<tr>
<td>Euphagus cyanocephalus</td>
<td>Brewer's blackbird</td>
</tr>
<tr>
<td>Sturnus vulgaris</td>
<td>European starling</td>
</tr>
<tr>
<td><strong>Plants</strong></td>
<td></td>
</tr>
<tr>
<td>Amaranthus blitoides</td>
<td>Prostrate pigweed</td>
</tr>
<tr>
<td>Ambrosia acanthicarpa</td>
<td>Annual bur-sage</td>
</tr>
<tr>
<td>Arundo donax</td>
<td>Giant reed</td>
</tr>
<tr>
<td>Avena fatua</td>
<td>Wild oat</td>
</tr>
<tr>
<td>Avena sativa</td>
<td>Cultivated oat</td>
</tr>
<tr>
<td>Brassica nigra</td>
<td>Black mustard</td>
</tr>
<tr>
<td>Bromus diandrus</td>
<td>Ripgut</td>
</tr>
<tr>
<td>Chenopodium album</td>
<td>Lamb's quarters</td>
</tr>
<tr>
<td>Convolvulus arvensis</td>
<td>Field bindweed</td>
</tr>
<tr>
<td>Conyza bonariensis</td>
<td>Flax-leaved fleabane</td>
</tr>
<tr>
<td>Conyza canadensis</td>
<td>Horseweed</td>
</tr>
<tr>
<td>Cucurbita foetidissima</td>
<td>Calabazilla</td>
</tr>
<tr>
<td>Cynodon dactylon</td>
<td>Bermuda grass</td>
</tr>
<tr>
<td>Datura wrightii</td>
<td>Jimson weed</td>
</tr>
<tr>
<td>Eucalyptus sp.</td>
<td>Gum tree</td>
</tr>
<tr>
<td>Helianthus annuus</td>
<td>Annual sunflower</td>
</tr>
<tr>
<td>Hordeum murinum ssp. leporinum</td>
<td>Wild barley</td>
</tr>
<tr>
<td>Juglans californica</td>
<td>California black walnut</td>
</tr>
<tr>
<td>Lactuca seriola</td>
<td>Prickly lettuce</td>
</tr>
<tr>
<td>Marrubium vulgare</td>
<td>Horehound</td>
</tr>
<tr>
<td>Quercus lobata</td>
<td>Valley oak</td>
</tr>
<tr>
<td>Salix laevigata</td>
<td>Red willow</td>
</tr>
<tr>
<td>Salsola tragus</td>
<td>Russian thistle</td>
</tr>
<tr>
<td>Sambucus mexicana</td>
<td>Blue elderberry</td>
</tr>
<tr>
<td>Senecio vulgaris</td>
<td>Common groundsel</td>
</tr>
<tr>
<td>Tribulus terrestris</td>
<td>Puncture vine</td>
</tr>
<tr>
<td>Vulpia myuros</td>
<td>Foxtail fescue</td>
</tr>
</tbody>
</table>

Table 3
Blue Elderberry Clumps Observed in the Project Area

<table>
<thead>
<tr>
<th>ID#</th>
<th>Stems at Ground Level</th>
<th>Condition</th>
<th>Exit Holes</th>
<th>Habitat Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1 stem 1” to 3”</td>
<td>Poor</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>2</td>
<td>3 stems 1” to 3”, 2 stems &gt;3” &amp; &lt;5”, 2 stems &gt; 5”</td>
<td>Fair</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>3</td>
<td>2 stems 1” to 3”</td>
<td>Fair</td>
<td>Yes</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>4</td>
<td>2 stems 1” to 3”</td>
<td>Fair</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>5</td>
<td>1 stem &gt;3” &amp; &lt;5”</td>
<td>Fair</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>6</td>
<td>1 stem &gt; 5”</td>
<td>Fair</td>
<td>Yes</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>7</td>
<td>1 stem 1” to 3”, 1 stem &gt; 5”</td>
<td>Poor</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>8</td>
<td>1 stem &gt; 5”</td>
<td>Fair</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
<tr>
<td>9</td>
<td>1 stem 1” to 3”</td>
<td>Fair</td>
<td>No</td>
<td>Non-riparian</td>
</tr>
</tbody>
</table>

Photograph 1: Looking west at proposed project site

Photograph 2: Looking east at proposed project site and existing building in right background

Photograph 3: Looking north at proposed project site
Photograph 4: Looking south at proposed project site

Photograph 5: Looking west at Porter Slough

Photograph 6: Looking west at Porter Slough Ditch
Photograph 7: Elderberry Id# 1 near Porter Slough

Photograph 8: Elderberry Id# 2 near Porter Slough

Photograph 9: Elderberries Id# 3 and 4 near Porter Slough
Photograph 10: Exit hole in Elderberries Id# 3

Photograph 11: Elderberries Id# 5, 6, and 7 located west of project area on adjacent property

Photograph 12: Exit hole in Elderberries Id# 6 (hole is under pen)
Photograph 13: Elderberry Id# 8 located near Porter Slough Ditch

Photograph 14: Elderberry Id# 9 located adjacent to Elderberry Id# 8
APPENDIX 1

Conservation Guidelines for the Valley Elder Berry Longhorn Beetle

For the National Elderberry Project.

by David C. Stacey

The National Elderberry Project

2007
The following guidelines have been issued by the U.S. Fish and Wildlife Service (Service) to assist Federal agencies and non-federal project applicants needing incidental take authorization through a section 7 consultation or a section 10(a)(1)(B) permit in developing measures to avoid and minimize adverse effects on the valley elderberry longhorn beetle. The Service will revise these guidelines as needed in the future. The most recently issued version of these guidelines should be used in developing all projects and habitat restoration plans. The survey and monitoring procedures described below are designed to avoid any adverse effects to the valley elderberry longhorn beetle. Thus a recovery permit is not needed to survey for the beetle or its habitat or to monitor conservation areas. If you are interested in a recovery permit for research purposes please call the Service’s Regional Office at (503) 231-2063.

Background Information

The valley elderberry longhorn beetle (Desmocerus californicus dimorphus), was listed as a threatened species on August 8, 1980 (Federal Register 45: 52803-52807). This animal is fully protected under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). The valley elderberry longhorn beetle (beetle) is completely dependent on its host plant, elderberry (Sambucus species), which is a common component of the remaining riparian forests and adjacent upland habitats of California’s Central Valley. Use of the elderberry by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry’s use by the beetle is an exit hole created by the larva just prior to the pupal stage. The life cycle takes one or two years to complete. The animal spends most of its life in the larval stage, living within the stems of an elderberry plant. Adult emergence is from late March through June, about the same time the elderberry produces flowers. The adult stage is short-lived. Further information on the life history, ecology, behavior, and distribution of the beetle can be found in a report by Barr (1991) and the recovery plan for the beetle (USFWS 1984).
Surveys

Proposed project sites within the range of the valley elderberry longhorn beetle should be surveyed for the presence of the beetle and its elderberry host plant by a qualified biologist. The beetle’s range extends throughout California’s Central Valley and associated foothills from about the 3,000-foot elevation contour on the east and the watershed of the Central Valley on the west (Figure 1). All or portions of 31 counties are included: Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Kern, Kings, Lake, Madera, Mariposa, Merced, Napa, Nevada, Placer, Sacramento, San Benito, San Joaquin, San Luis Obispo, Shasta, Solano, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, Yuba.

If elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level occur on or adjacent to the proposed project site, or are otherwise located where they may be directly or indirectly affected by the proposed action, minimization measures which include planting replacement habitat (conservation planting) are required (Table 1).

All elderberry shrubs with one or more stems measuring 1.0 inch or greater in diameter at ground level that occur on or adjacent to a proposed project site must be thoroughly searched for beetle exit holes (external evidence of beetle presence). In addition, all elderberry stems one inch or greater in diameter at ground level must be tallied by diameter size class (Table 1). As outlined in Table 1, the numbers of elderberry seedlings/cuttings and associated riparian native trees/shrubs to be planted as replacement habitat are determined by stem size class of affected elderberry shrubs, presence or absence of exit holes, and whether a proposed project lies in a riparian or non-riparian area.

Elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level with no exit holes. Surveys are valid for a period of two years.

Avoid and Protect Habitat Whenever Possible

Project sites that do not contain beetle habitat are preferred. If suitable habitat for the beetle occurs on the project site, or within close proximity where beetles will be affected by the project, these areas must be designated as avoidance areas and must be protected from disturbance during the construction and operation of the project. When possible, projects should be designed such that avoidance areas are connected with adjacent habitat to prevent fragmentation and isolation of beetle populations. Any beetle habitat that cannot be avoided as described below should be considered impacted and appropriate minimization measures should be proposed as described below.
Avoidance: Establishment and Maintenance of a Buffer Zone

Complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer is established and maintained around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. Firebreaks may not be included in the buffer zone. In buffer areas construction-related disturbance should be minimized, and any damaged area should be promptly restored following construction. The Service must be consulted before any disturbances within the buffer area are considered. In addition, the Service must be provided with a map identifying the avoidance area and written details describing avoidance measures.

Protective Measures

1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the Service, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.

2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.

3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.

4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

Restoration and Maintenance

1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.

2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate.

3. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.
4. The applicant must provide a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed.

5. Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five (5) feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/trimming equipment).

Transplant Elderberry Plants That Cannot Be Avoided

Elderberry plants must be transplanted if they can not be avoided by the proposed project. All elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level must be transplanted to a conservation area (see below). At the Service's discretion, a plant that is unlikely to survive transplantation because of poor condition or location, or a plant that would be extremely difficult to move because of access problems, may be exempted from transplantation. In cases where transplantation is not possible the minimization ratios in Table 1 may be increased to offset the additional habitat loss.

Trimming of elderberry plants (e.g., pruning along roadways, bike paths, or trails) with one or more stems 1.0 inch or greater in diameter at ground level, may result in take of beetles. Therefore, trimming is subject to appropriate minimization measures as outlined in Table 1.

1. Monitor. A qualified biologist (monitor) must be on-site for the duration of the transplanting of the elderberry plants to insure that no unauthorized take of the valley elderberry longhorn beetle occurs. If unauthorized take occurs, the monitor must have the authority to stop work until corrective measures have been completed. The monitor must immediately report any unauthorized take of the beetle or its habitat to the Service and to the California Department of Fish and Game.

2. Timing. Transplant elderberry plants when the plants are dormant, approximately November through the first two weeks in February, after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the plant and increase transplantation success.

3. Transplanting Procedure.

   a. Cut the plant back 3 to 6 feet from the ground or to 50 percent of its height (whichever is taller) by removing branches and stems above this height. The trunk and all stems measuring 1.0 inch or greater in diameter at ground level should be replanted. Any leaves remaining on the plant should be removed.
b. Excavate a hole of adequate size to receive the transplant.

c. Excavate the plant using a Vermeer spade, backhoe, front end loader, or other suitable equipment, taking as much of the root ball as possible, and replant immediately at the conservation area. Move the plant only by the root ball. If the plant is to be moved and transplanted off site, secure the root ball with wire and wrap it with burlap. Dampen the burlap with water, as necessary, to keep the root ball wet. Do not let the roots dry out. Care should be taken to ensure that the soil is not dislodged from around the roots of the transplant. If the site receiving the transplant does not have adequate soil moisture, pre-wet the soil a day or two before transplantation.

d. The planting area must be at least 1,800 square feet for each elderberry transplant. The root ball should be planted so that its top is level with the existing ground. Compact the soil sufficiently so that settlement does not occur. As many as five (5) additional elderberry plantings (cuttings or seedlings) and up to five (5) associated native species plantings (see below) may also be planted within the 1,800 square foot area with the transplant. The transplant and each new planting should have its own watering basin measuring at least three (3) feet in diameter. Watering basins should have a continuous berm measuring approximately eight (8) inches wide at the base and six (6) inches high.

e. Saturate the soil with water. Do not use fertilizers or other supplements or paint the tips of stems with pruning substances, as the effects of these compounds on the beetle are unknown.

f. Monitor to ascertain if additional watering is necessary. If the soil is sandy and well-drained, plants may need to be watered weekly or twice monthly. If the soil is clayey and poorly-drained, it may not be necessary to water after the initial saturation. However, most transplants require watering through the first summer. A drip watering system and timer is ideal. However, in situations where this is not possible, a water truck or other apparatus may be used.

Plant Additional Seedlings or Cuttings

Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely affected (i.e., transplanted or destroyed) must be replaced, in the conservation area, with elderberry seedlings or cuttings at a ratio ranging from 1:1 to 8:1 (new plantings to affected stems). Minimization ratios are listed and explained in Table 1. Stock of either seedlings or cuttings should be obtained from local sources. Cuttings may be obtained from the plants to be transplanted if the project site is in the vicinity of the conservation area. If the Service determines that the elderberry plants on the proposed project site are unsuitable candidates for
transplanting, the Service may allow the applicant to plant seedlings or cuttings at higher than the stated ratios in Table 1 for each elderberry plant that cannot be transplanted.

Plant Associated Native Species

Studies have found that the beetle is more abundant in dense native plant communities with a mature overstory and a mixed understory. Therefore, a mix of native plants associated with the elderberry plants at the project site or similar sites will be planted at ratios ranging from 1:1 to 2:1 [native tree/plant species to each elderberry seedling or cutting (see Table 1)]. These native plantings must be monitored with the same survival criteria used for the elderberry seedlings (see below). Stock of saplings, cuttings, and seedlings should be obtained from local sources. If the parent stock is obtained from a distance greater than one mile from the conservation area, approval by the Service of the native plant donor sites must be obtained prior to initiation of the revegetation work. Planting or seeding the conservation area with native herbaceous species is encouraged. Establishing native grasses and forbs may discourage unwanted non-native species from becoming established or persisting at the conservation area. Only stock from local sources should be used.

Examples

Example 1

The project will adversely affect beetle habitat on a vacant lot on the land side of a river levee. This levee now separates beetle habitat on the vacant lot from extant Great Valley Mixed Riparian Forest (Holland 1986) adjacent to the river. However, it is clear that the beetle habitat located on the vacant lot was part of a more extensive mixed riparian forest ecosystem extending farther from the river's edge prior to agricultural development and levee construction. Therefore, the beetle habitat on site is considered riparian. A total of two elderberry plants with at least one stem measuring 1.0 inch or greater in diameter at ground level will be affected by the proposed action. The two plants have a total of 15 stems measuring over 1.0 inch. No exit holes were found on either plant. Ten of the stems are between 1.0 and 3.0 inches in diameter and five of the stems are greater than 5.0 inches in diameter. The conservation area is suited for riparian forest habitat. Associated natives adjacent to the conservation area are box elder (Acer negundo californica), walnut (Juglans californica var. hindsii), sycamore (Platanus racemosa), cottonwood (Populus fremontii), willow (Salix gooddingii and S. laevigata), white alder (Alnus rhombifolia), ash (Fraxinus latifolia), button willow (Cephalanthus occidentalis), and wild grape (Vitis californica).
Minimization (based on ratios in Table 1):

- Transplant the two elderberry plants that will be affected to the conservation area.

- Plant 40 elderberry rooted cuttings (10 affected stems compensated at 2:1 ratio and 5 affected stems compensated at 4:1 ratio, cuttings planted:stems affected)

- Plant 40 associated native species (ratio of associated natives to elderberry plantings is 1:1 in areas with no exit holes):
  5 saplings each of box elder, sycamore, and cottonwood
  5 willow seedlings
  5 white alder seedlings
  5 saplings each of walnut and ash
  California button willow
  2 wild grape vines
  Total: 40 associated native species

- Total area required is a minimum of 1,800 sq. ft. for one to five elderberry seedlings and up to 5 associated natives. Since, a total of 80 plants must be planted (40 elderberries and 40 associated natives), a total of 0.33 acre (14,400 square feet) will be required for conservation plantings. The conservation area will be seeded and planted with native grasses and forbs, and closely monitored and maintained throughout the monitoring period.

Example 2
The project will adversely affect beetle habitat in Blue Oak Woodland (Holland 1986). One elderberry plant with at least one stem measuring 1.0 inch or greater in diameter at ground level will be affected by the proposed action. The plant has a total of 10 stems measuring over 1.0 inch. Exit holes were found on the plant. Five of the stems are between 1.0 and 3.0 inches in diameter and five of the stems are between 3.0 and 5.0 inches in diameter. The conservation area is suited for elderberry savanna (non-riparian habitat). Associated natives adjacent to the conservation area are willow (Salix species), blue oak (Quercus douglasii), interior live oak (Q. wislizenii), sycamore, poison oak (Toxicodendron diversilobum), and wild grape.

Minimization (based on ratios in Table 1):

- Transplant the one elderberry plant that will be affected to the conservation area.

- Plant 30 elderberry seedlings (5 affected stems compensated at 2:1 ratio and 5 affected stems compensated at 4:1 ratio, cuttings planted:stems affected)
• Plant 60 associated native species (ratio of associated natives to elderberry plantings is 2:1 in areas with exit holes):

  20 saplings of blue oak, 20 saplings of sycamore, and 20 saplings of willow, and seed and plant with a mixture of native grasses and forbs

• Total area required is a minimum of 1,800 sq. ft. for one to five elderberry seedlings and up to 5 associated natives. Since, a total of 90 plants must be planted (30 elderberries and 60 associated natives), a total of 0.37 acre (16,200 square feet) will be required for conservation plantings. The conservation area will be seeded and planted with native grasses and forbs, and closely monitored and maintained throughout the monitoring period.

Conservation Area—Provide Habitat for the Beetle in Perpetuity

The conservation area is distinct from the avoidance area (though the two may adjoin), and serves to receive and protect the transplanted elderberry plants and the elderberry and other native plantings. The Service may accept proposals for off-site conservation areas where appropriate.

1. Size. The conservation area must provide at least 1,800 square feet for each transplanted elderberry plant. As many as 10 conservation plantings (i.e., elderberry cuttings or seedlings and/or associated native plants) may be planted within the 1800 square foot area with each transplanted elderberry. An additional 1,800 square feet shall be provided for every additional 10 conservation plants. Each planting should have its own watering basin measuring approximately three feet in diameter. Watering basins should be constructed with a continuous berm measuring approximately eight inches wide at the base and six inches high.

The planting density specified above is primarily for riparian forest habitats or other habitats with naturally dense cover. If the conservation area is an open habitat (i.e., elderberry savanna, oak woodland) more area may be needed for the required plantings. Contact the Service for assistance if the above planting recommendations are not appropriate for the proposed conservation area.

No area to be maintained as a firebreak may be counted as conservation area. Like the avoidance area, the conservation area should connect with adjacent habitat wherever possible, to prevent isolation of beetle populations.

Depending on adjacent land use, a buffer area may also be needed between the conservation area and the adjacent lands. For example, herbicides and pesticides are
often used on orchards or vineyards. These chemicals may drift or runoff onto the conservation area if an adequate buffer area is not provided.

2. Long-Term Protection. The conservation area must be protected in perpetuity as habitat for the valley elderberry longhorn beetle. A conservation easement or deed restrictions to protect the conservation area must be arranged. Conservation areas may be transferred to a resource agency or appropriate private organization for long-term management. The Service must be provided with a map and written details identifying the conservation area; and the applicant must receive approval from the Service that the conservation area is acceptable prior to initiating the conservation program. A true, recorded copy of the deed transfer, conservation easement, or deed restrictions protecting the conservation area in perpetuity must be provided to the Service before project implementation.

Adequate funds must be provided to ensure that the conservation area is managed in perpetuity. The applicant must dedicate an endowment fund for this purpose, and designate the party or entity that will be responsible for long-term management of the conservation area. The Service must be provided with written documentation that funding and management of the conservation area (items 3-8 above) will be provided in perpetuity.

3. Weed Control. Weeds and other plants that are not native to the conservation area must be removed at least once a year, or at the discretion of the Service and the California Department of Fish and Game. Mechanical means should be used; herbicides are prohibited unless approved by the Service.

4. Pesticide and Toxicant Control. Measures must be taken to insure that no pesticides, herbicides, fertilizers, or other chemical agents enter the conservation area. No spraying of these agents must be done within one 100 feet of the area, or if they have the potential to drift, flow, or be washed into the area in the opinion of biologists or law enforcement personnel from the Service or the California Department of Fish and Game.

5. Litter Control. No dumping of trash or other material may occur within the conservation area. Any trash or other foreign material found deposited within the conservation area must be removed within 10 working days of discovery.

6. Fencing. Permanent fencing must be placed completely around the conservation area to prevent unauthorized entry by off-road vehicles, equestrians, and other parties that might damage or destroy the habitat of the beetle, unless approved by the Service. The applicant must receive written approval from the Service that the fencing is acceptable prior to initiation of the conservation program. The fence must be maintained in perpetuity, and must be repaired/replaced within 10 working days if it is found to be damaged. Some conservation areas may be made available to the public for appropriate recreational and educational opportunities with written approval from the Service. In
these cases appropriate fencing and signs informing the public of the beetle's threatened status and its natural history and ecology should be used and maintained in perpetuity.

7. Signs. A minimum of two prominent signs must be placed and maintained in perpetuity at the conservation area, unless otherwise approved by the Service. The signs should note that the site is habitat of the federally threatened valley elderberry longhorn beetle and, if appropriate, include information on the beetle's natural history and ecology. The signs must be approved by the Service. The signs must be repaired or replaced within 10 working days if they are found to be damaged or destroyed.

Monitoring

The population of valley elderberry longhorn beetles, the general condition of the conservation area, and the condition of the elderberry and associated native plantings in the conservation area must be monitored over a period of either ten (10) consecutive years or for seven (7) years over a 15-year period. The applicant may elect either 10 years of monitoring, with surveys and reports every year; or 15 years of monitoring, with surveys and reports on years 1, 2, 3, 5, 7, 10, and 15. The conservation plan provided by the applicant must state which monitoring schedule will be followed. No change in monitoring schedule will be accepted after the project is initiated. If conservation planting is done in stages (i.e., not all planting is implemented in the same time period), each stage of conservation planting will have a different start date for the required monitoring time.

Surveys. In any survey year, a minimum of two site visits between February 14 and June 30 of each year must be made by a qualified biologist. Surveys must include:

1. A population census of the adult beetles, including the number of beetles observed, their condition, behavior, and their precise locations. Visual counts must be used; mark-recapture or other methods involving handling or harassment must not be used.

2. A census of beetle exit holes in elderberry stems, noting their precise locations and estimated ages.

3. An evaluation of the elderberry plants and associated native plants on the site, and on the conservation area, if disjunct, including the number of plants, their size and condition.

4. An evaluation of the adequacy of the fencing, signs, and weed control efforts in the avoidance and conservation areas.
5. A general assessment of the habitat, including any real or potential threats to the beetle and its host plants, such as erosion, fire, excessive grazing, off-road vehicle use, vandalism, excessive weed growth, etc.

The materials and methods to be used in the monitoring studies must be reviewed and approved by the Service. All appropriate Federal permits must be obtained prior to initiating the field studies.

Reports. A written report, presenting and analyzing the data from the project monitoring, must be prepared by a qualified biologist in each of the years in which a monitoring survey is required. Copies of the report must be submitted by December 31 of the same year to the Service (Chief of Endangered Species, Sacramento Fish and Wildlife Office, and the Department of Fish and Game (Supervisor, Environmental Services, Department of Fish and Game, 1416 Ninth Street, Sacramento, California 95814; and Staff Zoologist, California Natural Diversity Data Base, Department of Fish and Game, 1220 S Street, Sacramento, California 95814). The report must explicitly address the status and progress of the transplanted and planted elderberry and associated native plants and trees, as well as any failings of the conservation plan and the steps taken to correct them. Any observations of beetles or fresh exit holes must be noted. Copies of original field notes, raw data, and photographs of the conservation area must be included with the report. A vicinity map of the site and maps showing where the individual adult beetles and exit holes were observed must be included. For the elderberry and associated native plants, the survival rate, condition, and size of the plants must be analyzed. Real and likely future threats must be addressed along with suggested remedies and preventative measures (e.g. limiting public access, more frequent removal of invasive non-native vegetation, etc.).

A copy of each monitoring report, along with the original field notes, photographs, correspondence, and all other pertinent material, should be deposited at the California Academy of Sciences (Librarian, California Academy of Sciences, Golden Gate Park, San Francisco, CA 94118) by December 31 of the year that monitoring is done and the report is prepared. The Service's Sacramento Fish and Wildlife Office should be provided with a copy of the receipt from the Academy library acknowledging receipt of the material, or the library catalog number assigned to it.

Access. Biologists and law enforcement personnel from the California Department of Fish and Game and the Service must be given complete access to the project site to monitor transplanting activities. Personnel from both these agencies must be given complete access to the project and the conservation area to monitor the beetle and its habitat in perpetuity.

Success Criteria

A minimum survival rate of at least 60 percent of the elderberry plants and 60 percent of the associated native plants must be maintained throughout the monitoring period. Within one year of discovery that survival has dropped below 60 percent, the applicant must replace failed plantings to bring survival above this level. The Service will make any determination as to the
applicant's replacement responsibilities arising from circumstances beyond its control, such as plants damaged or killed as a result of severe flooding or vandalism.

Service Contact

These guidelines were prepared by the Endangered Species Division of the Service's Sacramento Fish and Wildlife Office. If you have questions regarding these guidelines or to request a copy of the most recent guidelines, telephone (916) 414-6600, or write to:

U.S. Fish and Wildlife Service
Ecological Services 2800
Cottage Way, W-2605
Sacramento, CA 95825
Figure 1: Range of the Valley Elderberry Longhorn Beetle
Conservation Guidelines for the Valley Elderberry Longhorn Beetle

Literature Cited


USFWS. 1980. Listing the valley elderberry longhorn beetle as a threatened species with critical habitat. Federal Register 45:52803-52807.

Table 1: Minimization ratios based on location (riparian vs. non-riparian), stem diameter of affected elderberry plants at ground level, and presence or absence of exit holes.

<table>
<thead>
<tr>
<th>Location</th>
<th>Stems (maximum diameter at ground level)</th>
<th>Exit Holes on Shrub Y/N (quantify)</th>
<th>Elderberry Seedling Ratio²</th>
<th>Associated Native Plant Ratio³</th>
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</thead>
<tbody>
<tr>
<td>non-riparian</td>
<td>stems ≥ 1&quot; &amp; &lt; 3&quot;</td>
<td>No: 1:1</td>
<td>1:1</td>
<td>2:1</td>
</tr>
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<td></td>
<td></td>
<td>Yes: 2:1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>non-riparian</td>
<td>stems &gt; 3&quot; &amp; &lt; 5&quot;</td>
<td>No: 2:1</td>
<td>1:1</td>
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<tr>
<td></td>
<td></td>
<td>Yes: 4:1</td>
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<tr>
<td>non-riparian</td>
<td>stems ≥ 5&quot;</td>
<td>No: 3:1</td>
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<td></td>
<td>Yes: 6:1</td>
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<td></td>
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<td>stems ≥ 1&quot; &amp; &lt; 3&quot;</td>
<td>No: 2:1</td>
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<td>No: 3:1</td>
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<tr>
<td>riparian</td>
<td>stems ≥ 5&quot;</td>
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<tr>
<td></td>
<td></td>
<td>Yes: 8:1</td>
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</table>

¹ All stems measuring one inch or greater in diameter at ground level on a single shrub are considered occupied when exit holes are present anywhere on the shrub.

² Ratios in the Elderberry Seedling Ratio column correspond to the number of cuttings or seedlings to be planted per elderberry stem (one inch or greater in diameter at ground level) affected by a project.

³ Ratios in the Associated Native Plant Ratio column correspond to the number of associated native species to be planted per elderberry (seedling or cutting) planted.
Appendix C

Archaeological Survey / Cultural Records Search
June 14, 2004

Jerry James
Quad Knopf
PO Box 3699
Visalia CA 93278

Re: Cultural Resources Records Search for the project entitled “Mitigated Negative Declaration for the Sierra View District Hospital Master Plan,” for land in the southwest quarter of Section 35, T21S, R27E, on the Porterville, CA, 7.5' USGS Topographic Quadrangle, on behalf of the City of Porterville, Tulare County

Dear Mr. James:

Per your request, a cultural resources records search (RS No. 04-199; CAR Project No. 04-22) was conducted for the above-referenced project on June 14, 2004, at the Southern San Joaquin Valley Historical Resources Information Center at California State University, Bakersfield, by myself. The purpose of this records search is for the City of Porterville to add new buildings to an existing hospital.

The results of the records search indicate that two cultural resource studies have been conducted directly on the subject property (TU-419, -1201), and seven have been conducted within about a half mile of the property (title pages enclosed). None of these studies reported any prehistoric archaeological resources on or within a half mile of the subject parcel, although four studies documented historical structures (TU-419, -1061, -1135, -1136). One of these studies (TU-419) reported historical highway bridges, the Exeter branch of the Southern Pacific Railroad, and two historical ditches that cross within about a half mile or less of the subject property.

There are no known cultural resources within the subject property or within a half-mile radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, California Points of Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

As noted above, there are no recorded cultural resources within the subject property, and it is not known if resources exist there. The documentation I received regarding this project was not entirely
clear as to the extent of the project boundary within the southwest quarter of Section 35; therefore, it may be that part of the project area has not yet been surveyed. Thus, the possibility remains that resources exist there, and as such, further investigation may be warranted.

The invoice for this records search will follow shortly. If you have any further questions or concerns, please feel free to contact me at 661-664-3297 or by email at jgardner4@csub.edu.

Sincerely,

Jill K. Gardner
Assistant Director

Enc.
CULTURAL RESOURCE ASSESSMENT OF THE TULE RIVER PARKWAY (Phase I) IN THE CITY OF PORTERVILLE, TULARE COUNTY, CALIFORNIA

Prepared by:

Robert E. Parr
Center for Archaeological Research
California State University
9001 Stockdale Highway
Bakersfield, CA 93311-1099

CAR-96-06

Prepared for:

Jardin Landscape Architecture
6334 West Goshen Avenue
Visalia, CA 93291

Southern San Joaquin Valley
ARCHAEOLOGICAL INFORMATION CENTER
CAL STATE UNIVERSITY, BAKERSFIELD
9001 STOCKDALE HIGHWAY
BAKERSFIELD, CALIFORNIA 93311-1099

5 features discovered and recorded.

July 1996
I. Highway Project Description

<table>
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<tr>
<th>District</th>
<th>County</th>
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<th>Post Mile</th>
<th>Charge Unit</th>
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<td>820</td>
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Caltrans proposes to widen, rehabilitate, and upgrade the bridge rails on the Tule River Bridge (#46-163R/L) located where Route 65 crosses the Tule River on the south side of the city of Porterville. In addition to the bridge rehabilitation, the project includes the construction of a check dam immediately west of the bridge in order to correct river bottom scouring around the bridge bents (Figures 1, 2, and 3).

II. Study Findings

No archaeological resources were located in the project area during the field reconnaissance. No further archaeological work should be necessary unless project plans change to include unsurveyed areas. If buried cultural remains are unearthed during construction, it is Caltrans policy that work is to be halted in that area until a qualified archaeologist can assess the significance of the remains (Caltrans Environmental Handbook, Volume 2, Section 7-9).

III. Introduction

<table>
<thead>
<tr>
<th>Name of Surveyor</th>
<th>Qualifications</th>
<th>Date of Fieldwork</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn Riley</td>
<td>M.A. Anthropology; 24 years archaeological experience in California</td>
<td>October 16, 1992</td>
</tr>
</tbody>
</table>

Present Environment: The project is located on the east side of the San Joaquin Valley within the Oak and riparian corridor of the Tule River. This area, on the outskirts of Porterville, is mainly agricultural with only a few scattered residences to the north east.

Ethnography: The project is in the territory of the Southern Valley Yokuts, specifically the Koyeti who occupied the village of Chokowisho in the vicinity of what is now the city of Porterville (Kroeber 1925, Latta 1977).

IV. Sources Consulted

(x) NATIONAL REGISTER OF HISTORIC PLACES: 1988 updates to October 1992
(x) CALIFORNIA INVENTORY OF HISTORIC RESOURCES: 1976
(x) CALIFORNIA HISTORICAL LANDMARKS: 1990
(x) ARCHAEOLOGICAL SITE RECORDS AT: The Southern San Joaquin Valley Information Center of the California State Archaeological Site Survey, California State University, Bakersfield.

Results: There are no archaeological sites recorded in the vicinity of the project.
Archaeological Report for the Porta Vista Public Utility District Wastewater Collection System, Porterville, California

1975

by
Charlotte Williams

Southern San Joaquin Valley Archaeological Information Center
9001 Stockdale Highway
Bakersfield, CA 93311-1099
FINAL REPORT

Prepared by:

Wendell Vaughn, Jr., ...Architectural Consultant
Terry Winckler, ...Historical Consultant
Porterville Planning Staff

July, 1986
September 9, 2002

Mr. Thomas Taylor
Senior Archaeologist
Environmental Affairs Division
Southern California Edison Company

Re: Deteriorated Pole Replacement Project (#1571820E), Porterville, Tulare County, California

On August 26, 2002, Compass Rose Archaeological, Inc. conducted a Phase I cultural resource investigation, for Southern California Edison Company (SCE), of a single pole replacement location, in the City of Porterville, Tulare County, California. The proposed project will entail the removal and replacement of a deteriorated wooden pole situated at a roadside location, in the northeast quarter of the southwest quarter of Section 35 (T21S; R27E), as depicted on the USGS 7.5' Porterville Quadrangle (Figure 1; Pole #1571820E).

The investigation was conducted to determine if cultural resources exist within the project impact area, and to make preliminary recommendations regarding the potential significance of archaeological properties identified according to the California Environmental Quality Act (CEQA) revised (1998) guidelines. Study efforts included a review of archaeological site archives housed at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield, and a surface survey of the pole location as depicted on project maps.

Based on the records search, two cultural resource investigations have been conducted, and no archaeological sites have been recorded within a 0.25-mile radius of the project impact area. The two surveys conducted (Parr 1996; Vaughn and Winkler 1986), were linear corridors; neither passed through the project area and no cultural resources were encountered in the project vicinity.

The survey was conducted by approaching the pole location on foot from an existing dirt access road, and the examination of an approximately 30 meter diameter area around its base. The pole was found in a disturbed roadside location along a dilapidated wooden corral fence in the vicinity of several residences. Vegetation in the vicinity was dominated by introduced grasses and surface visibility was...
HISTORIC PROPERTY SURVEY REPORT

REHABILITATION AND WIDENING OF STATE ROUTE 190 BETWEEN TIPTON AND PORTERVILLE IN TULARE COUNTY

Woodville & Porterville Quads 7.5'

SOUTHERN SAN JOAQUIN VALLEY ARCHAEOLOGICAL INFORMATION CENTER
CAL STATE UNIVERSITY, BAKERSFIELD
9001 STOCKDALE HIGHWAY
BAKERSFIELD, CA 93311-1099

06-TUL-190, K.P. 12.5/24.0
(P.M. 7.8/15.0)
E.A. 337320

January 12, 2001
SUMMARY OF FINDINGS

This Historic Resource Evaluation Report (HRER) for the project described below has identified and evaluated a ditch, known as the Poplar Ditch, and five structures in the study area. The report concludes that the Poplar Ditch and the five structures do not appear to be eligible for the National Register of Historic Places or the California Register of Historical Resources.

PROJECT DESCRIPTION

The proposed project consists of reconstructing and rehabilitating a portion of State Route 190 between Route 99 and Porterville in central Tulare County. Specific work includes the construction of shoulders along the road and the addition of passing and turning lanes.

State Route 190 (formerly Route 127) traverses from Highway 99, through Tulare County, the Sequoia National Forest, Inyo National Forest and Haiwee Pass in the High Sierra, to Lone Pine, Inyo County. An increasingly important thoroughfare in Tulare County, it serves the rural communities of Tipton, Poplar and Porterville. Further, S. R. 190 is one of the few major routes that makes the mountain regions of the Pacific Coast accessible to those seeking recreational and commercial opportunities. The route was added to the State Highway System in 1933 and, in the project area, it is locally designated as Poplar Avenue and Avenue 144. [Blow 1933:7; CHPW 1966:21-25]

RESEARCH AND FIELD METHODOLOGY

Jim Fisher, Caltrans Headquarters historian, conducted background research on the Poplar Ditch in September and October, 1997. Background research included consulting such sources as the National Register of Historic Places (1988 with updates through March, 1996), California Historical Landmarks (1990), California Inventory of Historic Resources (1976), California Points of Historical Interest (1992) and the central records and survey database of the Office of Historic Preservation. Facilities utilized to complete research were the Tulare County Assessor’s and Recorder’s Offices, the Lower Tule River Irrigation District office (Woodville), Visalia Public Library’s Annie Mitchell Local History Research Room, the Tulare County Museum, the Fresno State University Special Collection, the California State Library’s California History Room; the U. S. Bureau of Land Management, the Caltrans History Center and Library and the Environmental Program Library. In addition, the writer interviewed Christopher Brewer, local historian, and Gary Parez, Watermaster-Assessor, Lower Tule River Irrigation District.
January 26, 2003

Ms. Eloise Emery, Planner  
QUAD KNOPF  
5110 W. Cypress Ave.  
Visalia, CA 93277

RE: Jaye Street Archaeological Survey

Eloise;

This letter documents the results of archaeological investigations on south Jaye Street from Highway 190 to Orange Street, Porterville, in Tulare County, California. No historic or prehistoric resources were encountered during this survey.

PROJECT DESCRIPTION
A project location map is attached. UTM coordinates (Porterville, CA USGS 7.5' quadrangle; UTM zone 11) of the area covered for the archaeological survey are as follows: 317590 meters easting/ 3992440 meters northing to 317560 meters easting and 3991380 meters northing.

SETTING
The project area is located on the west side of the city of Porterville, California. The surveyed area is southern Jaye Street, between Orange Street and Highway 190, approximately .60 miles in length. The area is currently developed with a mix of commercial and residential buildings. The southern end of Jaye Street at the intersection with Highway 190 is open agricultural land. The topography in the surveyed area is level. The east-west trending Tule River flows under the road near the southern end of the surveyed area.

ETHNOGRAPHIC BACKGROUND
The project area lies within the territory ascribed ethnographically to the Yokuts, a group of more than forty linguistically and culturally related tribes. At the time of Spanish contact, the Yokuts populated the entire San Joaquin Valley as well as the lower slopes of the Sierra Nevada range (Kroeber 1953). In the Porterville area, the principal village was Choko Weshau (or Chokowisho), on the north bank of the Tule River. This ethnographic village site is approximately a mile and a half east of Jaye Street. This site is associated with the Koyete (also spelled Coyehete or Koyeti) tribelet, whose traditional territory was in the Porterville vicinity (Kroeber 1953; Latta 1949). An 1806 account of the Koyete estimated their population at 400 persons (Kroeber 1953). The people of Chokowisho were later removed to the Monache Reservation in the 1850’s, then to the Tule River Reservation (Weinberger 1979). Currently, the Tule River Reservation is approximately twelve miles east of Porterville.
A CULTURAL RESOURCES ASSESSMENT OF 75 ACRES OF LAND FOR THE PORTERVILLE RIVER WALK COMMERCIAL CENTER PROJECT IN THE CITY OF PORTERVILLE, TULARE COUNTY, CALIFORNIA

Prepared by:
Jill K. Gardner, M.A., RPA
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California State University
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Dr. Mark Q. Sutton, Director

CAR Project No. 04-09

Prepared for:
Quad Knopf
P.O. Box 3699
Visalia, CA 93278

SOUTHERN SAN JOAQUIN VALLEY
ARCHAEOLOGICAL INFORMATION CENTER
CAL STATE UNIVERSITY, BAKERSFIELD
8001 STOCKDALE HIGHWAY
BAKERSFIELD, CA 93311-1099

March 2004

RECEIVED
MAR 26 2004

BY:
Appendix D

Traffic Study
TRAFFIC EVALUATION
FOR
NEW DIALYSIS CENTER
AND
MEDICAL OFFICE BUILDING
FOR
SIERRA VIEW DISTRICT HOSPITAL
IN PORTERVILLE

FOR
QUAD KNOPF

AUGUST 2004

PREPARED BY:

RUETTGERS
& SCHULER
CIVIL ENGINEERS

1801 21ST STREET, SUITE 4
BAKERSFIELD, CA 93301

John D. Schuler, RCE 51825

Project No: 257-11
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INTRODUCTION

The purpose of this study is to evaluate the potential traffic impacts of a new dialysis center and medical office building proposed for construction on Pearson Drive as part of the Sierra View Hospital in the City of Porterville. A vicinity map, location map, and site plan are presented in Figures 1, 2 and 3.

A. The Project

The project is comprised of two separate buildings, a 18,500 square foot medical building that will be used as a chronic dialysis center and a 15,400 square foot building, which will be used for general medical purposes. The dialysis facility will contain 20 treatment chairs and will employ 22 full time employees. This new building will be located north of the existing 34,000 square foot Sierra View Medical Plaza, on what is currently an undeveloped vacant parcel. The other medical building will be located immediately adjacent to the westerly end of the existing building on what is currently parking lot area. Additional parking will be constructed as part of the project and Cleveland Avenue will be abandoned and become the main project entrance, providing access from Pearson Drive.

B. Existing Uses in Vicinity of the Site

Within the vicinity of the project, existing uses include the main Sierra View Hospital, located on the southwest corner of W. Putnam Avenue and N. Jaye Street, a medical office building along W. Putnam Avenue, the Sierra View Medical Plaza immediately south of the project on Pearson Drive, and multifamily residential units north of the project on Pearson Drive.

C. Existing Streets and Intersections

*West Morton Avenue* is a four lane undivided roadway that runs east west and generally extends to both the westerly and easterly limits of City development. The intersection of W. Morton Avenue and Pearson Drive is an unsignalized "T" intersection with stop control on Pearson Drive.

*Pearson Drive* is a two lane local street running north south between W. Morton Avenue and W. Putnam Avenue. Pearson Drive provides access to the Sierra View Medical Plaza and residential dwellings.

*W. Putnam Avenue* is a two lane, east-west roadway with a striped center median, providing two-way left turn channelization. On street parking is prohibited within the project vicinity. W. Putnam Avenue provides access to the Sierra View Hospital and numerous medical offices. The intersection of W.
Putnam Avenue and Pearson Drive is an unsignalized “T” intersection with stop control on Pearson Drive.

PROJECT TRIP GENERATION AND DISTRIBUTION

The trip generation shown in Table 1 was calculated using the Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition. Rate equations and directional splits for ITE Land Use Code 720 (Medical-Dental Office) were used to estimate project trip generation based on 18, 512 square feet and 15,400 square feet. Trip rates are provided in the Trip Generation Manual for medical facilities on the basis of either beds, employees or building square footage. These variables give a range in the estimated PM peak hour trip generation from 23 to 69 for the dialysis center. Use of trip rates based on building square footage provided the highest rate and was therefore used as the most conservative estimation and worst-case scenario.

<table>
<thead>
<tr>
<th>Expansion Type</th>
<th>ITE Code</th>
<th>Development Type</th>
<th>Variable</th>
<th>ADT RATE</th>
<th>ADT</th>
<th>Rate</th>
<th>In % Split/ Trips</th>
<th>Out % Split/ Trips</th>
<th>Rate</th>
<th>In % Split/ Trips</th>
<th>Out % Split/ Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outpatient</td>
<td>720</td>
<td>Medical-Dental Office</td>
<td>18.512</td>
<td>36.13</td>
<td>669</td>
<td>2.48</td>
<td>79%</td>
<td>21%</td>
<td>3.72</td>
<td>27%</td>
<td>73%</td>
</tr>
<tr>
<td>Outpatient</td>
<td>720</td>
<td>Medical-Dental Office</td>
<td>19.4</td>
<td>36.13</td>
<td>556</td>
<td>2.48</td>
<td>79%</td>
<td>21%</td>
<td>3.72</td>
<td>27%</td>
<td>73%</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>669</td>
<td></td>
<td>8</td>
<td>18</td>
<td>34</td>
<td>42</td>
<td></td>
</tr>
</tbody>
</table>

For purposes of this study, the PM peak hour traffic was used as the worst-case scenario and distributed onto the street system using an even split between W. Morton Avenue and W. Putnam Avenue (see Figure 5). The study scope was limited to the intersections of Pearson Drive at W. Morton Avenue and at W. Putnam Avenue, as project traffic volumes beyond these intersections are dispersed to non-significant levels.

EXISTING TRAFFIC

Existing peak hour turn movement volumes were field measured in July 2004 and are shown in Figure 4. Twenty-four hour roadway counts were obtained by the City of Porterville in 1997 and are also shown in Figure 4.
FIGURE 5
PROJECT PM PEAK HOUR TRAFFIC

W. Belleview Ave

W. School Ave

N. Palm St

Lihu St

W. Morton Ave

N. Kessing St

W. Cleveland Ave

Pearson Dr

Conley St

W. Putnam Ave

N. Jaye St

Kessing St

N. H. St

Carmelita St

W. Oak Ave

Sinarie Pl

W. Garden Ave

NOT TO SCALE
INTERSECTION ANALYSIS

A capacity analysis of the intersections of Pearson Drive with W. Morton Avenue, Pearson Drive with the project entrance, and Pearson Drive with W. Putnam Avenue was conducted using Synchro 5 software from Trafficware. This software utilizes the capacity analysis methodology in the Transportation Research Board’s Highway Capacity Manual. The analysis was performed for existing (2004) and existing (2004) + project scenarios.

Level of service (LOS) criteria for an unsignalized intersection is shown in the table below. The PM peak hour level of service for the intersections is shown in Table 2.

LEVEL OF SERVICE CRITERIA
UNsignalized INTERSECTION

<table>
<thead>
<tr>
<th>Average Control Delay (sec/veh)</th>
<th>Level of Service</th>
<th>Expected Delay to Minor Street Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>= 10</td>
<td>A</td>
<td>Little or no delay</td>
</tr>
<tr>
<td>&gt; 10 and = 15</td>
<td>B</td>
<td>Short traffic delays</td>
</tr>
<tr>
<td>&gt; 15 and = 25</td>
<td>C</td>
<td>Average traffic delays</td>
</tr>
<tr>
<td>&gt; 25 and = 35</td>
<td>D</td>
<td>Long traffic delays</td>
</tr>
<tr>
<td>&gt; 35 and = 50</td>
<td>E</td>
<td>Very long traffic delays</td>
</tr>
<tr>
<td>&gt; 50</td>
<td>F</td>
<td>Extreme delays</td>
</tr>
</tbody>
</table>

Table 2
PM Peak Hour Level of Service
Unsignalized Intersections

<table>
<thead>
<tr>
<th>#</th>
<th>Intersection</th>
<th>Movement</th>
<th>2004</th>
<th>2004+ Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>W. Morton Ave. &amp; Pearson Dr.</td>
<td>NB</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td></td>
<td>WBL</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Project Entrance &amp; Pearson Dr.</td>
<td>EB</td>
<td></td>
<td>A</td>
</tr>
<tr>
<td>3</td>
<td>W. Putnam Ave. &amp; Pearson Dr.</td>
<td>SB</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EBL</td>
<td>A</td>
<td></td>
</tr>
</tbody>
</table>

The analysis results in Table 2 indicate that all of the intersections that were evaluated operate at an acceptable level of service and have minimal delays on the minor approaches. The low volume of traffic generated by the project will not affect this condition. In addition to intersection delays, another
consideration at the project entrance is possible sight distance restrictions created by adjacent on-street parking. It is recommended that on-street parking on Pearson Drive be restricted immediately adjacent to the project entrance. Also, while the analysis does not specifically indicate a problem, left turn movements into the project site and the parking lot on the east side of Pearson Drive may cause some disruption of through traffic. If this becomes a problem in the future, consideration should be given to the installation of a striped median for left turn storage and eliminating on-street parking within the median area.

**TRAFFIC SIGNAL WARRANT ANALYSIS**

Peak hour signal warrants were evaluated for each of the unsignalized intersections based on Caltrans’ Traffic Manual and the results are shown in Table 3.

<table>
<thead>
<tr>
<th>#</th>
<th>Intersection</th>
<th>Major Street Total Approach Vol</th>
<th>Minor Street High Approach Vol</th>
<th>Warrant Met</th>
<th>Major Street Total Approach Vol</th>
<th>Minor Street High Approach Vol</th>
<th>Warrant Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pearson Dr at Morton Ave</td>
<td>1127</td>
<td>90</td>
<td>NO</td>
<td>1144</td>
<td>136</td>
<td>NO</td>
</tr>
<tr>
<td>2</td>
<td>Pearson Dr at Project Entrance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>159</td>
<td>92</td>
<td>NO</td>
</tr>
<tr>
<td>3</td>
<td>Pearson Dr at Putnam Ave</td>
<td>638</td>
<td>69</td>
<td>NO</td>
<td>655</td>
<td>115</td>
<td>NO</td>
</tr>
</tbody>
</table>

**SUMMARY AND CONCLUSION**

This report has evaluated the potential traffic impacts of two new medical buildings, a proposed dialysis center and a general purpose medical office building associated with the Sierra View Hospital in Porterville. It is anticipated that the project will generate a fairly low volume of new trips. Pearson Drive, a local street with low traffic volumes, provides access to the project site. The intersections at the connecting roadways of W. Morton Avenue and Putnam Avenue have sufficient capacity to accommodate the increased traffic. It is recommended that on-street parking be restricted adjacent to the project access to provide adequate sight distance. No further mitigation measures are required for this project.
REFERENCES

2. Traffic Manual, State of California, Business, Transportation and Housing Agency, Department of Transportation (Caltrans)
3. Trip Generation, 7th Edition, Institute of Transportation Engineers (ITE)
APPENDIX
Intersection 1
Pearson Dr & Morton Ave
# HCM Unsignalized Intersection Capacity Analysis

## PM Existing

### 1: Pearson Dr & Morton Ave

### Lane Configurations

<table>
<thead>
<tr>
<th></th>
<th>NBT</th>
<th>AVN</th>
<th>WBT</th>
<th>AVB</th>
<th>EB1</th>
<th>EB2</th>
<th>WBN</th>
<th>WB1</th>
<th>WB2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Sign Control

<table>
<thead>
<tr>
<th></th>
<th>Free</th>
<th>Free</th>
<th>Stop</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

### Grade

<table>
<thead>
<tr>
<th>Volume (veh/h)</th>
<th>467</th>
<th>23</th>
<th>18</th>
<th>618</th>
<th>47</th>
<th>43</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Hour Factor</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
</tr>
<tr>
<td>Hourly flow rate (veh/h)</td>
<td>508</td>
<td>25</td>
<td>21</td>
<td>672</td>
<td>51</td>
<td>47</td>
</tr>
</tbody>
</table>

### Pedestrians

<table>
<thead>
<tr>
<th>Walking Speed (ft/s)</th>
<th>Percent Blockage</th>
<th>Right turn flare (veh)</th>
<th>Median type</th>
<th>Median storage veh</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>None</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Upstream signal (ft)

| pX, platoon unblocked | vC1, stage 1 conf vol | vC2, stage 2 conf vol | vCu, unblocked vol | IC, single (s) | IC, 2 stage (s) | F3 (s) | p0 queue free % | cM capacity (veh/h) |
|-----------------------|-----------------------|-----------------------|--------------------|----------------|------------------+--------|-------------------|---------------------|
|                       |                       |                       |                    | 4.1           | 6.8              | 6.9     |                   | 1031               |
|                       |                       |                       |                    |               |                  | 3.5     | 98                | 274               |
|                       |                       |                       |                    |               |                  | 3.3     |                   | 732               |
|                       |                       |                       |                    |               |                  | 3.3     |                   |                   |

### Volume (Total)

<table>
<thead>
<tr>
<th>Volume Total</th>
<th>338</th>
<th>194</th>
<th>245</th>
<th>448</th>
<th>98</th>
</tr>
</thead>
</table>

### Volume Left

<table>
<thead>
<tr>
<th>Volume Left</th>
<th>0</th>
<th>0</th>
<th>21</th>
<th>0</th>
<th>51</th>
</tr>
</thead>
</table>

### Volume Right

<table>
<thead>
<tr>
<th>Volume Right</th>
<th>0</th>
<th>0</th>
<th>0</th>
<th>47</th>
<th></th>
</tr>
</thead>
</table>

### cSH

<table>
<thead>
<tr>
<th>cSH</th>
<th>1700</th>
<th>1700</th>
<th>1031</th>
<th>1700</th>
<th>390</th>
</tr>
</thead>
</table>

### Volume to Capacity

<table>
<thead>
<tr>
<th>Volume to Capacity</th>
<th>0.20</th>
<th>0.11</th>
<th>0.22</th>
<th>0.26</th>
<th>0.25</th>
</tr>
</thead>
</table>

### Queue Length (ft)

<table>
<thead>
<tr>
<th>Queue Length (ft)</th>
<th>0</th>
<th>0</th>
<th>2</th>
<th>0</th>
<th>24</th>
</tr>
</thead>
</table>

### Control Delay (s)

<table>
<thead>
<tr>
<th>Control Delay (s)</th>
<th>0.0</th>
<th>0.0</th>
<th>0.9</th>
<th>0.0</th>
<th>17.3</th>
</tr>
</thead>
</table>

### Lane LOS

<table>
<thead>
<tr>
<th>Lane LOS</th>
<th>A</th>
<th>C</th>
</tr>
</thead>
</table>

### Approach Delay (s)

<table>
<thead>
<tr>
<th>Approach Delay (s)</th>
<th>0.0</th>
<th>0.3</th>
<th>17.3</th>
</tr>
</thead>
</table>

### Approach LOS

<table>
<thead>
<tr>
<th>Approach LOS</th>
<th>A</th>
<th>C</th>
</tr>
</thead>
</table>

### Intersection Summary

<table>
<thead>
<tr>
<th>Average Delay</th>
<th>1.4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intersection Capacity Utilization</td>
<td>34.8%</td>
</tr>
</tbody>
</table>

### Level of Service

<table>
<thead>
<tr>
<th>ICU Level of Service</th>
<th>A</th>
</tr>
</thead>
</table>

---

**Synchro 5 Report**

RUETTGBAKE-ST51

257-11
### HCM Unsignalized Intersection Capacity Analysis

**1: Pearson Dr & Morton Ave**

<table>
<thead>
<tr>
<th>Lane Configurations</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Control</td>
<td>Free</td>
<td>Free</td>
<td>Stop</td>
<td></td>
</tr>
<tr>
<td>Grade</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Volume (veh/h)</td>
<td>467</td>
<td>31</td>
<td>28</td>
<td>618</td>
</tr>
<tr>
<td>Peak Hour Factor</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
</tr>
<tr>
<td>Hourly flow rate (veh/h)</td>
<td>508</td>
<td>34</td>
<td>30</td>
<td>672</td>
</tr>
</tbody>
</table>

**Pedestrians**
- Lane Width (ft): 34, 34, 34, 34
- Walking Speed (ft/s): 5, 5, 5, 5
- Percent Blockage: 0%
- Right turn flare (veh): 0
- Median type: None
- Median storage veh: None

**Upstream signal (ft):**
- pX, platoon unblocked
- vC, conflicting volume: 541, 271
- vC1, stage 1 conf vol: 541, 271
- vC2, stage 2 conf vol: 541, 271
- vCu, unblocked vol: 541, 271
- tC, single (s): 6.8, 6.8
- tC, 2 stage (s): 6.9, 6.9
- tF (s): 3.5, 3.3
- p0 queue free %: 97, 71, 90
- c/M capacity (veh/h): 1023, 262, 727

**Direction/Lane:**

<table>
<thead>
<tr>
<th>Volume Total</th>
<th>338</th>
<th>203</th>
<th>254</th>
<th>448</th>
<th>148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume Left</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>76</td>
</tr>
<tr>
<td>Volume Right</td>
<td>0</td>
<td>34</td>
<td>0</td>
<td>0</td>
<td>72</td>
</tr>
<tr>
<td>cSH</td>
<td>1700</td>
<td>1700</td>
<td>1023</td>
<td>1700</td>
<td>379</td>
</tr>
<tr>
<td>Volume to Capacity</td>
<td>0.20</td>
<td>0.12</td>
<td>0.03</td>
<td>0.26</td>
<td>0.39</td>
</tr>
<tr>
<td>Queue Length (ft)</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>45</td>
</tr>
<tr>
<td>Control Delay (s)</td>
<td>0.0</td>
<td>0.0</td>
<td>1.3</td>
<td>0.0</td>
<td>20.4</td>
</tr>
<tr>
<td>Lane LOS</td>
<td>A</td>
<td>C</td>
<td>A</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Approach Delay (s)</td>
<td>0.0</td>
<td>0.5</td>
<td>0.5</td>
<td>20.4</td>
<td>20.4</td>
</tr>
<tr>
<td>Approach LOS</td>
<td>A</td>
<td>C</td>
<td>A</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

**Intersection Summary**
- Average Delay: 2.4
- Intersection Capacity Utilization: 40.2%
- ICU Level of Service: A

---

**Synchro 5 Report**

RUETTGBAKE-ST51

257-11
Urban Peak Hour Signal Warrant
Intersection Does Not Meet Signal Warrant

Scenario: PM Existing
Intersection #: 1

(Major Street) 1 0 0 0
Morton Ave 2 467 6 618 5 Morton Ave
3 23 5 19 4
(Minor Street)
Pearson Dr

Major Total: 1127
Minor High Volume: 90
Urban Peak Hour Signal Warrant
Intersection Does Not Meet Signal Warrant

Scenario: PM Existing + Project
Intersection # : 1

![Diagram of an intersection with traffic volumes and volume number associations.]

- **Major Total:** 1144
- **Minor High Volume:** 136

![Volume-frequency curve graph showing the relationship between major and minor street volumes.]

**MAJOR STREET - TOTAL OF BOTH APPROACHES - VPH**

**MINOR STREET - HIGH VOLUME APPROACH - VPH**
Intersection 2
Pearson Dr & Project Entrance
<table>
<thead>
<tr>
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<th>NBR</th>
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</tr>
<tr>
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<td>0%</td>
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<td>46</td>
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<td>70</td>
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<td>18</td>
<td>76</td>
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**Pedestrians**

<table>
<thead>
<tr>
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<th>Walking Speed (ft/s)</th>
<th>Percent Blockage</th>
<th>Right-turn Flare (veh)</th>
<th>Median Type</th>
<th>Median Storage Veh</th>
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<tbody>
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<td></td>
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**Upstream Signal (ft)**

<table>
<thead>
<tr>
<th>pX, Platoon Unblocked</th>
<th>vC, Conflicting Volume</th>
<th>vC1, Stage 1 Conf Vol</th>
<th>vC2, Stage 2 Conf Vol</th>
<th>vCu, Unblocked Vol</th>
<th>IC, Single (s)</th>
<th>IC, 2 Stage (s)</th>
<th>IF (s)</th>
<th>p0 Queue Free %</th>
<th>CM Capacity (veh/h)</th>
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**Intersection Summary**

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<tr>
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<th>Volume to Capacity</th>
<th>Queue Length (ft)</th>
<th>Control Delay (s)</th>
<th>Lane LOS</th>
<th>Approach Delay (s)</th>
<th>Approach LOS</th>
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<tr>
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<td>50</td>
<td>385</td>
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**Average Delay** | 4.0

**Intersection Capacity Utilization** | 18.3%

**ICU Level of Service** | A
Rural Peak Hour Signal Warrant
Intersection Does Not Meet Signal Warrant

Scenario: PM Existing + Project
Intersection #: 2

(Major Street)
Pearson Dr

(Minor Street)
Project Entrance

(Major Street)
Pearson Dr

Major Total: 159
Minor High Volume: 92

Graph:
- X-axis: MAJOR STREET - TOTAL OF BOTH APPROACHES - VPH
- Y-axis: MINOR STREET HIGH VOLUME APPROACH - VPH
- Line graph showing the relationship between major street traffic and minor street high volume traffic.
Intersection 3
Pearson Dr & Putnam Ave
### HCM Unsignalized Intersection Capacity Analysis

**3: Pearson Dr & Putnam Ave**

#### Movement

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<th>EB</th>
<th>EWB</th>
<th>WB</th>
<th>SB</th>
<th>SB</th>
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<td>Lane Configurations</td>
<td>Free</td>
<td>Free</td>
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#### Sign Control

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<th>%</th>
<th>%</th>
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<tbody>
<tr>
<td>Volume (veh/h)</td>
<td>25</td>
<td>254</td>
<td>334</td>
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<tr>
<td>Peak Hour Factor</td>
<td>0.92</td>
<td>0.92</td>
<td>0.92</td>
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<tr>
<td>Hourly flow rate (veh/h)</td>
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<td>363</td>
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#### Pedestrians

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<th>Walking Speed (ft/s)</th>
<th>Percent Blockage</th>
<th>Right turn flare (veh)</th>
<th>Median type</th>
<th>Median storage veh</th>
<th>Upstream signal (ft)</th>
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<tr>
<td>pX, platoon unblocked</td>
<td>vC, conflicting volume</td>
<td>vC1, stage 1 conf vol</td>
<td>vC2, stage 2 conf vol</td>
<td>vCu, unblocked vol</td>
<td>IC, single (s)</td>
<td>IC, 2 stage (s)</td>
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<tr>
<td>tf (s)</td>
<td>p0 queue free %</td>
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#### Direction

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<th>Volume Left</th>
<th>Volume Right</th>
<th>cSH</th>
<th>Volume to Capacity</th>
<th>Queue Length (ft)</th>
<th>Control Delay (s)</th>
<th>Lane LOS</th>
<th>Approach Delay (s)</th>
<th>Approach LOS</th>
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<tr>
<td>27</td>
<td>27</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<td>13.5</td>
<td>B</td>
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#### Intersection Summary

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<th>ICU Level of Service</th>
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<tr>
<td>1.6</td>
<td>31.8%</td>
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## Lane Configurations

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<td>0%</td>
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### Volume (veh/h)

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<th>Project</th>
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<tbody>
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<td>34</td>
<td>254</td>
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<tr>
<td>Right</td>
<td>334</td>
<td>333</td>
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<td>Total</td>
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<td>357</td>
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### Peak Hour Factor

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<th>Project</th>
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</thead>
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<td>0.92</td>
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### Pedestrians

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<td>Walking</td>
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<td>276</td>
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<tr>
<td>Median</td>
<td>None</td>
<td>None</td>
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### Upstream Signal (ft)

- pX, platoon unblocked
- vC, conflicting volume
- vC1, stage 1 conf vol
- vC2, stage 2 conf vol
- vCu, unblocked vol
- IC, single (s)
- IC, 2 stage (s)
- IF, single (s)
- IF, 2 stage (s)
- p0 queue free %
- cM capacity (veh/h)

### Direction Lane

<table>
<thead>
<tr>
<th>Movement</th>
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<th>Project</th>
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<tbody>
<tr>
<td>Left</td>
<td>37</td>
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<td>Right</td>
<td>334</td>
<td>333</td>
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<tr>
<td>Total</td>
<td>367</td>
<td>357</td>
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### Control Delay (s)

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<td>Right</td>
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### Queue Length (ft)

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<tr>
<td>Left</td>
<td>2</td>
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</tr>
<tr>
<td>Right</td>
<td>0</td>
<td>0</td>
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### Intersection Summary

- Average Delay: 2.6
- Intersection Capacity Utilization: 35.2%
- ICU Level of Service: A
Rural Peak Hour Signal Warrant
Intersection Does Not Meet Signal Warrant

Scenario: PM Existing
Intersection #: 3

(Minor Street)
Pearson Dr

12 11 10

35 0 34

(Major Street)
Putnam Ave

1 2 3

25 254 0

(Major Street)
Putnam Ave

25 5

334 0

4

0 0 0

7 8 9

Major Total: 638
Minor High Volume: 69
Rural Peak Hour Signal Warrant
Intersection Does Not Meet Signal Warrant

Scenario: PM Existing + Project
Intersection #: 3

(Minor Street)
Pearson Dr
12 11 10

(Major Street)
Putnam Ave

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<th></th>
<th>58</th>
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<td>2</td>
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<td>3</td>
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(Major Street)
Putnam Ave
0 4

<table>
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<tbody>
<tr>
<td>7</td>
<td>8 9</td>
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Major Total: 655
Minor High Volume: 115

![Graph showing minor street volume against major street volume]
Engineering

Architecture

Planning

Land Surveying

GIS/GPS

Biology

5110 W. Cypress Avenue
Visalia, California 93277
(559) 733-0440

5001 California Avenue, Suite 230
Bakersfield, California 93309
(661) 616-2600

One Sierragate Plaza, Suite 270c
Roseville, California 95678
(916) 784-7823

8405 N. Fresno Street, Suite 300
Fresno, California 93720
(559) 449-2400

900 Truxtun Avenue, Suite 300
Bakersfield, California 93301
(661) 861-0997

1170 Financial Boulevard, Suite 650
Reno, Nevada 89502
(775) 324-1212

Quad Knopf
RESOLUTION NO.___________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE DECLARATION FOR “D” OVERLAY SITE REVIEW 1-2005 TO ALLOW THE DEVELOPMENT OF A 10,311± SQUARE FOOT DIALYSIS BUILDING FOR THAT SITE GENERALLY LOCATED ON THE NORTHWEST CORNER OF PEARSON DRIVE AND CLEVELAND AVENUE IN A PO(D) (PROFESSIONAL OFFICE - DESIGN REVIEW OVERLAY) ZONE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, reviewed the site plans for a proposal to develop a 10,311± square foot single story dialysis building for that site generally located on the northeast corner of Pearson Drive and Cleveland Avenue in the PO(D) (Professional Office - Design Review Overlay) Zone; and

WHEREAS: Sierra View District Hospital is the lead agency on this project. Quad Knopf, the applicant’s consultant, prepared the environmental initial study and routed it to the State Clearing House (No. 200411113) for public agency comments. The review period ran from November 29, 2004, to December 28, 2004. As a result of those comments, the final Mitigated Negative Declaration, and incorporated mitigation measures have been amended to address those comments. It should be noted that the Mitigated Negative Declaration took into consideration both the proposed Dialysis project and the Phase II portion for the future expansion of the outpatient treatment building to be located on the west end of the existing outpatient building;

WHEREAS: On March 29, 2005, the Sierra View Local Health Care District Board of Directors approved by Resolution No. 03-29-05/02 the Mitigated Negative Declaration for Sierra View District Hospital Master Plan for that site generally located on the northwest and southwest corners of Pearson Drive and Cleveland Avenue; and

WHEREAS: As a responsible agency with decision making authority over the project, the City Council is asked to affirm and approve the environmental document to meet the City’s environmental clearance requirements.

WHEREAS: The conceptual plan for Phase II indicates that a future proposed 19,029± square foot building and additional parking is proposed for the west end of the existing outpatient treatment medical building located to the south of the subject site. Since this is conceptual, future approval of this plan will require an additional “D” Overlay Site Review to be approved by the City Council, and provided environmental circumstances do not change, no additional environmental review is required.

WHEREAS: The City Council considered the following findings in its review of the environmental circumstances for this project:

1. That a Negative Declaration was originally prepared for the project in accordance with the California Environmental Quality Act;
2. That the proposed project will not create adverse environmental impacts;
The original Negative Declaration was evaluated in light of the prepared environmental initial study, comments from interested parties and the public, as well as responses to written comments received during the review period. It was determined that potential impacts associated with the proposed project could be mitigated to a less than significant level through the implementation of the attached mitigation measures.

3. That the City Council is an additional decision-making body for the project;

4. That the Negative Declaration prepared for this project was made available for public review and comment;

Sierra View District Hospital is the lead agency on this project. Quad Knopf, the applicant’s consultant, prepared the environmental initial study and routed it to the State Clearing House (No. 200411113) for public agency comments. The review period ran from November 29, 2004, to December 28, 2004. As a result of those comments, the final Mitigated Negative Declaration, and incorporated mitigation measures have been amended to address those comments. It should be noted that the Mitigated Negative Declaration took into consideration both the proposed Dialysis project and the Phase II portion for the future expansion of the outpatient treatment building to be located on the west end of the existing outpatient building;

5. That the mitigation measures contained in the originally approved Negative Declaration were incorporated into a Mitigation Monitoring Program in Chapter 5 of the Negative Declaration hereto as Attachment A of this resolution of affirmation;

6. The Resolution No. 03-29-05/02 of the Sierra View Local Health Care District Board of Directors approving and adopting the Mitigated Negative Declaration for the Sierra View Master Plan is hereto incorporated as Attachment B of this resolution of affirmation;

7. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of the project;

A reconnaissance-level biological survey for threatened, endangered, and other special status plant and animal species of the proposed site was conducted by a qualified Quad Knopf biologist.

The results of the survey determined that while there was a possibility that 24 Special-status species could occur on the site, approximately nine (9) elderberry shrubs with a least one stem 1-inch or greater at ground level were identified in the area of the project. Two of the elderberry bushes are located on the north side of the property proposed for the Dialysis building. Two (2) additional elderberry shrubs are located on the southwest corner of Phase II of the project for the future out-patient building.

The mitigation measures incorporated into the Mitigation Monitoring Program, 3.1.4
Biological Resources of Chapter 5 of the Negative Declaration will assure that the impact is less than significant.

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; and

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 Mitigated Negative Declaration (Attachment A) for Sierra View District Hospital Master Plan approved by the Sierra View Local Health Care District Board of Directors by Resolution No. 03-29-05/02 (Attachment B) on March 29, 2005 as described herein.

____________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By __________________________
Georgia Hawley,  Chief Deputy City Clerk
FINAL
MITIGATED NEGATIVE DECLARATION

SIERRA VIEW DISTRICT HOSPITAL
MASTER PLAN

State Clearinghouse #200411113

January 2005

Quad Knopf
FINAL
MITIGATED NEGATIVE DECLARATION
COMMENTS, RESPONSES AND
MITIGATION MONITORING PROGRAM

SIERRA VIEW DISTRICT HOSPITAL
MASTER PLAN

State Clearinghouse #200411113

January 2005

Lead Agency: Sierra View District Hospital
465 West Putnam
Porterville, CA 93257

Contact Person: Bruce Peterson
Director of General Services
Phone: (559) 784-1110
Fax: (559) 784-2574

Consultant: Quad Knopf, Inc.
5110 W. Cypress Avenue
P.O. Box 3699
Visalia, CA 93278

Contact Person: Stephen Peck, AICP
Principal Planner
Phone: (559) 733-0440
Fax: (559) 733-7821
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## APPENDICES

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<th>Appendix A</th>
<th>List of Preparers</th>
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CHAPTER ONE

INTRODUCTION
CHAPTER ONE - INTRODUCTION

1.1 Purpose

This document is the Initial Study/Mitigated Negative Declaration on the potential environmental effects of buildout of the Sierra View District Hospital Master Plan.

Sierra View District Hospital is the lead agency pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), Section 15050. Consistent with these guidelines, this Initial Study identifies and discusses environmental impacts.

The Initial Study and Mitigated Negative Declaration was circulated for agency and public review for 30 days (November 29, 2004 through December 28, 2004), pursuant to CEQA Guidelines, Section 15073(d).

1.2 Scope and Format

This document includes this Chapter – Introduction, outlining the purpose, scope and format of the Mitigated Negative Declaration. Chapter Two explains the public review process and lists all agencies and individuals who commented on the Mitigated Negative Declaration. Chapter Three consists of the actual letters of comment, reproduced in their entirety. Chapter Four consists of responses to each written comment received on the Mitigated Negative Declaration. These responses are intended to supplement or revise information contained in the Mitigated Negative Declaration, as appropriate, based on the comments and additional research or updated information. Each response follows the associated comment, which is summarized. Each letter of comment has been numbered (E.G., Letter 1, Letter 2). Within each letter, individual comments are assigned an alphanumeric identification. For example, the first comment on Letter 2 is Comment 2A, and the second is Comment 2B. Chapter Five contains the Mitigation Monitoring Program.
CHAPTER TWO

OVERVIEW OF COMMENTS RECEIVED
CHAPTER TWO – OVERVIEW OF COMMENTS RECEIVED

2.1 Public Review and Comment Procedures

CEQA requires public disclosure in a Mitigated Negative Declaration of all project environmental effects and encourages public participation throughout the Mitigated Negative Declaration process. As required by Section 15105 of the CEQA Guidelines, the public review of environmental documents included the following:

1. Publication of a Notice of Availability in the Porterville Recorder and the County Clerk’s office.
2. A copy of the document was made available at Sierra View District Hospital and the Tulare County Clerk’s Office.

A public review period of no less than 30 days is required for a Draft Mitigated Negative Declaration under Section 15105(a) of the CEQA Guidelines. If a State agency is a lead or responsible agency for the project, the public review period shall be at least 30 days. In this case, the State Clearinghouse established a 30-day review period extending from November 29, 2004 to December 28, 2004.

2.2 Agencies and Individuals who Commented on the Draft Mitigated Negative Declaration

The following agencies and individuals commented either directly to the Agency or to the State Clearinghouse:


Letter 3: City of Porterville Community Development Department, Randall Roudy, Associate Planner, dated December 17, 2004.


Letter 5: San Joaquin Valley Air Pollution Control District, Heather Ellison, Air Quality Planner, dated December 27, 2004.

Letter 6: State Clearinghouse, Governor’s Office of Planning and Research, Terry Roberts, Director, dated March 1, 2004.
CHAPTER THREE

COMMENT LETTERS
CHAPTER THREE – COMMENT LETTERS

The following pages contain the comment letters received for the Draft Initial Study/Mitigated Negative Declaration.
December 16, 2004

Bruce Peterson
Director of General Services
Sierra View District Hospital
465 W Putnam
Porterville, CA 93257

Dear Mr. Peterson:

This is in response to your Sierra View District Hospital Environmental Review, December 2004.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Porterville, dated October 15, 1985, and the current effective Flood Boundary and Floodway Maps (FBBMs), dated October 15, 1985. Please note that the City of Porterville, California, is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in the Code of Federal Regulations #44, Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level for the One Hundred Year Flood in accordance with the effective Flood Insurance Rate Map. Hospitals are often designated to serve as critical facilities. If this hospital is designated to be a Critical Facility, and any part of the hospital funding is from the Federal government, the hospital must be located outside the Five Hundred Year Flood Plain.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.
Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with CFR44, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/mit/tsd/dl_mr-2.htm

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in CFR #44. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Porterville California floodplain manager can be reached by calling Bubba Frasher at 559-782-7520.

If you have any questions or concerns, please do not hesitate to call David Weinstock of my staff at 510-627-7207.

Sincerely,

Michael Shore
Branch Chief
Community Mitigation Programs

cc:
Bubba Frasher, Planner I, City of Porterville, 291 N Main Street, Porterville, CA 93257
Ed Perez, CA-DWR, 3374 E Shields Ave, Fresno CA 93726
Carmelia Henderson, FEMA
Sandro Arzaglia, FEMA
December 16, 2004

Bruce Peterson, Director of General Services
Sierra View District Hospital
465 W. Putnam
Porterville, CA 93257

RE: Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan.

It has come to the attention of the Tulare County Airport Land Use Commission (ALUC) via document referral of an Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan. The Airport Land Use Commission provides a consistency determination for proposals based on the Tulare County Comprehensive Airport Land Use Plan (CALUP). Local agencies usually submit proposals voluntarily, when required or at the request of the ALUC. Considering the proposed project was distributed to Tulare County by the lead agency for comments, the ALUC provides the following review of the Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan.

The project proposed by the Sierra View District Hospital is for the creation of one new 10,311 sq. ft. outpatient dialysis building and a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping and other related improvements. The site is located north of Putnam and east of Villa, Porterville. The site is located outside the radius of review of the Airport Land Use Commission (attachment A). The ALUC doesn’t have authority outside the radius of review.

Further review by the ALUC is not required. Please send any additional documents and final environmental documents only for informational purposes to Attn: John Mendoza Tulare County Resource Management Agency 5961 S. Mooney Blvd. Visalia, CA 93277.

For more information please dial (559) 733-6291 ext. 4208.

Sincerely,

John Mendoza
ALUC Staff
December 17, 2004

Bruce Peterson, Director of General Services
Sierra View District Hospital
Porterville, CA 93257

Re: Initial Study and Mitigated Negative Declaration - Sierra View District Hospital Master Plan.

Dear Mr. Peterson:

Thank you for the opportunity to review and comment on the initial study for the Sierra View District Hospital Master Plan consisting primarily of a dialysis center and surgery center and parking to be located on the west side of Pearson Drive, north of Putnam Avenue.

The City of Porterville offers the following comments:

1) Cleveland Avenue is not designated as a Collector on the Circulation Element of the General Plan. As envisioned prior to the proposed Master Plan, the City of Porterville had expected Cleveland Avenue to be developed as a Local Street, from Pearson Drive to Villa Street on the basis of existing rights-of-way and parcel layouts and to provide additional connectivity within the neighborhood. As proposed, the Hospital Master Plan would require abandonment of existing right-of-way (and acquisition of alternative right-of-way as described below), however, an amendment to the Circulation of the General Plan would not be required.

2) Figures 2-2 and 2-3 are not consistent. The parking area shown on Figure 2-3 to the east of the Dialysis Building is located on two parcels at the northwest corner of Cleveland Avenue and Pearson Drive which are shown as excluded from the Site Vicinity on Figure 2-2. Figure 2-2 appears to accurately show the parcel and street layout in the vicinity of the subject site. Note especially the alley which is parallel to and west of Pearson Drive, connecting to Cleveland Avenue. This existing situation appears to be inaccurately shown on Figure 2-3 as an existing alley connection from Pearson Drive just north of the subject site. Six parcels, all developed with apartments, receive their primary vehicular access from the alley via Cleveland Avenue. If Cleveland Avenue is to be converted to a private driveway serving the Master Plan facilities, it will be necessary to provide an alternative access for the existing apartments on the subject site. Dedication of necessary right-of-way and construction of such an alternative access should be included within the project description.
3) The City of Porterville has no objection to the proposed mitigation measures with regard to the Valley Elderberry Longhorn Beetle, however, it is our recommendation that the District contact the U.S. Fish and Wildlife Service for consultation at the earliest practical time.

4) The traffic study included in the Initial Study appears to fulfill the City’s request to consider the potential impact on traffic congestion and connectivity of an anticipated request to abandon existing right-of-way for Cleveland Avenue, west of Pearson Drive.

5) Although not strictly an environmental issue, the District should be aware of a design issue. The drawings submitted for consideration by the Project Review Committee show a twenty-five foot back-up easement for the existing apartments to the north of the proposed parking lot expansion on the east side of Pearson Drive. That easement will be required, and is not clearly shown on the site plans in the environmental document.

Thank you again for the opportunity to comment on the Initial Study for this project. If you have any questions, please call me at (559) 782-7460.

Sincerely,

Randall S. Rouda, AICP, Associate Planner
City of Porterville

cc: Stephen Peck, AICP, Quad Knopf, Inc.
December 27, 2004

Bruce Peterson  
Director of General Services  
Sierra View District Hospital  
465 W. Putnam  
Porterville, CA 93257

Re: Initial Study and Mitigated Negative Declaration – Sierra View District Hospital

Dear Mr. Peterson:

This office has reviewed the above referenced matter. Based upon our review, we offer the following conditions with this project:

1. The facility is subject to the California State Hazardous Material Laws. A complete Hazardous Material Business Plan shall be submitted to the TCEHSD within 30 days of the completion of the building.

2. The facility is subject to the California State Medical Waste Laws. Applicant shall contact the Tulare County Environmental Health Services Division for Medical Waste Permit application information.

Sincerely,

[Signature]

Sabine T. Geaney  
Environmental Health Specialist  
Environmental Health Services
San Joaquin Valley
Air Pollution Control District

December 27, 2004

Attn: Mr. Bruce Peterson
Sierra View District Hospital
485 West Putnam
Porterville, California 93257

RE: Sierra View District Hospital Master Plan

Dear Mr. Peterson:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project would contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. Although this project alone would not generate significant air emissions, the increase in emissions from this project, and others like it, cumulatively reduce the air quality in the San Joaquin Valley. A concerted effort should be made to reduce project-related emissions as outlined below:

If a generator of 50-brake hp or more is installed, this project will be subject to the permitting requirements of the District. Any equipment subject to the District's Permit to Operate requirements must obtain an Authority to Construct (ATC) from the District. Construction of equipment, which requires an ATC, and intimately related appurtenances such foundations and utility hookups for the equipment, cannot begin until an ATC is obtained. Construction of equipment not requiring a District permit is not subject to this ATC requirement. Depending upon the nature and complexity of the application and staff workload, ATC approval can take several months. For further information, the applicant should contact the District's Small Business Assistance Office at (661) 326-6969. To avoid unnecessary delays in the project, applications should be submitted to the District as soon as the project developer has determined the scope of the project.

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by

David L. Crow
Executive Director/Air Pollution Control Officer
the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleyair.org/rules/1ruleslist.htm.

**Regulation VIII (Fugitive PM10 Prohibitions)** - Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.

The District’s Governing Board recently approved amendments to Regulation VIII that became effective on October 1, 2004. If a non-residential project is 5.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a non-residential site is 1.0 to less than 5.0 acres, an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.2). A template of the District’s Dust Control Plan is available at: http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf

This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:

- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.

  For Structural Soil see [http://www.hort.cornell.edu/uhi/outreach/csc/](http://www.hort.cornell.edu/uhi/outreach/csc/)
  For Tree Selection see [http://www.ufei.org/](http://www.ufei.org/)
  For Urban Forestry see [http://www.coolcommunities.org](http://www.coolcommunities.org)
  [http://wcufre.ucdavis.edu](http://wcufre.ucdavis.edu)

- If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.
  - Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

- Multi-story parking facilities should be considered instead of parking lots to reduce exposed concrete surface and save green space. Large expanses of exposed concrete in parking lots exacerbate the "heat island" effect as well as widen the distance patrons and employees must cross. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. Heat mitigation should be considered for this project. Parking facilities allow more patrons to park closer to the multiple desired destinations and provide a cool and protected place to park. Space not used by the parking facility can be used to concentrate units, as park space or as a 'special attraction' space such as fountains or unique units. While the initial cost of a multi-story parking facility may seem cost prohibitive, investments in smart planning increase safety, increase usable area and decrease land waste by reserving areas not used for parking for future growth or special use.

- As many energy-conserving features as possible should be included in the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
  - See http://www.energy.ca.gov/title24/.
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient widows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See http://eetd.lbl.gov/coolroof/
  - Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone...
precursors. See http://www.harc.edu/harc/Projects/CoolHouston/, http://eande.lbl.gov/heatisland/
- Radiant heat barrier. See http://www.eere.energy.gov/consumerinfo/refbriefs/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov/
- Install solar water-heating system(s)
- Install photovoltaic cells
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when practicable
- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
- See http://www.eere.energy.gov/RE/solar_passive.html
- Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Bicycle parking facilities for patrons and employees in a covered secure area. Bicycle parking should provide at least one space for every 20 vehicle spaces.
- Employee shower and locker areas for bicycle and pedestrian commuters
- On-site employee cafeterias or eating areas
- Pre-wire the building(s) with high speed modem connections/DSL and extra phone lines
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:

- The applicant/tenant(s) should implement measures to reduce the amount of vehicle traffic to and from the project area that further reduce air pollution in the valley. This could include such provisions as encouraging employees to rideshare or carpool to the project site, preferential parking spaces for employees who participate in carpooling or vanpooling, incorporating a compressed workweek schedule, or incentives for employees who use alternative transportation. Check out the “Spare the Air” section of our website www.valleyair.org
Crosswalks should be strategically located and clearly marked to facilitate pedestrian and bicycle traffic. Crosswalks that pass through median strips should be designed to be pedestrian friendly and include (but not limited to): a shade structure, a sitting area, landscaping, and be designed so that pedestrians feel safe if caught on the median before completely crossing the road.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (661) 326-6980.

Sincerely,

Heather Ellison
Air Quality Planner
Southern Region

c: file
December 29, 2004

Bruce Peterson  
Sierra View Local Hospital District  
465 W. Putnam Avenue  
Porterville, CA 93257

Subject: Sierra View District Hospital Master Plan  
SCH#: 2004111137

Dear Bruce Peterson:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on December 28, 2004, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse
SCH# 200411137  
**Project Title:** Sierra View District Hospital Master Plan  
**Lead Agency:** Sierra View Local Hospital District  

**Type**  
**Description:** Build out of the Sierra View District Hospital Master Plan. The project includes the construction of a new 10,311 SF outpatient dialysis building, a future 19,028 SF medical/office building, paved parking lots, sidewalks, landscaping, and related improvements.

**Lead Agency Contact**  
**Name:** Bruce Peterson  
**Agency:** Sierra View Local Hospital District  
**Phone:** (559) 784-1110  
**Fax:** 
**Address:** 485 W. Putnam Avenue  
**City:** Porterville  
**State:** CA  
**Zip:** 93257

**Project Location**  
**County:** Tulare  
**City:** Porterville  
**Region:**  
**Cross Streets:** Pearson Drive / Cleveland Avenue  
**Parcel No.:** 252-260-074, 071, 081, 044  
**Township:** 21S  
**Range:** 27E  
**Section:** 26  
**Base:** MDBM

**Proximity to:**  
**Highways:** 190, 85  
**Airports:** No  
**Railways:** BNSF  
**Waterways:** Porter Slough  
**Schools:**  
**Land Use:** Professional and Office

**Project Issues**  
Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Flood Plain/Flooding; Geologic/Sedamic; Growth Inducing; Landuse; Minerals; Noise; Public Services; Recreation/Parks; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wildlife

**Reviewing Agencies**  
Resources Agency; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Office of Emergency Services; Department of Fish and Game, Region 4; Department of Conservation; California Highway Patrol; Caltrans, District 6; Caltrans, Division of Aeronautics

**Date Received** 11/29/2004  
**Start of Review** 11/29/2004  
**End of Review** 12/28/2004

Note: Blanks in data fields result from insufficient information provided by lead agency.
Project Description

Build out of the Sierra View District Hospital Master Plan. The Project includes the construction of a new 10,311 sq. ft. outpatient dialysis building, a future 19,029 sq. ft. medical office building, paved parking lots, sidewalks, landscaping, and related improvements.
CHAPTER FOUR

RESPONSES TO COMMENTS
CHAPTER FOUR – RESPONSES TO COMMENTS

This section summarizes each of the written comments received on the Mitigated Negative Declaration during the public review period. Following each comment is a response intended to either supplement, clarify, or amend information provided in the Mitigated Negative Declaration, or refer the commentor to the appropriate place in the Mitigated Negative Declaration where the requested information is found. Letters of comment are presented verbatim in Chapter Three, and each letter and comment is numbered for reference.

Letter 1

Michael Shore, Branch Chief, Community Mitigation Programs,
U.S. Department of Homeland Security, FEMA, Region IX

Comment 1A: Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Porterville, dated October 15, 1985, and the current effective Flood Boundary and Floodway Maps (FBFMs) dated October 15, 1985. Please note that the City of Porterville, California, is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in the Code of Federal Regulations #44, Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level for the One Hundred Year Flood in accordance with the effective Flood Insurance Rate Map. Hospitals are often designated to serve as critical facilities. **If this hospital is designated to be a Critical Facility, and any part of the hospital funding is from the Federal government, the hospital must be located outside the Five Hundred Year Flood Plain.**

- **If any area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels.** The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving excavation or drilling operations, and storage of equipment or materials. **A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.**

- **Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic date to FEMA for a FIRM revision. In accordance with CFR44, Section 65.3, as soon as practicable, but not later than six months after**
such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA’s Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/mit/tsd/dl_mt-2.htm.

Response 1A: The hospital is not designated as a critical facility and is located outside of the Five Hundred Year Flood Plain. The Hospital District will adhere to all floodplain management requirements as described in the Code of Federal Regulations #44, Sections 59 through 65.

Comment 1B: Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in CFR #44. Please contact the local community’s floodplain manager for more information on local floodplain management building requirements. The Porterville California floodplain manager can be reached by calling Bubba Frasher at 559-782-7520.

Response 1B: The Porterville floodplain manager will be contacted prior to construction of the hospital facility.

Letter 2  John Mendoza, ALUC Staff, Tulare County Resource Management Agency

Comment 2A: The project proposed by the Sierra View District Hospital is for the creation of one new 10,311 sq. ft. outpatient dialysis building and a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping and other related improvements. The site is located north of Putnam and east of Villa, Porterville. The site is located outside the radius of review of the Airport Land Use Commission (attachment A). The ALUC doesn’t have authority outside the radius of review.

Further review by the ALUC is not required. Please send any additional documents and final environmental documents only for information purposes to Attn: John Mendoza, Tulare County Resource Management Agency, 5961 S. Mooney Blvd., Visalia, CA 93277.

Response 2A: Comment noted.

Letter 3  Randall S. Rouda, AICP, Associate Planner, City of Porterville

Comment 3A: Cleveland Avenue is not designated as a Collector on the Circulation Element of the General Plan. As envisioned prior to the proposed Master Plan, the City of Porterville had expected Cleveland Avenue to be developed as a Local Street, from Pearson Drive to Villa Street on the basis of existing rights-of-way and parcel layouts and to provide additional connectivity within the neighborhood. As proposed, the Hospital Master Plan would require abandonment of existing right-of-way (and

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acquisition of alternative right-of-way as described below), however, an amendment to the Circulation of the General Plan would not be required.

Response 3A: Comment noted.

Comment 3B: Figures 2-2 and 2-3 are not consistent. The parking area shown on Figure 2-3 to the east of the Dialysis Building is located on two parcels at the northwest corner of Cleveland Avenue and Pearson Drive which are shown as excluded from the Site Vicinity on Figure 2-2. Figure 2-2 appears to accurately show the parcel and street layout in the vicinity of the subject site. Note especially the alley which is parallel to and west of Pearson Drive, connecting to Cleveland Avenue. This existing situation appears to be inaccurately shown on Figure 2-3 as an existing alley connection from Pearson Drive just north of the subject site. Six parcels, all developed with apartments, receive their primary vehicular access from the alley via Cleveland Avenue. If Cleveland Avenue is to be converted to a private driveway serving the Master Plan facilities, it will be necessary to provide an alternative access for the existing apartments on the subject site. Dedication of necessary right-of-way and construction of such an alternative access should be included within the project description.

Response 3B: The site plan has been revised to show the proposed new dedication off of Pearson Drive to accommodate the existing parking complex. This new dedication will adequately replace the current vehicular access from the alley via Cleveland Avenue.

Comment 3C: The City of Porterville has no objection to the proposed mitigation measures with regard to the Valley Elderberry Longhorn Beetle, however, it is our recommendation that the District contact the U.S. Fish and Wildlife Service for consultation at the earliest practical time.

Response 3C: The U.S. Fish and Wildlife Service has been contacted and the Hospital District will follow the guidelines set forth by the USFWS with regards to the Valley Elderberry Longhorn Beetle.

Comment 3D: The traffic study included in the Initial Study appears to fulfill the City’s request to consider the potential impact on traffic congestion and connectivity of an anticipated request to abandon existing right-of-way for Cleveland Avenue, west of Pearson Drive.

Response 3D: Comment noted.

Comment 3E: Although not strictly an environmental issue, the District should be aware of a design issue. The drawings submitted for consideration by the Project Review Committee show a twenty-five foot back-up easement for the existing apartments to the north of the proposed parking lot expansion on the east side of Pearson Drive. That easement will be required, and is not clearly shown on the site plans in the environmental document.

Sierra View District Hospital Master Plan
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4 - 3
Response 3E: There is a 12 1/2 foot easement required and will be addressed in the lot-line adjustment package.

Letter 4 Sabine T. Geaney, Environmental Health Specialist, County of Tulare Health & Human Services Agency

Comment 4A: The facility is subject to the California State Hazardous Materials Laws. A complete Hazardous Material Business Plan shall be submitted to the TCEHSD within 30 days of the completion of the building.

Response 4A: The Hospital District will submit a complete Hazardous Material Business Plan to the TCEHSD within 30 days of the completion of the building.

Comment 4B: The facility is subject to the California State Medical Waste Laws. Applicant shall contact the Tulare County Environmental Health Services Division for Medical Waste Permit application information.

Response 4B: The Hospital District will contact the Tulare County Environmental Health Services Division for Medical Waste permit application information.

Letter 5 Heather Ellison, Air Quality Planner, Southern Region, San Joaquin Valley Air Pollution Control District

Comment 5A: The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project would contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. Although this project alone would not generate significant air emissions, the increase in emissions from this project, and others like it, cumulatively reduce the air quality in the San Joaquin Valley. A concerted effort should be made to reduce project-related emissions as outlined below:

If a generator of 50-brake hp or more is installed, this project will be subject to the permitting requirements of the District. Any equipment subject to the District's Permit to Operate requirements must obtain an Authority to Construct (ATC) from the District. Construction of equipment, which requires an ATC, and intimately related appurtenances such foundations and utility hookups for the equipment, cannot begin until an ATC is obtained. Construction of equipment not requiring a District permit is not subject to this ATC requirement. Depending upon the nature and complexity of the application and staff workload, ATC approval can take several months. For further information, the applicant should contact the District's Small Business Assistance Office at (661) 326-6969. To avoid unnecessary delays in the project, applications should be submitted to the District as soon as the project developer has determined the scope of the project.

Sierra View District Hospital Master Plan
Initial Study/Mitigated Negative Declaration
Comments, Responses and Mitigation Monitoring Program

January 2005

4 - 4
Response 5A: Prior to construction, the Hospital District will consult with ATC regarding all applicable construction equipment.

Comment 5B: Based on the information provided; the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleyair.org/rules/1_ruleslist.htm.

Regulation VIII (Fugitive PM10 Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.

The District’s Governing Board recently approved amendments to Regulation VIII that became effective on October 1, 2004. If a non-residential project is 5.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a non-residential site is 1.0 to less than 5.0 acres, an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.42). A template of the District’s Dust Control Plan is available at: http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf

Response 5B: The Hospital District will comply with all measures included in Regulation VIII.

Comment 5C: This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:

- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.
For Structural Soil see http://www.hort.comell.edu/uhi/outreach/csc/
For Tree Selection see http://www.ufei.org/
For Urban Forestry see http://www.coolcommunities.org
http://wcucre.ucdavis.edu

• If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.
  • Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

• Multi-story parking facilities should be considered instead of parking lots to reduce exposed concrete surface and save green space. Large expanses of exposed concrete in parking lots exacerbate the "heat island" effect as well as widen the distance patrons and employees must cross. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. Heat mitigation should be considered for this project. Parking facilities allow more patrons to park closer to the multiple desired destinations and provide a cool and protected place to park. Space not used by the parking facility can be used to concentrate units, as park space or as a 'special attraction' space such as fountains or unique units. While the initial cost of a multi-story parking facility may seem cost prohibitive, investments in smart planning increase safety, increase usable area and decrease land waste by reserving areas not used for parking for future growth or special use.

• As many energy-conserving features as possible should be included the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  – Increased energy efficiency (above California Title 24 Requirements)
  – See http://www.energy.ca.gov/title24/.
  – Increased wall and ceiling insulation (beyond building code requirements)
  – Energy efficient windows (double pane and/or Low-E)
  – High-albedo (reflecting) roofing material. See http://eetd.lbl.gov/coolroof/
  – Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. See http://www.harc.edu/harc/Projects/CoolHouston/
  http://emanoe.lbl.gov/heatisland/
  – Radiant heat barrier.
    See http://www.eere.energov/consumerinfo/refbriefs/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov/
- Install solar water-heating system(s)
- Install photovoltaic cells
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when practicable
- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
- See http://www.eere.energy.gov/RE/solar_passive.htm
- Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Bicycle parking facilities for patrons and employees in a covered secure area. Bicycle parking should provide at least one space for every 20 vehicle spaces.
- Employee shower and locker areas for bicycle and pedestrian commuters
- On-site employee cafeterias or eating areas
- Pre-wire the building(s) with high speed modern connections/DSL and extra phone lines
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:
http://www.consumerenergycenter.org/index.html
http://wwwv.ciwmb.ca.gov/GreenBuilding/

- The applicant/tenant(s) should implement measures to reduce the amount of vehicle traffic to and from the project area that further reduce air pollution in the valley. This could include such provisions as encouraging employees to rideshare or carpool to the project site, preferential parking spaces for employees who participate in carpooling or vanpooling, incorporating a compressed workweek schedule, or incentives for employees who use alternative transportation. Check out the "Spare the Air" section of our website www.valleyair.org

- Crosswalks should be strategically located and clearly marked to facilitate pedestrian and bicycle traffic. Crosswalks that pass through median strips should be designed to be pedestrian friendly and include (but not limited to); a shade structure, a sitting area, landscaping, and be designed so that pedestrians feel safe if caught on the median before completely crossing the road.
Response 5C: The Hospital District will consult with the Small Business Assistance office and will use every reasonable method as outlined in the Air Districts guidelines to minimize air quality impacts.

Letter 6 Terry Roberts, Director, State Clearinghouse

Comment 6A: The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on December 28, 2004, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-names project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Response 6A: Comment noted.
CHAPTER FIVE

MITIGATION MONITORING PROGRAM
<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measure(s)</th>
<th>Responsible Party</th>
<th>Monitoring</th>
<th>Impact After Mitigation</th>
</tr>
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<tbody>
<tr>
<td>3.1.1 Aesthetics – new source of light and glare</td>
<td>Security lights will be used throughout the site and will be visible to nearby residents. The Hospital District will consult with a lighting engineer so that the light source itself is not visible outside of the perimeter of the site, and so that any indirect light does not exceed a 0.5-foot candle increase. This mitigation will reduce this impact to less than significant.</td>
<td>Hospital District</td>
<td>Hospital District</td>
<td>Less than significant.</td>
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<td>3.1.4 Biological Resources – Elderberry Trees</td>
<td>Sensitive or Special Status Species: A reconnaissance-level biological survey for threatened, endangered, and other special-status plant and animal species of the proposed Project site was conducted by a qualified Quad Knopf biologist. The reconnaissance level biological survey conducted for the proposed project site determined that while there was a possibility that 24 Special-status species could occur on the site, only elderberry shrubs were present, a habitat for the federal threatened Valley elderberry longhorn beetle, were present. The only animal species identified is the valley elderberry longhorn beetle.</td>
<td>Hospital District</td>
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<td>Less than significant.</td>
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<td>Disturbance of Resources</td>
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<td>C.5 Cultural</td>
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</table>

The proposed mitigation equipment shall be used on all construction weekends, also, all nights and in addition Friday, and 9:00 am to 6:00 pm, Monday through Thursday, 7:00 am to 7:00 pm, Monday through Thursday. The following measures will be implemented to reduce noise impacts to a less than community noise standards. The project will result in a short-term construction noise level that could exceed 105 dB.

- **Resources**
  - Professional ecologists are conducting a survey to determine the significance of cultural resources within the area.
  - The building to provide a five-foot

- **Impact**
  - Mitigation
  - Monitoring
APPENDICES
Appendix A

List of Preparers
LIST OF PREPARERS

Quad Knopf, Inc.

Stephen Peck, AICP, Principal in Charge
Travis Crawford, Analyst
Vanessa Williams, Administrative Assistant
RESOLUTION NO 03-29-05/02

A RESOLUTION OF THE SIERRA VIEW LOCAL HEALTH CARE DISTRICT BOARD OF DIRECTORS
APPROVING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE SIERRA VIEW DISTRICT HOSPITAL MASTER PLAN

Finding Number 1: WHEREAS, the Sierra View District Hospital (District) has initiated plans for implementing the Hospital Master Plan Project (Project), which consists of a new outpatient dialysis building, a future medical facility/office building, paved parking lots, sidewalks, landscaping, and other related improvements; and,

Finding Number 2: WHEREAS, the California Environmental Quality Act (CEQA) requires that all discretionary projects which may have a significant impact on the environment adopt feasible mitigations to mitigate such impacts; and,

Finding Number 3: WHEREAS, the District initiated the environmental review of the project by preparation of an Initial Study and Mitigated Negative Declaration on November 29, 2004; and,

Finding Number 4: WHEREAS, on November 29, 2004 the District released the Initial Study/ Mitigated Negative Declaration for a 30-day public review period, and submitted the Mitigated Negative Declaration to responsible agencies and interested parties; and,

Finding Number 5: WHEREAS, a Notice of Intention to Adopt a Negative Declaration was published in the Porterville Recorder newspaper on November 29, 2004 which identified the availability of the Mitigated Negative Declaration; and,

Finding Number 6: WHEREAS, the Mitigated Negative Declaration provides a summary of each impact in relation to identified significance threshold levels; and,

Finding Number 7: WHEREAS, impacts to the following resource areas were found to be less than significant and it is concluded that there is no evidence supporting a fair argument that any of the following impacts will have a significant impact:

a. Aesthetics: Effects on scenic vistas and scenic resources.

b. Agricultural Resources: Conversion of prime or unique farmland, conflict with Williamson Act contract, and conversion of farmland to non-agricultural use.

c. Air quality: Operational emissions, exposure of sensitive receptors to pollution concentration, and creation of objectionable odors.

d. Biological Resources: Impacts to wetlands and migratory species and conflict with habitat conservation plans or local policies and ordinances.

e. Cultural Resources: Impacts to historical, archaeological, cultural, or human remains resources.

f. Geology and Soils: Risk associated with the rupture of an earthquake fault, ground shaking, landslides, soil erosion, unstable soil, or expansive soil.
g. **Hazards and Hazardous Materials:** Risks associated with the transport of hazardous materials, creation of hazardous emissions, location on a hazardous materials site, location within an airport land use plan, conflict with emergency response plans, and wildland fires.

h. **Hydrology and Water Quality:** Risks associated with the violation of water quality standards, alteration of drainage patterns, creation of additional runoff, flooding, and inundation by seiche, tsunami, or mudflow.

i. **Land Use and Planning:** Conflict with existing plans and policies, division of established communities, and conflict with habitat conservation plans.

j. **Mineral Resources:** Loss of available mineral resources and loss of mineral resource recovery sites.

k. **Noise:** Generation of noise in excess of established standards, generation of ground borne vibrations and location of noise-sensitive uses in the vicinity of an airport.

l. **Population and Housing:** Inducement of population growth and displacement of housing.

m. **Public Services:** Exceedance of the capacity of existing fire, police, school, and park services.

n. **Recreation:** Degradation of existing development of new recreational facilities.

o. **Traffic:** Impacts to traffic patterns, parking, or emergency access.

p. **Utilities and Service Systems:** Exceedance of the capacity of wastewater and water treatment, storm drainage, and landfill facilities, and exceedance of the available water supply.

**Finding Number 8:** WHEREAS, adoption of the Mitigated Negative Declaration reflects the District's independent judgment and analysis.

NOW, THEREFORE BE IT RESOLVED, by the Sierra View Local Health Care District Board of Directors that:

1. The Board approves and adopts the Mitigated Negative Declaration for the Sierra View District Hospital Master Plan (State Clearinghouse Number 200411113).

2. The Board adopts the above findings.

Director **HATFIELD** offered the motion to this resolution, Director **ESCODAR** seconded the motion and it carried by the following vote:

**AYES:** 5

**NOES:** 0

**ABSTAIN:** 0

**ABSENT:** 0

Page 2 of 3
Fred Hughes, Chairman
SVLHCD Board of Directors

ATTEST:

I, [Secretary], certify that the above is a true copy of a Resolution duly passed and adopted at a regular meeting of the Sierra View Local Health Care District Board of Directors on March 29, 2005.
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL FOR “D” OVERLAY SITE REVIEW 1-2005 TO ALLOW THE DEVELOPMENT OF A 10,311± SQUARE FOOT DIALYSIS BUILDING FOR THAT SITE GENERALLY LOCATED ON THE NORTHWEST CORNER OF PEARSON DRIVE AND CLEVELAND AVENUE IN A PO(D) (PROFESSIONAL OFFICE - DESIGN REVIEW OVERLAY) ZONE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 19, 2005, reviewed the site plans for a proposal to develop a 10,311± square foot single story Dialysis building for that site generally located on the northeast corner of Pearson Drive and Cleveland Avenue in the PO(D) (Professional Office - Design Review Overlay) Zone.

WHEREAS: Pursuant to Article 18 (Supplemental “D” - Design Review Overlay) of the Porterville Zoning Ordinance, the City Council made the following findings:

1. That the General Plan indicates the site is located within an area designated for professional office type uses.

2. That the proposed office building is a compatible use in the PO(D) Zone.

3. That the design and architectural features of the subject project are compatible with that of proximately situated developments.

WHEREAS: Medical offices require a minimum of one (1) parking space for very 200 square feet of floor space. The proposed Dialysis building will have a total of 10,311± square feet. The existing outpatient treatment medical building located to the south of the subject site has a total of 34,120± square feet. The total number of parking spaces required for the existing and proposed building equates to 223 parking spaces. Existing and proposed parking to be provided will total 338 parking spaces.

WHEREAS: A conceptual plan for Phase II indicates that a future proposed 19,029± square foot building and additional parking is proposed for the west end of the existing outpatient treatment medical building located to the south of the subject site. Since this is conceptual, future approval of this plan will require an additionally “D” Overlay Site Review to be approval by the City Council.

WHEREAS: That the Negative Declaration prepared for this project is in compliance with the California Environmental Quality Act indicating that such will not have a significant effect on the environment. Provided mitigation measures are implemented to protect against impacts to the environment.

WHEREAS: Sierra View District Hospital was the lead agency on this project. Quad Knopf, the applicant’s consultant, prepared the environmental initial study and routed it to the State Clearing House for public agency review and comments. The review period ran from November 29, 2004 to December 28, 2004.
WHEREAS: The City of Porterville reviewed the environmental document for the project and found it to be accurate and complete in its analysis.

WHEREAS: The proposed Negative Declaration was evaluated in light of the prepared environmental initial study, comments from interested parties and the public, as well as responses to written comments received during the review period. It was determined that potential impacts associated with the proposed project could be mitigated to a less than significant level through the implementation of the attached mitigation measures.

WHEREAS: The mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Attachment 3. It should be noted that the Mitigated Negative Declaration took into consideration both the proposed Dialysis project and the Phase II portion for the future expansion of the outpatient treatment building to be located on the west end of the existing outpatient building.

WHEREAS: That the design of the project, or proposed improvements, are not likely to cause substantial environmental damage. Condition 33 of this resolution requires the developer/applicant to comply with all Mitigation Measures contained in the Mitigation Monitoring Program attached to the resolution.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve “D” Overlay Site Review 1-2005 under the Supplemental “D” Overlay Zone regulations subject to the following conditions:

1. Prior to the issuance of a building permit, the developer/applicant shall submit a Lot Line Adjustment. The Lot Line Adjustment shall be recorded prior to issuance of permits.

2. All proposed signage shall be architecturally consistent with the buildings to the satisfaction of the Community Development Director.

3. The developer/applicant shall provide a minimum of one street tree for every thirty-five (35) linear feet of street frontage along the Pearson Drive property line.

4. Although precise calculations have not yet been made, the developer/applicant should be aware that traffic impact fees will apply to this project. The current rate for professional office development is $2,057 per 1,000 sq. ft. All development impact fees may be financed for five years at 0% interest at the option of the developer/applicant.

5. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 and 2211 (Exhibit A) of the Zoning Ordinance.

7. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.

8. The developer/applicant shall follow Appendix Chapter 33 of the California Building Code including provision of a grading and drainage plan signed by a licensed civil engineer or architect. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

9. The developer/applicant shall construct and/or repair street, alley, curb, gutter, sidewalk, etc. along the full frontage of the parcel except where they exist and are in good condition in the opinion of the City Engineer (Ord. No. 1306).

10. The developer/applicant shall construct improve and dedicate an alley long the northerly property that will connect Pearson Drive to the existing alley about 150 feet west, if the project is developed as proposed. Alley improvements are to comply with City Standard Plan P-8. The alley shall also be designed to accommodate City trash truck turning radius.

11. The developer/applicant shall construct drainage facilities as required to serve the property (Ord. No. 1306).

12. The developer/applicant shall move existing utility structures (For example, poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet (4') of clear space in the sidewalk area and a minimum of two feet (2') of clear space from the curb face to the structure, unless they are below grade (Title 24 OSA).

13. The developer/applicant shall provide street lights on Marbelite poles following Southern California Edison Company specifications, as approved by the City Engineer. Do not use wood poles without prior written approval of the City Engineer.

14. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 and 2211 of the Zoning Ordinance.

15. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, before the issuance of a certificate of occupancy (For example, foundations, septic tanks, irrigation pipes, etc.).

16. The developer/applicant shall abandon existing wells, if any, after first getting an abandonment permit from the County Department of Environmental Health, and providing the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.

17. The developer/applicant shall comply with Ordinance No. 1288 regarding Waste Water Discharge requirements and shall complete and submit the following:
a. Wastewater Discharge Permit Application, Part “A”; and

If monitoring is required, based on the responses to questions in Part “A” of the Wastewater Discharge Permit, then the developer/applicant shall complete and submit the remainder of the application along with the Permit Fee, and provide monitors facilities to allow inspection, sampling, and flow measurement of the flows in the sewer and drainage system.

18. If hazardous materials are to be stored in jurisdictional quantities anywhere on the property, the developer/applicant shall develop and maintain a Hazardous Materials Business Plan Program, follow Chapter 6.95 of the Health and Safety Code, and shall tell the Hazardous Materials Unit of the Tulare County Division of Environmental Health. The developer/applicant shall provide proof of compliance with County requirements before issuance of a certificate of occupancy.

19. If underground storage tank(s) are to be used for storage of hazardous substances, the developer/applicant shall follow California Health and Safety Code, Division 20, Chapter 6.7, Section 25280 through 25299.6, governing the underground storage of hazardous substances.

20. The developer/applicant shall install a refuse container enclosure according to City standards. The developer/applicant shall also sign a waiver of liability for refuse truck damage to the parking lot if the refuse container location requires refuse trucks to travel on the parking lot. Relocate or rotate proposed trash enclosure to allow for efficient trash truck access.

21. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance to the on-site water mains.

22. The developer/applicant shall comply with City standard for “backflow” prevention pursuant to Resolution No. 9615.

23. The developer/applicant is hereby notified that the installation of an additional water meter, servicing the irrigation system would be beneficial for monitoring actual water usage. The City will monitor actual water usage for one year and will bill the owner the impact fees based on the actual water usage.

24. The proposed dialysis building is considered I1.2/B. Upon submittal of a building permit the following will be required:

   a. Submit three (3) complete sets of plans, signed by a licensed Architect or Engineer, to include three (3) sets of energy calculations and structural calculations.
   b. Compliance with access laws (both State and Federal) is required.
   c. Compliance with all applicable codes is required.
   d. Plan check fees are required at the time of building permit submittal.
   e. Soils compaction test will be required.
   f. School Development fees and all other City fees are due at the time of building permit issuance.
   g. Signs require a separate permit.

25. Sprinkler system required, if it is a deferred item, the plans must be submitted and approved
prior to installation.

26. Local Fire Alarm system required, if it is a deferred item, the plans must be submitted and approved prior to installation.

27. Measurement of the parking lot plan should allow for Fire Department access and turnarounds.

28. Red curbs may be required to assure Fire Department access.

29. Hydrant spacing at 300', an additional fire hydrant may be required.

30. The developer/applicant shall comply with Ordinance No. 1636 regarding Waste Water Discharge requirements and shall complete and submit the following:
   a. Wastewater Discharge Permit Application; and
   b. Payment of Permit Fee, if applicable.

31. The City of Porterville will provide standard plan check and building inspection services per California Building Codes. City Staff cannot guarantee that plans and construction will comply with specialized codes which may be required by other agencies.

32. At all times, the facility shall be constructed, operated and maintained to comply with State Law, the City of Porterville Municipal Code, adopted Building Codes and all other applicable laws and ordinances.

33. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. Prior to recording the final map, the developer/applicant shall submit a signed document committing to comply with the adopted mitigation measures.

34. The development shall be constructed, operated and maintained in compliance with all local, state, and federal laws, rules and regulations.

35. That the proposed project will be constructed as shown on the site plan, interior layout and elevations labeled as Exhibit “A”.

___________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By _______________________
Georgia Hawley, Chief Deputy City Clerk
SUBJECT: WATER CONSERVATION PLAN

SOURCE: Public Works Department - Field Services Division

COMMENT: Water conservation and awareness have always been areas of concern for the Porterville Community. Even with the latest rainfall and runoff, efforts to promote water conservation remain a high priority. In addition to the benefits of conserving water as a limited natural resource, additional benefits accrue to the community in the form of a reduced impact on the Wastewater Treatment Plant and a reduction in energy costs when water supplies are conserved.

In April 2004, Council adopted the Water Conservation Plan and approved moving into Phase II on May 1st. Phase II applies during periods when there is a water supply shortage. Voluntary conservation is requested and increased public information is implemented.

In October 2004, Council approved moving back into Phase I as adequate water supply was available.

Attached is a graph of last year’s usage showing that June through August are the high water consumption months. For this reason, the City needs to increase public awareness starting in May. It is Staff’s intent to intensify public awareness, through education and public notices, of the need to conserve water now more than ever.

RECOMMENDATION: That City Council:

1. Approve the City moving into Phase II on May 1, 2005;

2. Set a Public Hearing for June 7, 2005 to move into Phase III for the months of June through August if severe water supply shortage is projected for the summer; and

3. If severe water supply shortage is not projected for the summer, City staff will only have a Water Conservation Report at the June 7, 2005 Public Hearing.

ATTACHMENT: Production Graph
Phase I, II and III Requirements from the Water Conservation Plan
PHASE I

Applies during periods when a normal water supply is available

The effectiveness of any voluntary plan ultimately depends on the public's awareness of the need for the plan. Local residents have a history of commitment to their community and support of the public welfare. It is a reliance upon this tradition that makes the distribution of public information the cornerstone of the City's Water Conservation Plan.

ACTIONS BY THE CITY:

I. Public information Program

A. Distribution of suggestions for residential, commercial and industrial water conservation and awareness.

B. Coordination of public information with the local news media.

C. City participation in Water Awareness Month (May).

D. Lawn and Landscape Watering Guides will be made available upon request.

E. City staff will coordinate with local nurseries to compile a list of low-water using trees and plants. The list will be made available at City Hall, the Corporation Yard, and the Parks & Leisure Services Department for local residents.

F. Coordination with local schools to encourage young people to become aware of local water issues and conditions.

II. Project Review Committee

A. The City’s Project Review Committee (PRC) will include the evaluation of all submitted projects for water use and conservation efforts. The goal of City staff in cooperation with the developer will be to voluntarily reduce consumption of water used in the project.

B. City staff will assist the developer in familiarization with the Xeriscape Concept, combining creative landscaping and efficient irrigation to save water and promote attractive alternatives to traditional, high-water use landscapes.
III. City Landscapes and Watering Schedules

A. City parks, median islands, and landscaped public facilities will be watered during late night or early morning hours to the greatest extent possible.

B. All new landscaping projects undertaken by the City will incorporate conservation design.

IV. Retrofit Bathroom Facilities

Water saving kits which contain toilet water conservation and low-flow shower head devices will be made available to City water consumers, both residential and commercial, upon request, as funds are available.

V. Fire Hydrant Testing

The City's fire hydrant testing program will be scheduled during non-peak water usage times to the greatest extent possible without impairing the integrity of the City's fire protection service.

ACTIONS BY THE GENERAL PUBLIC:

The general public will be encouraged to utilize those water conservation measures contained within the City's public information program.
PHASE II

Applies during periods when there is a water supply shortage

When water supply conditions start to deteriorate it would be incumbent upon the City to implement mandatory water conservation provisions.

ACTIONS BY THE CITY:

I. Public Information Program

The City will pursue a more aggressive distribution of information than its efforts initiated in Phase I to promote public awareness of the need to conserve water with a stronger emphasis on the water shortage condition.

II. Water System Pressure Reduction

The City's automated water system will be programmed to reduce water pressures. This will deter water use for nonessential activities and encourage scheduling of landscape watering to late nights or early mornings.

III. City Landscapes and Watering Schedules

All City parks, median islands and public facility landscapes will be watered during the late night or early morning hours to reduce evaporation and confine impact on the water system to off-peak usage hours.

IV. Leak Detection - Water Waste

The City will continue in its proactive plan to audit water supply usage. All City staff will be reminded of the necessity of reporting any evidence of leaks or water waste for immediate action. There will be an emphasis on coordinated community efforts to reduce water waste.

V. Waste of Water Notices

City staff would be equipped to issue “Waste of Water” notices to consumers identified as misusing water.
ACTIONS BY THE GENERAL PUBLIC:

I. Conservation Efforts:

The general public will be strongly encouraged to utilize those water conservation measures contained within the City's public information program.

II. Restaurants:

Notices will be sent to all restaurants within the City limits requesting support of water conservation efforts by serving water to customers upon request only.

III. Lawn and Landscaping Watering:

All residential, commercial and industrial landscape watering should be reduced to a minimum and adhere to a non-watering schedule between the hours of 5 a.m. to 10 a.m. and 5 p.m. to 10 p.m.

IV. Vehicle Washing and Sidewalk Hosing:

A. Vehicle washing should be accomplished either by automatic car washes that recycle water or with buckets and hoses equipped with a shut-off nozzle.

B. Per Section 25-5 of the City Municipal Code, “The consumer shall use reasonable care to prevent the waste of water, shall not allow water to run or waste from his property onto streets or highways, shall not use water in washing sidewalks, building entrances or lobbies or other properties to such excess that water shall flow in street gutters beyond the frontage of the properties occupied by them.”
PHASE III

Applies during periods when there is a severe water supply shortage

ACTIONS BY THE CITY:

I. Public Information Program:

The utility billing system will begin to notify customers of restrictions on water use. The program to promote public awareness would be intensified with emphasis placed on communicating the mandatory water conservation requirements to the public.

II. Rate Structure Enhancement:

A 20% rate increase on all residential and landscape accounts will go into effect. This rate increase will encourage water conservation, and it will also serve as a provision to recover the lost revenues from water conservation.

III. City Landscapes and Watering Schedules

All City parks, median islands and public facility landscapes will continue to be watered during the late nights or early morning hours to reduce evaporation and confine impact on the water system to off-peak usage hours. **If it becomes necessary, watering of City parks and median islands will be suspended and evaluated each day.**

ACTIONS BY THE GENERAL PUBLIC:

A. Landscape watering shall not be done between the hours of 5 a.m. to 10 a.m. and 5 p.m. to 10 p.m.

B. Sidewalk and driveway washing will be prohibited.
SUBJECT: PUBLIC TRANSIT SYSTEM OPERATIONAL MODIFICATIONS

SOURCE: Administration

COMMENT: An analysis of the public transit system for the first six months of FY 2004-05 indicates that Fixed Route ridership has increased slightly over the first six months of last fiscal year, and the Average Fare per Passenger is stable. One obvious difference, which is negatively impacting our required 20% Farebox Ratio, is a significant increase in Operating Costs. The major contributing factor is the 35.7% increase in vehicle maintenance. According to statistics provided by Field Services, there has been a 15% increase in parts and labor, and a 28.64% increase in fuel costs. Transit buses are now required to use ultra low sulfur diesel to comply with Air Resources Board regulations, which is five to ten cents per gallon more expensive than diesel, likely causing the majority of the increase. On a more positive note, contractor services, system-wide for the first six months, have resulted in a $15,000 savings.

Staff is proposing several modifications to the Fixed Route system, all of which would be implemented by July 1, 2005. Routes 2 and 5 require modifications, and an additional route, to be known as Route 7, has been planned to accommodate the new location for the Porterville Adult School in the building formerly occupied by Rockwell. Public transit has not previously served this location; therefore, it required planning services of TPG Consulting; data review of existing bus stops on Routes 2 and 5; and field inspections and trial runs to determine if the route could be successfully implemented. Route 2 currently serves the northwestern portion of the City, and Route 5 serves the Morton Avenue/Henderson Avenue loop. These two routes consistently have difficulty with overcrowding and on-time performance issues. Staff has been monitoring these two routes very closely over the last year, and have determined they both require modifications to be more consistent with the remainder of the system.

Staff proposes to make these modifications by reducing the area covered by Routes 2 and 5, and incorporating those areas in the new Route 7. All service areas presently covered will continue to be covered. In fact, with the implementation of Route 7, additional areas never previously served will now be included on a transit route. All changes would be effective and implemented by July 1, 2005.

DD _____ Appropriated/Funded _____ CM _____

Item No. 26
With the 20% Farebox Ratio requirement, staff is concerned about further increases to Operating Costs, without a significant increase in ridership (route revenue) to offset those costs. Since students at the Porterville Adult School already use the transit system, the new Adult School location is not expected to generate any significant increase in student ridership. The majority of the other areas to be served by Route 7 are those areas currently served by Routes 2 and 5. At this time, we can only assume some additional ridership may develop in areas not currently served by public transit.

With one additional bus operating 11 hours per day during the week, and 8 hours on Saturday, Operating Costs for the new route could easily exceed $100,000 the first year. Staff has reviewed system surveys and the data generated from those surveys which were completed in the Fall of 2004. We would like to share with the Council the actual ridership totals generated on each route. Each route runs on 30-minute intervals. The actual ridership, per each 30-minute segment, was averaged for the entire day to determine ‘Passengers Per Run.”

<table>
<thead>
<tr>
<th>Route No.</th>
<th>Total Passengers</th>
<th>Passengers Per Run</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>562</td>
<td>25.55</td>
</tr>
<tr>
<td>2</td>
<td>538</td>
<td>24.46</td>
</tr>
<tr>
<td>3</td>
<td>617</td>
<td>28.05</td>
</tr>
<tr>
<td>4</td>
<td>495</td>
<td>22.5</td>
</tr>
<tr>
<td>5</td>
<td>483</td>
<td>21.96</td>
</tr>
<tr>
<td>6</td>
<td>258</td>
<td>11.73</td>
</tr>
</tbody>
</table>

Porterville Adult School has indicated it will not require 30-minute service. Most of their classes are three-hour sessions. There will be segments of time before and after school sessions when service will be required, and Staff will coordinate those designated times with the Porterville Adult School. Other stops on Route 7, however, will require at least hourly service.

In order to maintain the integrity of the transit service, operational modifications are required, and Staff is proposing a plan to make these modifications cost-neutral. Since Route 6 is our newest, and least cost-effective route, with approximately half of the ridership of the remaining routes, Staff proposes operating Route 7 on an hourly basis, alternating Route 7 with Route 6. One bus could be used for both routes, eliminating the need for an additional bus, an additional driver, thus eliminating additional revenue hours. A seventh full-time bus operating daily would create a great demand on the existing transit fleet. Currently, the City has seven 28-passenger MST buses, three 22-passenger buses, and two 16-passenger buses, in reserve. With preventive maintenance services each month, as well as normal repairs and upkeep on the equipment, it is not possible to have all seven MST’s available for service at all times. This would necessitate reliance on the City’s older, and smaller fleet; and it will be approximately two years before two additional CNG 30-passenger buses will arrive to expand the equipment availability.
With this proposal, for the first 30 minutes, Route 7 could be served, then the bus would make its way to the Transit Center alternating its route to serve Route 6. The proposal would place Route 6 on hourly intervals, rather than every 30 minutes; but after reviewing the current statistics, this appears to be an opportunity to increase efficiency, add additional service, and maintain current Operating Costs.

Staff consistently monitors the transit system for required on-time performance indicators, ridership statistics, revenue statistics, etc. As the Jaye Street/Highway 190 area develops, the transit system could revert back to 30-minute intervals on Route 6, and earlier if ridership statistics change favorably. This is simply a method to effect system modifications currently needed, without increasing costs, and an attempt to make the system more cost-effective. Staff will monitor Route 6 and Route 7 on a regular basis; and after a period of several months of statistics, will meet with impacted parties and assess the performance of this alternative. Staff proposes that after a period of six months, this option be re-evaluated to determine how adequately the combination of Route 6 and Route 7 has served the community.

Another area analyzed is the operating hours of the public transit system. Currently, Fixed Route operates Monday through Friday from 7:00 a.m. to 6:00 p.m., with 5:30 p.m. being the last complete run; and Saturdays, from 9:00 a.m. to 5:00 p.m. Demand-Response operates Monday through Friday from 7:00 a.m. to 10:00 p.m., with 9:30 p.m. being the last scheduled pick-up; and Saturdays from 9:00 a.m. to 6:00 p.m. In order to further accommodate working passengers, Staff is recommending increasing the Fixed Route operating hours by one hour – Monday through Friday from 7:00 a.m. to 7:00 p.m., with Saturday hours remaining the same. The Demand-Response system is experiencing a significant drop in demand in the later evening hours, and the contractor, in an effort to be more cost effective, has been decreasing the number of available Activans and drivers by 8:15 p.m. during the week. Instead of five cars and drivers being available, there are now two cars and drivers remaining until the 10:00 p.m. closing time. Originally, Demand-Response was scheduled to operate until 10:00 p.m. due to the high volume of ridership generated from Porterville College students enrolled in late evening classes. This trend seems to be changing, with only an average of 11 riders per month using public transportation during the late evening hours (6:30 p.m. to 10:00 p.m.). In order to compensate for the additional operating time being considered for Fixed Route, Staff recommends the reduction in Demand-Response operating time to 9:00 p.m., Monday through Friday, with Saturday operating hours remaining the same.

RECOMMENDATION: That the City Council approve:

1. The modifications to Routes 2 and 5;
2. The addition of Route 7;
3. The operation of Routes 6 and 7 on an hourly basis, alternating one
4. The extended hours of Fixed Route, to include service from 7:00 a.m. to 7:00 p.m., Monday through Friday, with Saturday service remaining at 9:00 a.m. to 5:00 p.m.;

5. The reduction of Demand-Response operating hours, to include service from 7:00 a.m. to 9:00 p.m., Monday through Friday, with Saturday service remaining at 9:00 a.m. to 6:00 p.m.;

6. All operational modifications to become effective July 1, 2005.

7. The Staff meeting with affected parties to this proposal after six months of operation to assess the effectiveness and service adequacies.

ATTACHMENTS:

1. Proposed Fixed Routes as of July, 2005;

2. Proposed Route 2;

3. Proposed Route 5;

NOTES:
Modified/new routes are shown as dashed lines.

Routes 6 and 7 will operate on an hourly basis, alternating one bus between these routes.
SUBJECT: TRANSIT BUS ADVERTISING

SOURCE: Administration

COMMENT: At the March 15, 2005 City Council meeting, Staff presented the Council with preliminary information relating to advertising on City buses.

At the Council’s direction, staff met with Deborah Kaltoft, of the Kaltoft Company, to obtain further information relating to this subject in an effort to assist the Council with its decision regarding the possible implementation of Transit Bus Advertising for the City of Porterville City Operated Local Transit (C.O.L.T.) system.

The Kaltoft Company is the consultant currently under contract with the City of Visalia, the City of Tulare, The County of Tulare, and Kings County Area Public Transit Agency. She stated there are three main areas of a transit bus conducive to wrap advertising – (1) the left side of the bus referred to as the “King” side, (2) the right side of the bus referred to as the “Queen” side, and the rear of the bus referred to as the “Tail.” Depending on the number of buses available, and the available space on the bus models in question, it appears it would be possible to eventually expect a possible revenue each year of approximately $59,000. This estimate is based on $290 per month for each side of the bus, and $240 per month for the tail of each bus, multiplied by a maximum of six buses available for advertising purposes. These fees are based on the current fees being charged by the City of Tulare, with that City being the most comparable to the C.O.L.T. system. The City of Tulare is in its second year of bus advertising, and currently receives close to $25,000 in bus advertising revenue. She cautions that it takes a minimum of one and one-half years to two years for the advertising program to reach its full potential.

The Consultant would obtain all bus ads, work with each advertiser to create and complete each ad based on specific guidelines, provide all marketing materials, coordinate the delivery and installation of each ad, and communicate with Staff on a regular basis to assure collection of all account receivables and smooth transition for installation or removal of all ads. Staff’s only responsibility would be the actual monthly billing to the advertisers. If problems occur with account delinquencies, the consultant intervenes and attempts to assist with collection efforts. The consultant does
absorb costs relating to ad damage created, as long as such damage has not occurred through fault of the City. Compensation to the Consultant, based on these services, is forty percent (40%) of the ad revenue generated.

Staff has provided the consultant with pictures of the C.O.L.T. MST 28-passenger buses, and with the use of these pictures, a short power point presentation will be available during the agenda item presentation to provide examples of possible ad placement on our City buses, as well as potential fees related to monthly ads.

Proceeds of advertisement activities will remain in the Transit Fund. These revenues can be used to cover operational costs within the system.

RECOMMENDATION: That the City Council approve:

1. The Draft City Operated Local Transit Policy for Advertising, or as revised by the City Attorney;
2. Transit Advertising Contract; and
3. Service Agreement with The Kaltoft Company, and authorize the Mayor to execute the same.

ATTACHMENTS:

2. Draft Transit Advertising Contract; and
3. Draft Service Agreement with The Kaltoft Company.
CITY OF PORTERVILLE
CITY OPERATED LOCAL TRANSIT (C.O.L.T.)

POLICY FOR ADVERTISING ON C.O.L.T.

PURPOSE

It is the primary purpose and function of C.O.L.T. to provide public transportation. Consistent with that purpose and function, C.O.L.T. hereby makes available to Advertiser guidelines for the sale of advertising space and acceptability of the advertising display which is to be displayed on C.O.L.T. buses.

POLICY

It is the policy of C.O.L.T. to accept and display advertising messages on the exterior and interior of C.O.L.T. buses in accordance with the following guidelines:

1. The advertising space available is limited to the designated areas of the interior and exterior of C.O.L.T. buses. The limited advertising space made available by C.O.L.T. minimizes the chances of abuse, the appearance of favoritism and the risk of imposing upon a captive audience. Spaces shall be available for commercial advertising on a first paid, first served basis. No refunds will be made on payments received.

2. All non-profit organizations and governmental agencies may, on a space available basis only, use advertisement spaces located in the interior of the C.O.L.T. buses for public service announcements. Non-profit organizations and governmental agencies can also purchase, on a space available basis only, advertising space at 25% off the standard rate schedule.

3. Advertisers are responsible for design, production, production cost, and delivery of signs to C.O.L.T. at a specified time and location.

4. Advertisements involving competitive products or services shall not be displayed on the same bus.

5. Advertisers competing for the same bus, or for the same specific panel(s), shall submit written proposals to C.O.L.T. Proposals will be reviewed by the C.O.L.T. Advertising Review Team. Proposals will be rated based on design, benefit to the community, benefit to C.O.L.T., and how payments will be made to C.O.L.T. If all proposals are determined to be equal, then the City of Porterville reserves the right to accept bids for the advertising space.

6. C.O.L.T. reserves the right to reasonably reject any advertisement proposed by Advertiser to be displayed on or in the C.O.L.T. buses. It is C.O.L.T.’s policy to only accept advertising related to the sales of goods and services. C.O.L.T.’s right to reasonably reject any proposed advertisement is based upon C.O.L.T.’s desire to protect the safety and personal feelings of its passengers. In exercising this right, C.O.L.T. intends to avoid consequences that may discourage, rather than enhance ridership, may result in either reduced subsidies, increased fares or diminished services, and/or may promote conduct otherwise legal, but not permitted on the C.O.L.T. buses.

The following includes, but is not limited to, the types of advertisements C.O.L.T. shall not accept for display on its buses because C.O.L.T. believes they may reasonably interfere with the ridership, services, and/or the privacy rights of C.O.L.T.’s passengers:
1. C.O.L.T. shall not display any advertising matter or signs of any nature advertising or implying a position, for or against, any political purpose, position, candidate or subject;

2. C.O.L.T. shall not display any advertising matter or signs of any nature advertising, promoting or implying conduct otherwise legal if such conduct is not permitted on the C.O.L.T. buses;

3. C.O.L.T. shall not display any advertising matter or signs of any nature advertising, promoting or implying conduct or activity which is illegal in the City of Porterville and/or the County of Tulare;

4. C.O.L.T. shall not display any advertising matter or signs of any nature advertising, promoting or implying any religious beliefs, behavior, affiliation or activities or any religious matter in general; and

5. C.O.L.T. shall not display any advertising matter or signs of any nature that C.O.L.T. in its sole discretion, determines to be controversial, designed to encourage public reaction or public uproar, or designed to invoke anger or a hostile response.

Advertisement text and illustrations shall be subject to final approval of C.O.L.T. C.O.L.T. requires that the advertisement conform with community standards of appropriateness, decency, dignity and accuracy.

Prior to rejecting the proposed advertisement, C.O.L.T. will give written notice to Advertiser of any perceived problems with any proposed advertisement. Advertiser will be given an opportunity to revise, at Advertiser’s sole expense, the unacceptable advertisement. If the proposed advertisement is not revised by the Advertiser, then C.O.L.T. shall reject the proposed advertisement in writing.

C.O.L.T.’s rejection of any proposed advertisement may be appealed by Advertiser to the C.O.L.T. Advertising Review Team. (ONE WILL HAVE TO BE FORMED UPON APPROVAL OF THE PROGRAM.)

7. Advertisers paying the full amount of advertising fees due under the Contract in advance are eligible for a 5% discount for advertising placed with C.O.L.T.

8. All advertising displayed on the C.O.L.T. system shall be authorized by a fully executed “City of Porterville Transit Advertising Contract,” by and between the City of Porterville (C.O.L.T.) and the Advertiser.
TRANSIT ADVERTISING CONTRACT

This Contract is made and entered into on this __ day of ________________, by and between the City of Porterville, hereinafter called “C.O.L.T.” AND _______________________________________, hereinafter referred to as ADVERTISER.

SECTION I – TERMS OF AGREEMENT

1. Advertising authorized by this Contract shall have ___ term of _____ months, commencing on ________________, __________, and ending on ________________, __________. Additional terms will be by mutual consent in writing of both C.O.L.T. and ADVERTISER and attached as a subsequent addendum to this Contract executed by both parties hereto.

2. Advertiser desires to rent the following advertising display space under this Contract:

<table>
<thead>
<tr>
<th>No. of Units</th>
<th>Type</th>
<th>Installation Date</th>
<th>Removal Date</th>
<th>Number of Months</th>
<th>Unit Monthly Cost</th>
<th>Total</th>
</tr>
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<tbody>
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<td></td>
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</table>

Discount 5% Full Payment

COST TOTAL


SECTION II – PAYMENT

1. Advertiser agrees to pay advertising fees due based on this Contract on the following terms: Amount paid in advance ______________. Remainder to be invoiced monthly ______________.

2. Full payment in advance will receive a 5% discount in addition to any frequency or multiple unit discounts which apply.

3. If full payment is not made in advance, the Advertiser shall be invoiced by the City of Porterville. Payments for advertising are expected within 20 days following the billing date unless otherwise stated within this
Contract. After 20 days, unpaid invoices will bear interest at the City of Porterville investment rate per month at the time the invoice becomes delinquent, until delinquent balance is paid.

4. In the event the monthly costs incurred by this Contract remain unpaid by the Advertiser for a period of twenty-one (21) days or more after the invoice date, an advertisement may be removed by C.O.L.T. without recourse to Advertiser. Advertiser shall remain liable for the advertising fees due based on the term of this Contract.

5. Credit will be issued to Advertiser for loss of advertising exposure resulting from physical loss of bus advertising poster(s), where it is mutually agreed by C.O.L.T. and Advertiser that C.O.L.T. is at fault, unless such advertising can be replaced within a reasonably timely manner by C.O.L.T.

SECTION III – DISPLAY MATERIAL

ADVERTISER AGREES:

1. To deliver the displays called for in this Contract according to specifications issued by C.O.L.T. Displays shall be produced at the Advertiser’s expense and delivered to C.O.L.T. Sign-in delivery and pickup procedures are required.

2. To allow C.O.L.T. at least three (3) working days from the date of delivery to install mounted panel displays in advertising frames. Advertisements will not be displayed prior to the installation date specified herein above.

3. To provide qualified, professional installation and removal of direct vinyl application advertisements. Advertiser shall be responsible for all costs and liabilities associated with such installation and removal.

4. The text and illustrations on displays shall be subject to final approval of C.O.L.T. in accordance with the “City of Porterville Policy for Advertising on C.O.L.T.,” which has been provided to Advertiser by C.O.L.T.

5. To replace, during the period of this Contract, upon written notice from C.O.L.T., and mutual agreement between C.O.L.T. and Advertiser, any display which has deteriorated from improper production or improper third-party installation; and to share an equal portion of the replacement costs of any displays damaged due to vandalism or defacing.

6. To pick up advertising materials within 30 days of contract termination and/or removal of display. After that date, C.O.L.T. will dispose of the advertising materials.

7. Advertiser understands that advertising displayed and billed under a non-profit rate is handled on a “space available” basis. This advertising shall be displayed when vacant space is available and when other advertisers paying commercial rates do not desire the space. “Non-profit” rate displays that are removed to make room for commercial rate displays will be reinstalled for display when space is available and will be displayed for the additional applicable time indicated on the contract.

C.O.L.T. AGREES:

8. To install mounted panel displays in advertising frames, within three (3) working days from the date of signed delivery of said displays or by the installation date specified herein above. Advertisements will not be displayed prior to the installation date specified herein above.

9. To make Advertiser’s display available for advertising exposure to the public on said bus(es) a minimum of 85% of the days available during this Contract, it being understood that buses are normally out-of-service periodically for short periods for repair and maintenance.

10. To have reproduced and replace a display which is damaged due to vehicular collision or as a direct result of
acts by C.O.L.T. whether intentional or unintentional, or the omission of an act by C.O.L.T. and to share an equal portion of the replacement costs of any displays damaged due to vandalism or defacing.

11. To make “painted” transit bus(es) available to the Advertiser for promotional events or community relations events under terms that would be separately agreed upon in writing. C.O.L.T. shall use its sole discretion to decide whether such events will sufficiently promote the services of C.O.L.T. to justify said use without additional compensation. Any such events must not be in violation of the Federal Transit Administration Charter Regulations.

12. To promptly notify the Advertiser whenever C.O.L.T. discovers the deterioration, defacement, or disappearance of an advertisement which might require the replacement of the display. It will be Advertiser’s responsibility thereafter to determine whether the advertisement should be repaired or replaced in accordance with the provisions of this Contract.

SECTION IV – LOSS OF SERVICE

1. Loss of service, due to failure of Advertiser to furnish displays for installation shall be the Advertiser’s loss. In the event advertiser fails to timely furnish C.O.L.T. with the displays, Advertiser shall remain responsible for the advertising fees provided above from and after the installation date specified above. Advertiser shall not be entitled to additional service or any extension of the term of service provided herein. In the event Advertiser fails to furnish C.O.L.T. with the displays within thirty (30) days from the installation date specified above, C.O.L.T. shall consider the space vacated and shall reasonably pursue other advertisers to purchase the vacated space. Advertiser shall remain responsible for all advertising fees due based on the term of this Contract, except for those periods of time when a replacement advertiser, if any, has purchased the vacated space at issue. C.O.L.T. shall use reasonable efforts and diligence to obtain a replacement advertiser for the vacated space.

2. Loss of service, due to the failure of C.O.L.T. to install displays on time or in the space contracted shall not constitute a breach of this Contract, but the Advertiser shall be entitled to additional service or extension of the term of service equivalent to the period of delay, as the Advertiser may elect.

3. Loss of service due to strike, lockout, fire, flood, riot, loss of operational funds, or other causes beyond the control of C.O.L.T. shall not constitute a breach, but in the event of such loss of service, the Advertiser shall be entitled to additional units, if available, or an extension of the term of service, as the Advertiser may elect.

4. The Advertiser accepts this Contract subject to all federal, state, and municipal laws and regulations with respect to the advertising matter to be displayed. If the advertising display becomes illegal, or a request is received from the Advertiser to terminate the advertising display, C.O.L.T. shall remove the advertisement display from C.O.L.T. buses; however, Advertiser shall remain responsible for the advertising fees due based on the term of this Contract.

SECTION V – ADVERTISER LIABILITY

1. Advertiser will indemnify C.O.L.T. against all liability for infringement of trademarks, trade names, copyrights, invasion of privacy rights, defamation, illegal competition, or unfair trade practices arising out of the installation and displaying of Advertiser’s advertisement(s) on C.O.L.T. buses.

SECTION VI – TERMINATION

1. Either party may terminate this Contract without cause at the end of any month of advertising, by 30 days written notice to the other party as provided within Section VIII – NOTICE. In the event Advertiser is the terminating party, all outstanding fees for the remaining term are immediately due and payable to C.O.L.T. C.O.L.T., upon receipt of the advertiser’s termination notification, will reasonably pursue other advertisers to purchase the vacated space. The terminating advertiser will receive credit for space filled by another advertiser for the remainder of the original term, if any. In the event C.O.L.T. is the terminating party, the
advertiser is responsible for fees up to the date their materials are removed from C.O.L.T. buses as reflected in SECTION I and SECTION II of this Agreement.

2. If either party is in material default of any provision of this Contract and fails to cure the same within seven (7) days of receiving written notice of same from the non-defaulting party (or fails to commence a cure of the default within the seven (7) day period, if the cure cannot be reasonably made within that seven (7) day period), then the non-defaulting party may immediately terminate the Contract for cause. In the event of a termination for cause, the non-defaulting party shall be entitled to any and all damages or remedies available to it by law or in equity; provided, however, it is expressly agreed that notwithstanding anything to the contrary, the maximum liability of C.O.L.T. to the Advertiser and the Advertiser’s liability to C.O.L.T. shall not exceed an amount equal to the Advertising fee agreed to under this Contract.

SECTION VII – OTHER PROVISIONS

1. This Contract contains the entire agreement of the parties and supersedes any prior agreement or understandings oral or written and can be changed, terminated, or modified only by a written agreement executed by both parties.

2. This Contract shall be binding upon and inure to the benefit of the successors and assigns of the parties to this Contract.

3. This Contract shall be interpreted, construed, and applied according to the laws of the State of California and venue of any cause of action arising out of this Contract shall be in Tulare County, California.

4. The invalidity or unenforceability of a particular provision of this Contract shall not invalidate the remaining provisions contained in this Contract.

5. The waiver by either party of a breach of any provision of this Contract by the other shall not operate or be construed as a waiver of any subsequent breach by that party.

6. In the event it becomes necessary for either party to incur costs and/or expenses including, but not limited to, attorney’s fees for Court costs, in connection with any claim or demand under this Contract, the prevailing party shall be entitled to payment of such reasonable costs and fees incurred.

7. Advertiser agrees to hold harmless and indemnify C.O.L.T. against any claim or demand for damages arising from Advertiser’s acts in conjunction with the performance of this Contract.

8. Advertiser expressly agrees to C.O.L.T.’s use of any of its displays for C.O.L.T. promotions without charge or royalty; C.O.L.T. agrees to inform and receive prior written consent before using Advertiser’s display(s) for C.O.L.T. promotions.

9. Advertiser may not sublease, assign or transfer this Contract or any of the Advertiser’s rights hereunder, without C.O.L.T.’s prior written consent. Any act in derogation of this Contract shall be null and void and C.O.L.T. may, at C.O.L.T.’s option, immediately terminate the Contract.

SECTION VIII – NOTICE

1. Any notice given under this Contract must be in writing and either hand-delivered or sent by first class United States mail to the address shown below or an address either party to this Contract specified in writing to the other party:

ADVERTISER
CITY OF PORTERVILLE
CITY OPERATED LOCAL TRANSIT
291 N. Main Street
Porterville, CA 93257
Attention: Assistant to City Manager

Signature of Authorized Representative
Title
Date: __________

Signature of Authorized Representative
Mayor
Date: __________
SERVICE AGREEMENT

This Agreement entered into this ____ day of ________________, 2005, by and between the CITY OF PORTERVILLE, hereinafter referred to as “CITY,” and THE KALTOFT COMPANY, hereinafter referred to as “CONSULTANT,” for certain services as outlined herein in connection with the duties and responsibilities of assisting CITY staff with the development and implementation and direct sales of a transit advertising program.

TERMS AND CONDITIONS

1. **Term of Contract:** The service to be performed pursuant to this agreement shall commence on the day and year first above written for a period of three (3) years. This agreement may be terminated by written notice at least thirty (30) days prior to termination by either party. The agreement may be extended subject to mutual agreement by and between both parties.

2. **Administration of Contract:** Services under this agreement are to be performed for CITY under the direction of the Assistant to City Manager.

3. **Scope of Services:** For, and in consideration of, the mutual obligations hereby assumed and the acts hereinafter set forth, the parties hereto agree as follows:

   1. **General:** CONSULTANT agrees to provide professional services for the development and implementation, and on-going direct sales and program coordination for the CITY transit advertising program.

   2. **Duties:** The CONSULTANT agrees to perform, in a manner satisfactory to CITY, those tasks described in Exhibit A “Scope of Work,” attached hereto and incorporated herein by this reference as if set forth in full.

4. **Consideration:** CITY agrees to pay CONSULTANT forty percent (40%) of gross transit advertising sales revenue.

   The CONSULTANT shall be paid monthly on or before the 15th day. CONSULTANT’s compensation shall be based on forty percent (40%) of total transit advertising revenue collected by CITY during the fiscal reporting month.

5. **Hold Harmless:** CITY and CONSULTANT each agree to indemnify, defend and hold harmless the other Party, its officers, agents, employees, and members of its governing board, from and against any and all claims, demands, losses, judgments, liabilities, causes of action and expenses, including reasonable attorney’s fees and costs, of any kind or nature they may sustain or incur or which may be imposed upon them for injury to or death of persons or damage of property caused by the indemnifying party’s neglect or wrongful performance or failure to perform its obligations under this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized
representatives on the day and year first above written.

CITY OF PORTERVILLE  THE KALTOFT COMPANY

____________________________  __________________________
Pedro R. Martinez, Mayor  Deborah Kaltoft, Owner

SCOPE OF WORK
Services to be performed by The Kaltoft Company

1. Develop and implement a transit advertising program for C.O.L.T. including:
   • Policy for Advertising on C.O.L.T.
   • C.O.L.T. Transit Advertising Contract
   • C.O.L.T. Advertising Rates
   • Production and Specification Guidelines
   • Marketing strategy and materials

2. Direct Sales and Marketing of C.O.L.T. transit advertising including:
   • Direct Sales
   • Tele-Marketing
   • Correspondence

3. Production Coordination
   • Assist advertisers with development and production of advertising panels
   • Coordinate delivery and installation of ad panels with advertisers and C.O.L.T.

4. Program Coordination
   • Keep C.O.L.T. staff informed of program status on a regular basis
   • Assist C.O.L.T. with collection of delinquent account receivables.

EXHIBIT “A”
SUBJECT: GENERAL PLAN UPDATE ADVISORY COMMITTEE APPOINTMENTS

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On November 16, 2004, the City Council authorized the distribution of a Request For Proposal (RFP) for consulting services to update the City’s General Plan. In addition, the Council approved the establishment of a general plan update advisory committee to provide public input throughout the update process. Staff identified a number of organizations that are stakeholders in the community and represent a broad cross-section of the community. The General Plan Update Advisory Committee was envisioned to be advisory to the process and the City Council, and would be represented by individuals appointed by the organizations, not suggested or recommended by staff or the Council. The representatives identified on the attached report represent the appointments of the various organizations.

On April 5, 2005, this item was scheduled for Council approval but was pulled to account for amendments to the proposed list. Attached is an amended proposed General Plan Update Advisory Committee for Council’s approval.

RECOMMENDATION: That the City Council appoint the General Plan Update Advisory Committee as proposed.
SUBJECT: GENERAL PLAN UPDATE ADVISORY COMMITTEE APPOINTMENTS (AMENDED)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On November 16, 2004, the City Council authorized the distribution of the Request For Proposals (RFP) to prospective consultants for the update to the Land Use and Circulation Elements of the General Plan. In addition, the Council authorized the establishment of an advisory committee to assist in the public input process of the update. In addition to the request to appoint the nominations to the General Plan Update Advisory Committee (GPUAC), Staff is seeking authorization from Council at this same meeting to negotiate a contract with the consultant. In response to Council’s creation of the GPUAC Staff contacted the various organizations and requested nominations to serve on the Committee.

At this time, Staff is seeking the Council’s approval of the GPUAC, which is comprised of two representatives from the Building Industry Association, two from the Chamber of Commerce, two from the Hispanic Chamber, two from the Porterville Area Ministerial Association, two from the School Districts, one from Downtown Porterville Association, one from the County, one from the Tule River Indian Tribe, and one from the Sierra View District Hospital. On February 1, 2005, the Council appointed Rick McIntyre and Jeff Keele to serve as members at large.

Names have been provided by the organizations as follows:

Building Industry Association: Greg Woodard
Brian Ennis
Chamber of Commerce: Donnette Silva-Carter
Jackie Witzel
Hispanic Chamber of Commerce: Gilbert Yniques
Felipe Martinez
Porterville Area Ministerial Assoc.: John Eby
Keith Hanson
School Districts John Snavely
Mike Arndt
Downtown Porterville Association Renee Sprague
County of Tulare Theresa Szymanis
Tule River Indian Tribe David Nenna
Sierra View District Hospital Kelly Morgan

RECOMMENDATION: That the City Council appoint the General Plan Update Advisory Committee as proposed.
SUBJECT: SET ADJOURNED MEETINGS

SOURCE: Administration

COMMENT: Council Members have requested two items be scheduled for Adjourned City Council/Study Session meetings. The items requested for discussion are as follows:
- Citywide Fee and Cost Analysis Study
- Annual Budget Review

Adjourned Council meetings are typically held on off Tuesdays at 6:00 p.m. Possible dates for these meetings would then fall on the following dates:
- May 10, 24 or 31
- June 14 or 28

RECOMMENDATION: That the City Council select dates and times for the various Adjourned Meetings.
CITY COUNCIL AGENDA

April 19, 2005

SUBJECT: Consideration of Request for Letter of Support for Congressional Appropriations Request

SOURCE: CITY MANAGER

The Tule River Tribal Council has requested from the City a letter of support for a Congressional Appropriations. A copy of their letter has been attached. The letter is jointly signed by the South Tule Independent Ditch Company and the Tule River Association.

The form of a letter of support has been attached. With the Council’s approval, it will be sent to Senator Feinstein and Congressman Devin Nunes.

RECOMMENDATION

Authorize the Mayor to sign letters of support (in the form provided) for a Congressional Appropriation. The letter should be sent to Senator Feinstein and Congressman Nunes.

CM_ Appropriation & DCM_ Item No._30_
The Honorable Pedro Martinez  
Mayor, City of Porterville  
Porterville City Hall  
291 N. Main St.  
Porterville, California 93257  
Phone (559) 782-7466 / Fax: (661) 362-4008

RE: Request for Letter of Support for Congressional Appropriations Request

Dear Mayor Martinez:

The Tule River Tribal Council ("Tribe") and its neighbors the South Tule Independent Ditch Company ("STIDC") along with the Tule River Association ("TRA") have recently made an appropriations request to Senator Dianne Feinstein and Congressman Devin Nunes to fund approximately $2,300,000 in expenses to finalize the negotiations for the Tribe's federally reserved water right and for initial feasibility studies for reservoir storage on the Tule River Indian Reservation. While the quantification of many tribal water rights involves litigation with almost every stakeholder in the watershed, the Tribe, STIDC and TRA have successfully negotiated many of these issues without having to resort to litigation. This appropriations request will enable us to complete these negotiations and initial feasibility studies. Your kind letter of support to both Senator Feinstein and Congressman Nunes would assist our efforts to get this appropriations request through Congress.

Sincerely,

Tule River Tribal Council

Neil Peyron, Chairman

South Tule Independent Ditch Company  
By: Phil Larson  
Its: President

Tule River Association  
By: Richard L. Schafer  
Its: Water Master

Phone (559) 781-4271 Fax (559) 781-4610  
P.O. Box 589 Porterville, California 93258
Form of Letter

Dear

The Porterville City Council wishes to express its support for Federal appropriations to fund approximately $2,300,000 in expenses to finalize the negotiations for the Tribe’s federally reserved water rights and for initial feasibility studies for a reservoir on the Reservation.

The parties including the Tribe, the South Tule Independent Ditch company, and the Tule River Association have worked to a resolution of this most difficult issue. Their efforts should be supported through the federal appropriation.

Thanking you for your consideration of this.

Sincerely,
SUBJECT: INTERIM FINANCIAL STATUS REPORT

SOURCE: Administrative Services - Finance Division

COMMENT: The City Charter requires financial information to be provided to City Council members on a monthly basis. Staff will deliver this information publicly on a quarterly basis in conjunction with the quarterly portfolio summary. The approved dates for these presentations are the second Council meeting following the quarters ended March 31, June 30, September 30, and December 31.

In accordance with Council Minute Order #13-041602, the interim financial status reports for the 3rd fiscal quarter ended March 31, 2005, are submitted.

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

ATTACHMENT: Interim financial reports
## Revenue Status Report - General Fund
### For the Nine Months Ended
#### March 31, 2005 and March 31, 2004

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>2004-2005 Estimated Revenue</th>
<th>2004-2005 Year-to-Date Revenue</th>
<th>% of Estimated</th>
<th>2003-2004 Estimated Revenue</th>
<th>2003-2004 Year-to-Date Revenue</th>
<th>% of Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Taxes</strong></td>
<td>$4,693,828</td>
<td>$2,381,666</td>
<td>50.74%</td>
<td>$1,491,337</td>
<td>$853,016</td>
<td>57.20%</td>
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<tr>
<td><strong>Other Taxes:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales and Use Tax</td>
<td>3,429,000</td>
<td>2,544,345</td>
<td>74.20%</td>
<td>4,509,401</td>
<td>2,956,841</td>
<td>65.57%</td>
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<tr>
<td>Utility User Tax</td>
<td>2,875,000</td>
<td>2,092,107</td>
<td>72.77%</td>
<td>3,022,559</td>
<td>1,945,037</td>
<td>64.35%</td>
</tr>
<tr>
<td>Transient Occupancy Tax</td>
<td>195,000</td>
<td>121,398</td>
<td>62.26%</td>
<td>189,720</td>
<td>110,374</td>
<td>58.18%</td>
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<tr>
<td>Property Transfer Tax</td>
<td>55,000</td>
<td>40,767</td>
<td>74.12%</td>
<td>53,560</td>
<td>13,556</td>
<td>25.27%</td>
</tr>
<tr>
<td>Franchise Tax</td>
<td>1,406,180</td>
<td>861,973</td>
<td>61.21%</td>
<td>1,275,000</td>
<td>751,389</td>
<td>59.93%</td>
</tr>
<tr>
<td>Sales Tax - Public Safety</td>
<td>114,000</td>
<td>57,378</td>
<td>50.33%</td>
<td>114,000</td>
<td>33,025</td>
<td>28.97%</td>
</tr>
<tr>
<td><strong>Licenses and Permits:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Licenses</td>
<td>362,000</td>
<td>345,647</td>
<td>95.48%</td>
<td>360,000</td>
<td>339,290</td>
<td>94.25%</td>
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<tr>
<td>Construction Permits</td>
<td>263,020</td>
<td>376,893</td>
<td>143.29%</td>
<td>264,020</td>
<td>223,997</td>
<td>84.84%</td>
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<tr>
<td>Other</td>
<td>6,000</td>
<td>606</td>
<td>10.10%</td>
<td>6,000</td>
<td>5,395</td>
<td>89.92%</td>
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<tr>
<td><strong>Revenue from Agencies-Taxes:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle in-Lieu Tax</td>
<td>309,805</td>
<td>412,669</td>
<td>133.16%</td>
<td>2,512,984</td>
<td>1,224,507</td>
<td>48.73%</td>
</tr>
<tr>
<td><strong>Other Taxes</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Revenue from Agencies-Grants:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of Money and Property</td>
<td>65,000</td>
<td>76,986</td>
<td>118.44%</td>
<td>65,427</td>
<td>84,738</td>
<td>129.52%</td>
</tr>
<tr>
<td>Fines and Forfeitures</td>
<td>24,700</td>
<td>27,509</td>
<td>111.37%</td>
<td>30,000</td>
<td>14,291</td>
<td>47.64%</td>
</tr>
<tr>
<td><strong>Charges for Services:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning and Engineering Police</td>
<td>87,000</td>
<td>117,879</td>
<td>135.49%</td>
<td>85,500</td>
<td>65,747</td>
<td>76.90%</td>
</tr>
<tr>
<td>Fire</td>
<td>95,000</td>
<td>89,287</td>
<td>93.99%</td>
<td>93,700</td>
<td>65,379</td>
<td>69.77%</td>
</tr>
<tr>
<td>Library</td>
<td>34,000</td>
<td>8,085</td>
<td>23.76%</td>
<td>40,000</td>
<td>2,872</td>
<td>7.18%</td>
</tr>
<tr>
<td>Recreational</td>
<td>41,000</td>
<td>24,720</td>
<td>60.28%</td>
<td>37,000</td>
<td>30,813</td>
<td>83.28%</td>
</tr>
<tr>
<td>Interdepartmental</td>
<td>995,500</td>
<td>657,835</td>
<td>72.34%</td>
<td>782,500</td>
<td>691,217</td>
<td>88.33%</td>
</tr>
<tr>
<td>Other</td>
<td>1,375,380</td>
<td>988,300</td>
<td>71.86%</td>
<td>1,171,234</td>
<td>915,115</td>
<td>78.13%</td>
</tr>
<tr>
<td>Affinity Card Program</td>
<td>1,250,000</td>
<td>1,850</td>
<td>7.80%</td>
<td>5,500</td>
<td>625</td>
<td>0.99%</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>6,000</td>
<td>2,579</td>
<td>42.98%</td>
<td>4,671</td>
<td>4,871</td>
<td>133.46%</td>
</tr>
<tr>
<td><strong>Subtotals</strong></td>
<td>$17,718,988</td>
<td>$11,622,929</td>
<td>65.60%</td>
<td>$17,532,985</td>
<td>$10,873,709</td>
<td>62.02%</td>
</tr>
<tr>
<td>Debt Service Transfers</td>
<td>846,904</td>
<td>635,178</td>
<td>75.00%</td>
<td>880,036</td>
<td>660,027</td>
<td>75.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$18,565,872</td>
<td>$12,258,107</td>
<td>66.02%</td>
<td>$18,413,021</td>
<td>$11,533,736</td>
<td>62.64%</td>
</tr>
</tbody>
</table>
GENERAL FUND REVENUES
Fiscal Year Ended March 31, 2005

DEBT SERVICE (5.18%)
CHARGES FOR SERVICES (15.40%)
OTHER (4.07%)
OTHER TAXES (8.35%)
LICENSES AND PERMITS (5.90%)
UTILITY USERS TAX (17.07%)
PROPERTY TAXES (19.43%)
SALES & USE TAX (21.22%)
MOTOR VEHICLE IN-LIEU (3.37%)

GENERAL FUND REVENUES
Fiscal Year Ended March 31, 2004

DEBT SERVICE (5.72%)
CHARGES FOR SERVICES (15.36%)
OTHER (5.46%)
OTHER TAXES (7.72%)
LICENSES AND PERMITS (4.93%)
UTILITY USERS TAX (16.95%)
PROPERTY TAXES (7.40%)
SALES & USE TAX (25.92%)
MOTOR VEHICLE IN-LIEU (10.82%)
### CITY OF PORTERVILLE

**REVENUE STATUS REPORT - ALL OTHER FUNDS**

**FOR THE NINE MONTHS ENDED**

**MARCH 31, 2005 AND MARCH 31, 2004**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REDEVELOPMENT AGENCY</strong></td>
<td>$891,808</td>
<td>$420,487</td>
<td>47.1%</td>
<td>$418,753</td>
<td>$920,220</td>
<td>219.8%</td>
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<tr>
<td><strong>SPECIAL GAS TAX</strong></td>
<td>3,006,000</td>
<td>514,417</td>
<td>17.1%</td>
<td>1,780,000</td>
<td>1,007,846</td>
<td>56.6%</td>
</tr>
<tr>
<td><strong>LOCAL TRANSPORTATION FUNDS (LTF)</strong></td>
<td>620,000</td>
<td>2,571</td>
<td>0.4%</td>
<td>572,706</td>
<td>2,509</td>
<td>0.4%</td>
</tr>
<tr>
<td><strong>TRAFFIC SAFETY FUND</strong></td>
<td>85,800</td>
<td>55,102</td>
<td>64.4%</td>
<td>101,000</td>
<td>31,723</td>
<td>31.4%</td>
</tr>
<tr>
<td><strong>ZALUD ESTATE</strong></td>
<td>7,500</td>
<td>3,596</td>
<td>47.9%</td>
<td>9,000</td>
<td>4,943</td>
<td>54.9%</td>
</tr>
<tr>
<td><strong>COMMUNITY DEVELOPMENT BLOCK GRANT TRANSIT</strong></td>
<td>1,538,000</td>
<td>708,365</td>
<td>50.0%</td>
<td>4,724,000</td>
<td>655,693</td>
<td>13.9%</td>
</tr>
<tr>
<td><strong>SPECIAL POLICE GRANTS</strong></td>
<td>2,184,128</td>
<td>216,198</td>
<td>9.9%</td>
<td>1,913,800</td>
<td>771,274</td>
<td>40.3%</td>
</tr>
<tr>
<td><strong>SEWER OPERATING</strong></td>
<td>216,787</td>
<td>147,410</td>
<td>66.0%</td>
<td>200,450</td>
<td>231,577</td>
<td>115.5%</td>
</tr>
<tr>
<td><strong>REFUSE REMOVAL</strong></td>
<td>5,446,342</td>
<td>4,297,864</td>
<td>78.9%</td>
<td>5,314,763</td>
<td>3,709,067</td>
<td>71.3%</td>
</tr>
<tr>
<td><strong>AIRPORT OPERATIONS</strong></td>
<td>4,035,494</td>
<td>3,042,439</td>
<td>75.4%</td>
<td>3,934,524</td>
<td>2,822,413</td>
<td>71.7%</td>
</tr>
<tr>
<td><strong>GOLF COURSE</strong></td>
<td>749,610</td>
<td>575,740</td>
<td>76.8%</td>
<td>620,554</td>
<td>561,277</td>
<td>90.5%</td>
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<tr>
<td><strong>WATER OPERATING</strong></td>
<td>246,000</td>
<td>181,069</td>
<td>73.6%</td>
<td>264,000</td>
<td>175,521</td>
<td>66.5%</td>
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<tr>
<td><strong>RISK MANAGEMENT</strong></td>
<td>4,818,279</td>
<td>3,675,753</td>
<td>76.3%</td>
<td>4,704,678</td>
<td>3,540,884</td>
<td>75.3%</td>
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<tr>
<td><strong>EQUIPMENT MAINTENANCE</strong></td>
<td>2,995,000</td>
<td>2,847,003</td>
<td>85.0%</td>
<td>2,480,000</td>
<td>2,234,105</td>
<td>90.1%</td>
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<tr>
<td><strong>EQUIPMENT REPLACEMENT</strong></td>
<td>1,129,930</td>
<td>835,839</td>
<td>74.0%</td>
<td>1,047,434</td>
<td>687,434</td>
<td>65.0%</td>
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<td><strong>LANDSCAPE MAINTENANCE DISTRICT</strong></td>
<td>885,000</td>
<td>1,108,153</td>
<td>123.8%</td>
<td>1,363,619</td>
<td>949,470</td>
<td>69.6%</td>
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<tr>
<td><strong>WATER REPLACEMENT</strong></td>
<td>173,721</td>
<td>98,599</td>
<td>56.8%</td>
<td>141,080</td>
<td>47,991</td>
<td>34.0%</td>
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<tr>
<td><strong>SOLID WASTE RESERVE</strong></td>
<td>551,599</td>
<td>577,958</td>
<td>104.8%</td>
<td>588,850</td>
<td>301,955</td>
<td>50.4%</td>
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<tr>
<td><strong>SEWER REVOLVING</strong></td>
<td>329,528</td>
<td>329,528</td>
<td>100.0%</td>
<td>444,549</td>
<td>185,635</td>
<td>75.9%</td>
</tr>
<tr>
<td><strong>TRANSPORTATION DEVELOPMENT</strong></td>
<td>221,000</td>
<td>295,720</td>
<td>133.8%</td>
<td>189,000</td>
<td>97,136</td>
<td>51.4%</td>
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<tr>
<td><strong>PARK DEVELOPMENT</strong></td>
<td>145,000</td>
<td>210,347</td>
<td>145.1%</td>
<td>136,800</td>
<td>162,462</td>
<td>133.4%</td>
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<td><strong>TREATMENT PLANT RESERVE</strong></td>
<td>122,000</td>
<td>98,069</td>
<td>80.4%</td>
<td>51,500</td>
<td>101,894</td>
<td>199.8%</td>
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<tr>
<td><strong>STORM DRAIN DEVELOPMENT</strong></td>
<td>3,324,508</td>
<td>683,794</td>
<td>20.6%</td>
<td>8,603,000</td>
<td>814,734</td>
<td>7.1%</td>
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<td><strong>BUILDING CONSTRUCTION</strong></td>
<td>127,000</td>
<td>322,297</td>
<td>253.8%</td>
<td>271,980</td>
<td>83,569</td>
<td>30.7%</td>
</tr>
<tr>
<td><strong>AIRPORT REPLACEMENT</strong></td>
<td>50,000</td>
<td>27,725</td>
<td>55.5%</td>
<td>50,000</td>
<td>36,386</td>
<td>72.8%</td>
</tr>
</tbody>
</table>

**TOTALS**                                            $33,560,206       $21,121,306       62.9%       $39,735,840       $20,041,286       50.4%
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LEGISLATIVE:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Council</td>
<td>$152,065</td>
<td>$45,240</td>
<td>29.8</td>
<td>$63,662</td>
<td>$50,163</td>
<td>78.8</td>
</tr>
<tr>
<td>Community Promotion</td>
<td>158,327</td>
<td>111,060</td>
<td>70.1</td>
<td>167,527</td>
<td>116,387</td>
<td>69.5</td>
</tr>
<tr>
<td><strong>ADMINISTRATIVE &amp; LEGAL:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Manager</td>
<td>233,834</td>
<td>158,253</td>
<td>67.7</td>
<td>223,964</td>
<td>149,451</td>
<td>66.7</td>
</tr>
<tr>
<td>City Clerk</td>
<td>160,585</td>
<td>111,032</td>
<td>69.1</td>
<td>110,009</td>
<td>77,306</td>
<td>70.9</td>
</tr>
<tr>
<td>Human Resources</td>
<td>157,647</td>
<td>138,424</td>
<td>87.8</td>
<td>129,117</td>
<td>83,946</td>
<td>65.0</td>
</tr>
<tr>
<td>City Attorney</td>
<td>145,000</td>
<td>113,239</td>
<td>78.1</td>
<td>107,340</td>
<td>128,503</td>
<td>119.7</td>
</tr>
<tr>
<td><strong>FINANCE:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance &amp; Accounting</td>
<td>584,857</td>
<td>413,255</td>
<td>70.7</td>
<td>603,801</td>
<td>410,186</td>
<td>67.9</td>
</tr>
<tr>
<td>Information Services</td>
<td>329,104</td>
<td>231,925</td>
<td>70.5</td>
<td>247,687</td>
<td>157,840</td>
<td>66.6</td>
</tr>
<tr>
<td>Administrative Services</td>
<td>363,262</td>
<td>260,121</td>
<td>71.6</td>
<td>342,254</td>
<td>251,677</td>
<td>73.5</td>
</tr>
<tr>
<td><strong>POLICE PROTECTION:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>671,918</td>
<td>459,307</td>
<td>68.4</td>
<td>616,012</td>
<td>461,950</td>
<td>74.7</td>
</tr>
<tr>
<td>Operations</td>
<td>3,074,505</td>
<td>2,084,537</td>
<td>67.8</td>
<td>2,572,883</td>
<td>1,930,375</td>
<td>75.0</td>
</tr>
<tr>
<td>Investigative</td>
<td>1,974,892</td>
<td>1,466,387</td>
<td>74.3</td>
<td>1,874,183</td>
<td>1,327,836</td>
<td>70.8</td>
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<tr>
<td>Animal Control</td>
<td>109,000</td>
<td>82,241</td>
<td>75.5</td>
<td>139,000</td>
<td>81,754</td>
<td>56.8</td>
</tr>
<tr>
<td><strong>FIRE PROTECTION:</strong></td>
<td>2,969,213</td>
<td>1,806,586</td>
<td>60.8</td>
<td>2,500,000</td>
<td>1,825,821</td>
<td>73.0</td>
</tr>
<tr>
<td><strong>COMMUNITY DEVELOPMENT:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering &amp; Building</td>
<td>679,843</td>
<td>454,486</td>
<td>66.9</td>
<td>612,469</td>
<td>428,160</td>
<td>69.9</td>
</tr>
<tr>
<td>Planning &amp; Zoning</td>
<td>315,244</td>
<td>216,342</td>
<td>68.6</td>
<td>257,414</td>
<td>173,118</td>
<td>67.3</td>
</tr>
<tr>
<td>Economic Development</td>
<td>214,305</td>
<td>132,917</td>
<td>62.0</td>
<td>172,239</td>
<td>106,275</td>
<td>62.9</td>
</tr>
<tr>
<td>Street Maintenance</td>
<td>322,880</td>
<td>223,835</td>
<td>69.3</td>
<td>341,241</td>
<td>199,464</td>
<td>58.5</td>
</tr>
<tr>
<td>Signals, Signing &amp; Striping</td>
<td>287,871</td>
<td>194,559</td>
<td>67.6</td>
<td>270,574</td>
<td>186,868</td>
<td>70.1</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>308,367</td>
<td>193,709</td>
<td>62.8</td>
<td>298,120</td>
<td>177,094</td>
<td>59.4</td>
</tr>
<tr>
<td>Storm Drains</td>
<td>97,881</td>
<td>40,505</td>
<td>41.4</td>
<td>92,204</td>
<td>37,292</td>
<td>40.4</td>
</tr>
<tr>
<td>Parking Lots</td>
<td>40,703</td>
<td>24,913</td>
<td>61.2</td>
<td>39,208</td>
<td>24,462</td>
<td>62.4</td>
</tr>
<tr>
<td><strong>PARKS &amp; LEISURE:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Maintenance &amp; Operation</td>
<td>1,367,569</td>
<td>553,807</td>
<td>42.4</td>
<td>1,239,542</td>
<td>831,937</td>
<td>67.1</td>
</tr>
<tr>
<td>Street Trees &amp; Parkways</td>
<td>207,132</td>
<td>126,785</td>
<td>61.2</td>
<td>263,818</td>
<td>152,746</td>
<td>57.3</td>
</tr>
<tr>
<td>Community Centers</td>
<td>253,942</td>
<td>167,898</td>
<td>66.1</td>
<td>227,305</td>
<td>144,634</td>
<td>63.6</td>
</tr>
<tr>
<td>Leisure Services</td>
<td>211,263</td>
<td>157,850</td>
<td>74.7</td>
<td>141,567</td>
<td>125,962</td>
<td>89.0</td>
</tr>
<tr>
<td>Leisure Services - Special Prog</td>
<td>620,913</td>
<td>501,827</td>
<td>65.5</td>
<td>792,889</td>
<td>644,735</td>
<td>71.2</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>114,736</td>
<td>92,019</td>
<td>81.0</td>
<td>134,079</td>
<td>76,480</td>
<td>57.0</td>
</tr>
<tr>
<td>Library Operations</td>
<td>592,130</td>
<td>404,469</td>
<td>68.3</td>
<td>592,827</td>
<td>431,405</td>
<td>72.8</td>
</tr>
<tr>
<td>Special Projects</td>
<td>78,139</td>
<td>55,140</td>
<td>70.6</td>
<td>137,222</td>
<td>54,131</td>
<td>39.4</td>
</tr>
<tr>
<td><strong>SUB TOTALS</strong></td>
<td>$16,996,729</td>
<td>$11,383,674</td>
<td>67.0</td>
<td>$15,312,292</td>
<td>$10,752,120</td>
<td>70.2</td>
</tr>
<tr>
<td><strong>DEBT SERVICE</strong></td>
<td>1,835,000</td>
<td>1,375,250</td>
<td>75.0</td>
<td>1,834,883</td>
<td>1,376,162</td>
<td>75.0</td>
</tr>
<tr>
<td></td>
<td>$18,831,729</td>
<td>$12,759,924</td>
<td>67.8</td>
<td>$17,147,136</td>
<td>$12,129,282</td>
<td>70.7</td>
</tr>
</tbody>
</table>
## CITY OF PORTERVILLE
### EXPENDITURE STATUS REPORT - ALL OTHER FUNDS
#### FOR THE NINE MONTHS ENDED
##### MARCH 31, 2005 AND MARCH 31, 2004

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>REDEVELOPMENT AGENCY</td>
<td>$1,001,316</td>
<td>$700,461</td>
<td>70.0%</td>
<td>$588,840</td>
<td>$463,508</td>
</tr>
<tr>
<td>ZALUD ESTATE</td>
<td>29,189</td>
<td>19,168</td>
<td>66.7%</td>
<td>29,169</td>
<td>18,603</td>
</tr>
<tr>
<td>COMMUNITY DEVELOPMENT BLOCK GRANT</td>
<td>193,400</td>
<td>132,152</td>
<td>68.3%</td>
<td>199,800</td>
<td>140,816</td>
</tr>
<tr>
<td>TRANSIT</td>
<td>1,856,263</td>
<td>1,140,777</td>
<td>61.5%</td>
<td>1,725,996</td>
<td>1,636,529</td>
</tr>
<tr>
<td>SPECIAL SAFETY GRANTS</td>
<td>532,111</td>
<td>189,754</td>
<td>35.7%</td>
<td>442,708</td>
<td>209,690</td>
</tr>
<tr>
<td>SEWER OPERATING</td>
<td>4,999,144</td>
<td>3,657,238</td>
<td>71.2%</td>
<td>5,657,771</td>
<td>3,654,293</td>
</tr>
<tr>
<td>REFUSE REMOVAL</td>
<td>4,137,353</td>
<td>2,908,812</td>
<td>70.3%</td>
<td>3,860,149</td>
<td>2,960,668</td>
</tr>
<tr>
<td>AIRPORT</td>
<td>823,732</td>
<td>554,114</td>
<td>67.3%</td>
<td>671,554</td>
<td>532,299</td>
</tr>
<tr>
<td>GOLF COURSE</td>
<td>310,000</td>
<td>208,713</td>
<td>67.3%</td>
<td>300,434</td>
<td>203,208</td>
</tr>
<tr>
<td>WATER OPERATING</td>
<td>4,171,881</td>
<td>2,657,318</td>
<td>63.7%</td>
<td>4,421,527</td>
<td>2,575,556</td>
</tr>
<tr>
<td>RISK MANAGEMENT</td>
<td>2,900,000</td>
<td>2,332,701</td>
<td>80.1%</td>
<td>2,074,832</td>
<td>2,301,733</td>
</tr>
<tr>
<td>EQUIPMENT MAINTENANCE</td>
<td>950,825</td>
<td>664,388</td>
<td>69.9%</td>
<td>907,290</td>
<td>582,149</td>
</tr>
<tr>
<td>CENTRAL STORES</td>
<td>192,150</td>
<td>156,608</td>
<td>81.2%</td>
<td>173,717</td>
<td>145,728</td>
</tr>
<tr>
<td>EQUIPMENT REPLACEMENT</td>
<td>1,212,481</td>
<td>784,307</td>
<td>64.7%</td>
<td>1,187,108</td>
<td>846,655</td>
</tr>
<tr>
<td>LANDSCAPE MAINTENANCE DISTRICT</td>
<td>173,721</td>
<td>68,020</td>
<td>39.2%</td>
<td>141,078</td>
<td>64,017</td>
</tr>
</tbody>
</table>

**TOTALS**

$23,483,566               $16,065,031                       68.4%                         $23,301,993                      $16,135,442   69.2%
CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - ENTERPRISE FUNDS
As of March 31, 2005

<table>
<thead>
<tr>
<th>FUND</th>
<th>REVENUES</th>
<th>EXPENSES</th>
<th>NET PROFIT (LOSS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zalud Estate</td>
<td>$3,595.61</td>
<td>$(19,167.52)</td>
<td>$(15,571.91)</td>
</tr>
<tr>
<td>Sewer</td>
<td>$4,297,984.38</td>
<td>$(3,557,337.53)</td>
<td>$740,646.85</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>$3,042,436.72</td>
<td>$(2,908,811.89)</td>
<td>$133,626.83</td>
</tr>
<tr>
<td>Airport</td>
<td>$575,740.38</td>
<td>$(554,114.30)</td>
<td>$21,626.08</td>
</tr>
<tr>
<td>Golf</td>
<td>$181,089.05</td>
<td>$(206,712.87)</td>
<td>$(27,623.82)</td>
</tr>
<tr>
<td>Water</td>
<td>$3,676,752.97</td>
<td>$(2,657,317.74)</td>
<td>$1,019,435.23</td>
</tr>
</tbody>
</table>

NOTE: The Transit Fund is not included as it does not contain any retained earnings.
<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>John Doe</td>
</tr>
<tr>
<td>Address</td>
<td>123 Main St, Anytown USA</td>
</tr>
<tr>
<td>Phone</td>
<td>555-1234</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:jdoe@example.com">jdoe@example.com</a></td>
</tr>
<tr>
<td>Date of Birth</td>
<td>01/01/1980</td>
</tr>
<tr>
<td>Occupation</td>
<td>Engineer</td>
</tr>
<tr>
<td>Company</td>
<td>Acme Corp</td>
</tr>
<tr>
<td>City</td>
<td>Anytown</td>
</tr>
<tr>
<td>State</td>
<td>USA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>12345</td>
</tr>
<tr>
<td>Country</td>
<td>USA</td>
</tr>
</tbody>
</table>

**Additional Information**

- **Status:** Active
- **Department:** Engineering
- **Project:** New Product Development
- **Objective:** Increase efficiency by 20%
SUBJECT: COMPLIANCE PROCEDURES FOR SB 564 AND SB 866 AND RESOLUTION OF AFFIRMATION OF INVESTMENT POLICY

SOURCE: Administrative Services, Finance Division

COMMENT: As a result of the crash of the Orange County portfolio, two Senate Bills were adopted, effective January 1, 1996, that further regulated the nature and frequency by which the City Treasurer will provide portfolio information to the City Council during a public meeting. As per SB 564 and SB 866, amending sections of the Government Code, the City Treasurer/Treasurer will annually prepare and submit to the Governing Body a written Statement of Investment Policy, as well as quarterly reports on the pooled money invested.

This Statement is the tenth annual submittal of the written Statement of Investment Policy. This Policy has been developed from the standards established by the National Municipal Treasurer's Association and the Governmental Finance Officer's Association. As new legislation appears, this Policy will be updated and brought before Council for approval.

RECOMMENDATION: That City Council adopt a resolution accepting the Statement of Investment Policy in accordance with SB 564 and SB 866.

ATTACHMENTS: 1. Draft Resolution
               2. Statement of Investment Policy

Dir Appropriated/funded CM Item No. 32
RESOLUTION NO. _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
AFFIRMING THE ANNUAL INVESTMENT POLICY

guidelines to be followed for portfolio management practices for the next 12 months; and

WHEREAS, the City Council has determined that the Investment Policy, dated April
2005, Attachment “A”, is appropriate to meet the criteria established by SB 564 and SB
866.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of
Porterville hereby adopts the Investment Policy dated April 2005, to be re-affirmed
annually.

______________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By _______________________
Georgia Hawley, Deputy
INTRODUCTION

The City of Porterville has a fiduciary responsibility to maximize the productive use of its liquid assets entrusted to its care and to manage those public funds wisely and prudently. The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities. Related activities which comprise good cash management include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and short-term borrowing program which coordinates working capital requirements and investment opportunity. In concert with these requirements are the many facets of an appropriate and secure short-term investment program.

SCOPE

It is intended that this investment policy cover all funds and investment activities under the direct authority of the City of Porterville organization. This policy does not cover any funds held by the fiscal agent in connection with the issuance of any bonds by the City. Such funds shall be invested in accordance with the applicable trust indenture.

PHILOSOPHY

The basic premise underlying Porterville’s investment philosophy is to insure that money is always available when needed. An amount of not less than one month’s payables and one month’s payroll, about $2.5 million, is maintained in immediately available investments, such as the State Treasurer’s Local Agency Investment Fund or other cash equivalents. This may include commercial paper or banker’s acceptances.

Porterville takes an active investment posture in an attempt to earn a higher yield. This investment posture is best demonstrated by the City’s long term investments. By taking advantage of the positive yield curve (i.e., longer term rates are higher than shorter maturities), in the long run, the City should average a higher yield.

The City’s investments will be limited to an average life of three years or less. When the market warrants purchase of longer maturities to capture a higher rate of return, purchases will be limited to United States Treasury Notes and Bonds and Mortgage Backed Securities. No investment will be made in securities which have a final maturity over five years.

The economy and various markets are monitored carefully to assess the probable course of interest rates. In a market with increasing interest rates, the City will attempt to invest in securities with shorter maturities. This makes funds available for other investments when the interest rates are higher. When interest rates appear to be near a relatively high rate, the City will attempt to purchase investments with medium to long-term maturities to lock
in the higher rate of return. When interest rates are falling, the City will invest in securities with longer maturities to hold the higher rate for a longer period of time.

The City will also take advantage of any new vehicle that becomes eligible for municipal investment only after a detailed study of the investment, its safety, liquidity, and yield.

PRUDENCE

The City adheres to the guidance provided by the “prudent person standard,” as set forth in Government Code section 53600.3, which specifically addresses public investing, as follows:

“Except as provided in subdivision (a) of Section 27000.3, all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired by law.”

The primary objective is to safeguard the principal of the funds under the City’s control. The secondary objective is to meet the liquidity needs of the City. The third objective is to achieve a return on the funds. Porterville strives to maintain the level of investment of all funds as near 100% as possible through daily and projected cash flow determinations. Investments are made so maturities match or precede the cash needs of the City. The City will maintain adequate cash availability and maximum yield on invested funds while insuring that principal invested is protected from loss.

INVESTMENT CRITERIA

Criteria for selecting investments are:

1. Safety;
2. Liquidity; and
3. Yield.

Porterville attempts to obtain the highest yield available when selecting investments, provided that criteria for safety and liquidity are met. Because ordinarily yield curves are positively sloped, (i.e., longer term rates are higher than shorter maturities), the City attempts to ladder its maturities. This meets anticipated cash needs in such a way that
new investment money can be placed in maturities that carry a higher rate than is available in the extremely short market of 90 days or under. Government and agency paper are the highest quality investments available in terms of safety and liquidity. Certificates of deposit, savings accounts, and bankers acceptances are insured or collateralized. Only direct-issue commercial paper, with A-1 Moody’s and Standard and Poor’s ratings, will be purchased. These quality rating criteria shall apply at the time of investment. Should a particular issuer fall below these standards (“be downgraded”) while the investment is in the City’s portfolio, the prudent investor rule shall apply. Negotiable Certificates of Deposit are not insured or collateralized.

Most investments are highly liquid, with the exception of collateralized certificates of deposit held by banks, savings and loans, and Small Business Administration notes. Maturities are selected to anticipate cash needs, thereby avoiding the need for forced liquidation.

**STATE AND CHARTER REGULATIONS**

The City operates its investment pool with many State and self-imposed constraints. In accordance with SB 564 and SB 866, effective January 1, 1996, the City Treasurer will bring this Policy before City Council annually for its reaffirmation. Government Code Section 53601 restricts the City portfolio mix to:

1. 30% in Medium Term Notes;
2. 30% in Negotiable Certificates of Deposit;
3. 40% in Bankers Acceptance Notes, not to exceed 180 days in maturity; and
4. 25% in Commercial Paper, not to exceed 270 days in maturity.

These restrictions primarily apply to short-term investments and are interpreted to apply at the time of investment. If, as the portfolio mix changes over time, a particular segment exceeds these restrictions, the prudent investor rule shall apply. The City does not buy stocks and it does not speculate.

The City will be selective in purchasing long-term negotiable certificates of deposit and medium term notes, placing such an investment only with a large stable institution.

**MATURITY OF INVESTMENTS**

The City of Porterville will operate a portfolio with an average life of three years or less. This is to insure liquidity and the ability to move with changing markets and interest rate movements.

Accordingly, no investment will be made in securities which have a final maturity over five years. The long-term securities shall only be Treasury Notes and Bonds and Mortgage Backed Securities.

**SECURITIES DEALERS AND BROKERS**

The City of Porterville will undertake a yearly review of its broker/dealer relationships. The City will deal generally with the major broker/dealer firms or major banks in the country and
then with only their institutional investment divisions. Primary government securities dealers are preferred for conducting transactions of all eligible securities. Primary dealers must report daily to the Federal Reserve, are very tightly regulated, and must keep specified levels of working capital. Secondary dealers are those dealers who buy and sell securities in the open market. Secondary and other security dealers who wish to engage in transactions with the City must meet the City’s requirements for reliability and safety and be approved prior to purchase. These relationships are formalized through a corporate statement. The City will deal with both after meeting the City’s requirements.

The City shall also be open to contracting investment management services for a portion of the portfolio. That portion shall be limited to longer term investments of two years or longer. Any investment management firm contracted shall meet criteria established by the Finance Department. All investments made under contract will be purchased in the City’s name and in accordance with the guidelines established by the City’s investment policy.

PERIODIC REPORTING

Also in accordance with SB 564 and SB 866, each quarter, the City Treasurer will issue a report of the City’s current investment portfolio, detailing securities, purchase and maturity date, and face and market value. This report will also confirm that current portfolio holdings are in compliance with this policy and that the City’s cash needs will be met.

Each quarter some of the long-term investments will be reviewed in order to determine if it is advantageous to sell those securities and purchase others. The review will consider current market conditions and various spread relationships among security types. The monitoring of the conditions set forth in this policy statement is the responsibility of the City Treasurer or his delegate.

TYPES OF INVESTMENTS

Cash management and investment transactions are the responsibility of the City Treasurer or his/her delegated investment officer. Investments are made in the following:

1. **Securities of the U.S. Government**

   Securities of the Government include U.S. Treasury bills, notes and bonds.

   *U. S. Treasury Bills* - are issued by the U.S. Treasury and are available in maturities out to one year. They are non-interest bearing and sold on a discount basis. The face amount is paid at maturity.

   *Treasury Notes* - are issued by the U.S. Treasury with maturities from two to ten years. They are issued in coupon form and many issues are also available in registered form. Interest is payable at six month intervals until maturity.

   *Treasury Bonds* - are issued by the U.S. Treasury with maturities of ten years to thirty years. The City may purchase the interest and/or principal of a U.S. Treasury
Bond. A principal only instrument is commonly called a “stripped” or “zero” coupon. Stripped coupons are sold at discount basis. The face amount is paid at maturity.

2. **Securities of U.S. Government Agencies**

The capital of U.S. Government agencies was initially financed by the United States Treasury. But as they have grown and operated profitably over the years, the Treasury’s investment has been replaced in large measure by private capital. At the present time, obligations of only a few agencies are backed by the full faith and credit of the U.S. Government. The obligations of all the federal agencies described in the following sections are not guaranteed by the U.S. Government with the exception of Government National Mortgage Association, but are considered to be investments of the highest quality.

*Federal National Mortgage Association (Fannie Mae)* is a quasi-public corporation created by an act of Congress to assist the home mortgage market by purchasing mortgages insured by the Federal Housing Administration and the Farmers Home Administration, as well as those guaranteed by the Veterans Administration. FNMA issues Notes and Bonds. Notes are issued with maturities of less than one year with interest paid at maturity. Bonds are issued for 15 and 30 year maturities with interest paid semi-annually. Interest is computed on a 30/360 day basis. There is a strong secondary market in these securities. A secondary market in these securities. A secondary market means these instruments are actively traded, they are bought and sold daily.

*Government National Mortgage Association (Ginnie Mae)* is a wholly owned corporate instrumentality of the United States within the Department of Housing and Urban Development. A certificate collateralized by FHA/VA residential mortgages represents a share in a pool of FHA or VA mortgages. Ginnie Maes are registered securities. Principal and interest are paid monthly and sent directly from the issuer of the pool, usually a mortgage banker, to the City. Original maturities range from 12 to 30 years with a 7 to 12 year assumed average life (Assumed average life is due to prepayments of mortgages).

*Federal Home Loan Banks* provide credit to member lending institutions such as savings and loan associations, cooperative banks, insurance companies and savings banks. The agency offers bonds in the public market with maturities of one year to ten years. These bonds are usually offered on a quarterly basis depending on the current demands of the housing industry. Interest is paid semi-annually on a 30/360 day basis.

*Federal Farm Credit Banks* are debt instruments issued to meet the financial needs of farmers and the national agricultural industry. Discount notes are issued monthly with 6 and 9 month maturities. Discount notes pay interest at maturity. Longer term debentures (2-5 years) are also issued. Debentures pay interest semi-annually on a 30/360 day basis. These issues enjoy an established secondary market.

Attachment A
**Small Business Administration Loans (SBA).** The Small Business Administration is an independent agency of the United States government which furnishes financial and management assistance to small businesses. The SBA guarantees the principal portion of the loans it approves. Porterville purchases the guaranteed portion of these loans. Maturity can be for 1 year to 30 years. These loans can be either set at a fixed rate or variable rate which is usually tied to the prime rate. Principal and interest are paid monthly on a 30/360 day basis.

**Federal Home Loan Mortgage Corporation (Freddie Macs) participation certificates** are backed by 30-year conventional residential mortgages and are 100 percent guaranteed by the Federal Home Loan Mortgage Corporation. The Federal Home Loan Mortgage Corporation is wholly owned by the Federal Home Loan Banks. The Mortgage Corporation is a corporate instrumentality of the United States. Freddie Mass are registered securities. Principal and interest passed through the Mortgage Corporation and then to the City monthly. These instruments have an assumed life of approximately 12 years and pay on a 30/360 day basis.

Other U.S. government securities available to the City for investment purposes include: Student Loan Marketing Association (SLMA or Sallie Mae), Aid for International Development (AID), and debentures of Tennessee Valley Authority (TVA). However, these instruments are not offered on a regular basis and do not offer the same liquidity as the before mentioned instruments.

3. **Time Deposits or Certificates of Deposit**

Time deposits are placed with commercial banks and savings and loan agencies. A time deposit is a receipt for funds deposited in a financial institution for a specified period of time at a specified rate of interest. Generally, the time is 3 months to 5 years. Denominations can be any agreed upon amount and interest is normally calculated using actual number of days on a 360-day year and paid monthly. Deposits of $100,000 (commonly referred to as Jumbo C.D.'s) per institution are insured by the government and collateralized Certificates of Deposit can be supported by either 110% Government agency notes or 150% mortgages currently held by the bank or savings and loan. An institution must meet the following criteria to be considered by the City:

1. The institution must maintain a net worth to asset ratio of at least 3% and a positive earnings record;

2. The institution must be in compliance with the Financial Institution Reform Act (FIRREA) capital ratio requirements for risk-based, tangible, and core capital; and

3. The institution must make available a current FDIC call reports (banks) or FHLB report. A call report presents the financial condition of the institution to the agency with oversight responsibility of that institution.

Attachment A
4. **Negotiable Certificates of Deposit**

Negotiable Certificates of Deposit are a form of Certificate of Deposit which have been an important money market instrument since 1961 when commercial banks began issuing them and a secondary market developed to provide liquidity. Since these certificates of deposit can be traded in the secondary market, they are negotiable instruments, hence their name negotiable certificate of deposit. They are supported only by the strength of the institution from which they are purchased. This is a riskier investment that provides a higher yield than regular certificates of deposit. Some issues have quarterly floating rates which means they will more closely approximate the market in yield. Interest is paid semi-annually (quarterly on the floaters) computed on a 30/360 day basis. Maturities range from 3 months to 2 years. Negotiable Certificates of Deposit are generally issued in blocks of $1 million, $5 million, $10 million and so on.

The City will restrict its investments in Negotiable Certificates of Deposit to the 100 largest United States banks and 100 largest international banks according to asset size. The profitability of the financial institution as well as its financial stability are also taken into account prior to placing the investment. As a general rule, the City will not place more than 15% of its portfolio in Negotiable Certificates of Deposit with one institution or 20% of its portfolio with any one Commercial Bank or savings and loan association in any form of Certificate of Deposit.

5. **Bankers Acceptance Notes**

A banker's acceptance (B.A.) is a unique credit instrument used to finance both domestic and international transactions. As a money market instrument, it is an attractive short-term investment. When a bank "accepts" such a time draft, it becomes, in effect, a predated certified check payable to the bearer at some future, specified date. Little risk is involved because the commercial bank assumes primary liability once the draft is accepted. Banker's acceptances are frequently in odd amounts. Maturities normally range from 30 up to 180 days. Banker's acceptances are sold at a discount. This means, the face amount is received at maturity. The City will purchase B.A.'s only of the top 100 U.S. or Foreign Banks. The profitability of the financial institution as well as its financial stability are also taken into account prior to placing the investment.

6. **Commercial Paper**

Commercial paper is the trade name applied to unsecured promissory notes issued by finance and industrial companies to raise funds on a short term basis. Commercial paper can be purchased on an interest bearing or discount basis. Interest bearing instruments pay interest semi-annually. Discounted instruments pay interest at maturity. The City will invest in commercial paper only if the yields are attractive, and if the paper is rated A-1 by Moody's and by Standard & Poor's rating services. Maturities range from 30 to 180 days with interest computed on a 30/360 day basis.

Attachment A
7. **Medium Term Notes**

In recent years, this financing mechanism has grown, providing capital to the private sector, and diminishing the Negotiable Certificate of Deposit market. The trend towards medium term notes related to buyer and seller flexibility and convenience. The notes are issued on any given date and maturing on a negotiated date. They generally range from 2 to 5 years in maturity. This market provides an excellent alternative to Negotiable C.D.'s. The City will only purchase Medium Term Notes with ratings of A or better with maturities of 5 years or less. Their interest is calculated on a 30/360 day basis like Agency bonds. Interest is paid semi-annually.

8. **Local Agency Investment Fund demand deposit**

The Local Agency Investment Fund (LAIF) was established by the state to enable treasurers to place funds in a pool for investments. The LAIF has been particularly beneficial to those jurisdictions with small portfolios. Each agency is limited to an investment of $15.0 million. Porterville uses this fund for short-term liquidity, investment, and yield when rates are declining. Funds are available on demand. At present, two accounts have been opened; one for the City and one for Porterville Redevelopment Agency. Interest is paid quarterly.

9. **Central San Joaquin Valley Risk Management Authority (CSJVRMA) investment pool**

As a member city of the CSJVRMA, the City accepted the opportunity in July 2001 to participate in its sponsored investment pool. The pool is managed by Chandler Asset Management and invests in agency instruments such as Federal Home Loan Bank, treasuries and high-grade corporate stock. Funds are available on demand, with interest paid quarterly.

10. **County of Tulare investment pool**

Porterville participates in the County of Tulare’s investment pool that is managed by the County Treasurer, O. Gerald Fields. The County invests in the same type of State-approved instruments as does the City. Funds are available on demand, and interest is paid quarterly.
SUBJECT: QUARTERLY PORTFOLIO SUMMARY

SOURCE: Administrative Services - Finance Division

COMMENT: During the 1995 Legislative Session, the State adopted SB 564 and SB 866 which became effective January 1, 1996. These pieces of legislation set formal requirements for annual reaffirmation of the Investment Policy by Council, as well as for quarterly portfolio updates to Council. These quarterly updates are to be delivered no later than 30 days after the end of each quarter.

Items identified in the summary that are requirements under SB 564 and SB 866 include the fact that all current holdings are in compliance with the current Investment Policy and that all City cash needs will be met. The date of the next update has also been identified.

RECOMMENDATION: That City Council accept the quarterly Portfolio Summary in accordance with SB 564 and SB 866.

ATTACHMENTS: Quarterly Portfolio Summary

D.D. Appropriated/Funded C.M. Item No. 33
### CITY OF PORTERVILLE
### PORTFOLIO SUMMARY AS OF 03/31/2005

<table>
<thead>
<tr>
<th>INVESTMENT OR CUSIP NUMBER</th>
<th>INSTITUTION</th>
<th>PURCHASE PRICE</th>
<th>BLOOMBERG MARKET PRICE</th>
<th>COUPON INTEREST RATE</th>
<th>PURCHASE DATE</th>
<th>MATURITY DATE</th>
<th>DAYS TO MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1006</td>
<td>LOCAL AGENCY INVESTMENT FUND</td>
<td>$2,700,768</td>
<td>$2,700,768</td>
<td>2.380%</td>
<td>DAILY</td>
<td>DAILY</td>
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<tr>
<td>1006</td>
<td>LOCAL AGENCY INVESTMENT FUND</td>
<td>3,689,713</td>
<td>3,689,713</td>
<td>2.380%</td>
<td>DAILY</td>
<td>DAILY</td>
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<td>1007</td>
<td>CSJVRMA INVESTMENT FUND</td>
<td>6,058,345</td>
<td>5,836,402</td>
<td>2.680%</td>
<td>DAILY</td>
<td>DAILY</td>
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<tr>
<td>866</td>
<td>TULARE COUNTY INVESTMENT POOL</td>
<td>6,622,796</td>
<td>6,622,796</td>
<td>2.170%</td>
<td>DAILY</td>
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<td>1008</td>
<td>MONEY MARKET</td>
<td>59,053</td>
<td>59,053</td>
<td>1.640%</td>
<td>DAILY</td>
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<tr>
<th>FEDERAL NATIONAL MORTGAGE ASSN</th>
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| 500,000                       | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         |
| 200,000                       | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         |
| 100,000                       | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         |

| 1,000,000                     | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       |
| 400,000                       | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         |
| 200,000                       | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         |
| 100,000                       | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         |

| 500,000                       | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         | 500,000                         |
| 200,000                       | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         |
| 100,000                       | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         |

| 1,000,000                     | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       | 1,000,000                       |
| 400,000                       | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         | 400,000                         |
| 200,000                       | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         | 200,000                         |
| 100,000                       | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         | 100,000                         |

**TOTALS**

| $32,272,342                   | $31,869,808                     |

**WEIGHTED AVERAGE RATE OF EARNINGS**

<table>
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<tr>
<th>ONE YEAR HISTORY</th>
<th>CURRENT</th>
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<tbody>
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<td></td>
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<tr>
<td>Q1, 2004</td>
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<td>Q2, 2004</td>
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<td>Q3, 2004</td>
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<tr>
<td>Q4, 2004</td>
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<table>
<thead>
<tr>
<th>PORTFOLIO HOLDINGS</th>
<th>% OF LIQUID</th>
</tr>
</thead>
<tbody>
<tr>
<td>PORTFOLIO</td>
<td>59.279%</td>
</tr>
</tbody>
</table>

**WEIGHTED AVERAGE DAYS TO MATURITY**

|              | 504         |

**Comments:**

Portfolio holdings as of March 31, 2005, are in compliance with the current Investment Policy. With 59.279% of the portfolio being held in liquid instruments, the cash needs of the City will be met. As per SB 564 and SB 866, the next portfolio report will be calculated for the second calendar quarter ended June 30, 2005, and will be presented during the July 18, 2005 Council meeting.