Call to Order
Roll Call

Pledge of Allegiance Led by Council Member Ron Irish
Invocation

PROCLAMATION
“Childhood Cancer Awareness Month” - June, 2006
“Teresa Jackson Day” - June 30, 2006

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.

2. Claim - Kimberly Bradley
   Re: Considering rejection of a claim for damages to vehicle tire rim allegedly caused by a pothole on North Prospect Street, between Westfield Avenue and Pioneer Avenue.
3. Budget Adjustment for the 2005-2006 Fiscal Year
   Re: Authorizing budget adjustments to modify revenue and expenditure statements as described in the staff report.
4. Budget Adjustment for Golf Course Operations
   Re: Authorizing a budget increase for the golf course in the amount of $58,000 to cover costs associated with the transition of a new golf pro and unanticipated necessary repairs and maintenance.
5. Authorization to Reject Bid and Re-Advertise for Bids - Airport Improvement Project
   Re: Rejecting sole bid received and authorizing staff to re-advertise for the base project and add-alternates.
6. Award Contract - Long Bed Pickup Truck
   Re: Awarding contract for a new one-half ton long bed pickup truck to Three-Way Chevrolet of Bakerfield in the amount of $16,355.38.
7. Authorization to Negotiate a Contract - Consulting Services to Prepare CIEDB Water Loan Application
   Re: Authorizing the Mayor to execute a service agreement with Quad Knopf in an amount not to exceed $21,258 to prepare final application documents for a water loan with the California Infrastructure & Economic Development Bank.

8. Annual Adjustment of Fees by Application of the ENR Cost Index
   Re: Informational report on the annual adjustment of Park Impact Fees and Connection Fees by application of the ENR Cost Index.

9. Modifications to Residential Driveway Standards
   Re: Approving change to City Standard Plans C-6 and C-11 to reflect modifications to residential driveways and directing City Engineer to bring the revised residential driveway standard plans to the Council for approval at the earliest possible time.

10. Public Education Workshops - Curbside Recycling Program
    Re: Informational item on status of public workshops to be held at 3:00 p.m. and 5:30 p.m. on June 22, 2006 and June 29, 2006 at the City’s Corporation Yard at 555 N. Prospect Street.

11. Annual Engineer’s Report and Assessments for Landscape Maintenance Districts
    Re: Adopting resolution ordering the preparation of an Engineer’s Report for the Landscape and Lighting Maintenance Districts for FY 2006-2007; giving preliminary approval to said Engineer’s Report; declaring the intent to levy and collect assessments for FY 2006-2007; and setting public hearing to receive comments for July 18, 2006 at 7:00 p.m.

    Re: Approving civic event to be held at Murray Park Pavilion Nos. 4 and 5 on Saturday, July 8, 2006 from 12:00 p.m. to 7:00 p.m.

13. Resolution Authorizing Continued Investment of City Monies into the Local Agency Investment Fund (LAIF) and Designating Transaction Officers
    Re: Adopting resolution reaffirming the investment of the City’s monies in LAIF and designating transaction officers.

14. Civil Air Patrol - Sublease From PAPA
    Re: Approving the sublease of the storage area, at the same rate, to Sequoia Porterville Squadron 33 of the Civil Air Patrol for the remainder of the Porterville Area Pilots Association’s lease.

15. State Domestic Preparedness Grant
    Re: Authorizing staff to purchase equipment for emergency operations center utilizing Fire Department funds, to reimbursement with grant funds allocated to the City in the amount of $18,000.

16. Resolution of Support for Highway 65, Porterville to Bakersfield
    Re: Approval of a resolution expressing the Council’s continued support for the widening of State Route 65, and urging the State Legislature’s funding of the project.
17. Legal Services Agreement - City Attorney
Re: Approving Agreement between the City of Porterville and McCormick, Kabot, Jenner & Lew, and Julia M. Lew for legal services.

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

PUBLIC HEARINGS
18. Consideration of the Proposed 2006/07 FY City Budget
Re: Consideration of approving the Fiscal Year 2006/2007 Budget as presented, subject to the ratification of the newly seated Council at the July 5, 2006 City Council Meeting.

18a. Annual Review of the City of Porterville/Chamber of Commerce Agreement
Re: Accepting Activity Report and Financial Statements submitted by the Chamber and consideration of additional funding to support specific programs provided by the Chamber that support Council programs and/or policies.

18b. Transportation for Youth Program Participants
Re: Considering issues surrounding possible acquisition of a 15-passenger van to support youth program activities.

18c. An Overview of the Street Maintenance Program
Re: Informational item on the City’s street maintenance program, including budget, assessment of street conditions, comparison to City of Tulare’s street program; and information on purchasing and operation of a “Pothole Road Patching” truck.

18d. Consideration of Hiring a Full Time Grant Writer
Re: Consideration of hiring a professional grant writer to obtain various grants for the City of Porterville.

19. Ordinance to Regulate Construction, Operation and Maintenance of Wireless Communications Towers
Re: Considering approval of proposed ordinance regulating wireless communication towers.

20. Conditional Use Permit 3-2006 (Doug Ryan & David Maksoudian)
Re: Considering approval of a C.U.P.to allow for the development of ten two-story four plexes on a vacant 2.67 acre site on two parcels, generally located east of Highway 65, between Tomah Avenue and Olive Avenue.

21. Water Conservation Plan
Re: Approving move into Phase II of the City’s Water Conservation Plan on June 21, 2006; setting the public hearing for August 15, 2006 to consider a move into Phase III in August and September, if necessary.

SECOND READINGS
22. Ordinance 1698, Prohibiting Commercial Vehicles along Westwood Street
Re: Giving Second Reading to Ordinance No. 1698 which amends Municipal Code Section 17-11.18, Parking - Commercial Vehicles along Westwood Street.
23. Ordinance 1699, Amending Zoning Ordinance Section 236, Buildable Area
Re: Giving Second Reading to Ordinance No. 1699, which amends Municipal Code Appendix A, Section 236, pertaining to buildable area.

SCHEDULED MATTERS
24. Resolution of Intent to Disestablish the Business Improvement Area of the City of Porterville and Proposing to Dispose of Any Assets Acquired with the Revenues of Assessments Levied
Re: Considering disestablishment of the Business Improvement Area.

25. Authorization to Advertise for Bids - Retaining Wall at 945 East Morton avenue (LDS Church)
Re: Approving plans and specifications for a 32 foot high retaining wall and authorizing Public Works Director to advertise for bids.

26. Temporary Resolution Supporting Septic Tank Installation Within City Limits
Re: Considering adoption of resolution to allow the installation and repair of septic tanks within Annexation Areas 446, 455, 456, 458 and 459.

27. Notice of Sale of Surplus Property
Re: Report on sale of surplus property by Porterville Unified School District and its lack of suitability for parks and recreational purposes by the City.

28. Consideration of for Water Conservation Requirements for New Development
Re: Discussion item on possible water conservation measures.

29. Potential Ballot Measures
Re: Initiate discussion on potential ballot measures for the upcoming November 7, 2006 election.

Adjourn to a Meeting of the Porterville Redevelopment Agency

PORTERVILLE REDEVELOPMENT AGENCY AGENDA
June 20, 2006

Roll Call

WRITTEN COMMUNICATIONS

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

SCHEDULED MATTERS
PRA-1. Resolution Authorizing Continued Investment of City Monies into the Local Agency Investment Fund (LAIF) and Designating Transaction Officers
Re: Adopting a resolution reaffirming the investment of the City’s pooled monies in the Local Agency Investment Fund (LAIF) and designating transaction officers.

PRA-2. Redevelopment Agency 2006-2007 Budget
Re: Adopting the FY 2006/2007 Redevelopment Agency Budget; authorizing staff to begin negotiations with Tulare County for a 3-year extension of the loan agreement;
authorizing staff to postpone Parking District No. 3 until funding becomes available; and
authorizing staff to continue to develop guidelines for the administration of Business
Improvement Area fund by the Redevelopment Advisory Committee.

Adjourn the Redevelopment Agency Meeting to a meeting of the City Council.

**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 June 27, 2006

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 Chief Deputy City Clerk at (559) 782-7442. Notification 48
hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility
to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the
agenda packet.
Call to Order at 6:00 p.m.
Roll Call: Council Member Irish, Council Member West, Mayor Pro Tem Hamilton, Council Member Stadtherr, Mayor Martinez

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that no action had been taken.

Pledge of Allegiance Led by Mayor Pro Tem Cameron Hamilton
Invocation - one individual participated

PROCLAMATIONS
“Public Schools’ Month”
“Senior Citizen Day”

PRESENTATION
Employee of the Month - Maria Medina

ORAL COMMUNICATIONS
• Joe Reynoso, 27155 Highway 190, voiced opposition to a citation he received for honking his horn in support of the March 31st student demonstration, and spoke at length regarding liberty.
• Virgil Ebeling, 2300 West Morton Avenue, Space #1, spoke against the City’s recycling program.

At Council Member Stadtherr’s request, staff informed everyone of the $10,000 per day fine which would be imposed against the City if diversion rates were not increased.

CONSENT CALENDAR
Item Nos. 1 and 8 were removed for the Mayor’s abstention.

2. APPROVAL OF PAYMENT - TULARE COUNTY AUDITOR/CONTROLLER

Recommendation: That the City Council authorize the payment of the invoice in the amount of $17,733.61 to the Tulare County Registrar of Voters.
3. NEGOTIATED PURCHASE - CRISIS RESPONSE TELEPHONE

Recommendation: That the City Council authorize staff to begin negotiations with Rescue Phone, Inc. of Crofton, Maryland, for the purchase of a crisis response telephone and related equipment for the Police Department’s critical response team. Further, that the Council authorize payment upon satisfactory delivery of the item.

Documentation: M.O. 02-040406
Disposition: Approved.

4. AWARD CONTRACT FOR LEAD BASE PAINT SERVICES FOR HOUSING REHABILITATION LOAN PROGRAM

Recommendation: That the City Council:
1. Approve the award of contract for lead base paint services to LeMon Enterprises; and
2. Authorize the Mayor to sign the Service Agreement on behalf of the City.

Documentation: M.O. 03-040406
Disposition: Approved.

5. REVISED CONSOLIDATED WASTE MANAGEMENT AUTHORITY (CWMA) AGREEMENT

Recommendation: That the City Council authorize the Mayor to sign the Agreement with the Consolidated Waste Management Authority.

Documentation: M.O. 04-040406
Disposition: Approved.

6. REIMBURSEMENT FOR THE CONSTRUCTION OF MULTIPLE MASTER PLAN FACILITIES - ORCHARD RIDGE SUBDIVISION

Recommendation: That the City Council:
1. Approve the reimbursement to Centex Homes, Inc. per § 19A-11, § 19A-12, § 25-45.1, and § 25-32.3 of the City of Porterville Municipal Code;
2. Accept the Grant Deed for the Storm Drain Reservoir Property; and
3. Authorize the City Clerk to record the Grant Deed with the Tulare County Recorder.

Documentation: M.O. 05-040406; Resolution 48-2006
Disposition: Approved.
7. SET PUBLIC HEARING FOR REFUSE RATE INCREASE FOR CURBSIDE RECYCLABLES COLLECTION

Recommendation: That the City Council set a Public Hearing for June 6, 2006 to consider comments on the draft resolution setting new residential refuse service rates to include curbside recyclable collection at an additional $.90 per account.

Documentation: M.O. 06-040406
Disposition: Approved.

9. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE UNIFIED SCHOOL DISTRICT, PORTERVILLE CELEBRATES READING, APRIL 22, 2006

Recommendation: That the City Council:
1. Approve the Community Civic Event Application and Agreement from the Porterville Unified School District, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A, without closing Olive Avenue; and
2. 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.

Documentation: M.O. 07-040406
Disposition: Approved.

10. SETTING OF A PUBLIC HEARING FOR ESTABLISHING LIGHTING AND LANDSCAPE MAINTENANCE DISTRICTS AND TAX ASSESSMENTS FOR PARCELS WITHIN: SIERRA MEADOWS, PHASE ONE SUBDIVISION; WILLIAMS RANCH, PHASES TWO AND THREE SUBDIVISION; SUNRISE VILLA, PHASE ONE SUBDIVISION; NEW EXPRESSIONS, PHASE FOUR SUBDIVISION; MEADOW BREEZE, PHASE ONE SUBDIVISION; MEADOW BREEZE, PHASE TWO SUBDIVISION; AMALENE ESTATES SUBDIVISION; AND RIVERVIEW ESTATES, PHASE FOUR SUBDIVISION.

Recommendation: That the City Council adopt the Resolution Declaring Intent to Form Districts, Levy and Collect Assessments, and Setting a Public Hearing for April 18, 2006.

Documentation: Resolution 49-2006
Disposition: Approved.

11. FEDERAL AVIATION ADMINISTRATION M.O.A.

Recommendation: That the City Council authorize the Mayor to sign the Memorandum of Agreement No. DTFAWP-07-L-00025.

Documentation: M.O. 08-040406
Disposition: Approved.
COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve Item Nos. 2 through 7, and 9 through 11. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 28, 2006 AND MARCH 14, 2006

Recommendation: That the City Council approve the City Council Minutes of February 28, 2006 and March 14, 2006.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve the City Council Minutes of February 28, 2006. The motion carried unanimously.

M.O. 09-040406

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve the City Council Minutes of March 14, 2006.

M.O. 10-040406

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

Disposition: Approved.

8. APPROVAL FOR COMMUNITY CIVIC EVENT - COMISION HONORIFICA MEXICANA-AMERICANA, INC. CINCO DE MAYO FESTIVITIES MAY 5, 2006 TO MAY 7, 2006

Recommendation: That the City Council:

1. Approve 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; and

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.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., as recommended, and 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.

M.O. 11-040406

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

SCHEDULED MATTERS
12. VOTING DISPLAY PANEL

Recommendation: That the City Council direct staff to continue the review process and purchase the Fleetwood Response System, if in the opinion of staff, it will meet the Council’s needs.

City Manager John Longley presented the item, and Deputy City Manager Frank Guyton presented the staff report.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council direct staff to continue the review process and purchase the Fleetwood Response System, if in the opinion of staff, the system will meet the Council’s needs. The motion carried unanimously.

Mr. Longley indicated that the City would retain the older system until such time as staff was satisfied with the performance of the new system.

Disposition: Approved.

13. SELECTION AND APPOINTMENT OF CONSOLIDATED WASTE MANAGEMENT AUTHORITY ALTERNATE

Recommendation: That the City Council appoint a member of the City Council to serve as the City’s alternate representative to the Consolidated Waste Management Authority.

City Manager John Longley presented the item and the staff report.

Mayor Martinez commented that he was receptive to serving as the City’s alternate representative to the Authority.

Council Member Stadtherr confirmed that he would give Mayor Martinez ample notice of meetings that the Mayor would need to attend.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the Council appoint Mayor Martinez to serve as the City’s alternate representative to the Consolidated Waste Management Authority. The motion carried unanimously.

Disposition: Approved.

14. DISPOSITION OF COUNCIL MEETINGS OF JUNE 26 AND JULY 4, 2006

Recommendation: That the City Council set the date of the Council Reorganization Meeting for either June 27th or July 3rd, and set an alternative date for the July 4th Meeting.
City Manager John Longley presented the item and the staff report.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the Council set the date of the Council Reorganization Meeting for June 27, 2006, and set the alternative date for the July 4 regular meeting for July 5, 2006. The motion carried unanimously.

Disposition: Approved.

15. CONSIDERATION OF STATE LEGISLATIVE PROGRAMS FOR THE CITY OF PORTERVILLE

Recommendation: That the City Council approve the draft letter and direct the City Manager to transmit said letter to State Assemblyman Bill Maze and State Senator Roy Ashburn prior to Legislative Action Days.

City Manager John Longley presented the item and the staff report.

A discussion ensued as to whether priorities would be identified, during which Mr. Longley clarified that priorities would not be designated, however the importance of each item might be inferred by the particular placement in the letter.

Mayor Pro Tem Hamilton spoke in favor of each Council Member taking a few items for which to lobby for support while in Sacramento.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council approve the draft letter and direct the City Manager to transmit said letter to State Assemblyman Bill Maze and State Senator Roy Ashburn prior to Legislative Action Days. The motion carried unanimously.

Disposition: Approved.

ORAL COMMUNICATIONS
- Joe Reynoso, address on record, reiterated his concerns raised earlier in the evening.

OTHER MATTERS
- Council Member Irish noted:
  1) The recent accumulation of sea trains throughout Porterville and inquired as to the status of the ordinance regulating usage. Community Development Director Brad Dunlap indicated that work on the ordinance had stalled to due other priorities.
  2) The increased regular use of the WalMart parking lot along Prospect Street, north of Taco Bell, for sales activities. Mr. Dunlap indicated that staff would speak with the WalMart Manager, and City Manager John Longley indicated that code enforcement would be initiated.

- Mayor Pro Tem Hamilton welcomed John Lollis, the recently hired Administrative Services Manager. Mr. Lollis came forward and thanked the Council.
Mayor Martinez spoke of several issues:
1) He informed everyone of his recent attendance at the Mayors’ Conference in Los Angeles, spoke of meeting Attorney General Alberto Gonzales, and of new measures taken by cities to combat gangs. He proposed the City consider these measures, specifically a daytime curfew and truancy ordinance. He indicated that information would be forthcoming;
2) He noted the increasing number of recycling centers in parking lots and requested that standards be brought forth for Council consideration; and
3) Complimented the Police Department on the professionalism the officers exhibited during the student demonstration the previous week.

Council Member Stadtherr also voiced appreciation for the actions of the Police Officers, with the exception of issuing citations for horn honking during the demonstration. Council Member West also thanked the Police Officers for their professionalism.

ADJOURNMENT
The Council adjourned at 7:41 p.m. to the meeting of April 18, 2006

______________________________
Patrice Hildreth, Deputy City Clerk

ATTEST:

______________________________
Pedro R. Martinez, Mayor
CITY COUNCIL MINUTES
PORTERVILLE, CALIFORNIA
APRIL 18, 2006, 6:00 P.M.

Call to Order at 6:01 p.m.
Roll Call: Council Member Irish, Council Member West, Mayor Pro Tem Hamilton, Mayor Martinez
Absent: Council Member Stadtherr

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   1 - Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: John Duran v. City of Porterville.
   2 - Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.

City Attorney Julia Lew noted that Closed Session Item A-3 should read “Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation.”

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that no action had been taken.

Pledge of Allegiance Led by Council Member Ronald Irish
Invocation - a moment of silence was observed.

PROCLAMATION
“Iris Festival Day” - April 22, 2006
“Literacy Day” - April 27, 2006
“Arbor Day” - April 28, 2006
“Cinco de Mayo Week” - May 1-7, 2006

PRESENTATIONS
Outstanding Business Presentation – Jack Griggs
City Manager’s Featured Projects for April, 2006
• Golf Course Manager
• Core Area Project, Area 1 - Acceptance of Project
• Hiring of Administrative Services Manager
ORAL COMMUNICATIONS

- Greg Shelton, Parks & Leisure Services Commissioner, 888 N. Williford Drive, noted Mr. Gilwitz’s enthusiasm and efforts to date at the Golf Course. He then spoke on Item No. 8, voicing concern that his request to view Plans for the Rails to Trails Project had been denied. He requested that the Council direct the Parks & Leisure Services Director to make all relevant information available to the Commission.
- Harold Lansford, 231 South Williams Drive, spoke of aesthetic issues throughout Porterville, and voiced concern with a mobile home and structure erected on the hillside behind the Barn Theater.
- Brian Thoburn, a Tulare resident, came forward and introduced himself as the new Region Manager for Local Public Affairs for Southern California Edison and spoke of his interest in working with the City in his new role.
- Lois Innis, 1138 W. Glenn Court, voiced concern with the delay in the Skateboard Park Project. Ms. Innis was informed that bids had just been received and that a recommendation for award of contract would likely be on the next Council Agenda.
- Gilbert Rivas, an Exeter resident and property owner at Highway 65 and Westfield Avenue, a recently annexed property, spoke of the financial burden he would suffer if required to hook-up to the City’s sewer system, and requested relief from the Council.
- Dick Eckhoff, 118 North Main Street, Downtown Porterville Association, spoke in favor of Item 8, then voiced disappointment with the Council’s recent action to redirect funds from improving the parking lot at Hockett Street and Mill Avenue to other projects.

CONSENT CALENDAR

Items 3, 4, 5 and 7 were removed for further discussion.

1. CITY COUNCIL MINUTES OF MARCH 7, 2006

Recommendation: That the City Council approve the City Council Minutes of March 7, 2006.

Documentation: M.O. 01-041806
Disposition: Approved.

2. BUDGET ADJUSTMENTS FOR THE 2005-06 FISCAL YEAR

Recommendation: That the City Council approve the draft budget adjustment and authorize staff to modify revenue and expenditure estimates as described on the schedule provided in the staff report.

Documentation: M.O. 02-041806
Disposition: Approved.

6. APPROVAL OF ON-CALL ENVIRONMENTAL SERVICES AGREEMENT CONTRACT

Recommendation: That the City Council:

1. Authorize the Mayor to sign the service agreement with Quad Knopf; and
2. Authorize staff to negotiate a service agreement with URS, second ranked consultant should the need arise.

Documentation: M.O. 03-041806
Disposition: Approved.

8. ACCEPTANCE OF LONGS DRUG STORE RECIPROCAL USE AGREEMENT AND LANDSCAPE MAINTENANCE AGREEMENT

Recommendation: That the City Council:
1. Accept the Reciprocal Use Agreement for Shared Parking and Landscape Maintenance Agreement; and
2. Authorize the City Clerk to record these documents with the Tulare County Recorder.

Documentation: M.O. 04-041806
Disposition: Approved.

9. REVISION OF TRAFFIC RESOLUTION NO. 10-2001

Recommendation: That the City Council approve the proposed amendments to Traffic Resolution No. 10-2001.

Documentation: Resolution No. 50-2006
Disposition: Approved.

10. PROPOSED REDUCTION IN CDBG FUNDING ALLOCATION

Recommendation: That the City Council adopt the draft resolution requesting Congress to provide Fiscal Year 2007 funding level of no less than $4.35 billion in formula funding and designate April 17-22 as "Community Development Block Grant Week" in Porterville.

Documentation: Resolution No. 51-2006
Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT - ROLLIN' RELICS CAR CLUB - ROLLIN' RELICS CAR SHOW - MAY 6, 2006

Recommendation: That the City Council approve the 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.

Documentation: M.O. 05-041806
Disposition: Approved.
12. ASSISTANCE TO FIREFIGHTERS GRANT

Recommendation: That the City Council:
1. Authorize staff to submit the application for funding to F.E.M.A.;
2. Authorize staff to accept the grant, if awarded;
3. Authorize the Mayor to sign for the acceptance of the grant; and
4. Authorize the disbursement of funds from the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund No. EL-2997” for the 10% match.

Documentation: M.O. 06-041806
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council approve Item Nos. 1, 2, 6, and 8 through 12.

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

3. AUTHORIZATION TO ADVERTISE FOR BIDS - AIRPORT IMPROVEMENT PROJECT

Recommendation: That the City Council approve the Plans and Project Manual, and authorize staff to advertise for bids.

In response to questions posed by Mayor Pro Tem Hamilton, Deputy City Manager Frank Guyton clarified that the proposed work did not involve reinforcing the runway so as to allow heavier aircraft to land.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council approve the Plans and Project Manual, and authorize staff to advertise for bids.

M.O. 07-041806

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

Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS - RAILS TO TRAILS PROJECT

Recommendation: That the City Council:
1. Accept the probable estimate of cost; and
2. Authorize staff to advertise for bids on the project.
Mayor Pro Tem Hamilton commented on the recent telephone call he had received from Mr. Tom McCright of First Missionary Baptist Church regarding their inability to proceed with construction of their parking lot due to the project. He noted there was a solution and he would like to work towards that solution.

Mayor Pro Tem Hamilton moved for approval of the item, and Council Member Irish seconded the motion.

Council Member West requested discussion prior to the vote. He voiced concern with the Parks & Leisure Services Commission not receiving access to necessary information.

The Parks & Leisure Services Director indicated that the Commissioners had been kept apprised of relevant information, however had not been given access to those Closed Session items which were in his belief to be of a confidential nature pursuant to the provisions of State Law.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the City Council accept the probable estimate of cost, and authorize staff to advertise for bids on the project.

M.O. 08-041806

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

Council Member Irish commented that the Commission had been established so as to provide assistance to the Council. He requested that Mr. Longley look into the matter to see how the Commission might be better advised in order to better assist the Council. He voiced concern with limiting the ability of any Commission to perform its job.

Mayor Pro Tem Hamilton suggested that the Commission come before the Council to discuss which procedures were effective and which were not.

Mayor Martinez agreed with Mayor Pro Tem Hamilton’s suggestion, and requested a bi-annual report from the Commission.

Disposition: Approved.

5. AWARD CONTRACT - ONE TON CAB AND CHASSIS TRUCK

Recommendation: That the City Council award the contract for one (1) new one-ton cab and chassis truck to Downtown Ford of Sacramento, CA, in the amount of $20,276.38. Further, that the Council authorize payment upon satisfactory delivery of the equipment.
In response to Council Member Irish’s question, a discussion ensued as to delivery fees. Deputy City Manager Frank Guyton indicated that a memorandum on how the delivery fee had been calculated for the subject vehicle would be provided to the Council.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the City Council award the contract for one (1) new one-ton cab and chassis truck to Downtown Ford of Sacramento, CA, in the amount of $20,276.38; and authorize payment upon satisfactory delivery of the equipment.

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

Disposition: Approved.

7. **ACCEPTANCE OF THE CENTRAL CORE IMPROVEMENT PROJECT AREAS 1 AND 3**

Recommendation: That the City Council:
1. Accept the project as complete; and
2. Authorize the filing of the Notice of Completion.

Mayor Pro Tem Hamilton spoke of the many telephone calls he had received from upset constituents regarding the contractor on the subject project. He stated that the would like to see that particular contractor taken off the City’s bid list.

City Attorney Julia Lew indicated that she would look into the matter, noting the difficulty in disqualifying a particular bidder.

Mayor Martinez noted that plenty of charges and reasons existed for the banishment of the company.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council accept the project as complete, and authorize the filing of the Notice of Completion.

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

Mr. Longley confirmed that the City Attorney would provide a memo to the Council on the process.
Mayor Pro Tem Hamilton commented that a memo on the process was not necessary, but rather he would like to be kept updated on the progress.

Disposition: Approved.

The Council recessed for ten minutes.

PUBLIC HEARINGS

13. FORMATION OF LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS NOS. 30 THROUGH 37, AND ESTABLISHING ASSESSMENTS

Recommendation: That the City Council adopt the draft resolution ordering the formation of Landscape and Lighting Maintenance Districts Numbers 30, 31, 32, 33, 34, 35, 36, and 37, approving Engineer’s Reports, and the method and levy of assessments.

City Manager John Longley presented the item, and Parks and Leisure Services Director Jim Perrine presented the staff report.

The public hearing opened at 8:00 p.m. and closed at 8:01 p.m. when nobody came forward.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the Council adopt the draft resolution ordering the formation of Landscape and Lighting Maintenance Districts Numbers 30, 31, 32, 33, 34, 35, 36, and 37, approving Engineer’s Reports, and the method and levy of assessments.

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

Disposition: Approved.

14. CONDITIONAL USE PERMIT 2-2006 (WEST STAR CONSTRUCTION)

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit 2-2006.

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

The public hearing opened at 8:05 p.m.

- Lee Gifford, 525 N. Murry St., came forward as a representative of Homeowners’ Association Western Hills No. 6, and spoke against the proposed Conditional Use Permit. He suggested the area had been designated as a “condominium area,” and voiced
concern with the density of the proposed project. He requested the applicant consider converting the units from apartments into condos and spoke in favor of the City having an independent Planning Commission.

- Terri Rain, came forward as president of Family Housing for Education, and spoke against the proposed project, voicing concern with over-crowding, and suggesting that studies show a link between over-crowded housing and violence.
- Joan Gibbon, 522 N. Murry St., voiced concern with having not received notice of the proposed development, and spoke against the C.U.P.
- Jim Barnhart, 514 N. Murry St., came forward and spoke against the proposed project.
- Sandra Bishop, 506 N. Murry St., commented that she had not received notice of the proposed development, and spoke against the project, voicing concern with the safety of children and of parking difficulties if the project was allowed to proceed.

The public hearing closed at 8:17 p.m.

Council Member Irish voiced concern with the proposed parking and commented that he did not believe the project would improve the neighborhood. He stated that the project did not conform to the rest of the adjacent properties.

Mayor Pro Tem Hamilton voiced concern with the lack of garages in the plan, and suggested that the item be sent back to staff and the developer for changes.

Council West agreed with the concerns raised by the other Council members.

The applicant requested an opportunity to address some of the concerns voiced during the public hearing, which the Mayor granted.

- Gary Guillet, West Star Construction of Bakersfield and Kingsburg, came forward and spoke in favor of the project and approval of the C.U.P. He indicated that modifications could be made if necessary. He then informed the Council that the same scheme of building structure had been planned for the remaining two lots.

Mayor Pro Tem Hamilton clarified that it was not his intent to kill the project, but rather to direct staff to go back and work with the developer to address some of the concerns.

Council Member Irish restated his three concerns with the project as: 1) the lack of a garage in the plan; 2) lack of an open area; and 3) non-conformance with the adjacent properties. Landscaped areas of the existing condominiums were suggested as an example.

At the Mayor’s request, staff explained that some residents might not have received the notice, but that the City had checks and balances in their notification system, but that sometimes glitches occurred in the mailing service.

City Attorney Julia Lew clarified that if the public hearing was not continued, notices would need to be re-sent for the next public hearing.
At staff’s request, the Mayor requested those citizens present who had not received notice of the public hearing to provide their addresses to staff so that they could be added to the list.

Mayor Pro Tem Hamilton suggested that the concerned residents nominate a spokesperson or spokespeople to meet with staff.

Disposition: Continued, with direction given to staff.

SECOND READING
15. ORDINANCE 1693, AMENDING PERS CONTRACT

Recommendation: That the City Council give Second Reading to Ordinance No. 1693, waive further reading, and adopt said Ordinance.

City Manager John Longley presented the staff report and the item.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council give Second Reading to Ordinance No. 1693, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF PORTERVILLE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM.

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

Mr. Longley read the Ordinance by title only.

Disposition: Approved.

SCHEDULED MATTERS
16. AIRPORT LAYOUT PLAN

Recommendation: That the City Council:
1. Accept the Airport Layout Plan Narrative Report; and
2. Direct staff to meet with the FAA and request funding.

City Manager John Longley presented the item, and Deputy City Manager/Airport Manager Frank Guyton presented the staff report.

A discussion ensued as to how existing and future developments would be affected by the Airport Layout Plan.
In response to Mayor Pro Tem Hamilton, Mr. Longley indicated that he and Mr. Guyton had planned to attend the meeting with the FAA in Burlingame.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council accept the Airport Layout Plan Narrative Report; and direct staff to meet with the FAA and request funding.

M.O. 11-041806

**AYES:** Irish, West, Hamilton, Martinez

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Stadtherr

Disposition: Approved.

17. **CRITERIA FOR CONNECTING TO CITY SEWER**

Recommendation: That the City Council provide direction on the proper course relative to the installation of septic tanks versus connecting to City sewer.

City Manager John Longley presented the item, and Public Works Director Baldo Rodriguez presented the staff report.

In response to a question posed by Mayor Pro Tem Hamilton, it was suggested that a septic system would cost approximately $3,000 to $5,000 to install depending on the soil.

Council Member Irish requested that the item be continued to the next meeting so as to allow additional time to research the matter.

Council Member West voiced concern with maintaining fairness.

Mayor Martinez voiced agreement with needing more time to research the issue.

Disposition: Continued to May 2, 2006.

18. **REPORT ON STATUS OF CABLE FRANCHISE AGREEMENT, CONSIDERATION OF RETENTION OF FRANCHISE COMPLIANCE/RENEWAL CONSULTANT, CONSIDERATION OF LETTER ADDRESSING AB 2987 (LEGISLATION RELATING TO CABLE AND VIDEO SERVICE)**

Recommendation: That the City Council:

1. Authorize the City to retain Communications Support Group, Inc., pursuant to the proposal received (cost not to exceed $17,500 - $19,000); and
2. Consider submitting the draft letter to its state and federal representatives.
Council Member Irish noted a potential conflict of interest, recused himself from the discussion, and left the Council Chambers.

City Manager John Longley presented the item, and City Attorney Julia Lew presented the staff report.

Council Member West noted many citizens’ displeasure with Charter Communications.

Mayor Pro Tem Hamilton moved that the Council authorize the City to retain Communication Support Group, Inc. pursuant to the proposal. He then suggested that the letter for the legislators should be stronger. It was stated that the Consultant could draft a more assertive version, to which the Council agreed.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council authorize the City to retain Communications Support Group, Inc., pursuant to the proposal received (cost not to exceed $17,500 - $19,000); and directing the Consultant to draft a more assertive letter to the City’s state and federal representatives.

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

Mr. Longley clarified that the draft letter would be circulated to the Council in their mailboxes rather than on an Agenda.

Disposition: Approved.

19. **COMPLIANCE PROCEDURES FOR SB 564 AND SB 866 AND RESOLUTION OF AFFIRMATION OF INVESTMENT POLICY**

Recommendation: That the City Council adopt a resolution accepting the Statement of Investment Policy in accordance with SB 564 and SB 866.

City Manager John Longley presented the item and Deputy City Manager Frank Guyton presented the staff report.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council adopt a resolution accepting the Statement of Investment Policy in accordance with SB 564 and SB 866.

Resolution 53-2006

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

Disposition: Approved.
20. QUARTERLY FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the Portfolio Summary and Interim Financial Status Reports for the quarter ended March 31, 2006.

City Manager John Longley presented the item, and Deputy City Manager Frank Guyton presented the staff report.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council accept the Portfolio Summary and Interim Financial Status Reports for the quarter ended March 31, 2006.

M.O. 13-041806

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

Mr. Longley informed the Council that the reports would be posted pursuant to the Charter.

Disposition: Approved.

21. A CITY COUNCIL APPEAL OF A CITY MANAGER’S ACTION TO APPROVE FOR THURSDAY AND FRIDAY ONLY A BINGO PERMIT FOR THE KINGS/TULARE COUNTY AREA AGENCY ON AGING AT 280 NORTH F STREET

Recommendation: That the City Council determine whether the decision of the City Manager in the matter should be sustained, overturned, or modified. The start time, per City Code, should be set at 10:00 a.m.

City Manager John Longley presented the item and the staff report.

A discussion ensued as to the days sought by and granted to the Senior Council and to the Kings/Tulare County Area Agency on Aging (“AAA”) for their bingo games.

Mayor Pro Tem Hamilton voiced concern with what he perceived was a lack of consistency. He noted that the Senior Council’s requested days had been approved as submitted, while the AAA’s had not.

Council Member Irish commented on his desire to be fair and consistent, and stated that the decision to not allow AAA to play on the days as requested was not fair and consistent.

Council Member West opined that fairness was that the Senior Council had operated its bingo game at that location for many years. He stated that during negotiations between the Senior Council and AAA, bingo had never been mentioned. Council Member West then stated that the Senior Council approved allowing AAA to play bingo on Thursdays and Fridays, and suggested that parking might be an issue. He then asserted that the issue was of a political nature. A discussion ensued as to the
provisions of the Licensing Agreement with regard to AAA’s use of the lower level of the Santa Fe Depot facility.

City Attorney Julia Lew clarified that the appeal was being heard pursuant to Municipal Code § 15-13 which authorized the Council to determine all questions raised, but that no such determination should conflict with any substantive provision of the law. She recommended that the Council allow AAA to hold bingo only on those days for which AAA had use of the building, regardless of what days had been requested. She then recommended adhering to the time frames set forth in the local regulations. Ms. Lew then indicated that she did not believe the License Agreement precluded bingo games as an activity.

Mayor Pro Tem Hamilton commented that he recommended cooperation between the two groups with regard to scheduling the games, adding however, that he did not believe it was appropriate to restrict one and not the other. He spoke in favor of being fair.

Council Member West indicated that AAA representatives had visited to the Santa Fe Depot facility to specifically tell the individuals that they could not play bingo there. He stated that representatives of AAA then came to the Senior Council and asked if the Council would allow the seniors to play bingo on Thursdays and Friday, to which the Senior Council agreed.

Mayor Martinez commented that determining whether a decision previously made by the City Manager warranted the consideration of a full Council. He recommended continuing the item until the next meeting when all Council Member were present, to which the Council concurred.

Noting Council Member West’s membership on the Senior Council, Mayor Pro Tem Hamilton questioned whether he should recuse himself from the discussion and decision on the matter. Council Member West deferred the question to City Attorney Julia Lew.

Ms. Lew indicated that while she could not advise individuals on individual liability, hypothetically, in such a circumstance, she would recommended not participating. She then noted, that the subject conflict was not a financial conflict of interest, but rather dealt with common law bias issues, either real or perceived. Ms. Lew then recommended that when the matter was brought back, the appellant should be afforded the opportunity to speak.

Council Member West disagreed with Ms. Lew’s comments with regard to recusing himself.

City Manager John Longley clarified that no appeal existed, and that the matter was technically a protest. A discussion ensued as to the events leading up to the item, during which Ms. Lew indicated that she had interpreted the March letter as being an appeal of the decision. Mr. Longley reiterated that the matter was a protest and questioned whether the party had standing to appeal, since the party was not a representative of AAA. He indicated that this would be verified prior to the item returning to the Council.

Council Member West questioned the necessity of Council involvement and use of staff time in the matter. He suggested the matter should be strictly between the Senior Council and AAA. It was stated that the City was involved because the appeal or protest was to the bingo permit issued by the
City. A lengthy discussion next ensued as to the individuals who had applied for the permit and whether they were seniors connected to AAA.

The Mayor closed the discussion until the next meeting.

Disposition: Continued.

The Council adjourned to a Joint Meeting of the Porterville City Council and the Porterville Redevelopment Agency.

PORTERVILLE REDEVELOPMENT AGENCY/
CITY COUNCIL JOINT AGENDA
April 18, 2006

Roll Call: Agency Member Irish, Agency Member West, Vice-Chairman Hamilton, Chairman Martinez
Absent: Agency Member Stadtherr

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS
None

SCHEDULED MATTERS
PRA-1. REPAYMENT OF REDEVELOPMENT LOW AND MODERATE INCOME HOUSING FUNDS TO HOME PROGRAM INCOME ACCOUNT

Recommendation: That the Redevelopment Agency accept the action as required by HCD to reallocate $139,575 in Redevelopment Low and Moderate Income Housing Funds from the Casas Buena Vista Project back to the St. James Place Project; and That the City Council accept the action as required by HCD to have $139,575 in HOME Program Income that was allocated to the St. James Project reimbursed to the City’s HOME Program Income account.

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

AGENCY ACTION: MOVED by Vice Chairman Hamilton, SECONDED by Agency Member West that the Redevelopment Agency accept the action as required by HCD to reallocate $139,575 in Redevelopment Low and Moderate Income Housing Funds from the Casas Buena Vista Project back to the St. James Place Project.

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council accept the action as required by HCD to have $139,575 in HOME Program Income that was allocated to the St. James Project reimbursed to the City’s HOME Program Income account.

M.O. 14-041806
AYES: Irish, West, Hamilton, Martinez
NOES: None
ABSTAIN: None
ABSENT: Stadtherr

Disposition: Approved.

PRA-2. AUTHORIZING THE ACCEPTANCE OF PROPERTY FROM THE CITY OF PORTERVILLE

Recommendation: That the Porterville Redevelopment Agency approve the resolution to accept the property from the City of Porterville and authorize the Chairman to sign all necessary documents to complete the transaction.

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

AGENCY ACTION: MOVED by Agency Member West, SECONDED by Vice Chairman Hamilton that the Porterville Redevelopment Agency approve the resolution to accept the property from the City of Porterville and authorize the Chairman to sign all necessary documents to complete the transaction.

PRA Reso. 2006-02
AYES: Irish, West, Hamilton, Martinez
NOES: None
ABSTAIN: None
ABSENT: Stadtherr

Disposition: Approved.

The Joint City Council Meeting/Redevelopment Agency Meeting adjourned to a meeting of the City Council.

ORAL COMMUNICATIONS
- Dick Eckhoff, address on record, requested clarification as to Item PRA-02 which had not been included in the Agenda provided to the Downtown Porterville Association. It was stated that the Agenda for the Redevelopment Agency had been amended to add the item and was re-noticed on Friday, April 21, 2007.
OTHER MATTERS

- Council Member Irish requested that in the future Mr. Roy Rockholt, President of the Senior Council, be present for those issues pertaining to the Senior Council.
- Council Member West noted the amount of staff time being spent on issues that he suggested were of a political nature.
- Mayor Martinez confirmed that a representative from the Council, Mayor Pro Tem Hamilton, would be attending the Joint Committee Meeting with PUSD.

ADJOURNMENT

The Council adjourned at 9:25 p.m. to the meeting of May 2, 2006.

__________________________
Patrice Hildreth, Deputy City Clerk

ATTEST:

__________________________
Pedro R. Martinez, Mayor
Call to Order at 6:00 p.m.  
Roll Call: Council Member Irish, Council Member West, Mayor Pro Tem Hamilton, Council Member Stadtherr, Mayor Martinez

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: City of Porterville v. County of Tulare
   2- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: One Case.

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported that the Council approved Item A-3:

A-3. SALE OF CITY OWNED PROPERTY (DATE & “A” STREET) TO PERRIS 40 CORPORATION AND APPROVAL OF DISPOSITION AND DEVELOPMENT AGREEMENT

Recommendation: That the City Council:

1. Adopt the draft resolution consenting to the approval of a Disposition and Development Agreement by and between the City of Porterville and Perris 40 Corporation.
2. Authorize the Mayor to execute the Disposition and Development Agreement on behalf of the City.

Documentation: 54-2006
Disposition: Approved.

Pledge of Allegiance Led by Council Member Kelly West
Invocation - one individual participated.
PRESENTATIONS

• Employee of the Month - Richard Higginbotham
• Recognition of Don Callison for service on the Redevelopment Advisory Committee
• Recognition of Gilbert Ynigues for service on the Redevelopment Advisory Committee

ORAL COMMUNICATIONS

• Juanita Baldo, 273 W. Gibbons, came forward to find out why they couldn’t play bingo for the seniors on the days they would like too, Monday and Friday, by whose authority certain days and times were crossed out on the permit, and why. She also asked why they had to use round tables.
• Bob Reed, 1343 W. Morton, Space 144, Mission Bell Mobile Home Park, came forward and stated that they were a group of 15-20 seniors and all they wanted was what was fair.
• A. J. Viler, 419 El Granito #9, came forward regarding Item 15.
• Gilbert Rivas, 607 North Orange Avenne, Exeter CA 93221, came forward and spoke regarding Item 13.
• Pastor Peter Schlambier, 1591 N. Salisbury, came forward to speak regarding the fireworks lottery and the problem with the fireworks vendors failing to respond in a timely fashion. He stated that they would cause a group to lose their chance to participate in the lottery, but it didn’t matter to them because they would just deal with the next group. Mr. Schlambier stated that perhaps something could be done by next year so that some accountability was put into the process.
• Dick Eckhoff, 197 N. Main Street, spoke regarding Items 13 and 15. Mr. Eckhoff also spoke on potholes created by trucks, and the need to fix the parking lot on Mill Avenue.
• Donnette Silva-Carter, representing the Chamber of Commerce, stated that she would like to address Item 17 later in the meeting. She also thanked the Council for their support of the Iris Festival.
• Mayor Martinez asked the City Manager to notify them when there were potholes that big so they could get them fixed. He also asked him to address the questions raised on the bingo question during Item 11.
• Mayor Martinez spoke regarding the demonstration rally held Monday.

CONSENT CALENDAR

1. CITY COUNCIL MINUTES OF MARCH 21, 2006 AND MARCH 28, 2006

Recommendation: That the City Council approve the City Council Minutes of February 21, 2006.

Documentation: M.O. 01-050206
Disposition: Approved.

2. AUTHORIZATION TO REJECT THE BID AND RE-ADVERTISE MORTON AVENUE CHIP SEAL PROJECT

Recommendation: That the City Council:
1. Reject the sole bid for the Morton Avenue Chip Seal Project; and
2. Authorize staff to re-advertise for bids when another agency or other agencies in Porterville’s proximity bid a project utilizing a hot applied rubberized asphalt binder material.

Documentation: M.O. 02-050206  
Disposition: Approved.

3. AWARD OF CONTRACT - TINY TOT PLAYGROUND

RECOMMENDATION: That City Council:
1. Award the Tiny Tot Playground Project to Sierra Range Construction in the amount of $65,751.55;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs.

Documentation: M.O. 03-050206  
Disposition: Approved.

4. AWARD OF CONTRACT - SKATEPARK PROJECT

Recommendation: That the City Council:
1. Award the Skate park Project to California Landscape in the amount of $386,352; and
2. Authorize progress payments up to 90% of the amount; and
3. Authorize the re-allocation of $11,575 of Workforce Housing Incentive funds from the Murry Park Project;
4. Authorize the allocation of $10,000 of park maintenance carry-over as a part of a 5% contingency to cover unforeseen construction costs.

Documentation: M.O. 04-050206  
Disposition: Approved.

5. APPROVAL FOR COMMUNITY CIVIC EVENT ANNUAL PORTERVILLE FAIR - MAY 17 - 21, 2006

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 the Applications, 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 17 - 21, 2006.
6. STATUS REPORT ON MEASURE “H” AND ANNEXATION HIRING

Recommendation: None, informational item only

Disposition: Report accepted.

7. RESOLUTION TO ENDORSE AND IMPLEMENT CHARACTER COUNTS! PROGRAM FOR CITY OF PORTERVILLE

Recommendation: That the City Council approve the resolution as presented.

Documentation: Resolution 55-2006

Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Pro Tem Hamilton that the City Council approve Items 1 through 7. The motion carried unanimously.

PUBLIC HEARINGS

8. ADOPTION OF THE 2006-2007 ACTION PLAN FOR INVESTMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT

Recommendation: That the City Council:
1. Conduct a public hearing to solicit comments on the 2006/2007 Action Plan;
2. Adopt the 2006/2007 Action Plan resolution of approval; and
3. Authorize the City Manager to execute all necessary documents.

City Manager John Longley presented the item, and Denise Marchant, Development Associate, presented the staff report.

Mayor Martinez opened the public hearing at 7:35 p.m. and closed the hearing at 7:36 p.m. when no one came forward.

Mayor Pro Tem Hamilton question what would be finished in the Murry Park Improvements this fiscal year, and Mr. Perrine stated that the water slide was being designed and would be completed this calendar year.

Mayor Pro Tem Hamilton stated that this was the third year there was no funding for the homeless, and he asked if it could be looked at next year. Community Development Director Brad Dunlap explained the funding restrictions, and Mayor Pro Tem Hamilton stated that, if funds go back up, he would like to look at funding for homeless issues.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council adopt the 2006/2007 Action Plan resolution of
Resolution 56-2006 approval, and authorize the City Manager to execute all necessary documents. The motion carried unanimously.

Disposition: Approved.

9. ISLAND ANNEXATION ROUND II – AN ANNEXATION PROGRAM CONSISTING OF NINETEEN ISLAND ANNEXATIONS AND ONE STANDARD ANNEXATION

Recommendation: That the City Council:
1. Adopt the draft resolution approving the Negative Declaration for Zone Changes 14-2005, 15-2005, 16-2005, 17-2005, 18-2005 and 19-2005 and Annexations 465, 466, 467, 468, 469, and 470; and
2. Adopt the draft resolution authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 469 and 470; and
3. Approve the draft ordinance approving Zone Changes 18-2005 and 19-2005, waive further reading and order the ordinances to print.

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

Mayor Martinez opened the public hearing at 7:49 p.m. and closed the hearing at 7:50 p.m. when no one came forward to speak.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the City Council adopt the draft resolution approving the Negative Declaration for Zone Changes 14-2005, 15-2005, 16-2005, 17-2005, 18-2005 and 19-2005 and Annexations 465, 466, 467, 468, 469, and 470; adopt the draft resolutions authorizing initiation of preliminary proceedings and filing of the necessary applications with LAFCO for Annexations 469 and 470; and, give First Reading to Ordinance No. 1697, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 18-2005 (PRE-ZONING) THREE UNINCORPORATED ISLANDS CONSISTING OF 133.3 ± ACRES AND APPROXIMATELY 35 PARCELS LOCATED SOUTH OF MULBERRY AVENUE AND EAST OF PLANO STREET; and give First Reading to Ordinance No. 1697, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 19-2005 (PRE-ZONING) CONSISTING OF ONE UNINCORPORATED AREA CONSISTING OF 110″ ACRES AND APPROXIMATELY NINE (9) PARCELS GENERALLY LOCATED SOUTH OF MULBERRY AVENUE AND EAST AND WEST OF LEGGETT STREET. The motion carried unanimously.
Mr. Longley read the Ordinances by title only.

Disposition: Approved.

The Council took a recess from 7:52 p.m. to 8:03 p.m.

**SCHEDULED MATTERS**

10. **APPEAL OF ZONING ADMINISTRATOR DECISION REGARDING LOT COVERAGE FOR THE CLAREMONT TERRACE SUBDIVISION**

Recommendation: That the City Council direct staff to initiate amendment of the zoning ordinance increasing the minimum lot size to 45%.

City Manager John Longley presented the item, and Community Development Director Brad Dunlap presented the staff report. Mr. Dunlap presented the three options noted in the report—1) Deny the appellant’s request to approve an administrative adjustment for lot coverage, or; 2) Evaluate the impacts of approving the suggested code amendment, returning a report to Council, or; 3) Complete the code amendment as requested by the appellant. He then added Option 4) Reverse the decision of the Zoning Administrator and approve up to 45% lot coverage as requested by this applicant, and direct staff to prepare a code amendment to modifying maximum lot coverage.

Council Member West stated that they could maintain the setbacks as required but allow increased lot coverage. He stated that it would allow for larger houses on the larger lots.

Mr. Dunlap stated that it was one approach. He stated that the City of Visalia has two practices. One is for standard subdivisions where there isn’t maximum coverage—it’s the setback provision. The other was when they had a subdivision with varying lot widths, they actually have a maximum percentage coverage, ranging from 40% to 43%. Mr. Dunlap stated that if it was Council’s desire, they could look at different options to achieve the best benefits. He stated that what was best for them was to go back and do hypotheticals and different scenarios. He stated that when they just dealt with one method, it didn’t deal with multiple stories.

Council Member West stated that it seemed best to go with setbacks, so everyone had to have the same setback, regardless of the lot size. He stated that Option 4 sounded the best to him.

Council Member Irish stated that he didn’t feel they should start changing the City Code project by project. He stated that the Code should be changed and the City standard set for the entire City.

Mayor Pro Tem Hamilton stated that this ordinance could be approved and then amendments done if necessary. He questioned Brad why he felt as Zoning Administrator that he couldn’t approve this matter.

Mr. Dunlap stated that these were standard lots with no special or unique features, so if he approved it in that situation, he would not have grounds to deny it in another situation, and he has had numerous requests from other developers.
The Council discussed the various practices, and Mr. Dunlap stated that he would like to look at the different scenarios to make sure that any provision they proposed would be best.

Council Member Stadtherr brought up the subject of runoff and the effect of increasing the building size, and Mr. Dunlap stated that there were no residential standards now on concrete coverage on lots.

Mayor Pro Tem Hamilton made a motion that Council approve the project brought before them as far as PCH, and that they standardize the ordinance based on setbacks.

Mr. Dunlap clarified that the Council wanted to allow this development to go forward with up to 45% coverage, and are directing staff to amend the Code using setback standards.

Council Member Stadtherr stated he was not comfortable with changing the rule book and making exceptions to the rules. He stated that he didn’t want to do this on a case by case basis.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council approve the project brought before them as far as PCH, and that they standardize the ordinance based on setbacks.

M.O. 06-050206

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<td>NOES:</td>
<td>Irish, Stadtherr, Martinez</td>
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Council Member Stadtherr made a motion to adjust the Code, Option 3.

Mr. Dunlap stated there where was another Code amendment that could also be looked at to bring living area to the front is Council desired, and the City Attorney stated that perhaps the Council should direct staff to bring back a good way to define lot coverage, whether by setbacks, percentages, or a combination of the two in given circumstances, and bring back to Council what they feel would be a good idea for a Code amendment.

Council Member Irish stated that he moved that suggestion. There was no second. Council Member Stadtherr then withdrew his motion.

After further discussion, Council Member Stadtherr stated that he would like to make a motion as stated by the City Attorney.

**COUNCIL ACTION:** MOVED Council Member Stadtherr, SECONDED by Council Member Irish that the Council direct staff to look at the ordinance and come back with suggestions after June 2006.

M.O. 07-050206

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

Disposition: Approved ordinance review, no approval for Subdivision.

11. A CITY COUNCIL APPEAL OF CITY MANAGER’S ACTION TO APPROVE FOR THURS. AND FRI. ONLY A BINGO PERMIT FOR THE KINGS/TULARE COUNTY AREA AGENCY ON AGING AT 280 NORTH F ST.

Recommendation: Determine whether the decision of the City Manager in the matter should be sustained, overturned, or modified. The start time, per City Code should be set at 10:00 a.m.

Council Member West stated that he was recusing himself from this discussion to prevent the perception of a conflict because he was an officer of the Porterville Senior Council.

The City Manager presented the staff report and addressed the question of office space at the facility. Jim Perrine, Director of Parks and Leisure Services, also addressed the use of the facility and the use of different sized tables and the cross use between the Senior Council and the K/T AAA.

Mayor Pro Tem Hamilton clarified that the Senior Council has a bingo license for Monday through Friday, although they choose to only play on Monday and Wednesday. After discussing the matter with the City Manager, Mayor Pro Tem Hamilton stated that there seemed to be a lack of consistency between the two organizations.

Council Member Irish stated that the City Manager did what he was supposed too in the best interest of the City, but the Council’s job was to be mediators between the City and the citizens. He stated that these were two different groups that seemed to be treated differently. Council Member Irish stated that if they were treated the same, then they would work it out. He stated that the only thing they could do was try and be fair and consistent, and he was inclined to allow both licenses.

John Davis, Director of the Kings/Tulare County Area Agency on Aging, came forward and spoke about the importance of his program, which was a meal and socialization program, and the benefit to the senior who participated in the program. He stated that the program was not restricted on the days they were allowed to play.

Council Member Stadtherr stated that the Council provided the strategic vision, and the City staff implements the vision. He stated that this was on the operational level where the City Manager made the day to day decisions. He stated that for the same reason they supported Mr. Dunlap in Item 10, the Manager’s decision should stand here.

Mayor Pro Tem Hamilton questioned how this would be an ordinance change. He stated that competition was fair.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the Council approve the license as initially requested, Monday and Wednesday through Friday, with the exception of 10:00 to 2:00.
M. O. 08-050206      AYES: Irish, Hamilton
                     NOES: Stadtherr, Martinez
                     ABSTAIN: West
                     ABSENT: None

Grace Reed, 1343 W. Morton, #144, stated that there were bingo facilities for two groups to play, and she knew exactly why they were shut out–Mr. West. She stated that she doesn’t see why they can’t play downstairs.

Disposition: No action taken.

17. ALLOCATION OF FUNDS FOR DISASTER PREPAREDNESS PLANNING

Recommendation: That the Council:
- authorize staff to support the program
- authorize the donation of $1,000 to the Chamber for printed materials

City Manager John Longley presented the item, and Frank Guyton, Deputy City Manager presented the staff report.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council authorize staff to support the program, and authorize the donation of $1,000 to the Chamber for printed materials.

M.O. 09-050206 The motion carried unanimously.

Disposition: Approved.

12. AUTHORIZATION TO PAY FOR A REGIONAL SEWER IMPROVEMENT

Recommendation: That City Council:
1) Authorize staff to expend the funds to cover the cost of the sewer main along the east property line of the commercial property;
2) Authorize a 10% contingency for the City’s share;
3) Authorize the City Engineer to record the easements in accordance with Resolution 1590; and
4) Authorize staff to generate a Payback Agreement at the appropriate time.

City Manager John Longley presented the item, and Public Works Director Baldo Rodriguez presented the staff report.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the City Council authorize payment on this project as recommended. The motion carried unanimously.

M.O. 10-050206

Disposition: Approved.
13. CRITERIA FOR CONNECTING TO CITY SEWER

Recommendation: That City Council provides direction on the proper course relative to the installation of septic tanks versus connecting to City sewer.

City Manager Longley presented the item and Public Works Director Baldo Rodriguez gave the staff report.

Staff is looking for direction in this matter and proposes the following options:

Option 1: Stay the course and enforce the City’s policy requiring connection to the City’s sewer system if a sewer main is within 1320’ of the property to be developed.

Option 2: Temporarily adopt Tulare County’s “Building Sewers” policy. This policy is the same as Chapter 7 of the Uniform Plumbing Code. This policy considers sewer to be unavailable if the controlling agency’s sewer system is further than 200’ from the proposed building. It is recommended that a “sunset clause” of 12 months be adopted if this option is selected. Further, it is recommended that the City modify and adopt language stating that the sewer be considered unavailable if the controlling agency’s sewer system is further than 200’ from the property owner’s property line.

Mayor Pro Tem Hamilton stated that he didn’t see the difference between this item and No. 10, they were changing the ordinance. Although he agreed with this, it was not being consistent.

Council Member West made a motion to approve Option No. 2, with a one year sunset clause, Council Member Stadtherr seconded the motion.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr made a motion to amend the motion to require that all pending M.O. 11-050206 projects must have their complete set of plans submitted within 90 days. The motion carried unanimously.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council approve Option No. 2 with a one year sunset clause, as amended. The motion carried unanimously.

Disposition: Approved.

14. CONSIDERATION OF APPOINTMENTS TO THE TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE

Recommendation: That the City Council members establish the initial Transactions and Use Tax Oversight Committee with their selections of the following individuals:

Mayor Martinez: 4-year term - Carmen Martinez-Eoff
2-year term - Teresa de la Rosa
COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Martinez that the Council establish the initial Transactions and Use Tax Oversight M.O. 12-050206 Committee with the selection of the above stated individuals. The motion carried unanimously.

Disposition: Approved.

15. TRUCK PARKING OPTIONS

Recommendation: That the City Council:

1. Select one of the options described herein and direct the Public Works director to implement or facilitate the execution of the selected option; or
2. Select an option provided by Council and direct the Public Works Director to implement or facilitate the execution of Council’s option; or
3. Direct the Public Works Director to meet again with the commercial operators with the hope that a combination of the options discussed can lead to a successful resolution of this matter.

City Manager John Longley presented the item, and Public Works Director Baldo Rodriguez presented the staff report with the following options:

A. Allow parking on at least two privately owned properties located within City limits.
B. Allow commercial truck parking at an existing truck site located in the southeast part of town.
C. Identify and allow truck parking adjacent to commercial areas along Westwood Street, Olive Avenue, Plano Street, Poplar Avenue between Jaye Street & ‘E’ Street, ‘E’ Street between Poplar Avenue & Springville Avenue, and Springville Avenue between ‘E’ Street & Jaye Street.
D. Allow commercial parking at the airport behind the fence line. A fee would be charged to all commercial operators for the right to park at this location.
E. Allow commercial parking along the east side of the Sports Park Monday through Friday.

Council Member Irish suggested looking at different options, such as no truck parking in the City, and look at ordinances from other cities that restrict truck parking.

Mayor Pro Tem Hamilton stated that they had to look at what they were trying to accomplish, were they looking at safety concern. He stated that the options they were reviewing that night were temporary.
Council Member West made a motion to accept the staff’s recommendation No. 3, and Council Member Stadtherr seconded the motion.

City Manager Longley asked if Council wanted to look at no parking in the City limits, and Council Member Irish stated that he felt they should look at that, and if Council wanted to get restrictive, they could do something temporarily. Council Member Irish stated that it would have to be something that they followed up on to make sure it was working.

Mayor Martinez stated that Council Member West was making a motion for Option C. Council Member West later clarified that he did mean “B.”

Council discussed various options, and agreed that since most of the complaints were coming from along North Westwood Street, that area should be removed from the equation.

City Manager Longley stated that Council should direct staff to bring back an ordinance designating that area as a no truck parking area.

Public Works Director Baldo Rodriguez stated that Council should put a certain time limit on any temporary measures. He discussed the four properties in question for possible truck parking.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council direct the Public works Director to meet again with the commercial operators with the hope that a combination of the options discussed can lead to a successful resolution.

M.O. 13-050206

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

Disposition: Motion failed.

Council discussed Option A, which would allow parking with an aggregate base and asphalt cover.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve Option A, with a sunset clause of one year from this night; and, with the amendment that the area along Westwood Street, between Pioneer Avenue and the Tule River, to be no truck parking. The motion carried unanimously.

City Manager Longley stated that an ordinance would be brought back for the no parking area along Westwood.

Disposition: Approved.
16. SHORT RANGE TRANSIT PLAN/STUDY SESSION

Recommendation: That the Council:
- hold a special meeting on May 9, 2006.
- that the meeting be scheduled for either 6:00 p.m. or 7:00 p.m.

Mayor Pro Tem Hamilton stated that he couldn’t make a May 9 meeting. The City Manager stated that staff would call around tomorrow and set a date.

Disposition: Meeting to be set and the public notified.

Mayor Martinez stated that he would like to bring back Item 10 for reconsideration.

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED by Council Member Irish that the City Council reconsider Item 10
M.O. 15-050206

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

Disposition: Approved.

10. APPEAL OF ZONING ADMINISTRATOR DECISION REGARDING LOT COVERAGE FOR THE CLAREMON TERRACE SUBDIVISION

Recommendation: That the City Council direct staff to initiate amendment of the zoning ordinance increasing the minimum lot size to 45%.

Gary Smee, Smee Builders, 2571 W. Memory Lane, came forward and spoke in favor of the change to 45% lot coverage, not just for this subdivision, but for the community. He stated that such a change would be supported by the Building Industry, and the City Planning Department. He stated that he would like to see this item reconsidered and approved for 45% lot coverage.

Chris Shaw, 919 N. Jaye Street, asked who the previous speaker was.

Council discussed looking at options and having

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED Mayor Pro Tem Hamilton by that the Council approved the variance for the 45% lot coverage on the Claremont Terrace Subdivision Map, and ask Mr. Dunlap to come back with an ordinance based on percentage.
M.O. 16-050206

AYES: West, Hamilton, Martinez
NOES: Irish, Stadtherr
ABSTAIN: None
ABSENT: None
The City Attorney clarified what the Council was acting on. Mr. Dunlap stated that he had a problem with approving the project without having the Code in place. He stated that if it was the Council’s desire was to facilitate this provision to go to a higher lot coverage, the most direct way to do it, if time was of the essence, was to go with percentage lot coverage. The City Attorney stated that with Mr. Smee’s request, they could come back as quickly as possible with an ordinance on the 45%. Mr. Dunlap stated that such an ordinance could be brought back at the next meeting, and it would eliminate the ambiguity. He stated that they could then evaluate the setbacks in the longer term period of time.

**COUNCIL ACTION:** MOVED by Mayor Martinez, SECONDED Mayor Pro Tem Hamilton by that the Council direct staff to change the ordinance to 45% and have it back at the next meeting. The motion carried unanimously.

Disposition: Approved.

**ORAL COMMUNICATIONS**
- Gilbert Rivas thanked Council for their action on Item No. 13.
- Pete McCracken 656 Village Green, asked Council to speak into their microphones as it was difficult to hear them at times.
- Jack Irish brought up that Ordinance 1663, adopted March 31, 2005, was already in place preventing trucks from parking on City streets, and the Council should enforce that ordinance.
- Dick Eckhoff, 197 N. Main, asked for clarification on what was passed on truck parking.

**OTHER MATTERS**
- Council Member Irish stated that people should raise their hands if they cannot hear and Council will speak up.
- Mayor Hamilton stated that he apologized for speaking over Councilman Stadtherr earlier.
- Mayor Martinez stated that the local events coming up were:
  - Day of Prayer - May 4
  - Hooping for Homeless - May 6
  - Cinco De Mayo - May 6
  - First Coffee - May 5

**ADJOURNMENT**
The Council adjourned at 9:55 p.m. to the meeting of May 16, 2006 at 6:00 p.m.

Georgia Hawley, Chief Deputy City Clerk

ATTEST:

Pedro R. Martinez, Mayor
CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
MAY 16, 2006, 6:00 P.M.

Call to Order: 6:00 p.m.
Roll Call: Council Member Irish, Council Member West, Council Member Stadherr, Mayor Pro Tem Hamilton
Absent: Mayor Martinez

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   1- Government Code Section 54956.8 - Conference with Real Property Negotiators/Property:
   2- Government Code Section 54956.8 - Conference with Real Property Negotiators/Property:
   3- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: One Case.

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
No Action Reported

Pledge of Allegiance Led by Mayor Pro Tem Cameron Hamilton
Invocation - One person participated

Police Captain Chuck MacMillan introduced the 48th and 49th Police Officers hired–Mike Postlewaite and Juan Santoyo, who started work this day. He stated that their hiring was done with Measure H funding.

Mayor Pro Tem Hamilton stated that Mayor Martinez was unable to attend the meeting this evening due to a job commitment.

PROCLAMATION
Freedom Days in Porterville - June 14 and July 4, 2006

PRESENTATIONS
• Employee Service Awards: Linda Clark
• City Manager’s Featured Project for May, 2006
  • Well No. 28
ORAL COMMUNICATIONS

- Greg Shelton, 888 N. Williford, spoke about going to bid on the dry farming aspect of the Airport farm. He stated that if they were going to bid on this, they should consider going to bid on everything. He stated that they had peeled off the non-money making stuff which could be used as a carrot to get someone to bid better on the irrigated portion. He suggested that when the Council debated this, that they consider bringing up the irrigated part as a potential to go to bid also.

- Ben Harvey, in one of the new annexations, came forward to address the chicken issue. He stated that according to County rules they could have a chicken pen with up to 24 chickens three feet from their back door. He stated that he was concerned about the Avian Flu, and the need to consider the possibility of a pandemic with the chickens. He stated that they had lots of birds in his area, but the lots were huge, rancho lots of 50’ by 150’. He urged Council to take a good look at this issue and keeping birds on lots big enough to handle them, instead of the average City lot which was too small to have such a danger present.

- Stella Leppert, 572 North Prospect, spoke regarding a health issue. She stated that she lives across the street from the City Recycling Center and everyday there was trash that they had to pick up—all sorts of paper and plastic bags which ends up on her property. She asked that this issue come to the attention of the Council.

- John Skinner, 950 N. Plano, came forward and spoke regarding a grievance and a complaint. He stated that he was thankful for what the Council does. He stated that two weekends ago, on May 6, he was at the Car Show in Veterans’ Park. Mr. Skinner stated that they were playing their 50’s music, and across the street at Monache they were having a basketball clinic, and the girls were playing softball, and their music was completely unacceptable. He stated that the music was triple X, loud enough to be heard at WalMart and over the music at the Car Show. Mr. Skinner stated that he went over and told the DJ it was inappropriate and asked him to change it or turn it down. He stated that such music shouldn’t be allowed at a school or public place, and something needed to be done.

- Aaron Burgin, 115 E. Oak Avenue, stated that he was the organizer for the Hooping for the Homeless Basketball Tournament. He stated that he went to the School Board and told them that they had some issues with the music at the Tournament. He agreed that more supervision was needed during the day, but the night ceremony was great. He agreed that the lyrics were a problem, but this was the first event and they learned from it. The next Tournament would have a professional DJ for the entire event to control the music. Mr. Burgin apologized to anyone offended by the lyrics, and to Mr. Skinner. He stated that next time the music would not be as loud, and definitely not on the same weekend as the Car Show.

- Dick Eckhoff, Sierra Trophies, 197 N. Main Street, came forward to address Item No. 23. He stated that the Board met with staff regarding funding on the BID. He stated that the membership met two weeks ago regarding disestablishing, and there was a
straw vote of seven to five for disestablishment. Mr. Eckhoff stated that what he was asking tonight was for the Council not to take it on themselves to start disestablishment procedures based on seven votes at a meeting. On the other hand there was a procedure available to petition the members of the downtown district who originally set up the assessment to disestablish the district. He stated that was the proper way to go. Go ahead and renew or not renew the assessment and agreement starting next month, and if a petition comes in with a majority of signatures for disestablishment then that's the way it should be. Mr. Eckhoff stated that he wished the membership would all get together in one room to discuss the matter.

- Chris Lewis, Porterville Physical Therapy, 112 N. “D” Street, came forward and spoke in favor of placing disestablishing the BID on the agenda. He stated that they could not come to an agreement on what’s fair in terms of assessments. He stated that he didn’t feel that the major projects would be effected by not having the DPA money.

- Robert Vanderhorst, 288 North “D” Street, 1488 North Highland, came forward and spoke in favor of disestablishing the BID. He stated that he wrote the letter to the Council, and the members of the BID they could ascertain were current members, requesting that this be placed on the agenda. He stated also that the City staff would not give them a current list of members—he considered it an outright refusal. He asked that Council direct the staff to provide full and complete information to the Business Improvement Area members so they have a current list of paying, assessed businesses within the area so they contact the business owners and ask for their yes or no regarding the disestablishment. He stated that it appears that rather than 51% of the members, it takes 51% of the assessed money, so he asked Council to direct the staff to reveal not what people earn as far as businesses, but what was 51% as far as the money. He stated that he needed to know what the businesses pay for their BID assessments.

- Council Member Irish asked that Item 23 be moved up after the Council Calendar.

- Lloyd Crabtree, 485 W. Montgomery, came forward and asked about Item 25, and how it now related to the promise made to the people in the newly annexed areas that they would not have to hook up to City sewer unless they wished to.

Mayor Pro Tem Hamilton stated that he thought that this was in reference to new homes, but City Manager Longley stated that he believed that it pertained to anyone in the City.

Mr. Crabtree stated that it appeared then that it would be a requirement despite what the Council told them before.

Mayor Pro Tem Hamilton stated that it would be discussed during Item 25.

**CONSENT CALENDAR**

Items 1, 2, 3 and 8 were removed for further discussion.
The City Manager stated that there was a slight change in Item 11 and Item 16. On Item No. 11 the date on the agreement will be May 16, 2006, and the amount will be $25,420. On Item No. 16 the Administrative Services Manager will be the coordinator and contact.

4. AUTHORIZE EMERGENCY REPAIR

Recommendation: That the City Council authorize the emergency repair for $9,663.10 from Valley Power Systems, and allow the Fire Department to utilize the needed funds from the “Equipment Replacement Fund.”

Documentation: M.O. 01-041806
Disposition: Approved.

5. NEGOTIATED PURCHASE – LABORATORY EQUIPMENT

Recommendation: That Council authorize the purchase of the equipment outlined in the attached quotation.

Documentation: M.O. 02-051606
Disposition: Approved.

6. AWARD OF CONTRACT-MUNICIPAL POOL COMPLEX WATER SLIDE DESIGN CONTRACT

Recommendation: That City Council:
1. Authorize staff to award a design contract to Jones & Madhavan in the amount of $7,000 for architecture/engineering consulting services associated with the addition of a new water slide at the Municipal Pool Complex;
2. Authorize the Mayor to sign all contract documents; and
3. Authorize staff to make payments up to 100% upon satisfactory completion of the work.

Documentation: M.O. 03-051606
Disposition: Approved.

7. APPROVAL OF FINAL SUBDIVISION MAP - RANCH VICTORIA, PHASE ONE SUBDIVISION (THOMAS MCNAMARA)

Recommendation: That City Council:
1. Approve the final map of Ranch Victoria, Phase One Subdivision;
2. Authorize the City Clerk to file said map with the County Recorder.

Documentation: M.O. 04-051606
Disposition: Approved.
9. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER AGREEMENT - BICYCLE LOCKERS

Recommendation: That City Council:
1. Approve the program supplement by passing a resolution authorizing the Mayor to sign the subject program supplement; and
2. Direct staff to return the signed program supplement to Caltrans.

Documentation: Resolution 60-2006
Disposition: Approved.

10. SET PUBLIC HEARING FOR WATER CONSERVATION PLAN

Recommendation: That City Council set a Public Hearing for June 20, 2006, to move into Phase II if a water supply shortage is projected for the summer.

Documentation: M.O. 05-051606
Disposition: Approved.

11. LEASE AGREEMENT BETWEEN THE CITY OF PORTERVILLE’S SEWER OPERATION FUND AND THE AIRPORT ENTERPRISE FUND

Recommendation: That the City Council authorize the Mayor to sign the Resolution and Lease Agreement between the City of Porterville Sewer Operating Fund and the Airport Enterprise Fund.

Documentation: Resolution 61-2006
Disposition: Approved.

12. LEASE AGREEMENT BETWEEN THE CITY OF PORTERVILLE’S GENERAL FUND AND THE AIRPORT ENTERPRISE FUND

Recommendation: That the City Council authorize the Mayor to sign the Resolution and Lease Agreement between the City of Porterville General Fund and the Airport Enterprise Fund.

Documentation: Resolution 62-2006
Disposition: Approved.

13. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE ADULT SCHOOL - PICNIC IN THE PARK

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Adult School, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.
13a. APPROVAL FOR COMMUNITY CIVIC EVENT - BARN THEATER - ANTIQUE AND COLLECTIBLES SALE

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Barn Theater, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A of the Community Civic Event Application.

Documentation: M.O. 06-051606
Disposition: Approved.

14. REPORT ON COMPLETION OF SPORTS FIELDS EVALUATION


Documentation: M.O. 08-051606
Disposition: Approved.

15. HIRING FREEZE UPDATE

Recommendation: That the City Council
1. Authorize the City Manager to fill current previously frozen vacant positions;
2. Authorize an increased allocation of two Field Service Worker II positions within the Public Works Department, and authorize the recruitment and filling of these two positions;
3. Authorize the City Manager to fill any positions which become vacant between now and September 30, 2006 as deemed appropriate by the City Manager;
4. Authorize the continuation of the hiring freeze from October 1, 2006; and
5. Direct the City Manager to bring back an update on the status of the hiring freeze no later than the last Council meeting in December 2006.

Documentation: M.O. 09-051606
Disposition: Approved.

16. RETIREMENT HEALTH SAVINGS PLAN

Recommendation: That the Council:
1. Authorize the implementation of the Retirement Health Savings Plan; and
2. Authorize the Mayor to sign the Resolution, the Plan Adoption Agreement, and the Administrative Services Agreement

Documentation: Resolution 63-2006
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council approve Items 1, 2, 3, 5 through 11, and 15.

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

1. CLAIM - JOEL HERNANDEZ
2. CLAIM - BRUCE KAISER
3. CLAIM - MARISOL LOPEZ

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.

Council Member Stadtherr stated that it seems a lot of people were coming to the City asking for money for tires and rims.

City Manager Longley stated that there was an investigation on one of the businesses, however staff could do report on the numbers of claims and their dispositions. After discussion, the City Manager stated that staff would do additional background on the problems due to custom rims.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that Council approve Items 1, 2, and 3.

M.O. 10-051606

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

Disposition: Approved.

8. AUTHORIZATION FOR PUBLIC WORKS DIRECTOR TO EXECUTE TIME EXTENSION - REMOVE II PROGRAM, CLASS II BICYCLE LANE STRIPING PROJECT

Recommendation: That City Council:
1. Authorize the Public Works Director to sign and transmit the attached six month extension agreement between the City and the San Joaquin Valley Air Pollution Control District and;
2. Direct staff to prepare the final construction plans and present to Council for review and approval.

City Manager Longley presented the item and Public Works Director Baldo Rodriguez gave the staff report.

Council Member Stadtherr spoke regarding the amount of time taken for this project.

The City Manager and Public Works Director explained the reason for the requested extension.

Council Member Stadtherr stated that he wanted to put this item off until he got a staff report on what exactly was involved in completing this project.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that this item be brought back on the June 6, 2006 Council meeting.

M.O. 11-051606

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

Disposition: Approved.

PUBLIC HEARINGS
17. PROHIBIT COMMERCIAL VEHICLE PARKING ALONG WESTWOOD STREET

Recommendation: That City Council:
1. Approve the proposed Ordinance amendment;
2. Give first reading to the Ordinance amending Chapter 17, Article XI to include Section 17-11.8, “Parking – Commercial Vehicles Along Westwood Street from Pioneer Avenue to the Tule River and;
3. Direct the City Engineer to make the appropriate changes in the posted signs when the ordinance becomes effective.

The public hearing opened at 7:50 p.m. and closed at 7:50 p.m. when nobody came forward.

City Manager John Longley presented the staff report.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr that the Council approve the ordinance and give first Reading to Ordinance No. 1698, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 17, ARTICLE XI, TO
INCLUDE SECTION 17-11.18 PARKING—COMMERCIAL VEHICLES ALONG WESTWOOD STREET, OF THE CODE OF THE CITY OF PORTERVILLE.

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

Mr. Longley read the Ordinance by title only.

Disposition: Approved.

18. ZONING ORDINANCE AMENDMENT 2006-1 REGARDING INCREASE IN LOT COVERAGE (BUILDABLE AREA)

Recommendation: That the City Council:
1. Give first reading to the Draft Ordinance 2006-1 pertaining to the maximum allowable lot coverage in the R-1 Zone.
2. Waive further reading of the Ordinance and order the Ordinance to print.

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

The public hearing was opened at 7:53 p.m. and those in favor asked to speak.

- Gary Smee, 7521 W. Memory Lane, stated that Porterville was more restrictive than our neighbors. He spoke in favor of this amendment.

- Melanie Kelly, 999 West Morton, spoke in favor of the increased lot coverage.

In opposition:
- Ben Harvey spoke in opposition to higher density because of building on smaller lots.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council approve the proposed ordinance amendment and give first Reading to Ordinance No. 1699, waive further reading, and order said Ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE MUNICIPAL CODES APPENDIX A, SECTION 236, PERTAINING TO BUILDABLE AREA.

AYES: Irish, West, Hamilton
NOES: Stadtherr
ABSTAIN: None
ABSENT: Martinez
Mr. Longley read the Ordinance by title only.

Mayor Pro Tem Hamilton closed the public hearing at 8:00 p.m.

Disposition: Approved.

**SECOND READING**

19 SECOND READING - ORDINANCE NO. 1696, ZONE CHANGE NO. 18-2005 (Pre-zoning) (Annexation 469)

Recommendation: That the City Council give Second Reading to Ordinance No. 1696, waive further reading, and adopt said Ordinance.

City Manager John Longley presented the item and the staff report.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council give Second Reading to Ordinance No. 1696, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 18-2005 (PRE-ZONING) THREE UNINCORPORATED ISLANDS CONSISTING OF 133.3± ACRES AND APPROXIMATELY 35 PARCELS LOCATED SOUTH OF MULBERRY AVENUE AND EAST OF PLANO STREET.

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

Mr. Longley read the Ordinance by title only.

Disposition: Approved.

20. ORDINANCE NO. 1697, ZONE CHANGE 19-2005

Recommendation: That the City Council give Second Reading to Ordinance No. 1697, waive further reading, and adopt said Ordinance.

City Manager John Longley presented the item and the staff report.

**COUNCIL ACTION:** MOVED by Council Member West, SECONDED by Council Member Stadtherr that the City Council give Second Reading to Ordinance No. 1697, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 3-2006 FROM R-3 (D)
Ordinance 1697 (MULTIPLE FAMILY RESIDENTIAL WITH A “D” OVERLAY SITE REVIEW) TO C-3 (HEAVY COMMERCIAL) FOR THAT SITE LOCATED ON THE SOUTHWEST CORNER OF MATHEW STREET AND WEST OLIVE AVENUE.

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

Disposition: Approved.

The Council recessed from 8:04 p.m. to 8:10 p.m.

SCHEDULED MATTERS

23. THE REQUEST OF A COUNCIL MEMBER TO CONSIDER A LETTER FROM ROBERT E. VANDERHORST ABOUT THE PORTERVILLE BUSINESS IMPROVEMENT AREA

Recommendation: None

City Manager John Longley presented the staff report.

The City Attorney clarified that there was the Streets and Highways Code requirements and the City Code requirements, so there were two processes the Council could follow. If the Council wanted to go forward they could set it on an agenda and the Council would consider a Resolution of Intent to Disestablish, adopt the resolution, and set a public hearing. The disestablishment must be done by ordinance, and would require a second reading, etc.

Council Member Irish stated that he had been involved with this for ten years, and every time it came before the Council the same arguments came up and it was set for one more year. He stated that he was disappointed that some things had not been addressed. Council Member Irish stated that he hoped that the BID members could have worked things out so the payments would equal the benefits. He stated that he felt they should set the public hearing and let the members be heard, even though it would be a new Council that would consider it. He stated that 5% of the members were working really hard to make this work, and 95% were complaining, and under those conditions, he could not see letting it stand.

Council Member West agreed with Council Member Irish. He stated that he had not seen a two-tier system, and he thought it was time for disestablishment.

Council Member Stadtherr stated that staff should come back with a list of options for Council action.
Council Member Irish made a motion to bring this back with a resolution of intent so a public hearing could be heard. He stated that the consensus for the disestablishment needs to come from the BID membership.

The City Attorney, Council and staff discussed the timing of the meeting for the Resolution of Intent, with the list of options. It was agreed that the Intent could go on the June 20 meeting with the public hearing then scheduled for 30 days after adoption.

Disposition:  No Action—direction only.

21. SHORT RANGE TRANSIT PLAN STUDY

Recommendation: That the City Council give staff direction which option the Council would like to pursue. Staff will then proceed to set a public hearing to address any service level increases/reductions, or fare increases that may be a part of any option.

Frank Guyton, Deputy City Manager, presented the item and introduced Charlie Clouse, TPG Consulting, and the City’s Transportation Consultant.

Charlie Clouse came forward and spoke regarding Linda Clark, Administrative Analyst, and the Sierra Management personnel, and the wonderful job they did for the City. Mr. Clouse then reviewed the staff report and Short Range Transit Plan, including the Options and Recommendations:

Options:
1- Continuation of Existing Transit and COLT Service
2- Expanded Fixed Route & Reduced COLT Service hours
3- Expanded Fixed Route & Restricted COLT Service to seniors and ADA
4- Decrease hours of operation
5- Increase fares
6- Subsidize Transit using General Funds (a survey of ridership indicates that they would support a fare increase.

Recommendations:
1- Convert COLT to senior and ADA only beginning next fiscal year, July 1.
2- Expand route service by one bus in 2008/09
3- Increase marketing and promotion efforts to increase rider ship.
4- Increase Fixed Route fare to $1 and institute a $36 monthly pass for frequent riders.
5- Implement capital acquisition program as outlined in plan.

Council Member Irish proposed raising the .75¢ fare to $1.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West that the Council approve the staff recommendations.

M.O. 12-051606

AYES: West, Irish, Hamilton, Stadtherr, None
Disposition: Approved.

24. AVIAN INFLUENZA VIRUSES

Recommendation: None – Discussion Item Only

City Manager John Longley presented the item.

Council Member West stated that he had been hearing all about this issue and he brought this to Council to see if staff should be looking into this so they could be prepared.

Council Member Stadtherr stated that there were no health professions on staff, but he could see working with the County on this.

Council Member West stated that they had annexed a lot of areas with birds, and they would not be doing their job if they didn’t look into this.

City Manager Longley stated that the regulations for birds in the City were included with the agenda. He stated that the City has worked with the County in the past and could work with them again if the Council desired.

Deputy City Manager Guyton stated that there had been no laboratory-confirmed cases of Avian Influenza in the United States. He stated that the Tulare County Health Department was working on this issue, and they expected to development something in the next two months. Mr. Guyton stated that the County was not recommending that any local jurisdiction take action, and he would keep the Council apprised of Tulare County Health Department’s plans as they come down.

Disposition: No action - Direction given.

Council took a five minute recess at this time.

22. AIRPORT LAND AVAILABLE FOR DRY FARMING

Recommendation: That the City Council:
1. Authorize staff to advertise the land as “dry farm land” available for a three year renewable lease, pursuant to FAA requirements.
2. Authorize staff to negotiate the terms and conditions.
3. Direct staff to bring back any and all proposals that meet the FAA requirements to Council for consideration

Deputy City Manager Frank Guyton presented the item and gave the staff report.
COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr that the Council authorize staff to advertise the land as "dry farm land" available for a three year renewable lease, pursuant to FAA requirements; authorize staff to negotiate the terms and conditions; and direct staff to bring back any and all proposals that meet the FAA requirements to Council for consideration.

M.O. 13-051606
AYES: West, Irish, Hamilton, Stadtherr
NOES: None
ABSTAIN: None
ABSENT: Martinez

Disposition: Approved.

25. THE REQUEST OF A COUNCIL MEMBER TO CONSIDER A REQUIREMENT FOR CONNECTING TO THE CITY SEWER SYSTEM

Recommendation: None.

City Manager Longley presented the item and asked Public Works Director Baldo Rodriguez to explain the sewer system/septic tank connection policy. Mr. Rodriguez explained the policy as it related to existing residences with septic tanks, but stated that new dwellings within 1320 feet of a sewer line were required to hook-up to City sewer.

Mayor Pro Tem Hamilton stated that the County required sewer hook-up within 200 feet of a sewer main. He stated that they made promises last August to the new residents that were being annexed. Council Member Stadtherr stated that he also made promises to a lot of people that they would not be forced to hook-up.

Council Member West stated that he felt that if a sewer main was extended, and an adjacent property had a septic tank failure, they would have to hook-up. Mayor Pro Tem Hamilton clarified that what he was saying was that the newly annexed areas would have six months to come online if a sewer line was out in front of their house.

Council Member Irish asked about the requirement if someone remodeled for over $15,000, and Baldo stated that was strictly for curb and gutter.

Disposition: No Action to change ordinance.

26. REQUEST TO SET A DATE FOR THE 2006/2007 ANNUAL BUDGET SESSION FOR THE CITY OF PORTERVILLE

Recommendation: That the City Council select and set a date and time for the proposed budget session.
Mayor Pro Tem Hamilton stated that he could not make May 23, and Council agreed that 6:00 was a better time.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the Council set May 30 at 6:00 p.m. for the Budget study session.

M.O. 14-051606

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

Disposition: Approved.

ORAL COMMUNICATIONS
Dick Eckhoff, 197 N. Main, spoke regarding the BID assessments. He stated that when the multi-tier proposal was brought up, it was his recollection that the Council voted not to do a tiered structure. Mr. Eckhoff also spoke about the proper release of City license information to individuals.

The City Attorney stated that this was not an issue, but they could clarify that.

OTHER MATTERS
• Council Member Irish stated that he had received a letter from Gray’s Air Conditioning. He stated that the City would bend over backwards for a new business with 20 employees, and they should do the same for Grays.

• Mayor Pro Tem Hamilton stated that he would like a resolution of support for Proposition 1A placed on the agenda.

• Mayor Pro Tem Hamilton stated that the fireworks training was the same night as the Flag Day ceremony, and he asked Chief Guyton to work that out.

ADJOURNMENT
The Council adjourned at 9:23 pm. to the meeting of May 30, 2006 at 6:00 p.m.

______________________________
Georgia Hawley, Chief Deputy City Clerk

ATTEST:

______________________________
Cameron Hamilton, Mayor Pro Tem
SUBJECT: CLAIM - KIMBERLY BRADLEY

SOURCE: Administration

COMMENT: Kimberly Bradley has filed a claim against the City for property damage. Ms. Bradley is claiming that a tire rim on her vehicle was damaged by a pothole in the street on North Prospect Street, north of Westfield Avenue and south of Pioneer Street.

The amount being claimed as of the date of this claim is $125.00, based on the repair/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.

Item No. 2

DCM

APPRO. CM
Funded
CLAIM AGAINST: CITY OF PORTERVILLE

Claimant’s name: Kimberly Bradley SS#: [Redacted]
Claimant’s Telephone No.: 791-7765 DOB: [Redacted]
Claimant’s address: 1130 San Carlos, Porterville, CA

Address where notices about claim are to be sent, if different from above:

Date of incident/accident: 5-3-2001, Wed.
Date injuries, damages, or losses were discovered: Wed. 5-3-2001
Location of incident/accident: N. Prospect St., N. of Westfield & S. of Pioneer St.

(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? Pot Holes in Street

(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)?

What specific injuries, damages, or losses did claimant receive? Damaged Rim

(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 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)] $125.00

How was this amount calculated (please itemize)? $18.34 for 1 Rim, $50.00 Labor & Replacement tire + Wheel balancing ($20.00 each tire)

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

Date Signed: 5-5-2001 Signature: Kimberly Bradley

If signed by representative:

Representative’s Name

Address

Telephone #

Relationship to Claimant
# Big Brand Tire Company

**Customer Information**
- **Cust.:** KIM BRADLEY
- **Cust. No.:** 10-210718
- **Address:** 1136 N. SAN CARLOS
- **City, State, Zip:** PORTERVILLE, CA 93257
- **Home:** (559) 791-1765
- **Work:** Cell:

**Vehicle Information**
- **Year:** 1999
- **Make:** NISSAN-OATSUN
- **Color:**
- **License:** 1 (CA)
- **Engine:** V6-2988 3.0L DOHC
- **VIN:**
- **Odometer:** 1

## Part No. Description

<table>
<thead>
<tr>
<th>Part No.</th>
<th>Description</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICW</td>
<td>ODESSA SILVER 15X9.5 5X100/4.5</td>
<td>4.00</td>
<td>68.34</td>
<td>273.36</td>
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<tr>
<td>SUM 1114061</td>
<td>P195/60H15 JUMIC GT HR</td>
<td>4.00</td>
<td>41.99</td>
<td>167.96</td>
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<tr>
<td>SHP WW</td>
<td>WHEEL BALANCE WEIGHTS - PARTS</td>
<td>4.00</td>
<td>2.00</td>
<td>8.00</td>
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<tr>
<td>LBR WBHS</td>
<td>HIGH SPEED WHEEL BALANCE</td>
<td>4.00</td>
<td>7.99</td>
<td>31.96</td>
</tr>
<tr>
<td>CDF CDF</td>
<td>CASING DISPOSAL FEE - CUST. SERVICE</td>
<td>4.00</td>
<td>1.50</td>
<td>6.00</td>
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<tr>
<td>STF STF</td>
<td>STATE TIRE FEE</td>
<td>4.00</td>
<td>1.75</td>
<td>7.00</td>
</tr>
</tbody>
</table>

**Additional Notes:**
- **CONSUMER ADVISORY:** Please re-torque your lug nuts within the first 50 miles.
- **CONSUMER ADVISORY:** This is a "H"-rated tire. It has a maximum speed of 130 MPH. It has "H" rated handling characteristics. Consult your owner's manual for the proper speed rating recommended for your vehicle.

---

**Extended Warranty**

- **CUST. SERVICE**
- **LBR LABA**

**Labor included:** Check camber, caster and toe settings. Make all necessary adjustments.

---

**Payment Details**

- **Payable to:** Big Brand Tire
- **Amount:** $283.10

---

**Bank Details**

- **Union Bank of California**
- **Account Number:** 0000049786
- **Routing Number:** 1210004978
- **Address:** 6624052676 W 0618
SUBJECT: BUDGET ADJUSTMENTS FOR THE 2005-06 FISCAL YEAR

SOURCE: Administrative Services

COMMENT: During the course of the fiscal year, additional budget information becomes available that more accurately identifies revenue projections and project costs. Once known, budget modifications are necessary to complete projects and record revenues. To address budget adjustments in an orderly fashion, all adjustments will be presented as one agenda item for Council's consideration.

There are eight adjustments proposed for tonight's Council meeting. All eight are the result of grants. Each grant requires the Council authorize the expenditure of funds and the adjustment of individual budgets for such expenditures.

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

## Budget Adjustments

**Date:** June 20, 2006

<table>
<thead>
<tr>
<th>FUND</th>
<th>NO.</th>
<th>DESCRIPTION</th>
<th>FUNDING SOURCE</th>
<th>DOLLAR AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-5021-001-480</td>
<td>1</td>
<td>Reimburse the General Fund in Fire Services for FEMA Assistance</td>
<td>FEMA Grant</td>
<td>$44,909.00</td>
</tr>
<tr>
<td>025-5020-011-740</td>
<td>2</td>
<td>CA Office of Traffic Safety Grant</td>
<td>Special Safety Grants - OTS</td>
<td>$26,365.00</td>
</tr>
<tr>
<td>025-5020-013-880</td>
<td>3</td>
<td>Homeland Security Grant for SWAT team tactical equipment</td>
<td>Homeland Security Grant</td>
<td>$52,500.00</td>
</tr>
<tr>
<td>001-5060-020-660</td>
<td>4</td>
<td>CA Adult Literacy Grant</td>
<td>State of CA</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>001-5060-025-660</td>
<td>5</td>
<td>CA English Language Literacy Grant</td>
<td>State of CA</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>001-5060-010-360</td>
<td>6</td>
<td>CA Public Library Grant</td>
<td>State of CA</td>
<td>$17,474.00</td>
</tr>
<tr>
<td>025-5020-007-740</td>
<td>7</td>
<td>CA 911 Program Funds</td>
<td>State of CA</td>
<td>$25,024.82</td>
</tr>
<tr>
<td>001-5021-001-660</td>
<td>8</td>
<td>Increase the appropriation in the in the General Fund for Fire Services for radios</td>
<td>CA OES Grant</td>
<td>$18,000.00</td>
</tr>
</tbody>
</table>
SUBJECT: BUDGET ADJUSTMENT FOR GOLF COURSE OPERATIONS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The amount of golf play has been relatively good during the current fiscal year. The Council also implemented new fees, which seem to have been well accepted by the golfers. It is estimated that revenues will be $58,000 over the budget projection for the year.

The transition from the former golf pro, to interim services, and finally to the new head professional has also occurred during the current fiscal year. Direction has been provided by the City Council, authorizing activities and expenditures to address the challenges during the year. Expenditures incurred over the original budget were approximately as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased staff administration</td>
<td>$4,000</td>
</tr>
<tr>
<td>Advertising</td>
<td>$3,000</td>
</tr>
<tr>
<td>Golf Professional services</td>
<td>$33,000</td>
</tr>
<tr>
<td>Improvements (contractually obligated)</td>
<td>$10,000</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$50,000</td>
</tr>
<tr>
<td>Administrative Fee (9% of expenses)</td>
<td>$4,500</td>
</tr>
<tr>
<td>Total</td>
<td>$54,500</td>
</tr>
</tbody>
</table>

In addition, other unanticipated expenditures have surfaced. These include the need for approximately $1,500 in repair to one of the air conditioner units on the clubhouse, and a $1,200 re-computation of credit card charges by the processing service. The total of projected expenditures above the adopted budget is $58,000.

RECOMMENDATION: Authorize a budget increase for the golf course in the amount of $58,000 for the fiscal year ending June 30, 2006.
SUBJECT: AUTHORIZATION TO REJECT BID AND RE-ADVERTISE FOR BIDS – AIRPORT IMPROVEMENT PROJECT

SOURCE: ADMINISTRATIVE SERVICES/PURCHASING DIVISION

COMMENT: On May 24, 2006, staff received one bid for airfield improvements at Porterville’s Municipal Airport. This improvement project involves rehabilitating the taxiways and apron, and access gate improvements. The sole bid was 18% over the engineer’s estimate. Additionally, the contractor did not possess the California State Contractor’s License Board classification specified in the Notice Inviting Sealed Bids.

The Engineer’s estimated probable cost of this project is $401,682 with all components. Staff has consulted with the project’s design firm, Tartaglia Engineering, and has concurred that the project should be re-bid with the rehabilitation of the taxiways and apron comprising the base bid, and the pavement markings, access gate improvement and electrical listed as add-alternates.

Funding is available, in part, by a grant from the Federal Aviation Administration through its Airport Improvement Program (AIP). The City’s match is 10% of the project’s cost, half of which will be reimbursed by the State of California’s Aid to Airports Program upon project completion.

RECOMMENDATION: That the Council reject the sole bid for the airport improvement project and authorize Staff to re-advertise for the base project and add-alternates.

D.D. Appropriated
Funded

Item No. 5
SUBJECT: AWARD CONTRACT – LONG BED PICKUP TRUCK

SOURCE: Administrative Services/Purchasing

COMMENT: Staff solicited bids for one (1) new one-half ton long bed pickup truck for the Engineering Department. In response to solicitation, five (5) timely and responsive bids were received as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three-Way Chevrolet</td>
<td>$16,355.38</td>
</tr>
<tr>
<td>Bakersfield, CA</td>
<td></td>
</tr>
<tr>
<td>Hoblit Motors</td>
<td>$17,331.26</td>
</tr>
<tr>
<td>Woodland, CA</td>
<td></td>
</tr>
<tr>
<td>Jim Burke Ford</td>
<td>$17,613.65</td>
</tr>
<tr>
<td>Bakersfield, CA</td>
<td></td>
</tr>
<tr>
<td>Broadway Ford</td>
<td>$17,904.82</td>
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<tr>
<td>Oakland, CA</td>
<td></td>
</tr>
<tr>
<td>Will Tiesiera Ford</td>
<td>$17,946.84</td>
</tr>
<tr>
<td>Tulare, CA</td>
<td></td>
</tr>
</tbody>
</table>

Staff has reviewed the bids and finds the low bidder to be responsive to the specifications. Funds for the purchase of the vehicle have been appropriated in the Engineering Department’s Equipment Replacement Funds.

RECOMMENDATION: That Council award the contract for one (1) new one-half ton long bed pickup truck to Three-Way Chevrolet of Bakersfield, CA, in the amount of $16,355.38. Further, that Council authorize payment upon satisfactory delivery of the equipment.

D.D. Appropriated/Funded  C.M.  

Item No. _6_
SUBJECT:   AUTHORIZATION TO NEGOTIATE A CONTRACT – CONSULTING SERVICES TO PREPARE CIEDB WATER LOAN APPLICATION

SOURCE:   Public Works Department - Engineering Division

COMMENT: On April 18, 2006, City Council approved Quad Knopf as the City’s “on call” consulting firm. Public Works is requesting authorization to enlist the services of Quad Knopf to prepare final application documents for a $9,000,000 water loan through the California Infrastructure & Economic Development Bank (CIEDB).

Quad Knopf is in the unique position of having an engineer on staff with excellent experience preparing application documents with the CIEDB. Quad Knopf’s fee for their services is $21,258. The $9,000,000 loan will help pay for the construction of various water projects such as Eastside Storage Reservoirs, a surface water treatment facility, the Airport Water Tie-In System and additional wells.

Monies to pay for this service are available in the Water Replacement Fund.

RECOMMENDATION:   That City Council:

1. Authorize the Mayor to execute a service agreement with Quad Knopf in an amount not to exceed $21,258 to prepare final application documents for a water loan with the California Infrastructure & Economic Development Bank.

2. Authorize the Mayor to sign all contract documents;

3. Authorize the Public Works Director to approve addendums up to 110% of the contract; and

4. Authorize staff to make payments up to 100% upon satisfactory completion of the work.

ATTACHMENT:   Service Agreement
SERVICE AGREEMENT

DATE: June 20, 2006

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and Quad Knopf, hereinafter referred to as "CONSULTANT".

RECITALS: CITY has undertaken a project on which it is seeking assistance from CONSULTANT. Said project which will hereinafter be referred to as "project" is described as follows:

   Project Name: CIEDB Water Loan Application

   Description of Project: Review pre-application & related materials, CIEDB application preparation, and project management for the completion of the application for a $9,000,000 loan for construction of various water projects. See attached memo for detailed scope of work.

AGREEMENTS:

   IN CONSIDERATION OF MUTUAL COVENANTS AND AGREEMENTS HEREINAFTER set forth the parties hereto do contract and agree as follows:

   SECTION 1. CONTRACT SERVICES: CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described in the attached memo detailing the scope of work, in connection with the above described project.
SECTION 2. PAYMENT: In consideration for said services and materials, CITY shall pay CONSULTANT on a time and materials basis, not to exceed Twenty One Thousand, Two Hundred and Fifty Eight Dollars, ($21,258).

TIME OF PAYMENT: Progress payment requests shall be submitted by the 25\textsuperscript{th} of each month. CONSULTANT should receive payment within 30 days of the date the bill is received.

SECTION 3. COMPLETION DATE: The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all “work directives” shall be completed by December 20, 2006.

The parties agree that time is of the essence under this contract. Inasmuch as it would be difficult to ascertain the actual amount of damages sustained by delay in performance of said contract, the amount of $0.00 (none) per calendar day shall be deducted from the contract price for liquidated damages for each calendar day beyond the completion date listed above. Said deduction will not be made if CONSULTANT submits proof in writing that delay in completion was due to a cause beyond its control.

SECTION 4. FAMILIARITY WITH PROJECT: CONSULTANT certifies and agrees that it is fully familiar with all of the details of the project required to perform its services. CONSULTANT agrees it will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information.
SECTION 5. INDEPENDENT CONTRACTOR: It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor and not as an employee of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

(i) Full liability under worker's compensation laws of the State of California; and

(ii) Bodily injury and property damage insurance in the amount not less than Five Hundred Thousand Dollars ($500,000) per occurrence; and

(iii) Errors and Omissions insurance of Five Hundred Thousand Dollars ($500,000) minimum per occurrence, if deductible for Errors and Omissions insurance is Fifty Thousand Dollars ($50,000) or more, the City may require a Surety Bond for the deductible; and

(iv) Automotive liability in the amount not less than Five Hundred Thousand Dollars ($500,000) per occurrence; fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any injuries to third parties, including employees of CITY and CONSULTANT. CONSULTANT agrees to indemnify, defend (at CITY'S election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any damages, liabilities for personal injury or death or for loss or damage to
property, or any of them arising out of negligence of CONSULTANT or any of its employees or agents.

SECTION 6. WORKMANSHIP AND MATERIALS: Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement, prepared by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

SECTION 7. ASSIGNMENT OF CONTRACT: It is acknowledged by the parties that CITY has entered into this contract with the express understanding that CONSULTANT will perform all work. CONSULTANT shall not, without the written consent of CITY, assign, transfer or sublet any portion or part of this work, nor assign any payments to others.

SECTION 8. AFFIRMATIVE ACTION. CONSULTANT will not discriminate against any employee, or applicant for employment because of race, color, religion, gender, marital status, or national origin.

SECTION 9. CONFLICT OF INTEREST CODE: CONSULTANT agrees to comply with the regulations of CITY’S “Conflict of Interest Code”. Said code is in accordance with the requirements of the Political Reform Act of 1974.

CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in
any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.

SECTION 10. TERMINATION: Either party for just cause may terminate this contract by giving seven (7) days written notice to the other party. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed including profit and overhead. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed, except CITY can withhold damages incurred as a result of the termination.

SECTION 11. ENTIRE CONTRACT: It is understood and agreed that this Service Agreement represents the entire Agreement between the parties. Should it be necessary to institute legal proceedings to enforce any and all of the covenants and conditions of this Agreement, the prevailing party shall be entitled to recover attorneys’ fees and costs.

SECTION 12. DISPUTES; VENUE: If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. CONSULTANT hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.
IN WITNESS WHEREOF, the parties have executed this Service Agreement on
the date and year first above written.

CITY OF PORTERVILLE  CONSULTANT

By_________________________  By_________________________

Pedro R. Martinez, Mayor

Date_________________________  Date_________________________

BSR:vs
SUBJECT: ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENR COST INDEX

SOURCE: PUBLIC WORKS DEPARTMENT

COMMENT: The Building Industry Association of Tulare and Kings Counties has requested that they be notified of the annual adjustment of the attached fees, which are adjusted annually by application of the ENR Cost Index. Most of the fees in Exhibit "H" Connection Fees were in effect before January 1, 1989 (the effective date of the Mitigation Fee Act) and have only been increased by the Engineering News Record 20 City Construction Cost Index. The fees subject to the Act, that were adopted or increased after its effective date, were adopted or increased in accordance with those regulations. Again this year, City staff is giving notice to the Building Industry Association for the 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 prior City Council authorization, staff calculates and adjusts all of the attached fees annually. The policy as of 2003 is to give the Council notice of all of the attached adjustments annually (whether they are subject to the Mitigation Fee Act or not) before the new fees become effective.

The fee adjustments are shown in the attached Exhibit "A" Park Impact Fees and Exhibit "H" Connection Fees and will go into effect on July 1, 2006.

RECOMMENDATION: Consistent with agreements and previous instructions, this report is provided for information purposes. It is recommended that the City Council use this information to inform any citizens that may inquire about fee adjustments.

ATTACHMENT: Exhibit "A" Park Impact Fees
Exhibit "H" Connection Fees
EXHIBIT 'A'

PARK IMPACT FEES ®

<table>
<thead>
<tr>
<th></th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>07/01/05¤</td>
<td>07/01/06*</td>
</tr>
<tr>
<td>1. Single Family (R-1) ▲</td>
<td>$547</td>
<td>$575</td>
</tr>
<tr>
<td>2. Multiple Family Per Unit ▲</td>
<td>$424</td>
<td>$446</td>
</tr>
<tr>
<td>3. Mobile Homes▲</td>
<td>$306</td>
<td>$322</td>
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</table>

To be increased annually by the Engineering News Record Construction Cost Index.

▲ Resolution #2-99 (Establishing ENR Annual Adjustment)
¤ Resolution 68-2005 Suspended Park Impact Fees for One Year
* Based on ENR Index = 7690
© Fees Covered by the Mitigation Fee Act
### EXHIBIT 'H'
CONNECTION FEES

#### TRUNK LINE SEWER FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>7/1/05</th>
<th>7/1/06*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (▲ 142-02) ©</td>
<td>$832</td>
<td>$875</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (▲ 94-90)</td>
<td>$1,524</td>
<td>$1,603</td>
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<tr>
<td>Duplex (R-2) - per acre (▲ 94-90)</td>
<td>$3,542</td>
<td>$3,727</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (▲ 94-90)</td>
<td>$8,263</td>
<td>$8,694</td>
</tr>
<tr>
<td>Institutional - per acre**(▲ 94-90)</td>
<td>$574</td>
<td>$604</td>
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<tr>
<td>Commercial &amp; Professional Office - per acre**(▲ 94-90)</td>
<td>$2,154</td>
<td>$2,266</td>
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<tr>
<td>Industrial - per acre**(▲ 94-90)</td>
<td>$9,193</td>
<td>$9,672</td>
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#### TREATMENT PLANT FEES

<table>
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<tr>
<th>Description</th>
<th>7/1/05</th>
<th>7/1/06*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family and Multiple Family - per unit (▲ 67-03)</td>
<td>$2,500</td>
<td>$2,630</td>
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<tr>
<td>Commercial and Industrial - per sewer connection (▲ 67-03)</td>
<td>$8.93</td>
<td>$9.40</td>
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<tr>
<td>(per gpd)</td>
<td>(per gpd)</td>
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<tr>
<td>($2,500.00)</td>
<td>($2,630.00)</td>
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#### SEWER CONNECTION CHARGES

<table>
<thead>
<tr>
<th>Description</th>
<th>7/1/05</th>
<th><em>7/1/06</em></th>
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</thead>
<tbody>
<tr>
<td>Six Inch or Smaller - per foot</td>
<td>$8.23</td>
<td>$8.66</td>
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<tr>
<td>Eight Inch - per foot</td>
<td>$10.81</td>
<td>$11.37</td>
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#### WATER TRUNK FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>7/1/05</th>
<th>7/1/06*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (▲ 142-02) ©</td>
<td>$1,197</td>
<td>$1,259</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (▲ 93-90)</td>
<td>$2,496</td>
<td>$2,526</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (▲ 93-90)</td>
<td>$6,247</td>
<td>$6,573</td>
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<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (▲ 93-90)</td>
<td>$14,585</td>
<td>$15,345</td>
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<tr>
<td>Institutional**(▲ 93-90)</td>
<td>$1,629</td>
<td>$1,714</td>
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<tr>
<td>Commercial and Professional Office - per acre**(▲ 93-90)</td>
<td>$1,875</td>
<td>$1,973</td>
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<tr>
<td>Industrial - per acre**(▲ 93-90)</td>
<td>$14,404</td>
<td>$15,155</td>
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#### WATER CONNECTION FEE

<table>
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<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Connection Charges - per foot</td>
<td>$7.04</td>
<td>$7.41</td>
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#### STREET LIGHT FEES

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<tr>
<th>Description</th>
<th>7/1/05</th>
<th>7/1/06*</th>
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</thead>
<tbody>
<tr>
<td>Multiple Family - per foot</td>
<td>$2.14</td>
<td>$2.25</td>
</tr>
<tr>
<td>Commercial/Industrial - per foot</td>
<td>$2.70</td>
<td>$2.84</td>
</tr>
</tbody>
</table>
STORM DRAINAGE FEES

1. Single Family (R-1) - per acre (inc. Hillside Dev.) (▲ 95-90) $4,111 $4,325
2. Duplex (R-2) - per acre (▲ 95-90) $5,483 $5,769
3. Multiple Family (R-3 & R-4) - per acre (▲ 95-90) $8,225 $8,654
4. Commercial, Industrial & Institutional - per acre (▲ 95-90) $10,964 $11,536

EFFECTIVE DATE 7/1/05 7/1/06

FIRE HYDRANT FEES

1. Multiple Family - per foot $2.79 $2.94
2. Commercial/Industrial - per foot $4.14 $4.36

EFFECTIVE DATE 7/1/05 7/1/06*

TRANSPORTATION IMPACT FEES ®

1. Single Family (R-1) per unit (▲ 50-98) $879 $925
2. Multiple Family (per unit) (▲ 50-98) $595 $626
3. General Office/ Institutional (per 1,000 sq ft of gross floor) (▲ 50-98) $2,263 $2,381
4. Commercial (per 1,000 square feet of gross floor area) (▲ 50-98) $4,306 $4,530
5. Light Industrial (per 1,000 square feet of gross floor area) (▲ 50-98) $642 $675

EFFECTIVE DATE 7/1/05 7/1/06*

FRONTAGE IMPROVEMENT VALUATION THRESHOLD

1. Frontage Improvements are required when the Building Permit valuation is over ◆
   (Beginning 2/19/04 - over a two-year period) $15,630 $16,445

◆Resolution Establishing ENR Annual Adjustment
▲Resolution No. 1644 dated 2-19-04 (includes Annual Adjustment by ENR)
© Fees Covered by the Mitigation Fee Act
*Based on ENR Index = 7690

**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 - $152.21 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

Sewer - $129.38 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).

BSR:MKR:vs
SUBJECT: MODIFICATIONS TO RESIDENTIAL DRIVEWAY STANDARDS

SOURCE: Public Works Department - Engineering Division

COMMENT: From time to time, staff receives requests from developers and homeowners requesting authorization to extend their driveway to a width greater than 25’. Twenty-five feet is the maximum driveway width allowed per current City standards.

At the May 16, 2006 Council meeting, City Council heard and acted positively on an ordinance to allow greater lot coverage in R-1 designated areas. This action was primarily due to the fact that residential homes are being constructed significantly larger than in years past. Another trend that senior staff is recognizing is the construction of 3 car garages and the development of lots significantly greater than 6,000 square feet. The larger lots can easily accommodate wider driveways, but it is staff’s opinion that maximum driveway widths should remain at 25’ for lots with frontages of 60’ or less. Lots with frontages greater than 60’ should adhere to the same “driveway width to lot” percentage (42%) with a new “maximum” width of 35’.

It is staff’s opinion that the other controlling conditions, (i.e., 4’ setback encroachment from property lines, 22’ separation between driveways and not more than 50% of frontage shall be used as a driveway) should remain in the City standards. As an example, a lot with 90’ frontage can only have a 25’ wide driveway per current City standards. The new standard would allow a driveway width based on 42% of the lot frontage. Under this example, 42% of a 90’ lot is 38’. However, the maximum driveway width cannot exceed 35’ and therefore, a 35’ wide driveway could be constructed on this particular lot.

Staff is preparing modifications to other City standards and will present the modified standards all at one time for Council’s review and approval. It is staff’s desire to incorporate the changes mentioned herein to City Standard Plans C-6 and C-11 by text and resolution until such time that the standard plans can be properly modified.
RECOMMENDATION: That City Council:

1. Approve and adopt the attached resolution changing City Standard Plans C-6 and C-11 to reflect the modifications to residential driveways as described herein and;

2. Direct the City Engineer to bring forth at the earliest time possible; the revised residential driveway standard plans for Council approval.

ATTACHMENT: Resolution
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING AND ADOPTING THE
MODIFIED AND REVISED STANDARD PLANS C-6 – P.C.C. DRIVEWAYS
AND C-11 – DRIVEWAY CLEARANCE REQUIREMENTS

WHEREAS, developers and property owners are constructing larger homes on
larger lots with larger garages; and

WHEREAS, those developers and property owners are requesting larger
driveway approaches to accommodate those larger residential construction lots;

WHEREAS, Staff has modified and revised the Standard Plans for P.C.C.
Driveways and Driveway Clearance Requirements consistent with the ordinance to
allow greater lot coverage in R-1 designated areas adopted by the City Council at the
May 16, 2006 Council meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of
Porterville, hereby, adopts the modified and revised Standard Plans C-6 – P.C.C.
Driveways and C-11 – Driveway Clearance Requirements to allow lots with frontages
greater than 60" to adhere to the same “driveway width to lot” percentage (42%) with a
new “maximum” width of 35’.

BE IT FURTHER RESOLVED that the changes mentioned herein to City
Standard Plans C-6 and C-11 by text and resolution be incorporated until such time that
the standard plans, in whole, can be properly modified and presented to City Council for
review and approval at a later date

Adopted this 20\textsuperscript{th} day of June, 2006.

________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

________________________
By: Georgia Hawley, Chief Deputy City Clerk
CITY COUNCIL AGENDA: JUNE 20, 2006

SUBJECT: PUBLIC EDUCATION WORKSHOPS – CURBSIDE RECYCLING PROGRAM

SOURCE: Public Works Department - Field Services Division

COMMENT: The City of Porterville is scheduled to begin curbside collection of recyclable materials from all residential customers on July 1, 2006. Public education and outreach is a key component to any successful curbside recycling program. Media advertisements, flyers, and public service announcements have already been distributed to provide information on the new program.

In addition to the City's existing outreach efforts, four public education workshops have been scheduled to provide necessary information to residents relating to single-stream curbside recycling. Two workshops will be conducted at 3:00 pm and 5:30 pm on each of the following days, Thursday, June 22 and Thursday, June 29, 2006. All City residents are invited to attend the workshops, which will take place at the City's Corporation Yard at 555 N. Prospect St.

RECOMMENDATION: Informational item only

ATTACHMENT: Blue Can Recycling flyer

P:\pubworks\Engineering\Council Items\Recycling Public Workshops 6-20-06.doc

Dir Appropriated/Funded CM Item No. 10
BLUE CAN RECYCLING HAS ARRIVED!!!

HOW DOES IT WORK?
Blue Can recycling is easy! Place all your recyclables in your Blue Can throughout the week. On your collection day, place your Blue Can on your curb before 6am.

WHEN CAN I START?
You can begin storing recyclables in your Blue Can right away. Blue Can collection starts in July, so you may start setting your Blue Can out for service after July 1, 2006. Collection days vary by location and are listed on the enclosed Collection Zone flyer.

WHAT CAN BE RECYCLED?
All common household recyclables are accepted:

**ALL PLASTICS #1-#7**
beverage containers, shampoo bottles, detergent bottles, grocery bags, milk jugs

**ALL GLASS JARS & BOTTLES** – beverages, wine, condiment

**ALL STEEL/TIN CANS** – soup, fruit and vegetable, pet food

**ALL PAPER** – newspaper, junk mail, office/school papers, magazines, grocery bags, telephone books, catalogs, computer paper, file folders, construction paper

**BOXES** – cardboard shipping and packing materials, cereal and other dry food boxes, shoe boxes, gift boxes

**ALUMINUM** – cans, scrap, clean foil

DO MY RECYCLABLES HAVE TO BE SEPARATED?
No! That’s what makes using your Blue Can so easy. All recyclables can be mixed together in your Blue Can. Please make sure to flatten boxes and to empty and rinse containers.

The City of Porterville is pleased to offer its residents this convenient new recycling opportunity. For more information, contact the City’s Refuse Division at 782-7513.
¡LA LATAS AZUL DE RECICLAJE HAN LLEGADO!!!

¿CÓMO TRABAJA?
¡El reciclaje de la Lata Azul es fácil! Ponga todos sus recyclables en su Lata Azul a través de la semana. En su día de la colección, coloque su Lata Azul en su banqueta antes de las 6am.

¿CUÁNDO PUEDO COMENZAR?
Usted puede comenzar a almacenar recyclables en su Lata Azul inmediatamente. La colección de la Lata Azul comienza en julio, así que usted puede comenzar a fijar su Lata Azul afuera para el servicio después de 1 de Julio, 2006. Los días de la colección varían por la localización y se enumeran en el aviador incluido de la zona de la colección.

¿QUÉ PUEDE SER RECICLADO?
Se aceptan todos los recyclables comunes de la casa:

**TODOS LOS PLÁSTICOS #1-#7**
envases de bebida, botellas del champú, botellas detergentes, empaques de tienda, los jarros de la leche

**TODOS LOS FRASCOS Y BOTELLAS DE VIDRIO**
bebidas, vino, condimento

**TODAS LAS LATAS de ACERO/LATA**
sopa, fruta y vehíctales, alimento de animal doméstico

**TODO EL PAPEL** - el periódico, correo de chatarra, papeles de oficina/escuela, empaquetas de tienda, los libros de teléfono, catálogos, papel de computadora, papel de construcción

**CAJAS** - materiales del envío y de embalaje de la cartulina, cereal y otras cajas secas de alimento, cajas de zapato, cajas de regalo

**ALUMINIO** - latas, desecho, papel de aluminio limpio

¿MIS RECICLABLES TIENEN QUE SER SEPARADOS?
¡No! Eso es lo qué hace su Lata Azul tan fácil. Todos los recyclables se pueden mezclar juntos en su Lata Azul. Cerciórese de favor aplanar las cajas y vaciar y aclarar los envases.

La ciudad de Porterville con gusto les ofrece a sus residents esta nueva oportunidad de reciclaje conveniente.
Para más información, llame la división de la basura de la ciudad en 782-7518.
COUNCIL AGENDA: JUNE 20, 2006

SUBJECT: ANNUAL ENGINEER’S REPORT AND ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The City has created fifty-four lighting and landscape maintenance districts (LMD’s) since 1989. A separate district has been established for each new land development. Many of these districts only contain street lighting, for which the assessment was to collect only a portion of the street lighting cost. Other districts have landscape improvements installed within public right-of-ways or public properties in addition to the street lighting. In these instances, the landscaping has been established to provide a more aesthetic appearance and a healthier environment. Only the property owners directly benefiting from these improvements are assessed for the maintenance effort. Annually, a process of evaluating maintenance needs and establishing an assessment for each LMD must be followed.

The first attached Resolution is necessary to initiate the annual Engineer’s Report, which will show the proposed assessments for the 2006-2007 fiscal year. The second Resolution provides preliminary approval to the Engineer’s Report for fiscal year 2006-2007, and sets a Public Hearing on the assessments for July 18, 2006. The comprehensive annual Engineer’s Report is provided as an attachment. Once the assessments are approved by the City Council, they are transmitted to the County of Tulare for placement upon the tax bill of the property owners and indicated as a special assessment. The third Resolution declares the intent of the City Council to levy and collect the assessments for fiscal year 2006-2007.

Also provided with this report is a spreadsheet to illustrate the beginning and ending fund balance for the current fiscal year, as well as the proposed full district assessment. This spreadsheet has a column added this year to indicate whether a the proposed assessments include a consumer price index adjustment. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying during this fiscal year. It is recommended that refunds not be included until next year when that effort is complete. The fund balance for other districts would appear to justify an increase in the assessment. However, the authority to raise assessments lies with the consent of the assessed property owners. While working through the cost recognition discrepancies this year it is staff’s goal to identify options to an increase in assessments.

Director _____ Appropriated/Funded _____ City Manager

ITEM NO.: _____
RECOMMENDATIONS: 1. That the City Council adopt Resolutions:
   a. Ordering the preparation of an Engineer’s Report for
      the Landscape and Lighting Maintenance Districts for
      the fiscal year 2006-2007.
   b. Giving preliminary approval to the Engineer’s Report
      for the Landscape and Lighting Maintenance Districts
   c. Declaring the intent to levy and collect assessments for
      fiscal year 2006-2007, and offering a time and place for
      hearing objections thereto.
2. Further, that the City Council set a public hearing for 7:00
   PM on July 18, 2006 regarding the Engineer’s Report and
   proposed assessments for the Landscape and Lighting

ATTACHMENTS: Resolution ordering preparation of Engineer’s Report
Resolution of preliminary approval to Engineer’s Report
Engineer’s Report for fiscal year 2006-2007
Resolution declaring intent to levy assessments
Statement of revenues and expenditures spreadsheet
RESOLUTION NO.: _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE,
ORDERING THE PREPARATION OF AN ENGINEERS REPORT FOR LANDSCAPE

WHEREAS, the City Council of the City of Porterville has determined that the public
interest, convenience and necessity required the maintenance of lighting systems, landscape
planting materials, irrigation systems and appurtenances in designated areas of the City; and

WHEREAS, the City has established assessment districts to recover the cost of
maintenance work, and

WHEREAS, Section 22622 of the California Streets and Highways Code requires that an
Engineer’s Report be prepared and filed annually, outlining the assessments to be levied against
the properties within the assessment district.

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville that:

1. Douglas Wilson is appointed “Engineer of Work” for preparation of the
   Engineer’s Report.

2. The Engineer of Work is ordered to prepare the report for fiscal year 2006 – 2007
   in accordance with Article 4, Division 15, of the Streets and Highways Code,

APPROVED AND ADOPTED this 20th day of June 2006.

_________________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: ______________________________
Georgia Hawley, Deputy City Clerk
RESOLUTION NO.: ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR FISCAL YEAR 2006-2007 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS

WHEREAS, on the 20th day of June, 2006 said City Council did adopt a Resolution directing the Engineer of Work to make and file with the City Clerk of said City a report in writing for Fiscal Year 2006-2007 as required by the Landscaping and Lighting Act of 1972;

WHEREAS, said Engineer of Work has made and filed with the City Clerk of said City a report in writing as called for in said Resolution and under and pursuant to said Act, which report has been presented to this Council for consideration;

WHEREAS, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that said report, nor any part thereof, requires or should be modified.

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville that:

1. That the Engineer’s Estimate of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby preliminarily approved and confirmed.

2. That the diagram showing the Assessment Districts referred to and described in said report (the boundaries of the subdivision of land within each said Assessment District), are approved and confirmed as the same as existed at the time of passage of Resolution originally establishing each District.

3. That the proposed assessments upon the subdivisions of land in said Assessment Districts are in proportion to the estimated benefit to be received by said subdivisions, respectively, from said normal and customary maintenance and of the incidental expenses thereof, as contained in said report, and are hereby preliminarily approved and confirmed.

4. That said report shall stand as the Engineer’s Report for the purposes of all subsequent proceedings, and pursuant to the proposed district.

Reference is hereby made to said maps for further, full and more particular description of said Assessment District, and the same maps so on file shall govern for all details as to the extent of each said Assessment District.
APPROVED AND ADOPTED this 20th day of June, 2006.

______________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: ____________________________
Georgia Hawley, Deputy City Clerk
SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville, Resolution Number ____________. The report is in compliance with the requirements of Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

SECTION 2. General Description

The City Council has heretofore elected to place the permanent landscape area along Westwood Street of Westwood Estates, Unit 1, 2, and 3 subdivisions, into Landscape and Lighting Maintenance District No. 1 and to annex the permanent landscape areas along the perimeter streets of the following developments:

1. Annexation No. 1 = The Hope Drive, Newcomb Street, Thunderbolt Drive and Corsair Drive frontages of the Airport Industrial Park;

2. Annexation No. 2 = Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street;

3. Annexation No. 3 = Porter Creek Avenue right-of-way to the center line of the Porter Slough, median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line of Porter Slough;

4. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street;

5. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip;

6. Annexation No. 6 = Northpointe Subdivision includes subdivision lighting located south of Westfield Avenue and east of Mathew Street;

7. Annexation No. 7 = Quail Park Phase II Subdivision located on Lime Street;

8. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River;
9. Annexation No. 9 = Parcel Map No. 4132 located on the corner of Henderson Avenue and Westwood Street;

10. Annexation No. 10 = Westview Subdivision located on the corner of Westfield Avenue and Cobb Street;

11. Annexation No. 11 = New Horizons Phase One Subdivision and the remainder parcel located along Springville Ave. and Indiana Street;

12. Annexation No. 12 = Sunrise Estates Phase Six Subdivision located on the corner of Prospect Street and Orange Avenue;

13. WITHDRAWN

14. Annexation No. 14 = Wisconsin Manor I Subdivision located on the corner of Wisconsin Way and Mulberry Avenue;

15. Annexation No. 15 = Northpointe Phase II Subdivision located on Mathew Street;

16. Annexation No. 16 = New Horizons Phase II located on the corner of Indiana Street and Springville Avenue;

17. NOT FORMED;

18. Annexation No. 18 = Westwood Mobile Home Park Phase I Subdivision located on Westwood Street and Olive Avenue;

19. Annexation No. 19 = Castle Woods Phase I Subdivision located along Castle Avenue and Newcomb Street;

20. District No. 2 = North Creek Estates located on Westwood north of Westfield;

21. District No. 3 = New Expressions Phase I Subdivision located along Indiana Street between Springville Avenue and Cleo Avenue;

22. District No. 4 = River Springs Phase I Subdivision located along Newcomb Street;

23. District No. 5 = Castle Woods Phase II Subdivision located at Median Avenue and Salisbury.

24. District No. 6 = Creekview Estates located between Porter Creek Avenue and the property line in Porter Slough;

25. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue;
26. District No. 8 = River Breeze located on Newcomb Street between Patsy and Spring Streets;

27. District No. 9 = Orchard Ridge Phase 3 located on Mathew Street between Nancy Avenue, Cheryll Avenue and Belmont Street;

28. District No. 10 = Orchard Ridge Phase 4 located on LaVida Court and Carmelo Street;

29. District No. 11 = Orchard Ridge Phase 5 located on Mathew Street between LaVida Avenue, Michael Street and Julieanne Avenue;

30. District No. 12 = Westwood Estates, Unit 5, Phase 2, located on Henderson Avenue and Brandy Way;

31. District No. 13 = River Ranch 3, located on Lloyd Avenue and Newcomb Street;

32. District No. 14 = River Springs, Phase Two Subdivision, located on River Avenue, Beverly Street, Date Avenue and River Springs Drive;

33. District No. 15 = Meadowood, Phase One Subdivision, located on Newcomb Street, Cheryl Avenue and York Street;

34. District No. 16 = New Expressions, Phase Two Subdivision, located on Lybarger Avenue Cul de Sac at the entry to the Tule River Parkway Trail;

35. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Julieann Avenue and Michael Street;

36. District No. 18 = Ohio North Subdivision located on Ohio Way Street;

37. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court;

38. District No. 20 = West View Place Subdivision located on Median Avenue.

39. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street;

40. District No. 22 = Meadowood Phase Two Subdivision located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street and Birch Street;

41. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmont Street, Orange Avenue and Parkwest Street;
42. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue;

43. District No. 25 = Casas Del Rio Subdivision located on Date Street, Casas Del Rio Avenue, Presidio Avenue, Rio Bonito Street, Alamo Court, Camellia Street, Tule Court and Rio Vista Avenue;

44. District No. 26 = Orchard Ridge, Phase Nine Subdivision located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues;

45. District No. 27 = New Expressions, Phase Three Subdivision located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street;

46. District No. 28 = Meadowood, Phase Three Subdivision located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer Avenue;

47. District No. 29 = River Springs, Phase 3 Subdivision located on Date Avenue, River Springs Drive and Atkins Court;

48. District No. 30 = Sierra Meadows, Phase 1, Subdivision located at Indiana Street and Gibbons Avenue;

49. District No. 31 = Williams Ranch, Phase 2 and 3 Subdivision on Westwood Street between Henderson and Westfield Avenues;

50. District No. 32 = Sunrise Villa, Phase 1 Subdivision located at Cottage Street and Mulberry Avenue;

51. District No. 33 = New Expressions, Phase 4 Subdivision located on Indiana Street between Springville Avenue and the Tule River;

52. District No. 34 = Meadow Breeze, Phase 2 Subdivision located on Castle Avenue and Mathew Street;

53. District No. 35 = Meadow Breeze, Phase 1 Subdivision located on Pioneer Avenue and Salisbury Street;

54. District No. 36 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue;

55. District No. 37 = Riverview Estates, Phase 4 Subdivision located south of Olive Avenue, and east of Mathew Street, including Union Lane and Parkwest Street.

SECTION 3. Plans and Specifications

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments.
The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.

Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

SECTION 4. Improvements

Landscaping improvements will include landscaping the entry ways, medians and areas behind subdivision block wall.

SECTION 5. Estimated Maintenance Costs

Maintenance is currently being performed by City staff and contract services. Accordingly, the City's record-keeping will be required to be sufficiently accurate to detail the expenses incurred on behalf of each individual annexation so that these costs may be recaptured through assessments.

The City Finance Department presently maintains records of expenditures for each annexation. Because of the restrictions placed upon municipal budgets through the passage of Proposition No. 218 and the lag between the time assessments are made and revenues are collected by the City, it is appropriate that assessments be made in advance of the anticipated expenditures to provide working capital for the maintenance effort. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying during this fiscal year. It is recommended that refunds not be included until next year when that effort is complete.

The assessments include costs accumulated to date and estimated costs for the 2006-2007 fiscal year for Landscape and Lighting District No. 1, including Annexations 1 through 19 and District 2 through 37.

SECTION 6. Assessment Diagram

Copies of the assessment diagrams were attached to each individual Engineer's Reports and were labeled "Exhibit A". An Index Map is attached to this report identifying the location of the original district and each annexation.

SECTION 7. Assessment

The City Council, in forming Landscape and Lighting Maintenance District No. 1 and in annexing territories to the district, has maintained the philosophy that the subdivider or developer is responsible for the plantings, irrigation system and the maintenance of the improvements until they become well established. The assessments for maintenance thus only include anticipated costs incurred subsequent to the acceptance of the system by the City Council on behalf of the
Maintenance District.

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.

The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit by unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that effect the assessment.

The determination of benefit for the lots within the districts takes into consideration the facts for the original districts and all annexations thereto.

Following are estimated maintenance costs and assessments for each District and Annexation:
Landscape and Lighting Maintenance District #1 - Westwood Estates Subdivision
(Original Formation)
2006-2007 Fiscal Year
Approved CPI 2000

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 13,650 sq. ft. of landscaped area $7,467.04
Project Management 126 Lots $ 32.92

Total $7,499.96

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ($ 4,011.30)

Maintenance, 13,650 sq. ft. of landscaped area
$11,034.58
Project Management, 126 lots $1,000 + $4.00 per lot $ 1,504.00
Eliminate Deficit Fund Balance over 10 years $ 401.13
Reserves $ 1,940.95

Estimated Cost Per Year $14,880.66

Previous year assessment $13,894.75
C.P.I. Increase of 3.2% since previous adjustment (2004-2005)
    applied to reduce deficit = 0.032 x $13,894.75 $ 444.63

New Assessment $14,339.38

ASSESSMENT

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. Each lot benefits equally from the other’s landscaped area and therefore each lot will share the combined costs equally.
4. The benefit to the lots in the landscaped annexed area benefit by the uniform maintenance and appearance. All lots benefit equally.
5. The landscaping on Westwood Avenue is oriented away from the units adjacent to the landscaped area.

FORMULA FOR ASSESSMENT
A = Assessment per lot  
L = Number of lots  
T = Total annual cost

\[
A = \frac{T}{L}
\]

The 2006-2007 assessment will be spread based upon the total lots. Total lot count is 126 lots.

Estimated Annual Assessment

\[
A = \frac{T}{L} = \frac{14,339.38}{126} = $113.80 \text{ per lot}
\]
Annexation No. 1 - Airport Industrial Park  
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Maintenance</td>
<td>$960.00</td>
</tr>
<tr>
<td>Project Management</td>
<td>$32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$992.92</strong></td>
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ESTIMATED COST 2006-2007

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>($2,716.64)</td>
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<tr>
<td>Maintenance</td>
<td>$2,717.26</td>
</tr>
<tr>
<td>Project Management, 5 parcel maps $1,000 + $4.00 per map</td>
<td>$1,020.00</td>
</tr>
<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$271.66</td>
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<tr>
<td>Reserves</td>
<td>$601.34</td>
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<td>Estimated Cost Per Year</td>
<td>$4,610.26</td>
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<tr>
<td>Previous year assessment</td>
<td>$3,833.00</td>
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<tr>
<td>New Assessment</td>
<td>$3,833.00</td>
</tr>
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</table>

ASSESSMENT

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. The benefit to the lots not adjacent to the landscaped area benefit by the uniform maintenance and appearance. All lots not abutting the landscaped area benefit equally.
4. It is proposed that the assessment be divided among the property owners based on their lot size in the assessment area.
5. The area along the south side of Hope Avenue will be included for maintenance until such time that the adjacent property to the south is developed.
6. The following parcels are exempt from fees since they were sold and/or developed prior to annexation to Maintenance District No. 1.

A. Parcel 1 on Parcel Map No. 3503
B. Parcel 1 on Parcel Map No. 3684
C. Parcels 1 and 4 on Parcel Map No. 3735

Formula for Assessment:
Total Landscape Maintenance Costs

\[
\text{Total Net Assessable Square Feet} = \frac{\text{Total Landscape Maintenance Costs}}{\text{Cost per Sq. Ft.}} = \frac{\$3,833}{1,024,967 \text{ sq. ft.}} = \$.00374 \text{ per sq. ft.}
\]

Assess $.00374 \text{ per sq. ft.} \text{ annual charge for landscape construction and maintenance for fiscal year.}

Parcel 2 on P.M. No. 3813 = $156.82
Parcel 1 on P.M. No. 3503 = No Fee
Parcel 1 on P.M. No. 3641 = $261.47
Parcel 1 on P.M. No. 3684 = No Fee
Parcels 1 and 4 on P.M. No. 3735 = No Fee

Remaining property owner - COP = $3,414.71

Total = $3,833.00
Annexation No. 2 - Jasmine Ranch
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Maintenance 22,100 sq. ft. of landscaped area</td>
<td></td>
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<tr>
<td>$6,145.66</td>
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<tr>
<td>Project Management 126 Lots</td>
<td>$32.92</td>
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<tr>
<td>Total</td>
<td>$6,178.58</td>
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ESTIMATED COST 2006-2007

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<tr>
<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$2,065.14</td>
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<tr>
<td>Maintenance, 22,100 sq. ft. of landscaped area</td>
<td></td>
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<tr>
<td>7,533.60</td>
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<tr>
<td>Project Management, 22 lots $1,000 + $4.00 per lot</td>
<td>$1,088.00</td>
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<td>Reserves</td>
<td>$1,293.24</td>
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<td>Estimated Cost Per Year</td>
<td>$9,914.84</td>
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<td>$8,000.00</td>
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<td>New Assessment</td>
<td>$8,000.00</td>
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ASSESSMENT

1. The purpose of the landscaping is to provide an aesthetic impression for the area.
2. The maintained landscaping benefits all properties in the development.
3. Each lot benefits equally from the other landscaped areas, therefore, each lot will share the combined cost equally.
4. The landscape and pedestrian easement is now abandoned and is eliminated from the Landscape and Lighting Maintenance District No. 1, Annexation #2, no other changes are proposed.

Formula for Assessment
\[ A = \frac{\text{Total Assessment} - F}{L} \]
\[ F = \text{Assessment for remainder parcel} \]

The 2006-2007 assessment will be spread based upon the above formula. There are 22 lots in Unit One. The 47.89 acre remainder parcel is included on the final subdivision map and will be assessed 20% of the total estimated cost for landscaping maintenance until it is developed at which time it will be combined with the other completed units and assessed fully.
Estimated Assessment

F = $8,000 \times 0.20 = $1,600.00 for remainder
A = \frac{8000 - 1600}{22} = $290.92 per lot in Unit One
ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 89,200 sq. ft. includes Slough Clean Up $15,879.93
Project Management 177 Lots $ 32.92

Total $15,912.85

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 1,948.91

Maintenance, 89,200 sq. ft. of landscaped area $22,938.74
Project Management, 177 lots $1,000 + $4.00 per lot $ 1,708.00
Reserves (15%) $ 3,697.01

Estimated Cost Per Year $28,343.75
Previous year assessment $23,643.46

New Assessment $23,643.46

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the uniform appearance of the landscaping. All lots not adjacent to the landscaped area benefit equally.
4. Formula for Assessment

\[ A = \frac{T}{L} \]
\[ A = \frac{23,643.46}{177} = 133.58 \]

The 2006-2007 assessment will be spread based upon the total lots. Total lot count is 177 lots.
Estimated Assessment

A = $133.58

A = Assessment Per Lot
L = Number of Lots
T = Total Annual Cost
ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 3,790 sq. ft. of landscaped area $1,902.98
Project Management 17 Lots $32.92
Total $1,935.90

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ($1,273.47)

Maintenance, 3790 sq. ft. of landscaped area $2,408.09
Project Management, 17 lots $1,000 + $4.00 per lot $1,068.00
Eliminate Deficit Fund Balance over 10 years $127.35
Reserves $540.51

Estimated Cost Per Year $4,143.95

Previous year assessment $2,469.42

New Assessment $2,469.42

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the appearance of the landscaping. All lots not adjacent to the landscaping benefit equally.

Formula for Assessment

\[ A = \frac{T}{L} \]

where:
- \( A \) = Assessment per lot
- \( L \) = Number of lots
- \( T \) = Total annual cost

\[ A = \frac{2,469.42}{17} = 145.26 \]

Estimated Assessment
\[ A = 145.26 \]
Annexation No. 5 - Westwood Estates Unit Four,
Unit Five (Phase 1)
2006-2007 Fiscal Year
Approved CPI 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 14,700 sq. ft. of landscaped area $ 5,744.05
Project Management 47 Lots $ 32.92

Total $ 5,776.97

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ($11,246.61)

Maintenance, 14,700 sq. ft. of landscaped area $
5,993.63

Project Management, 47 lots $1,000 + $4.00 per lot $ 1,188.00
Eliminate Deficit Fund Balance over 10 years $ 1,124.66
Reserves $ 1,245.95

Estimated Cost Per Year $ 9,552.24

Previous year assessment $ 5,955.88
C.P.I. Increase since previous adjustment (2005-2006)
applied to reduce deficit = 0.032 x $5,955.88 $ 190.59

New Assessment $ 6,146.47

ASSESSMENT

1. The purpose of the landscaping is to provide a favorable aesthetic appearance of the area.

2. Properly maintained landscaping benefits all properties in the development.

3. The lots not adjacent to the landscaped area benefit from the uniform appearance of the landscaping. All lots not adjacent to the landscaped area benefit equally. Trees in the front yard right-of-way are included in the District on White Chapel Avenue.

The cost of planting and installing improvements is to be paid by the developer and no assessment is to be made therefore.

It is proposed that Lots 1 through 34 be assessed for maintenance of the
landscaped area. It has been determined that the relative benefit of developed lots as compared to the remainder parcel is as shown in the formula below.

**Formula for Assessment**

\[
A = \frac{T}{L}
\]

A = Assessment per lot  
L = Number of lots  
T = Total annual cost

\[
A = \frac{6,146.47}{47} = 130.78
\]

**Estimated Assessment**

A = $130.78
Annexation No. 6 - Northpointe
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

- Lighting 11 ea., 5,800 lumen, 8 ea., 9,500 lumen $ 370.56
- Project Management 12 Lots $ 32.92

Total $ 403.48

ESTIMATED COST 2006-2007

- July 1, 2006 Fund Balance $ 3,778.20
- Lighting 11 ea., 5,800 lumen @ $30.21 $ 332.31
  8 ea., 11,000 lumen @ 36.29 $ 290.32
- Project Management, 81 lots $400 + $3.00 per lot $ 643.00
- Reserves $ 456.89

Estimated Cost Per Year $ 1,722.52

- Previous year assessment $ 1,722.52
- New Assessment $ 1,722.52

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[ P = \text{Portion to be assessed to developed lots} \]
\[ TA = \text{Total Assessment ($)} \]
\[ L = \text{Assessment for each developed lot ($)} \]
\[ N = \text{Number of assessable lots in Phase One (81)} \]

\[ P = \frac{TA}{N} = \frac{1,722.52}{81} = 21.28 \text{ per lot} \]

Estimated Assessment

\[ P = 21.28 \]
Annexation No. 7 - Quail Park Phase II
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
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<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Lighting 2 ea., 5,800 lumen</td>
<td>$102.53</td>
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<tr>
<td>Project Management 12 Lots</td>
<td>$32.92</td>
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<td><strong>Total</strong></td>
<td>$134.45</td>
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ESTIMATED COST 2006-2007

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<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$914.04</td>
</tr>
<tr>
<td>Lighting, 2 ea., 5,800 lumen @ $30.21</td>
<td>$60.42</td>
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<tr>
<td>Project Management, 12 lots $400 + $3.00 per lot</td>
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<td>Reserves</td>
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<td>Estimated Cost Per Year</td>
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<td>$410.40</td>
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<td><strong>New Assessment</strong></td>
<td>$410.40</td>
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</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
Assessment \ (A) = \frac{\text{Cost} \ (C)}{\text{Number of Lots} \ (L)}
\]

\[
A = \frac{\$410.40}{12} = \$34.20 \text{ per lot}
\]

Estimated Assessment
\[
A = \$34.20
\]
Annexation No. 8 - Westwood Park Unit Three
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 28,460 sq. ft. of landscaped area $ 1,659.96
Project Management 36 Lots $ 32.92

Total $ 1,692.88

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 5,907.73

Maintenance, 28,460 sq. ft. of landscaped area, Lighting
5 ea., 5,800 lumens, and 1 ea., 16,000 lumens $ 1,946.45
Project Management, lots $1,000 + $4.00 per lot $ 1,144.00
Reserves $ 463.57

Estimated Cost Per Year $ 3,554.02

Previous year assessment $ 2,481.27
New Assessment $ 2,481.27

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} = \frac{\text{Number of Lots (L)}}{
\]

\[
A = \frac{2,481.27}{36} = 68.92 \text{ per lot}
\]

Estimated Assessment

\[
A = 68.92
\]
ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting 1 ea., 16,000 lumens $ 21.41

Project Management 2 Parcels $ 32.92

Total $ 54.33

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 844.61

Lighting 1 ea., 16,000 lumens $ 47.47

Project Management, lots $400 + $3.00 per lot $ 406.00

Reserve $ 68.02

Estimated Cost Per Year $ 521.49

Previous year assessment $ 396.47

New Assessment $ 396.47

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment
It has been determined that the relative benefit of Parcel 2 as compared to Parcel 1 (developed parcel) is as shown below. This determination of the relative benefit was made based upon an estimate of lighting cost of $47.47, an administrative cost of $300, and a reserve of $49.00.

\[ P_1 = \text{Portion to be assessed to Parcel 1 (developed parcel)} \]
\[ P_2 = \text{Portion to be assessed to Parcel 2} \]
\[ TA = \text{Total Assessment (�)} \]
AE = Administration and Engineering Cost
A_t = Area of Parcel 1 (acres)
L = Lighting Cost
T = Total area (acres)

\[ P_2 = \frac{AE \times A_t}{T} = \frac{349 \times 4.81}{6.61} = 253.96 \]

\[ P_1 = AE - P_2 + L = 349 - 253.96 + 47.47 = 142.52 \]

Based on benefit in the district, the estimated assessment will be spread based on the preceding formula.

Estimated Assessment

\[ P_2 = 253.96 \]
\[ P_1 = 142.52 \]
Annexation No. 10 – Westview Subdivision
2006-2007 Fiscal Year

ESTIMATED MAINTENANCE COST

ESTIMATED ACCUMULATED COSTS 2005-2006

- Maintenance 1,307 sq. ft. of landscaped area and Lighting 4 ea., 5,800 lumens: $1,160.23
- Project Management 16 Lots: $32.92

Total: $1,193.15

ESTIMATED COST 2006-2007

- Projected July 1, 2006 Fund Balance: $2,523.87
- Maintenance, 1307 sq. ft. of landscaped area and Lighting 4 ea., 5,800 lumens: $1,311.25
- Project Management, 16 lots $1,000 + $4.00 per lot: $1,064.00
- Reserves: $356.29

Estimated Cost Per Year: $2,731.54
Previous year assessment: $1,824.30
New Assessment: $1,824.30

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,824.30}{16} = 114.02 \text{ per lot}
\]

Estimated Assessment
A = $114.02
Annexation No. 11 - New Horizon's Phase One
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

**Lighting**
6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and
2 fixtures, 16,000 lumen  $ 380.11
Project Management 63 Lots  $ 32.92

Total  $ 413.03

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance  $ 6,356.81

**Lighting**
6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and
2 ea., 16,000 lumen  $ 675.39
Project Management, lots $1,000 + $4.00 per lot  $ 1,252.00
Reserves  $ 289.11

Estimated Cost Per Year  $ 2,216.50

Previous year assessment  $ 1,045.80

New Assessment  $ 1,045.80

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,045.80}{63} = 16.60 \text{ per lot}
\]

Estimated Assessment

A = $16.60
Annexation No. 12 - Sunrise Estates Phase Six
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 2,840 sq. ft. of landscaped area and
  Lighting, 7 ea., 5,800 lumens  $ 1,146.19
  Project Management 32 Lots         $  32.92

Total                                      $ 1,179.11

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance        ($  257.16)

  Maintenance, 2,840 sq. ft. of landscaped area, and
  Lighting, 7 ea., 5,800 lumens   $ 1,203.84
  Project Management, 32 lots $1,000 + $4.00 per lot  $ 1,128.00
  Eliminate Deficit Fund Balance over 10 years       $   25.72
  Reserves                                             $  353.63

Estimated Cost Per Year                    $ 2,711.19

Previous year assessment                    $ 1,429.00

New Assessment                             $ 1,429.00

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic
   appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the
   development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,429.00}{32} = 44.66 \text{ per lot}
\]

Estimated Assessment
A = $44.66
Annexation No. 14 - Wisconsin Manor I Subdivision  
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 3,030 sq. ft. of landscaped area and  
Lighting, 3 ea., 5,800 lumens $ 2,001.19  
Project Management  8 Lots $ 32.92

Total $ 2,034.11

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ($ 2,792.90)

Maintenance, 3,030 sq. ft. of landscaped area and  
Lighting, 3 ea., 5,800 lumens $ 2,065.23  
Project Management, 8 lots $1,000 + $4.00 per lot $ 1,032.00  
Eliminate Deficit Fund Balance over 10 years $ 279.29  
Reserves $ 506.48

Estimated Cost Per Year $ 3,883.00

Previous year assessment $ 1,824.69

New Assessment $ 1,824.69

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,824.69}{8} = $228.00 \text{ per lot}
\]

Estimated Assessment
\[
A = $228.08
\]
Annexation No. 15 - Northpointe Phase II Subdivision
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 3,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumens, and 1 ea., 9,500 lumens $ 145.86
Project Management 59 Lots $ 32.92

Total $ 178.78

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 5,339.40

Maintenance, 3,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumens and 1 ea., 9,500 lumens $ 2,305.00
Project Management, 59 lots $1,000 + $4.00 per lot $ 1,236.00
Reserves $ 531.15

Estimated Cost Per Year $ 4,072.15

Previous year assessment $ 2,816.00

New Assessment $ 2,816.00

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}

\begin{align*}
A &= \frac{2,816.00}{59} = \$47.72 \text{ per lot} \\
&= \frac{2,816.00}{59} = \$47.72
\end{align*}

Estimated Assessment

A = \$47.72
Annexation No. 16 - New Horizon's Phase II Subdivision
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting
8 ea., 5,800 lumens and 8 ea., 9,500 lumens $ 313.92
Project Management 81 Lots $ 32.92

Total $ 346.84

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 2,710.71

Lighting, 8 ea., 5,800 lumens and 8 ea., 9,500 lumens
532.00

Project Management, 81 lots $400 + $3.00 per lot $ 643.00
Reserves $ 628.34

Estimated Cost Per Year $ 1,803.34

Previous year assessment $ 1,803.34

New Assessment $ 1,803.34

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,803.34}{81} = 22.26 \text{ per lot}
\]

Estimated Assessment
\[
A = 22.26
\]
Annexation No. 18 - Westwood Village Mobile Home Park, Phase I
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting
5 ea., 16,000 lumens $ 107.18
Project Management 1 Lots $ 32.92

Total $ 140.10

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 1,359.45

Lighting, 5 ea., 16,000 lumens $ 237.35
Project Management, 1 lots $400 + $3.00 per lot $ 403.00
Reserves $ 147.00

Estimated Cost Per Year $ 787.35

Previous year assessment $ 787.35
New Assessment $ 787.35

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{787.35}{1} = 787.35 \text{ per lot} \]

Estimated Assessment

\[ A = 787.34 \]
Annexation No. 19 - Castle Woods Phase I Subdivision
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting
9 ea., 5,800 lumens and 1 ea., 16,000 lumens $ 191.40
Project Management 30 Lots $ 32.92

Total $ 224.32

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 1,411.46

Lighting, 9 ea., 5,800 lumens and 1 ea., 16,000 lumens $ 319.36
Project Management, 30 lots $400 + $3.00 per lot $ 490.00
Reserves $ 121.40

Estimated Cost Per Year $ 930.76

Previous year assessment $ 919.20

New Assessment $ 919.20

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

A = $919.20 = $30.64 per lot

Estimated Assessment

A = $30.64
District No. 2 - North Creek Subdivision
2006-2007
CPI Approved 1998

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 12,677 sq. ft. of landscaped area $ 6,281.89
Project Management 104 Lots $ 32.92

Total $ 6,314.81

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $18,287.30

Maintenance, 12,677 sq. ft. of landscaped area $11,412.74
Project Management, 104 lots $1,000 + $4.00 per lot $ 1,416.00
Reserves $ 1,924.31

Estimated Cost Per Year $14,753.05

Previous year assessment $12,611.05

New Assessment $12,611.05

ASSESSMENT

48. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.

49. Properly maintained landscaping and lighting benefits all properties in the development.

50. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = Cost (C) / Number of Lots (L)

A = $12,611.04 / 104 = $121.26 per lot

Estimated Assessment

A = $121.26
ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting
10 ea., 5,800 lumens $295.31
Project Management 56 Lots $32.92

Total $328.23

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $2,046.56

Lighting, 10 ea., 5,800 lumens $302.10
Project Management, lots $1,000 + $4.00 per lot $568.00
Reserves $130.52

Estimated Cost Per Year $1,000.62

Previous year assessment $963.42
New Assessment $963.42

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = ___ Cost (C)
Number of Lots

A = $963.42 = $17.20 per lot
56

Estimated Assessment

A = $17.20
District No. 4 - River Springs, Phase 1
2006-2007
CPI Approved 1998

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 2,100 sq. ft. of landscaped area, and
Lighting, 8 ea., 5,800 lumens and 2 ea., 16,000 .... $ 1,569.04
Project Management 51 Lots .................. $   32.92

Total .................................................. $ 1,601.96

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ....... $ 2,247.04

Maintenance, 2,100 sq. ft. of landscaped area $ 2,145.09
Project Management, 51 lots $1,000 + $4.00 per lot $ 1,204.00
Reserves ........................................... $   502.36

Estimated Cost Per Year ................... $ 3,851.45

Previous year assessment ................ $ 2,719.14

New Assessment ................................. $ 2,719.14

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of lots (L)}}
\]

\[
A = \frac{2,719.14}{51} = 53.32 \text{ per lot, per year}
\]

Estimated Assessment

\[
A = 53.32
\]
District No. 5 - Castle Woods, Phase 2
2006-2007
CPI Approved 2002
(Adj. 2004/2005)

**ESTIMATED ACCUMULATED COSTS 2005-2006**

- Maintenance 1,715 sq. ft. of landscaped area, and
  - Lighting 8 ea., 5,800 lumens $ 945.72
  - Project Management 25 Lots $ 32.92
  - **Total** $ 978.64

**ESTIMATED COST 2006-2007**

- Projected July 1, 2006 Fund Balance ($ 410.57)
  - Maintenance, 1,715 sq. ft. of landscaped area $ 975.98
  - Project Management, 25 lots $1,000 + $4.00 per lot $ 1,100.00
  - Eliminate Deficit Fund Balance over 10 years $ 41.06
  - Reserves $ 317.56
  - **Estimated Cost Per Year** $ 2,434.60
  - Previous year assessment $ 890.24
  - C.P.I. Increase since previous adjustment (2004-2005) applied to reduce deficit = (0.21+0.032)*890.24 $ 47.18
  - New Assessment $ 937.42

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of lots (L)}} \]

\[ A = \frac{937.42}{25} = 37.50 \text{ per lot} \]

- **Estimated Assessment**
  - A = $37.50
District No. 6 - Creek View
2006-2007
CPI Approved by vote 1999

**ESTIMATED ACCUMULATED COSTS 2005-2006**

Maintenance 23,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumen $4,993.57
Project Management 19 Lots $32.92
Total $5,026.49

**ESTIMATED COST 2006-2007**

Projected July 1, 2006 Fund Balance ($18,520.41)

Maintenance, 23,600 sq. ft. of landscaped area and
Lighting 5 ea., 5,800 lumen $5,153.37
Project Management, 19 lots $1,000 + $4.00 per lot $1,076.00
Eliminate Deficit Fund Balance over 10 years $1,852.04
Reserves $1,212.21

Estimated Cost Per Year $9,293.62

Previous year assessment $4,330.02
C.P.I. Increase since previous adjustment (2005-2006)
applied to reduce deficit = 0.032 x 4330.02 $138.56

New Assessment $4,468.58

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of lots (L)}}
\]

\[
A = \frac{4,468.58}{19} = $235.19 \text{ lot}
\]

Estimated Assessment
A = $235.18
District No. 7 - Ford Estates
2006-2007
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea., 16,000 lumens       $  818.02
Project Management 20 Lots                                $  32.92

Total                                                $  840.94

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance                   $ 2,846.34

Maintenance, 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea. 16,000 lumens       $ 1,562.44
Project Management, 20 lots $1,000 + $4.00 per lot       $ 1,080.00
Reserves                                             $  396.36

Estimated Cost Per Year                                $ 3,038.80

Previous year assessment                              $ 2,163.40

New Assessment                                       $ 2,163.40

ASSESSMENT
1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance
   of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Unit Cost = Cost (C)
Number of front feet

Phase 1 = $2,163.40 = $6.94 per foot
          311.72 feet

Ultimate cost to maintain entire Westwood Street frontage:
1,065.95 feet X $6.94 per foot = $7,397.69
Ultimate cost per lot to maintain entire Westwood Street frontage:
$7,397.69 = $67.88 per lot
109 lots

Estimated Assessment

$2,163.40 - ($67.88 \times 20) = $805.80 = \text{remainder parcel assessment}

Phase 1 Assessment = $67.88 per lot
Remainder Parcel Assessment = $805.80
District No. 8 - River Breeze  
2006-2007  
CPI Approved 1999  

ESTIMATED ACCUMULATED COSTS 2005-2006

  Maintenance, 1,000 sq. ft. of landscaped area,  
  25,600 sq. ft. of fire break, and  
  Lighting, 8 ea., 5,800 lumen, and 1 ea., 16,000 lumen   $ 1,942.10  
  Project Management 37 Lots   $ 32.92  

  Total   $ 1,975.02

ESTIMATED COST 2006-2007

  July 1, 2006 Fund Balance   $13,639.45

  Maintenance, 1,000 sq. ft. of landscaped area,  
  25,600 sq. ft. of fire break, and  
  Lighting, 8 ea., 5,800 lumen, and 1 ea., 16,000 lumen   $ 3,843.90  
  Project Management, 37 lots $1,000 + $4.00 per lot   $ 1,148.00  
  Reserves   $ 748.79

  Estimated Cost Per Year   $ 5,740.69

  Previous year assessment   $ 4,374.93

  New Assessment   $ 4,374.93

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{4,374.93}{37} = \$118.24 \text{ per lot}
\]

Estimated Assessment
\[
A = \$118.24
\]
District No. 9 - Orchard Ridge, Phase 3  
2006-2007  
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 10 ea., 5,800 lumen</td>
<td>$188.81</td>
</tr>
<tr>
<td>Project Management 56 Lots</td>
<td>$32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$221.73</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$3,054.36</td>
</tr>
<tr>
<td>Lighting, 10 ea., 5,800 lumen</td>
<td>$302.10</td>
</tr>
<tr>
<td>Project Management, 56 lots $400 + $3.00 per lot</td>
<td>$568.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$130.52</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$1,000.62</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$985.03</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$985.03</td>
</tr>
</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots}}
\]

\[
A = \frac{\$985.03}{56} = \$17.58 \text{ per lot}
\]

Estimated Assessment

\[
A = 17.58
\]
District No. 10 - Orchard Ridge, Phase 4
2006-2007
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 4 ea., 5,800 lumens</td>
<td>$ 75.54</td>
</tr>
<tr>
<td>Project Management 19 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 108.46</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$ 235.78</td>
</tr>
<tr>
<td>Lighting, 4 ea., 5,800 lumens</td>
<td>$ 123.68</td>
</tr>
<tr>
<td>Project Management, 19 lots $400 + $3.00 per lot</td>
<td>$ 457.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 87.10</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$ 667.78</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 312.28</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 312.28</td>
</tr>
</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
A = \frac{\text{Assessment (A)} - \text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{$312.28 - $312.28}{19} = $16.44 \text{ per lot}
\]

Estimated Assessment

\[
A = $16.44
\]
District No. 11 - Orchard Ridge, Phase 5
2006-2007
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 14 ea., 5,800 lumens</td>
<td>$294.36</td>
</tr>
<tr>
<td>Project Management 76 Lots</td>
<td>$32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$327.28</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

- Projected July 1, 2006 Fund Balance: $3,851.24
- Lighting, 14 ea., 5,800 lumens: $422.94
- Project Management, 76 lots $1,000 + $4.00 per lot: $628.00
- Reserves: $157.64
- Estimated Cost Per Year: $1,208.58
- Previous year assessment: $1,151.92
- New Assessment: $1,151.92

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,151.92}{76} = \$15.16 \text{ per lot}
\]

Estimated Assessment

A = $15.16
District No. 12 - Westwood Estates, Unit 5, Phase 2  
2006-2007  
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 19,112 sq. ft. of landscaped area and  
Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen $ 4,416.73  
Project Management 34 Lots $ 32.92

Total $ 4,449.65

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $12,006.40

Maintenance 19,112 sq. ft. of landscaped area and  
Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen $ 7,099.24  
Project Management, 34 lots $1,000 + $4.00 per lot $ 1,136.00  
Reserves $ 1,235.29

Estimated Cost Per Year $ 9,470.53

Previous year assessment $ 7,368.84

New Assessment $ 7,368.84

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance  
of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{7,368.84}{34} = 216.72 \text{ per lot}
\]

Estimated Assessment

\[
A = 216.72
\]
District No. 13 - River Ranch, #3
2006-2007
CPI Approved 2000

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens $ 143.13
Project Management 35 Lots $ 32.92

Total $ 176.05

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 8,895.19

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens $ 1,638.81
Project Management, 35 lots $1,000 + $4.00 per lot $ 1,140.00
Reserves $ 416.82

Estimated Cost Per Year $ 3,195.63

Previous year assessment $ 2,150.40

New Assessment $ 2,150.40

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{\$2,150.40}{35} = \$61.44 \text{ per lot} \]

Estimated Assessment

\[ A = \$61.44 \]
District No. 14 - River Springs, Phase Two Subdivision
2006 - 2007
CPI Approved 2000

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 11 ea., 5,800 lumens</td>
<td>$ 207.71</td>
</tr>
<tr>
<td>Project Management 50 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 240.63</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

- Projected July 1, 2006 Fund Balance $ 3,076.79
- Lighting, 11 ea., 5,800 lumens $ 332.31
- Project Management, 50 lots $400 + $3.00 per lot $ 550.00
- Reserves $ 158.10
- Estimated Cost Per Year $ 1,040.41

Previous year assessment $ 1,040.41
New Assessment $ 1,040.41

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,040.41}{50} = $20.80 \text{ per lot}
\]

Estimated Assessment

\[
A = $20.80
\]
District No. 15 - Meadowood, Phase 1 Subdivision
2006 - 2007
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 7,723 sq. ft. of landscaped area and
Lighting, 10 ea., 5,800 lumens,
1 ea., 9,500 lumens and 3 ea. 16,000 lumens $ 5,319.76
Project Management 48 Lots $ 32.92

Total $ 5,352.68

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $20,073.02

Maintenance 7,723 sq. ft. of landscaped area and
Lighting, 10 ea., 5,800 lumens,
1 ea., 9,500 lumens and 3 ea. 16,000 lumens $ 5,699.88
Project Management, lots $1,000 + $4.00 per lot $ 1,192.00
Reserves $ 1,033.78

Estimated Cost Per Year $ 7,925.66

Previous year assessment $ 6,810.24

New Assessment $ 6,810.24

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{6,810.24}{48} = 141.88 \text{ per lot}
\]

Estimated Assessment

\[
A = 141.88
\]
District No. 16 - New Expressions, Phase 2  
2006 - 2007  
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 5,800 sq. ft. of landscaped area,  
Playground area, 30%, and Lighting, 13 ea., 5,800 lumens  $427.03  
Project Management 54 Lots  $32.92

Total  $459.95

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance  $22,079.29

Maintenance, 5,800 sq. ft. of landscaped area,  
Playground area, 30%, and Lighting, 13 ea., 5,800 lumens  $4,549.11  
Project Management, 54 lots $1,000 + $4.00 per lot  $1,216.00  
Reserves  $864.77

Estimated Cost Per Year  $6,629.88

Previous year assessment  $5,580.07

New Assessment  $5,580.07

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[ \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \]

\[ A = \frac{5,580.07}{54} = 103.34 \text{ per lot} \]

Estimated Assessment

\[ A = 103.34 \]
District #17 - Orchard Ridge Phase 6
2006 - 2007
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 7 ea., 5,800 lumens</td>
<td>$ 842.65</td>
</tr>
<tr>
<td>Project Management 32 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 875.57</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>$(809.89)</td>
</tr>
<tr>
<td>Lighting, 7 ea., 5,800 lumens</td>
<td>$ 211.47</td>
</tr>
<tr>
<td>Project Management, 32 lots $400 + $3.00 per lot</td>
<td>$ 496.00</td>
</tr>
<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$ 9.94</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 107.61</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$ 825.02</strong></td>
</tr>
</tbody>
</table>

Previous year assessment $549.81
C.P.I. Increase of 3.2% since previous adjustment (2003-2004) applied to reduce deficit = (0.005+0.021+0.032) x $549.81 $31.42

New Assessment $581.23

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = \( \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} \)

\[ A = \frac{581.23}{32} = 18.16 \text{ per lot} \]

Estimated Assessment

A = 18.16
District #18 - Ohio North
2005 - 2006
CPI Approved 2002

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 2 ea., 5,800 lumens</td>
<td>$ 37.73</td>
</tr>
<tr>
<td>Project Management 10 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 70.65</td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance  $(396.70)

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting, 2 ea., 5,800 lumens</td>
<td>$ 60.42</td>
</tr>
<tr>
<td>Project Management, 10 lots $400 + $3.00 per lot</td>
<td>$ 430.00</td>
</tr>
<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$ 39.67</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 79.51</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td>$ 609.60</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 165.03</td>
</tr>
<tr>
<td>C.P.I. Increase of 3.2% since previous adjustment (2003-2004)</td>
<td></td>
</tr>
<tr>
<td>applied to reduce deficit = (0.005+0.021+0.032) x $165.03</td>
<td>$ 9.57</td>
</tr>
<tr>
<td><strong>New Assessment</strong></td>
<td>$ 174.60</td>
</tr>
</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{174.60}{10} = $17.46 \text{ per lot, per year}
\]

Estimated Assessment
\[
A = $17.46
\]
District No. 19 - Williams Ranch Phase 1
2006 - 2007
CPI Approved 2002

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 13,910 sq. ft. of landscaped area and
Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens $ 5,228.23
Project Management 41 Lots $ 32.92

Total $ 5,261.15

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 3,289.52

Maintenance, 13,910 sq. ft. of landscaped area and
Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens $ 5,395.54
Project Management, 41 lots $1,000 + $4.00 per lot $ 1,164.00
Reserves $ 983.93

Estimated Cost Per Year $ 7,543.47

Previous year assessment $ 5,965.16

New Assessment $ 5,965.16

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{5,965.16}{41} = 145.49 \text{ per lot}
\]

Estimated Assessment

\[
A = 145.48
\]
District No. 20 - West View Place
2006 - 2007
CPI Approved 2002

**ESTIMATED ACCUMULATED COSTS 2005-2006**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens</td>
<td>$78.13</td>
</tr>
<tr>
<td>Project Management 10 Lots</td>
<td>$32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$111.05</strong></td>
</tr>
</tbody>
</table>

**ESTIMATED COST 2006-2007**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>($47.67)</td>
</tr>
<tr>
<td>Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens</td>
<td>$126.92</td>
</tr>
<tr>
<td>Project Management, 10 lots $400 + $3.00 per lot</td>
<td>$430.00</td>
</tr>
<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$4.77</td>
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<tr>
<td>Reserves</td>
<td>$84.25</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$645.94</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$243.15</td>
</tr>
<tr>
<td>C.P.I. Increase since previous adjustment (2003-2004) applied to reduce deficit = (0.005+0.021+0.032)x $243.15</td>
<td>$14.10</td>
</tr>
<tr>
<td><strong>New Assessment</strong></td>
<td><strong>$257.25</strong></td>
</tr>
</tbody>
</table>

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} \times \text{Number of Lots (L)}
\]

\[
A = \frac{$257.25}{10} = $25.72
\]

Total Assessment

\[
A = $25.72
\]
District No. 21 - Orchard Ridge Phase 7
2006-2007
CPI Approved 2002

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens $ 1,313.27
Project Management 30 Lots $ 32.91
Total $ 1,346.18

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance ($ 862.95)

Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens $ 1,398.66
Project Management, 30 lots $1,000 + $4.00 per lot $ 1,120.00
Eliminate Deficit Fund Balance over 10 years $ 86.30
Reserves $ 390.74

Estimated Cost Per Year $ 2,995.70

Previous year assessment $ 1,499.30
C.P.I. Increase since previous adjustment (2003-2004) applied to reduce deficit = (0.005+0.021+0.032)x$1,499.30 $ 86.96

New Assessment $ 1,586.26

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}

A = \frac{1,586.26}{30} = 52.87

Estimated Assessment
A = $52.86
District No. 22 - Meadowood Phase 2  
2006 - 2007  
CPI Approved 2002  

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 4,940 sq. ft. of landscaped area and  
Lighting, 14 ea., 5,800 lumens, 3 ea., 9,500 lumens,  
and 2 ea., 16,000 lumens $ 601.88  
Project Management 55 Lots $ 32.91  
Total $ 634.79

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $10,072.73

Maintenance 4,940 sq. ft. of landscaped area and  
Lighting, 14 ea., 5,800 lumens, 3 ea., 9,500 lumens,  
and 2 ea., 16,000 lumens $ 3,787.56  
Project Management, lots $1,000 + $4.00 per lot $ 1,220.00  
Reserves $ 751.13

Estimated Cost Per Year $ 5,758.69

Previous year assessment $ 4,861.60

New Assessment $ 4,861.60

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{\$4,861.60}{55} = \$88.38 \text{ per lot}
\]

Estimated Assessment

A = $88.38
ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 11 ea., 5,800 lumens</td>
<td>$208.04</td>
</tr>
<tr>
<td>Project Management 36 Lots</td>
<td>$32.91</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$240.95</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>$1,452.39</td>
</tr>
<tr>
<td>Lighting 11 ea., 5,800 lumens</td>
<td>$332.31</td>
</tr>
<tr>
<td>Project Management, 36 lots $400 + $3.00 per lot</td>
<td>$508.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$126.05</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$966.36</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$713.36</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$713.36</td>
</tr>
</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{713.36}{36} = $19.82
\]

Estimated Assessment

\[
A = $19.82
\]
District No. 24 - Orchard Ridge, Phase Eight
2006-2007
CPI Approved 2003

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area
and Lighting, 11 ea. 5,800 lumens $ 1,303.49
Project Management 74 Lots $ 32.91

Total $ 1,336.40

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 1,727.41

Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area
and Lighting, 11 ea. 5,800 lumens $ 1,652.77
Project Management, 44 lots $1,000 + $4.00 per lot $ 1,176.00
Reserves $ 424.32

Estimated Cost Per Year $ 3,253.09

Previous year assessment $ 2,259.41

New Assessment $ 2,259.41

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of
the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = Cost (C)
Number of Lots (L)

A = $2,259.41 = $51.36 per lot
44

Estimated Assessment
A = $51.36

54
District 25 - Casas Del Rio Subdivision
2005-2006
CPI Approved 2003

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 55,950 sq. ft. of landscaped and recreation area $14,409.72
Project Management 118 Lots $ 1,857.56

Total $16,267.28

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $19,857.32

Maintenance 55,950 sq. ft. of landscaped and recreation area $23,337.97
Project Management, 118 lots $1,000 + $4.00 per lot $ 1,472.00
Reserves $ 3,914.36

Estimated Cost Per Year $28,724.33

Previous year assessment $28,724.33

New Assessment $28,724.33

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

Assessment (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}

A = \frac{28,724.33}{118} = \$243.43

Estimated Assessment
A = \$243.42
District No. 26 - Orchard Ridge, Phase Nine  
2005-2006  
CPI Approved 2004

**ESTIMATED ACCUMULATED COSTS 2005-2006**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$30.00</td>
</tr>
<tr>
<td>Project Management 47 Lots</td>
<td>$32.91</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$62.91</strong></td>
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**ESTIMATED COST 2006-2007**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>$1,290.82</td>
</tr>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$302.10</td>
</tr>
<tr>
<td>Project Management, lots $400 + $3.00 per lot</td>
<td>$430.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$109.82</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$841.92</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$790.62</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$790.62</td>
</tr>
</tbody>
</table>

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
A = \frac{\text{Cost} (C)}{\text{Number of Lots} (L)}
\]

\[
A = \frac{\$790.62}{47} = \$16.82 	ext{ per lot}
\]

**Estimated Assessment**

\[
A = \$16.82
\]
District No. 27 - New Expressions, Phase 3 Subdivision
2006-2007
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 748 ft. of landscaped berm and wall,
30 % of playground maintenance, and
Lighting, 11 ea., 5,800 lumens $ 0
Project Management 50 Lots $ 32.91

Total $ 32.91

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 3,298.16

Maintenance 748 ft. of landscaped berm and wall,
30 % of playground maintenance, and
Lighting, 11 ea., 5,800 lumens $1,235.48
Project Management, 50 lots $1,000 + $4.00 per lot $1,200.00
Reserves $ 365.32

Estimated Cost Per Year $ 2,800.80

Previous year assessment $ 1,860.09

New Assessment $ 1,860.09

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,860.09}{50} = 37.20 \text{ per lot}
\]

Estimated Assessment

\[
A = 37.20
\]
District No. 28 - Meadowood, Phase Three Subdivision
2005-2006
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2005-2006

Lighting 17 ea., 5,800 lumens, and 6 ea., 9,500 lumens $ 0
Project Management 78 Lots $ 32.91
Total $ 32.91

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 2,630.22

Maintenance, sq. ft. of landscaped area $ 731.31
Project Management, 78 lots $400 + $3.00 per lot $ 634.00
Reserves $ 211.30

Estimated Cost Per Year $ 1,576.61
Previous year assessment $ 1,576.61
New Assessment $ 1,576.61

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,576.61}{78} = 20.20 \text{ per lot}
\]

Estimated Assessment

\[
A = 20.20
\]
District No. 29 - River Springs, Phase 3 Subdivision
2006-2007
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2005-2006

   Lighting 9 ea., 5,800 lumens          $  0
   Project Management 36 Lots            $ 32.91

   Total                                  $ 32.91

ESTIMATED COST 2006-2007

   July 1, 2006 Fund Balance              ($ 313.97)

   Lighting 9 ea., 5,800 lumens          $ 271.89
   Project Management, 36 lots $400 + $3.00 per lot $ 508.00
   Eliminate Deficit Fund Balance over 10 years $ 31.40
   Reserves                               $ 121.69

   Estimated Cost Per Year                $ 932.98

   Previous year assessment               $ 652.15
   C.P.I. Increase since previous adjustment (2004)
   applied to reduce deficit = (.005+0.021+0.032) x $652.15 $ 37.82

   New Assessment                         $ 689.87

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.

    Formula for Assessment

    \[
    \text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
    \]

    \[
    A = \frac{689.87}{36} = 19.17 \text{ per lot}
    \]

    Estimated Assessment
    \[
    A = 19.16
    \]
District No. 30 – Sierra Meadows, Phase 1 Subdivision
2006-2007
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 2739 ft. of wall, 26,639 sq. ft., and Lighting, 23 ea., 5,800 lumens, 4 ea., 9,500 lumens, and 5 ea., 16,000 lumens $ 0
Project Management 56 Lots $ 33.97
Total $ 33.97

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance ($ 33.97)

Maintenance 2739 ft. of wall, 26,639 sq. ft., and Lighting, 23 ea., 5,800 lumens, 4 ea., 9,500 lumens, and 5 ea., 16,000 lumens $13,398.41
Project Management, 56 lots $ 672.00
Reserves $ 2,009.76

Estimated Cost Per Year $15,408.17
Previous year assessment $ 0
New Assessment $15,408.17

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
4. Properly maintained landscaping and lighting benefits all properties in the development.
5. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{15,408.17}{56} = 275.14 \text{ per lot}
\]

Estimated Assessment
\[
A = 275.14
\]
District No. 31 – Williams Ranch, Phase 2 and 3
2006-2007
Formed and CPI Approved 2006

*ESTIMATED ACCUMULATED COSTS 2005-2006*

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens</td>
<td>$0</td>
</tr>
<tr>
<td>Project Management 85 Lots</td>
<td>$33.97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33.97</strong></td>
</tr>
</tbody>
</table>

*ESTIMATED COST 2006-2007*

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>($33.97)</td>
</tr>
<tr>
<td>Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens</td>
<td>$1,839.98</td>
</tr>
<tr>
<td>Project Management, 85 lots</td>
<td>$1,020.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$276.00</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$2,115.98</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$0</td>
</tr>
<tr>
<td><strong>New Assessment</strong></td>
<td><strong>$2,115.98</strong></td>
</tr>
</tbody>
</table>

*ASSESSMENT*

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
6. Properly maintained landscaping and lighting benefits all properties in the development.
7. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
A = \frac{\text{Cost} (C)}{\text{Number of Lots} (L)}
\]

\[
A = \frac{2,115.98}{85} = 24.88 \text{ per lot}
\]

Estimated Assessment

\[
A = 24.88
\]
**District No. 32 – Sunrise Villa, Phase 1 Subdivision**  
**2006-2007**  
**Formed and CPI Approved 2006**

**ESTIMATED ACCUMULATED COSTS 2005-2006**

- Lighting 2 ea., 5,800 lumens $0  
- Project Management 8 Lots $33.96  

Total $33.96

**ESTIMATED COST 2006-2007**

July 1, 2006 Fund Balance ($33.96)

- Lighting 2 ea., 5,800 lumens $60.42  
- Project Management, 8 lots $120.00  
- Reserves $276.00  

Estimated Cost Per Year $207.48  

Previous year assessment $0

New Assessment $207.48

**ASSESSMENT**

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.

8. Properly maintained landscaping and lighting benefits all properties in the development.

9. All lots benefit equally from the landscaping and lighting.

**Formula for Assessment**

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} \times \frac{\text{Number of Lots (L)}}{}
\]

\[
A = \frac{207.48}{8} = 25.94 \text{ per lot}
\]

**Estimated Assessment**

\[
A = 25.94
\]
District No. 33 – New Expressions, Phase 4 Subdivision
2006-2007
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens $  0
Project Management 58 Lots $  33.97

Total $  33.97

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance ($  33.97)

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens $  506.05
Project Management, 58 lots $  696.00
Reserves $  180.31

Estimated Cost Per Year $ 1,382.36

Previous year assessment $  0

New Assessment $ 1,382.36

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
10. Properly maintained landscaping and lighting benefits all properties in the development.
11. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1,382.36}{58} = 23.82 \text{per lot}
\]

Estimated Assessment

\[
A = 23.82
\]
District No. 34 – Meadow Breeze, Phase 2 Subdivision
2006-2007
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens</td>
<td>$ 0</td>
</tr>
<tr>
<td>Project Management 78 Lots</td>
<td>$ 33.97</td>
</tr>
</tbody>
</table>

Total $ 33.97

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance ($ 33.97)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens</td>
<td>$ 604.29</td>
</tr>
<tr>
<td>Project Management, 78 lots</td>
<td>$ 936.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 231.04</td>
</tr>
</tbody>
</table>

Estimated Cost Per Year $ 1,771.33

Previous year assessment $ 0

New Assessment $ 1,771.33

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.

12. Properly maintained landscaping and lighting benefits all properties in the development.

13. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{1771.33}{8} = 22.70 \text{ per lot}
\]

Estimated Assessment

\[
A = 22.70
\]
District No. 35 – Meadow Breeze, Phase 1 Subdivision
2006-2007
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 9 ea., 5,800 lumens</td>
<td>$ 0</td>
</tr>
<tr>
<td>Project Management 44 Lots</td>
<td>$ 33.97</td>
</tr>
<tr>
<td>Total</td>
<td>$ 33.97</td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
<td>($ 33.97)</td>
</tr>
<tr>
<td>Lighting 9 ea., 5,800 lumens</td>
<td>$ 271.89</td>
</tr>
<tr>
<td>Project Management, 44 lots</td>
<td>$ 528.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 119.98</td>
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<tr>
<td>Estimated Cost Per Year</td>
<td>$ 919.87</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 0</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 919.87</td>
</tr>
</tbody>
</table>

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
14. Properly maintained landscaping and lighting benefits all properties in the development.
15. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{\$919.87}{44} = \$20.90 \text{ per lot}
\]

Estimated Assessment

\[
A = \$20.90
\]
District No. 36 – Amalene Estates Subdivision
2006-2007
Formed and CPI Approved 2006


estimated accumulated costs 2005-2006

Maintenance 339 ft. of wall, 1870 sq. ft., and
Lighting, 10 ea., 5,800 lumens, and 1 ea., 16,000 lumens $ 0
Project Management 24 Lots $ 33.97

Total $ 33.97

estimated cost 2006-2007

July 1, 2006 Fund Balance ($ 33.97)

Maintenance 339 ft. of wall, 1870 sq. ft., and
Lighting, 10 ea., 5,800 lumens, and 1 ea., 16,000 lumens $ 1,777.11
Project Management, 24 lots $ 288.00
Reserves $ 309.76

Estimated Cost Per Year $ 2,374.87

Previous year assessment $ 0

New Assessment $ 2,374.87

Assessment

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
16. Properly maintained landscaping and lighting benefits all properties in the development.
17. All lots benefit equally from the landscaping and lighting.

formula for assessment

Assessment \( A \) = \( \frac{Cost \ (C)}{Number \ of \ Lots \ (L)} \)

\[ A = \frac{\$2,374.87}{24} = \$98.94 \text{ per lot} \]

Estimated Assessment

\[ A = \$98.94 \]
DISTRICT NO. 37 – RIVERVIEW ESTATES, PHASE 4 SUBDIVISION
2006-2007
FORMED AND CPI APPROVED 2006

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 5 ea., 5,800 lumens</td>
<td>$0</td>
</tr>
<tr>
<td>Project Management 17 Lots</td>
<td>$33.97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33.97</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

- July 1, 2006 Fund Balance: ($33.97)
- Lighting 5 ea., 5,800 lumens: $151.05
- Project Management, 17 lots: $255.00
- Reserves: $60.91
- Estimated Cost Per Year: $466.96
- Previous year assessment: $0
- New Assessment: $466.96

ASSESSMENT

1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
18. Properly maintained landscaping and lighting benefits all properties in the development.
19. All lots benefit equally from the landscaping and lighting.

Formula for Assessment

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{466.96}{17} = 27.47 \text{ per lot}
\]

Estimated Assessment

\[
A = 27.46
\]

This concludes the 2006-2007 Landscape and Lighting District Engineers Report
Douglas Wilson, RCE 20989

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RESOLUTION NO.:


The City Council of the City of Porterville, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

DESCRIPTION OF WORK

SECTION 1. That the public interest and convenience requires it is the intention of the City Council of the City of Porterville, California, to order the following work be done, to wit:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

LOCATION OF WORK

SECTION 2. The foregoing described work is to be located within the following areas:

1. Right-of-way and easement along the Westwood Street frontage of Unit 1 and II of Westwood Estates, more particularly described on maps which are on file in the City Clerk’s office entitled “Landscape and Lighting Maintenance District No. 1.”

2. Right-of-way and easements along street frontage along Hope Avenue, Newcomb Street, Thunderbolt Drive and Corsair Drives of the Airport Industrial Park, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 1 to Landscape and Lighting Maintenance District No. 1".
3. Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; south perimeter west of fire access road, west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 2 to Landscape and Lighting Maintenance District No. 1".

4. Porter Creek Avenue right-of-way to the bank of the Porter Slough median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line Porter Slough, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 3 to Landscape and Lighting Maintenance District No. 1".

5. LaVida Park green belt, east on Plum Way Street and the entries east along Beverly street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 4 to Landscape and Lighting Maintenance District No. 1".

6. Westwood Estates #4, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 5 to Landscape and Lighting Maintenance District No. 1".

7. Northpointe includes subdivision lighting located south of Westfield Avenue and east of Matthew Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 6 to Landscape and Lighting Maintenance District No. 1".

8. Quail Park Phase II Subdivision includes payment of street lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 7 to Landscape and Lighting Maintenance District No. 1".

9. Westwood Park Unit Three Subdivision includes the east side of Westwood street and the fire access road on the south side of the subdivision, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 8 to Landscape and Lighting Maintenance District No. 1".

10. Map No. 4132 includes lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 9 to Landscape and Lighting Maintenance District No. 1".

11. Westview Subdivision includes street lighting and landscaping on the east side of Cobb
Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 10 to Landscape and Lighting Maintenance District No. 1".

12. New Horizons Phase One Subdivision includes lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 11 to Landscape and Lighting Maintenance District No. 1".

13. Sunrise Estates Phase Six Subdivision includes landscape maintenance, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1".

14. Wisconsin Manor I Subdivision includes landscape and lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 14 to Landscape and Lighting District No. 1."

15. Northpointe Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 15 to Landscape and Lighting District No. 1."

16. New Horizon's Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 16 to Landscape and Lighting District No. 1."

17. Westwood Mobile Home Park includes landscape and lighting maintenance more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 18 to Landscape and Lighting District No. 1."

18. Castle Woods Phase I Subdivision includes landscape and lighting maintenance more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 19 to Landscape and Lighting District No. 1."

19. District No. 2 = North Creek Estates Subdivision located on Westwood north of Westfield includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.2.

20. District No. 3 = New Expressions Phase I Subdivision located along Indiana Street between Springville Avenue and Cleo Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 3.

21. District No. 4 = River Springs Phase I Subdivision located along Newcomb Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.4
22. District No. 5 = Castle Woods Phase II Subdivision located on Castle Avenue, Salisbury Street, and Median Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 5.

23. District No. 6 = Creek View Estates located between Porter Creek Avenue and the property line in Porter Slough includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 6.

24. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 7.

25. District No. 8 = River Breeze Subdivision located on Newcomb Street, Patsy Street and Springs Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 8.

26. District No. 9 = Orchard Ridge Phase 3 Subdivision located on Mathew Street, Nancy Avenue, Cheryll Avenue and Belmont Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 9.

27. District No. 10 = Orchard Ridge Phase 4 Subdivision located on LaVida Court and Carmelo Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 10.

28. District No. 11 = Orchard Ridge Phase 5 Subdivision located on Mathew Street, LaVida Avenue, Michael Street and Julieann Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 11.

29. District No. 12 = Westwood Estates Unit 5, Phase 2, located along Henderson Avenue and Brandy Way includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 12.

30. District No. 13 = River Ranch 3, located along Newcomb Street, Lloyd Avenue and Patsy Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 13.

31. District No. 14 = River Springs, Phase 2 Subdivision located on River Avenue, Beverly Street, Date Avenue and River Springs Drive includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled
District No. 14.

32. District No. 15 = Meadowood, Phase 1 Subdivision located on Newcomb Street, Cheryl Avenue and York Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 15.

33. District No. 16 = New Expressions, Phase 2 Subdivision located on the Lybarger Avenue Cul de Sac at the entry of the Tule River Parkway Trail includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 16.

34. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Julieann Avenue and Michael Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 15.

35. District No. 18 = Ohio North Subdivision located on Ohio Way Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 18.

36. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 19.

37. District No. 20 = West View Place Subdivision located on Median Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 20.

38. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.21.

39. District No. 22 = Meadowood Phase Two Subdivision located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street, and Birch Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office.

40. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmont Street, Orange Avenue and Parkwest Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 23.
41. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue, and Santa Maria Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 24.

42. District No. 25 = Casas Del Rio Subdivision located on Date Street, Casas Del Rio Avenue, Presidio Avenue, Rio Bonito Street, Alamo Court, Camellia Street, Tule Court and Rio Vista Avenue includes landscape and recreation area maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 25.

43. District No. 26 = Orchard Ridge, Phase Nine Subdivision located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 26.

44. District No. 27 = New Expressions Phase 3 Subdivision located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 27.

45. District No. 28 = Meadowood Phase Three Subdivision located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 28.

46. District No. 29 = River Springs Phase Three Subdivision located on Date Avenue, River Springs Drive and Atkins Court includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 29.

47. District No. 30 = Right-of-way, easements, and public lands within Sierra Meadows, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 30.

48. District No. 31 = Right-of-way, easements, and public lands within Williams Ranch, Phase 2 and 3 Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 31.

49. District No. 32 = Right-of-way, easements, and public lands within Sunrise Villa, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 32.
50. District No. 33 = Right-of-way, easements, and public lands within New Expressions, Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 33.

51. District No. 34 = Right-of-way, easements, and public lands within Meadow Breeze, Phase Two Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 34.

52. District No. 35 = Right-of-way, easements, and public lands within Meadow Breeze, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 35.

53. District No. 36 = Right-of-way, easements, and public lands within Amalene Estates Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 36.

54. District No. 37 = Right-of-way, easements, and public lands within Riverview Estates, Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 37.

Reference is hereby made to said maps for further, full and more particular description of said assessment district, and the same maps so on file shall govern for all details as to the extent of said assessment district.

DESCRIPTION OF ASSESSMENT DISTRICT

SECTION 3. That the contemplated work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a district, which said district is described as follows:

1. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 26-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

2. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 1 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 146-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.
3. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 2 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 42-92, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

4. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 3 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 69-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

5. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 4 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 100-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

6. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 5 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 144-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

7. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 6 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 54-94 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

8. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 7 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 45-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

9. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 8 to Landscape and
Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 97-94 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

10. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 9 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 51-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

11. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 10 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 46-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

12. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 11 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 79-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

13. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 80-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

14. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 14 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No 24-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

15. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 15 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 140-95 indicating by said boundary line the extent of the
All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 16 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 33-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 18 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 50-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 19 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 56-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting District No. 2" heretofore approved by the City Council of said City by Resolution No. 126-98 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain "Map of Landscape and Lighting District No. 3" heretofore approved by the City Council of said City by Resolution No. 127-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain "Map of Landscape and Lighting District No. 4" heretofore approved by the City Council of said City by Resolution No. 128-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

All that certain "Map of Landscape and Lighting District No. 5" heretofore approved by the City Council of said City by Resolution No. 29-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
23. All that certain “Map of Landscape and Lighting District No. 6" heretofore approved by the City Council of said City by Resolution No. 89-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

24. All that certain “Map of Landscape and Lighting District No. 7" heretofore approved by the City Council of said City by Resolution No. 67-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

25. All that certain “Map of Landscape and Lighting District No. 8" heretofore approved by the City Council of said City by Resolution No. 120-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

26. All that certain “Map of Landscape and Lighting District No. 9" heretofore approved by the City Council of said City by Resolution No. 15-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

27. All that certain “Map of Landscape and Lighting District No. 10" heretofore approved by the City Council of said City by Resolution No. 28-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

28. All that certain “Map of Landscape and Lighting District No. 11" heretofore approved by the City Council of said City by Resolution No. 22-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

29. All that certain “Map of Landscape and Lighting District No. 12" heretofore approved by the City Council of said City by Resolution No. 65-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

30. All that certain “Map of Landscape and Lighting District No. 13" heretofore approved by the City Council of said City by Resolution No. 133-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

31. All that certain “Map of Landscape and Lighting District No. 14" heretofore approved by the City Council of said City by Resolution No. 166-2000 indicating by said boundary line the extent of the territory included with the assessment district and which
map is on file in the office of the City Clerk of said City.

32. All that certain “Map of Landscape and Lighting District No. 15” heretofore approved by the City Council of said City by Resolution No. 55-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

33. All that certain “Map of Landscape and Lighting District No. 16” heretofore approved by the City Council of said City by Resolution No. 91-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

34. All that certain “Map of Landscape and Lighting District No. 17” heretofore approved by the City Council of said City by Resolution No. 114-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

35. All that certain “Map of Landscape and Lighting District No. 18” heretofore approved by the City Council of said City by Resolution No. 22-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

36. All that certain “Map of Landscape and Lighting District No. 19” heretofore approved by the City Council of said City by Resolution No. 23-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

37. All that certain “Map of Landscape and Lighting District No. 20” heretofore approved by the City Council of said City by Resolution No. 30-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

38. All that certain “Map of Landscape and Lighting District No. 21” heretofore approved by the City Council of said City by Resolution No. 44-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

39. All that certain “Map of Landscape and Lighting District No. 22” heretofore approved by the City Council of said City by Resolution No. 93-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

40. All that certain “Map of Landscape and Lighting District No. 23” heretofore approved by the City Council of said City by Resolution No. 94-2002 indicating by said boundary line the extent of the territory included with the assessment district and which
map is on file in the office of the City Clerk of said City.

41. All that certain “Map of Landscape and Lighting District No. 24” heretofore approved by the City Council of said City by Resolution No. 191-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

42. All that certain “Map of Landscape and Lighting District No. 25” heretofore approved by the City Council of said City by Resolution No. 58-2003 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

43. All that certain “Map of Landscape and Lighting District No. 26” heretofore approved by the City Council of said City by Resolution No. 59-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

44. All that certain “Map of Landscape and Lighting District No. 27” heretofore approved by the City Council of said City by Resolution No. 60-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

45. All that certain “Map of Landscape and Lighting District No. 28” heretofore approved by the City Council of said City by Resolution No. 61-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

46. All that certain “Map of Landscape and Lighting District No. 29” heretofore approved by the City Council of said City by Resolution No. 90-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

47. All that certain “Map of Landscape and Lighting District No. 30” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

48. All that certain “Map of Landscape and Lighting District No. 31” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

49. All that certain “Map of Landscape and Lighting District No. 32” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
50. All that certain "Map of Landscape and Lighting District No. 33" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

51. All that certain "Map of Landscape and Lighting District No. 34" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

52. All that certain "Map of Landscape and Lighting District No. 35" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

53. All that certain "Map of Landscape and Lighting District No. 36" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

54. All that certain "Map of Landscape and Lighting District No. 37" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

REPORT OF ENGINEER

SECTION 4. The City Council of said City has ordered preparation of the annual the report of the Engineer of Work, which report indicates the amount of the proposed assessment, the district boundary, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report, Landscape and Lighting Maintenance District No. 1 through District No. 54 2006-2007 Fiscal Year" will be filed in the Office of the City Clerk of said City, and prepared for the 2006-2007 fiscal year in accordance with the Landscaping and Lighting Act of 1972. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

COLLECTION OF ASSESSMENTS

SECTION 5. The assessment shall be collected at the time and in the same manner as County taxes are collected.

TIME AND PLACE OF HEARING
SECTION 5. Notice is hereby given that on the 18th day of July, 2006, at the hour of 7:00 p.m. in the City Council Chambers at 291 North Main, in the City of Porterville, any and all persons having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

LANDSCAPING AND LIGHTING ACT OF 1972

SECTION 6. All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated The Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

PUBLICATION OF RESOLUTION OF INTENTION

SECTION 7. Published notice shall be made pursuant to Section 6061 of the Government Code. The publication of the Notice of Hearing shall be completed at least 10 days prior to the date of hearing.

CERTIFICATION

SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED 20th day of June 2006.

__________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: _________________________
Georgia Hawley, Deputy Clerk
<table>
<thead>
<tr>
<th>District</th>
<th>Net Revenue</th>
<th>Projected Expenditures</th>
<th>Projected over (under) Expenditures</th>
<th>CPI Adjusted for Refund</th>
<th>Assessment</th>
</tr>
</thead>
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<td>District #1, Westwood Estates</td>
<td>12,718.34</td>
<td>7,499.96</td>
<td>5,218.38</td>
<td>(2,459.74)</td>
<td>444.63</td>
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<td>3,853.80</td>
<td>992.92</td>
<td>(407.61)</td>
<td>0</td>
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<td>Jasmine Ranch, Annex #2</td>
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<td>6,178.58</td>
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<td>8,000.00</td>
</tr>
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<td>Porter Creek, Annex #3</td>
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<td>(956.90)</td>
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<td>Westwood Estates, Annex #5</td>
<td>5,409.55</td>
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<td>(367.42)</td>
<td>(10,278.64)</td>
<td>190.59</td>
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<td>Northpointe, Annex #6</td>
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<td>1,388.59</td>
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<td>0</td>
</tr>
<tr>
<td>Quail Park, Annex #7</td>
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<td>403.48</td>
<td>1,388.59</td>
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</tr>
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<td>Masonic Temple, Annex #9</td>
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<td>1,179.11</td>
<td>69.97</td>
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<td>Prospect Gardens, Annex #13</td>
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<td>1,179.11</td>
<td>69.97</td>
<td>(66.13)</td>
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<td>Northpointe, Annex #15</td>
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<td>1,034.11</td>
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<td>(2,459.37)</td>
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<td>TREDC Industrial Pk, Annex #17</td>
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<td>Westwood Village Mobile Home Pk, Annex #18</td>
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<td>District #2, North Creek Subdivision</td>
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<td>District #4, River Springs, Phase 1</td>
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<td>District #5, Castle Woods, Phase 2</td>
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<td>(252.95)</td>
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<td>District #6, Creekview Subdivision</td>
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<td>(777.12)</td>
<td>(17,688.15)</td>
<td>139.46</td>
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<td>District #7, Ford Estates, Phase 1</td>
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<td>1,255.09</td>
<td>1,202.26</td>
<td>13,974.70</td>
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<td>District #8, River Breeze Subdivision</td>
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<td>1,975.02</td>
<td>2,202.26</td>
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</tr>
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<td>District #9, Orchard Ridge - Phase 3</td>
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<td>District #10, Orchard Ridge - Phase 4</td>
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<td>108.46</td>
<td>196.08</td>
<td>248.37</td>
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<td>District #11, Orchard Ridge - Phase 5</td>
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<td>758.77</td>
<td>3,900.30</td>
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<td>District #12, Westwood Estates Unit 5, Phase 2</td>
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<td>District #13, River Ranch, Phase 3</td>
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<td>176.05</td>
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<td>District #14, River Springs, Phase 2</td>
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<td>District #15, Meadowood, Phase 1</td>
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<td>22,150.46</td>
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<td>District #17, Orchard Ridge - Phase 6</td>
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<td>875.57</td>
<td>(352.92)</td>
<td>(787.86)</td>
<td>31.42</td>
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<td>District #18, Ohio North Subdivision</td>
<td>153.83</td>
<td>70.65</td>
<td>83.18</td>
<td>(390.41)</td>
<td>9.57</td>
</tr>
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</table>

CITY OF PORTERVILLE
STATEMENT OF REVENUES AND EXPENDITURES
LANDSCAPE MAINTENANCE DISTRICT

Fund Bal (Def) 07/01/05
Assessments 2005/2006
Net Revenue 2005/2006
Projected over (under) Expenditures 2005/2006
CPI Fund Bal (Def) 09/30/06
Adjusted for Refund 2006/2007
Assessment 6/30/06
| District #19, Williams Ranch Phase 1 | 3,639.95 | 5,965.16 | 5,762.09 | 5,261.15 | 520.94 | 4,160.89 | 0 | 5,965.16 |
| District #20, West View Place Subdivision | (163.28) | 243.15 | 238.67 | 111.04 | 127.63 | (34.65) | 14.10 | 0 | 257.25 |
| District #21, Orchard Ridge - Phase 7 | (646.71) | 1,499.30 | 1,346.82 | 1,346.18 | 2.64 | (644.07) | 86.96 | 0 | 1,586.26 |
| District #22, Meadowood Phase 2 | 6,297.77 | 4,861.60 | 4,510.07 | 634.79 | 3,875.28 | 10,173.05 | 0 | 4,861.60 |
| District #23, River View Phase 3 | 1,066.70 | 713.36 | 661.32 | 240.95 | 420.37 | 1,487.07 | 0 | 713.36 |
| District #24, Orchard Ridge Phase 8 | 1,223.26 | 2,259.41 | 2,057.80 | 1,336.40 | 721.40 | 1,944.66 | 0 | 2,259.41 |
| District #25, Casas del Rio | 18,903.24 | 28,724.33 | 20,066.05 | 16,267.28 | 3,798.77 | 22,702.01 | 0 | 28,724.33 |
| District #26, Orchard Ridge Phase 9 | 573.79 | 790.62 | 784.94 | 62.91 | 722.03 | 1,295.82 | 0 | 790.62 |
| District #27, New Expressions Phase 3 | 1,633.52 | 1,860.09 | 1,697.55 | 32.91 | 1,664.64 | 3,298.16 | 0 | 1,860.09 |
| District #28, Meadowood Phase 3 | 1,196.20 | 1,576.61 | 1,456.93 | 32.91 | 1,434.02 | 2,630.22 | 0 | 1,576.61 |
| District #29, River Springs Phase 3 | (281.00) | 652.15 | 0.00 | 32.91 | (313.91) | 37.80 | 0 | 689.87 |
| District #30, Sierra Meadows Phase 1 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 15,408.17 |
| District #31, Williams Ranch Phase 2 & 3 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 2,115.98 |
| District #32, Sunrise Villa Phase 1 | 0.00 | 0.00 | 0.00 | 33.96 | (33.96) | (33.96) | 0 | 207.48 |
| District #33, New Expressions Phase 4 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 1,382.36 |
| District #34, Meadow Breeze Phase 1 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 1,771.33 |
| District #35, Meadow Breeze Phase 2 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 919.87 |
| District #36, Amalene Estates | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 2,374.87 |
| District #37, Riverview Estates Phase 4 | 0.00 | 0.00 | 0.00 | 33.97 | (33.97) | (33.97) | 0 | 466.96 |

**TOTAL**

| 111,339.62 | 178,568.45 | 153,088.07 | 101,346.52 | 51,739.55 | 163,079.17 | 1,000.81 | 204,216.61 |
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
CALVARY CHAPEL – CROWN OF LIFE
JULY 8, 2006

SOURCE: Administrative Services - Finance Division, Business Tax Section

COMMENT: The Calvary Chapel is requesting approval to hold a Crown of Life event at the Murray Park Pavilion #4 & #5 on Saturday, July 8, 2006 from 12:00 p.m. until 7:00 p.m. This event will include BBQ, and music and will be open to the public. 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 departments involved. All requirements are listed on the attached Exhibit “A.”

RECOMMENDATION: That the Council approve the Community Civic Event Application and Agreement from Calvary Chapel to hold their Crown of Life event at the Murray Park Pavilion #4 & #5 on Saturday, July 8, 2006 from 12:00 p.m. until 7:00 p.m., subject to the Restrictions and Requirements contained in Exhibit “A” of the Community Civic Event Application and Agreement.

ATTACHMENT: Community Civic Event Application & Agreement and Exhibit “A”, outside amplifier permit, request for use of facilities.

D.D. Appropriated/Funded C.M. Item No. 12
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: 6-2-06  Event date: July 8, 2006

Name of Event: Crown of Life

Sponsoring organization: CALVARY CHAPEL PHONE # 361-7531
VISALIA OUTREACH PORTERVILLE

Authorized representative: RYAN BUCKMAN PHONE # 361-7531
Address: 20280 Rd. No. Lindent CA 93247

Event chairperson: Spannall Runion PHONE # 315-0552
Address: 2732-3293

Location of event (location map must be attached):
Muzzy Park 

Type of event/method of operation: CHURCH EVENT - OUTREACH
TO EAST SIDE OF TOWN

Nonprofit status determination: CALVARY CHAPEL VISALIA

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

Barricades (quantity): Parking Spaces
Street sweeping Yes No
Police protection Yes No Refuse pickup Yes No
Other: Parking Spaces for show cars: All Parking
Spaces in front of #4 and #5 about

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 Svs Mgr
______  ______  Chief Fire Oper.
Parks Dir
Police Chief
Deputy City Mgr

Parking in designated spaces only; all other vehicles must park in

1 of 4
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.

CALVARY CHAPEL VISALIA
outreach PORTERVILLE

(Name of organization)  

(Signature)  

(Date)  

10-2-06
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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<tbody>
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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: ____________________________________________________________

Sponsoring organization: __________________________________________________

Event date: ___________________________  Hours: ___________________________

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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<tbody>
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<tr>
<th>Sidewalks</th>
<th>From</th>
<th>To</th>
<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

CALVARY CHAPEL

CROWN OF LIFE

JULY 8, 2006

Business License Supervisor: 
  S. Perkins
  No requirements.

Public Works Director: 
  Baldo Rodríguez
  Provide general clean-up after event.

Community Development Director: 
  B. Dunlap
  No comments.

Field Services Manager: 
  B. Styles
  No comments.

Chief of Fire Operations: 
  Mario G. Garcia
  No comments.

Parks and Leisure Services Director: 
  J. Perrine
  Parking in designated spaces only; all other vehicles must park above.

Police Chief: 
  C. McMillian, acting
  Has amplifier permit attached.

Risk Manager: 
  F. Guyton
  See Page 2.

EXHIBIT “A,”

Page 1
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Calvary Church
Event: Crown of Life
Event Chairperson: Shannon Running
Location: Murray Park Pavilion #4 & #5
Date of Event: July 8, 2006
Time of Event: 12:00 p.m. to 7:00 pm

RISK MANAGEMENT: Conditions of Approval

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

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

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

EXHIBIT “A,”
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 permit is issued.

Name and home address of applicant:

SHANNON RUNNING Phone: 782-3293
465 W. KANAY PORTERVILLE CA 93257

Address/location where amplification equipment is to be used:

MURPHY PARK Phone:

Name and phone numbers of persons using or operating the amplification:

RYAN RUCKMAN 361-7534

Equipment/Type: GUITAR AMPS & P.A. FOR MICS.

Type of event: CHURCH OUTREACH BBQ

Date/hours of operation: JULY 8, 2006 12:00 PM TO 7:00 PM

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

Applicant 6/2/06

Chief of Police Date

THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND GOOD ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT. WILFULLY DISTURBING THE PEACE OF ANOTHER PERSON WITH LOUD NOISE IS A CRIME AND CAN RESULT IN ARREST AND PROSECUTION.

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

[Signature]

Applicant

6-2-06

Date

Chief of Police

6-12-06

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 REVOCAION OF THE PERMIT.

cc: ____________________________

________________________________

3/27/01
CITY OF PORTERVILLE
PARKS & LEISURE SERVICES DEPARTMENT
REQUEST FOR USE OF FACILITIES

PLEASE PRINT CLEARLY - PRESS HARD

FACILITY REQUESTED:
☑ Murry Park ☐ Community Center ☐ Sports Complex ☐ Burton Ballfields ☐ Zalud Garden
☐ Veterans Park ☐ Library ☐ Hayes Fields ☐ Heritage Cnty. Center ☐ Other __________
☐ Zalud Park ☐ Municipal Ballpark ☐ Pool ☐ Centennial Plaza

Area/Room: ABB02 445
Nature of Use: CHURCH EVENT
Date of Event: JULY 8, 2006
Are fees being charged? ☑ NO
Time: 12:00 PM To: 7:00 PM
Amplified Equipment/Music: ☑ Yes ☐ No
Bounce House: ☑ Yes ☐ No Bounce House Company: ______________________ Set-Up Time: ______________________
Attendance: 100
Will Alcohol be Served: ☐ Yes ☐ No Number of Drinking Adults ($2 per person): __________
Requested Requirements: ______________________

***************************
Organization: VISION CALVARY CHAPEL VISALA PORTERVILLE OUTREACH
Name: SHANNON RUBIN
Mailing and/or Billing Address: 4105 W. KANA1 PORTERVILLE CA. 93257
Phone: Day/Work: 605-2499 Cell No.: 310683 Evening/Home: 242-2243 Email: ______________________

Applicant hereby agrees to hold the City of Porterville, their employees, agents and officers free and harmless from any loss, damage, liability, cost or expense that may arise during or be caused in any way by such use or occupancy of said facilities. The applicant agrees to furnish such liability or other insurance for the protection of the public and the City as the City shall require. Applicant agrees to leave the facility in the same condition as found before use. Any damages, misuse or destruction of City property or equipment is the responsibility of the applicant. Applicant agrees to reimburse City for all charges. The CITY OF PORTERVILLE does not provide accident, medical, liability or any other insurance for facility users. In the event staff is taking photos of the park and/or the recreational activities it affords on the day of my event, I give my permission for the City to use said photos in promotional materials. I have read, understand and agree to the rules and regulations that are listed on the back of this form.

SIGNATURE: ______________________
Date: 6/2/06

***FOR OFFICE USE ONLY***

APPROVED:____________________
DATE: 6/5/06

POLICE DEPT.: ______________________
DATE: __________

RENTAL CHARGE: ______________________
DATE: __________

ALCOHOL PERMIT CHARGE: ______________________
Date Paid: ______________________
Received By: ______________________

SECURITY/KEY DEPOSIT: ______________________
Date Paid: ______________________
Received By: ______________________

ENTERTAINMENT CHARGE: ______________________
Date Paid: ______________________
Received By: ______________________

INSURANCE REQUIRED: ______________________
Date Submitted: ______________________
DEPOSIT RETURNED: ______________________

SUPERVISOR FEE: ______________________

SPECIAL DEPARTMENT NOTATIONS: ______________________

409

PARK IN DESIGNATED AREAS ONLY
Distribution: Original - Dept.; Green - Parks; Blue - Police; Yellow - Applicant
291 NORTH MAIN STREET, PORTERVILLE, CA 93257, PHONE (559) 782-7461
FAX (559) 782-4053, Park/facility information available @ www.ci.porterville.ca.us

TOWING REGULATIONS AND POLICIES

REV. 7.8.08
SUBJECT: RESOLUTION AUTHORIZING CONTINUED INVESTMENT OF CITY MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTION OFFICERS

SOURCE: Administration Services Department - Finance Division

COMMENT: Resolution No. 56-2003 dated May 6, 2003, authorized the City to continue investing monies with the State of California's Local Agency Investment Fund (LAIF) and designated officers to deposit and withdraw funds and make changes to the account. Due to personnel changes, it is necessary to update that resolution.

Previously authorized City officers were Darrel Pyle, Administrative Services Director, Susan Slayton, Chief Financial Officer, and Maria Bemis, Accountant I. Two of those equivalent positions are held by John Lollis, Administrative Services Manager, and Maria Bemis, Accountant II. Additionally, it is recommended to add John Longley, City Manager, to the authorization list to remain consistent with the amended investment policy. These are the individuals who, if approved, will be responsible for transacting business with LAIF and managing the City's monies.

RECOMMENDATION: That the City Council adopt the attached resolution reaffirming the investment of the City's monies in the Local Agency Investment Fund (LAIF) and designating transaction officers.

ATTACHMENT: Draft Resolution
Resolution No. 56-2003
RESOLUTION NO. _________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, REAFFIRMING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTING OFFICERS

WHEREAS, Resolution No. 56-2003 dated May 6, 2003, authorized the City to continue investing funds with the State of California’s Local Agency Investment Fund (LAIF); and

WHEREAS, the officers then authorized to order deposit or withdrawal of monies and changes to the account have changed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville, effective July 3, 2006, does hereby authorize the continued investment in LAIF and designates the following officers to deposit and withdraw funds and make changes to the LAIF account:

John Longley, City Manager
John Lollis, Administrative Services Manager
Maria Bemis, Accountant II

Adopted this 20th day of June, 2006.

______________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By __________________________
Georgia Hawley, Chief Deputy
RESOLUTION NO. 56-2003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, REAFFIRMING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTING OFFICERS

WHEREAS, Resolution #98-86 dated September 2, 1986, authorized the City to participate in the State of California’s Local Agency Investment Fund (LAIF); and

WHEREAS, the officers then authorized to order deposit or withdrawal of monies and changes to the account have changed; and

WHEREAS, LAIF now requires that changes to the authorized officers be adopted by agency’s governing board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby authorize the continued investment in LAIF and designates the following officers to deposit and withdraw funds and make changes to the LAIF account:

Darrel L. Pyle, Administrative Services Director
Susan Slayton, Chief Financial Officer
Maria Bemis, Accountant I

Adopted this 6th day of May, 2003.

Richard M. Stadtherr, Mayor

ATTEST:

John Longley, City Clerk

By Georgia Hawley, Deputy City Clerk
SUBJECT: CIVIL AIR PATROL - SUBLEASE FROM PAPA

SOURCE: Fire Department/Airport

COMMENT: On August 2, 1983, the City of Porterville approved a lease agreement with the Porterville Area Pilots Association (PAPA) for a portion of the fire station (480 square feet) located at the airport. The building was built by PAPA and donated to the City. A condition of the donation was to allow PAPA to use the attached storage area for $1.00 per year for 25 years. This agreement is set to expire on August 31, 2008.

PAPA is disbanding and would like to sub-lease the space to the Sequoia Porterville Squadron 33 of the Civil Air Patrol. As the Civil Air Patrol is affiliated with the United States Air Force and promotes aviation activities at the airport, this would be an appropriate request. The sublease would contain the same terms and conditions as the original lease.

RECOMMENDATION: That the City Council approve the subleasing of the storage area to Sequoia Porterville Squadron 33 of the Civil Air Patrol for the remainder of PAPA’s lease.

Attachment:: None - a copy of the original lease has been presented to Council under separate cover. A copy is available for public review at the office of the City Clerk.

Dir.  Funded  C/M  Item No. 14
PORTERVILLE AREA PILOTS ASSOCIATION

PORTERVILLE AIRPORT
1893 S. NEWCOMB
PORTERVILLE, CALIFORNIA 93257

Frank Guyton
Airport Manager
City of Porterville

R: PAPA Hanger

12 June 2006,

Dear Frank,

Upon approval by the City of Porterville, the Porterville Area Pilots Association (PAPA) agrees to sublease to Sequoia Porterville Squadron 33 of the Civil Air Patrol their storage unit at the Porterville Municipal Airport.

Thank you,

Ben Harvey
President
Porterville Area Pilots Assoc
STATE DOMESTIC PREPAREDNESS GRANT

FIRE DEPARTMENT

The County of Tulare is charged with coordinating the FY04 State Domestic Preparedness Grant. Under the grant guidelines, the program has additional funds that can be used by the City of Porterville. The City of Porterville has been allocated eighteen thousand dollars ($18,000) for the purchase of items for our emergency operations center.

Under the terms of the grant program, the Fire Department will purchase the items and submit the receipts for reimbursement. The State funds have been allocated and reimbursement does not appear to be an issue.

To expedite the process and achieve the grant deadlines, staff is requesting permission to purchase the equipment under the negotiated bid process. As some of the equipment is specific and some of the labor will be done in-house. This methodology will achieve the best and most timely results.

The funds required to front the purchases are available in the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund # EL-2997.”

A list of items needed is attached. The total is $27,045, however, staff will only purchase items within the grant funding limits.

That the City Council:

1) Authorize staff to purchase the equipment and labor under the negotiated bid process.

2) Authorize the disbursement of funds from the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund # EL-2997” for the initial costs.

1) Authorize the grant reimbursement fund to be deposited into account # EL-2997.

List of proposed purchase items.
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<tr>
<th>ITEM</th>
<th>QUANTITY</th>
<th>PRICE PER</th>
<th>TOTAL PRICE</th>
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<tbody>
<tr>
<td>1. 8.5 Kw Propane Generator</td>
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<td>8500</td>
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<td>2. Propane tank 500 gal.</td>
<td>1</td>
<td>1895 (buy)</td>
<td>1895</td>
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<tr>
<td>3. Propane</td>
<td>500 gal.</td>
<td>1.50 / gal</td>
<td>750</td>
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<td>4. Electrical installation</td>
<td>40 hrs</td>
<td>45</td>
<td>1800</td>
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<tr>
<td>5. Phone system install</td>
<td>80 hrs</td>
<td>60</td>
<td>4800</td>
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<tr>
<td>6. Map Work</td>
<td>20 hrs</td>
<td>75</td>
<td>1500</td>
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<td>7. Updated Phone system</td>
<td>1</td>
<td>4000</td>
<td>4000</td>
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<td>8. City Map (6’x6’) on wall</td>
<td>1</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>9. Separate Data Hub</td>
<td>2</td>
<td>800</td>
<td>1600</td>
</tr>
<tr>
<td>10. All-in-1 Printer, Fax, Scan/copy</td>
<td>2</td>
<td>600</td>
<td>1200</td>
</tr>
<tr>
<td>11. Misc. Office Supplies</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Easels, pads, markers, plastic file boxes, hanging files</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub-total for Items listed above 27,045
SUBJECT: RESOLUTION OF SUPPORT FOR HIGHWAY 65, PORTERVILLE TO BAKERSFIELD

SOURCE: Administration/City Clerk Division

COMMENT: The widening of State Route 65 has been an on-going Federal and State project. The widening of the 18-mile long segment between Porterville and Bakersfield was programmed in the 2002 State Transportation Improvement Plan, the 2002 Federal Transportation Plan, and the 2001/2002 Tulare County Regional Transportation Plan. Although the widening project was approved and programmed due to the level of deficiency determined for that stretch of highway, the project has continually been delayed due to a lack of available State Transportation funding. It is felt locally that this vitally important and necessary transportation route must be completed for the safety and growth of our community. A draft resolution expressing the Council's continued support for this project, and their urging for the State Legislature's support, is attached.

Recommendation: That the Council approve the draft resolution as presented.

Attachment: Draft Resolution of Support
RESOLUTION NO. _______ - 2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
IN SUPPORT OF WIDENING STATE ROUTE 65
FROM PORTERVILLE TO BAKERSFIELD

WHEREAS, State Route 65 is of vital importance to the citizens of the City of Porterville as they depend upon the roadway for all southbound travel; and

WHEREAS, the California Department of Transportation ("Caltrans") and the Federal Highway Administration has proposed to widen an 18-mile long segment of State Route 65 in Tulare County; and

WHEREAS, the Caltrans has determined the level of service on State Route 65 to currently be deficient for that category of highway; and

WHEREAS, Caltrans data indicates that eight of the eleven intersections on State Route 65 within Tulare are currently experiencing accident rates equal to or higher than the state highway average; and

WHEREAS, the twenty-year forecast for average daily traffic south of the City of Porterville shows a 134 percent increase, from 16,300 vehicles to 37,500 vehicles, which Caltrans has predicted will result in heavy congestion and considerable delays on State Route 65 if the widening project is not undertaken; and

WHEREAS, the State Route 65 widening project was programmed in the 2002 State Transportation Improvement Plan, the 2002 Federal Transportation Improvement Program, and the Tulare County 2001/2002 Regional Transportation Plan as a constrained capacity-increasing project; and

WHEREAS, funding for the State Route 65 widening project has been continually delayed due to lack of available State transportation funding.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville hereby expresses continued support for the widening State Route 65, and urges the California State Legislature to approve the funding necessary for this vital project.

____________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: Georgia Hawley, Chief Deputy City Clerk
SUBJECT: LEGAL SERVICES AGREEMENT- CITY ATTORNEY

SOURCE: City Attorney

COMMENT: Attached is the proposed Legal Services Agreement between the City of Porterville and McCormick, Kabot, Jenner & Lew, and Julia M. Lew. The Agreement provides for an hourly fee for legal services by attorneys, an hourly rate for services by law clerks and paralegals, and is for the period of July 1, 2006 to December 31, 2008.

RECOMMENDATION: That the City Council:

1. Approve the Legal Services Agreement; and

2. Authorize the Mayor to execute the Legal Services Agreement on behalf of the City Council.

2. Draft Legal Services Agreement

Item No. 17
June 14, 2006

[VIA FACSIMILE: (661) 362-4008]

Mayor and City Council of the
City of Porterville
Attn: City Manager
291 North Main Street
Porterville, California 93257

Re: Proposed Contract for Legal Services -- City Attorney (Modified)

Thank you for the opportunity to continue to provide legal services to the City. Attached is the proposed Legal Services Agreement. As provided in my correspondence on June 6, 2006, the proposed contract provides for an hourly fee of $140.00 for services by attorneys, and an hourly fee of $75.00 for services by law clerks and paralegals. Additionally, per your direction the Agreement is for a period of 30 months, commencing on July 1, 2006, and ending on December 31, 2008.

If you have any questions or require any additional information, please feel free to contact me.

Thank you for your consideration.

Very truly yours,

Julia M. Lew

JML:1mg
Enclosure

E:\JuliaMKJL\PORTERV1\GENERAL\MAYOR\13.wp
LEGAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into as of the 20th day of June, 2006, by and between the CITY OF PORTERVILLE, a municipal corporation, hereinafter referred to as CITY, and McCORMICK, KABOT, JENNER & LEW, a professional law corporation, and JULIA LEW, hereinafter referred to as ATTORNEYS, and based upon the exchange of mutual promises hereinafter contained, the parties agree as follows:

1. The CITY hereby hires JULIA M. LEW as its City Attorney, to serve as such municipal officer at the pleasure of the City Council of the City of Porterville. The compensation to be paid JULIA M. LEW for her services as City Attorney shall be included in and made a part of the compensation arrangement herein provided for as it relates to other legal services to performed for and on behalf of the CITY:

2. The CITY hereby hires McCORMICK, KABOT, JENNER & LEW, a professional law corporation, to do and perform legal services for and on behalf of the CITY, together with such legal services as may be required of the City Attorney for the City of Porterville.

3. This Agreement may be terminated by either party upon thirty (30) days written notice to the other. The term of this Agreement shall begin on July 1, 2006, and extend through December 31, 2008. Furthermore, this 2006 Agreement shall terminate should JULIA M. LEW permanently leave the firm or her position as City Attorney.

4. CITY shall pay ATTORNEYS the sum of ONE HUNDRED FORTY DOLLARS ($140.00) per hour, and shall pay the sum of SEVENTY FIVE DOLLARS ($75.00) per hour for law clerks and/or paralegals for each hour of services, in one quarter hour increments. ATTORNEYS shall bill CITY
monthly for their services rendered in the CITY's behalf during the prior month. ATTORNEYS shall categorize the billings by City department and/or projects, as specified by the City Manager.

5. The services to be provided by the ATTORNEYS for the CITY shall include all legal services rendered at the request of the CITY, to include but not be limited to the following: Appearances at all necessary staff meetings, board or commission meetings; conferences with any staff member who might call for assistance; drafting of ordinances, leases, contracts, and other normal and customary legal documents; attendance at City Council meetings; attendance at other meetings in which the CITY has a vital interest; litigation which requires representation of the CITY, City officers or City Council persons in any trial or Appellate Court; representation of the CITY's interest in connection with eminent domain and condemnation proceedings; representation of the CITY's interest at necessary public hearings, meetings and legislative meetings conducted outside of the CITY limits of the City of Porterville; representation of the CITY's interest with regard to labor relations; labor negotiations (if requested) or labor litigation; prosecution of violations of the City Code of the City of Porterville; representation in personnel matters in any administrative hearing procedure and/or litigation; representation of the CITY in all Pitchess motions before trial court; and other legal services not described above.

6. By specifying the areas of representation in the immediately preceding paragraph, it is not the intention of the parties to preclude the CITY from hiring or engaging other attorneys to act on its behalf in any area of concern to CITY.

7. The ATTORNEYS shall provide all reasonable and necessary facilities, equipment, books, supplies, stenographic and secretarial services, insurance policies and other property or services necessary to carry out and provide the required legal services pursuant to this Agreement.

8. It is understood that this Agreement provides for the services by the ATTORNEYS as the City Attorney for the City of Porterville on a contractual basis and not upon an employer/employee basis.
9. From time to time, the individual named in this Agreement as the City Attorney may designate other attorneys within the Law Firm to act in her place or stead in matters relating to affairs of the CITY.

10. The CITY agrees to reimburse the ATTORNEYS for any and all out-of-pocket expenses incurred on behalf of the CITY, including but not limited to, court reporter fees and charges, title company fees and charges, court costs, costs of outside investigators or experts pertaining to CITY litigations, telephone expenses, travel expenses including meals and lodging (outside the corporate limits of the County of Tulare), and membership fees in the League of California Cities Municipal Attorney’s Section. Use of personal automobiles shall be reimbursed at the rate permitted under the US Internal Revenue Code. Copying charges shall be at the rate of Twenty Cents (.20¢) per page and it is expressly understood that said charges shall be kept to an absolute minimum and that CITY facilities shall be utilized for such services whenever possible. All such costs and expenses to be reimbursed by CITY shall be billed from time to time and paid by CITY in due course after receipt of billing.

11. It is further understood that in the interest of the City of Porterville the City Attorney and members of the appointed law firm shall keep abreast of rapidly changing developments of municipal law and the City Attorney will be expected to attend appropriate conferences of the League of California Cities, and such other courses and seminars on municipal law as may be mutually deemed necessary to maintain current proficiency. The City Attorney shall be reimbursed for reasonable out-of-pocket expenses for travel, lodging and incidental expenses in connection with attendance at such conferences, courses and seminars. The City Attorney will be expected to attend at least one of the above referenced conferences, courses or seminars without being reimbursed on an hourly basis and provided for in this Agreement.
12. The City Attorney and law firm shall not accept private cases or clients which will or in the reasonable exercise of their judgment may, in the future, create conflicts of interest between the CITY and such clients or cases and shall not be involved in legal matters which, by reason of this Agreement, violate any state law or court holding.

13. The City Council shall annually meet, in closed session, with the City Attorney, to review the performance of the services provided under this Agreement. Said review shall occur on or before the first Council meeting in the month of December of each year.

The Agreement is entered into as of the date first mentioned above.

CITY OF PORTERVILLE
A Municipal Corporation

BY______________________________
Pedro Martinez, Mayor

McCORMICK, KABOT, JENNER & LEW
A Professional Law Corporation

BY______________________________
Julia M. Lew, City Attorney
PUBLIC HEARING

SUBJECT: CONSIDERATION OF THE PROPOSED 2006/07 FY CITY BUDGET

SOURCE: City Manager's Office

Consistent with the City Charter the City Manager has submitted for Council consideration a draft Budget for the 2006/07 Fiscal Year. Section 51 of the City Charter provides that the city manager shall provide not later than thirty days before the end of the city’s fiscal year, an estimate of expenditures and revenues of the city departments for the ensuing year.

Budgetary Approach: Attached is the budgetary message presented with the draft document at its release. The budgetary approach consists of:

- A three year strategic budget plan
- A one year budget
- Periodic review of budget targets
- Revision of expenditures when necessary to accomplish budget targets

Financial Factors: The level of revenue, expenditure and standing for City funds proposed in the 2006/07 FY budget are:

- All Fund Revenues for 06/07 FY of $72,044,427
- All Fund Expenditures for 06/07 FY of $83,466,256
- General Fund revenues and transfers for 06/07 FY of $24,393,704
- General Fund expenditures and transfers for 06/07 FY of $25,890,800
- General Fund cash deficit for 06/07 FY of ($1,497,096)
- General Fund structural deficit for 06/07 FY of ($31,550)

Generally, the overall reduction in fund balances proposed will result from using monies accumulated for capital expenditure being used to implement projects.

Item No. 18
Budget Adoption: The Charter also provides that "after duly considering the estimate and making such corrections or modifications thereto as shall seem advisable to it, the council shall by resolution adopt a general budget and such resolution shall operate as an appropriation of funds to the amounts and for the purposes set forth in the budget so adopted."

Coordinated Agenda Items: Along with this public hearing item regarding the budget, other related matters are presented for Council consideration in the course of the public hearing. They include:

- Transportation for Youth Program Participants
- Council Member Request for Consideration of Hiring a Full Time Grant Writer
- Chamber of Commerce Funding Request
- Public Works Director Analysis about Street Maintenance

Options for Consideration, Modification, And Adoption: Because each of these matters involves funding requirements, they should be specifically considered. If the Council desires to incorporate them into the Budget, then existing or proposed programs may be curtailed to offset any cost. The Council may also determine to fund projects out of reserves, however, such action should be considered very carefully because it is a slippery slope between unfunded one-year programs and a significant structural deficit.

This year, the recent election will cause some change in City Council positions. As a result, the Council considering the Budget at this meeting will not have the same membership as the Council which implements the Budget over the 2005/06 Fiscal Year.

All spending authority from the current budget expires after June 30, 2006. Therefore, it is critical that a budget be adopted which allows payroll to be paid and routine expenditures to be incurred. Essentially, there are two approaches in this regard:

- (Option 1) Adopt the draft budget (as modified by the City Council) subject to the ratification of the new City Council after it has been seated.
- (Option 2) Adopt a continuing resolution to allow expenditures for salary and routine items.

It is suggested that the former course be implemented, since it will permit the City organization to fully and effectively operate. The adopted budget would be presented to the newly seated City Council at their meeting of July 5, 2006. The Porterville City Charter addresses this contingency in the following language:

Sec 51 . . . . . At any meeting after the adoption of the budget, the council, by a vote of three (3) members, may amend or supplement so as to authorize the transfer of unused balances for one purpose to another purpose or to appropriate available revenue not included in the budget.
Program Proposed in Draft Budget Presented for Council Consideration And Action: The proposed Budget includes many programs. A summary of important initiatives includes the following proposals.

- Police officer sworn staffing is projected to increase from the 2005 base of 46 to 57 sworn officers.\(^1\)
- Fire sworn staffing is projected to increase from the 2005 base of 29 to 36 firefighters.
- Continuing the major service ramp-up to newly annexed areas.
- Initiate an improved code enforcement system including a full-time code enforcement officer in the Fire Department.
- Expand Library hours from the 2005 base of 40 hours per week to 56 hours per week.
- Complete the hillside ordinance.
- Complete the comprehensive general plan update.
- Complete the Murry Park Master Plan.
- Review and coordinate the classification and compensation analyses consulting with employee organizations and presentations to the City Council.
- Investigate and consider utility service efficiency upgrades.
- Using street monies, complete the development of Indiana Avenue from Putnam to Olive and using various funding sources, complete the development of Date Avenue from South Main Street to Orange Avenue.
- Using grant monies complete the bicycle path project.
- Using local and CMAQ funds, complete CORE areas 2 and 4 concrete improvements.
- Using local and CMQAQ funds, construct a traffic signal at Mathew and Olive.
- Using local and CMAQ funds, design and construct a traffic signal at Newcomb and Westfield.

\(^1\) For 2005/06, the permanent staffing level of the Police Department began at 45 sworn positions. In addition, there is one Indian Gaming Grant funded officer that takes the total sworn to 46. With the 11 new officers allocated through 2006/07, the department will have a total of 57 sworn officers; 56 allocated positions and 1 grant funded position.
- Using local and CMAQ funds, design and construct concrete improvements along Newcomb Street from Morton Avenue to Olive Avenue.

- Proposed street department activity for FY 2006/07 include the installation of pavement material to complete pave-out requests for single-family home projects. A significant number of streets are in need of asphalt paving attention. LTF funds in the amount of approximately $175,000 allocated for FY 2006/07 will go towards potholing and providing a one-inch overlay on the major street materials. Candidates for this action include Henderson Avenue east of Indiana, Newcomb Street south of West North Grand Avenue and Main Street north of Henderson Avenue.

- Using local and CIEDB monies complete necessary sewer improvements to comply with the cease-and-desist order issued by the Regional Water

- Implement water projects using local and CIEDB monies including the Eastside tank sites and the inter-tie to the Porterville Airport and the completion of well sites #29 and #30.

- Implement the curbside recycling program.

- Consider and support expanding the number of days of congregate meal site service and continuing the availability of a site for congregate senior meals within Porterville. These actions will require additional appropriations beyond those currently defined in the proposed budget.

- Complete the Skateboard Park and rails-to-trails projects.

- Initiate master plans for Zalud House improvement and a new primary City library facility.

- Retain a part-time event assist to schedule activities, especially at the Centennial Park venue.

- Create an audit committee consisting of City Council and staff members to closely monitor financial transactions.

**Recommendation:** The City Manager proposes that the City Council adopted the proposed 2006/07 FY Budget, as modified (Option 1), subject to the ratification of a newly seated City Council at the July 5, 2006 meeting.

**Attachments:** Proposed Spending Plan
- Major Fund Summaries
  - Option #1 - Draft Resolution for General Fund Budget
  - Option #1 - Draft Resolution for Enterprise, Internal Service and Capital Budgets
  - Option #2 - Draft Resolution for Temporary Continuation of 05/06 Budget
May 10, 2006

To Honorable Mayor and Council Members,

For the Council’s consideration, we are transmitting the proposed spending plan for the 2006/07 Fiscal Year. The document, which is presented, is consistent with the following budget approach:

- A three year Strategic Budget plan
- A one year Budget
- Periodic review of Budget targets
- Revision of expenditures when necessary to accomplish budget targets

**General Fund Targets:** The following specific budgetary targets are proposed to be achieved within 5%.

The following targets which are recommend are:

**General Fund revenues and transfers:** $24,393,704 which is up 22.5% from new Measure H sales tax, grants, and the ending of the negotiated State “take away” of City monies.

**General Fund expenditures and transfers:** $25,890,800 which is up 24% from new Measure H sales tax monies, grants, the allocation of carry-over monies for projects, the payment of one-time additional debt service for the newly issued certificates of participation and the cost of improving the employee retirement programs.

**General Fund cash deficit for 06/07 FY:** ($1,497,096) which is primarily the result of the use of carry-over monies for projects and programs, and additional debt service for a one-time payment for certificates of participation.

**General Fund structural deficit for 06/07 FY:** ($31,550) which is a structurally balanced budget for the Fiscal Year.

**General Fund cash deficit for 07/08 FY:** ($531,692) which is primarily the result of anticipated carry-over expenditures projected for next fiscal year. This amount does not include a 3% modifications to employee compensation.

**General Fund cash surplus for 08/09 FY:** $511,181 which does not include any carry-over monies but an additional 3% increase in cost and revenues.
General Fund Deficit: The proposed General Fund Cash Deficit for 06/07 FY is equivalent to 6.1% of anticipated General Fund Revenues. Nearly all of this deficit is non-reoccurring. The projected General Fund Structural Deficit for the 06/07 FY is estimated to be ($31,550) which is less than 1%.

Budgetary Allocation of General Fund Monies: Because of specific accounting principles, the Consolidated Financial Report does not specifically allocate cash within the General Fund. For many years, however, the budget has defined cash allocations. Based upon ending FY 2005/06 monies, the following allocations of General Fund cash are defined (rounded to the nearest thousand).

<table>
<thead>
<tr>
<th>Allocation</th>
<th>Monies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lock Box (Rainy Day) Cash</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Debt Service Lock Box</td>
<td>$459,000</td>
</tr>
<tr>
<td>Equipment Replacement Funds</td>
<td>$3,810,000</td>
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<tr>
<td>Carry-Over Monies</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Grants/Success Reservoir</td>
<td>$282,000</td>
</tr>
<tr>
<td>High/Low Month Cash Cover</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Non-Allocated Cash</td>
<td>($418,000)</td>
</tr>
<tr>
<td><strong>Total Cash</strong></td>
<td><strong>$9,133,000</strong></td>
</tr>
</tbody>
</table>

Allocation of General Government Appropriations: A major feature of the proposed 2006/07 FY Budget is the allocation of monies for specific programs and projects. These allocations are defined as both appropriations for new activities and re-appropriations for activities which have been carried forward from other years.

General Government Appropriations

<table>
<thead>
<tr>
<th>Project</th>
<th>Monies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skateboard Park</td>
<td>$412,636</td>
</tr>
<tr>
<td>Tule River Parkway</td>
<td>$250,000</td>
</tr>
<tr>
<td>Rails to Trails</td>
<td>$455,000</td>
</tr>
<tr>
<td>Library RFID (Partial)</td>
<td>$80,000</td>
</tr>
<tr>
<td>Tule River/Porter Slough Clean-Up</td>
<td>$10,000</td>
</tr>
<tr>
<td>Success Lake JPA</td>
<td>$7,500</td>
</tr>
<tr>
<td>Tule River JPA Administration</td>
<td>$8,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$1,223,136</strong></td>
</tr>
</tbody>
</table>

General Government Re-Appropriations

<table>
<thead>
<tr>
<th>Project</th>
<th>Monies</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan/Water Study/Biological Study</td>
<td>$250,000</td>
</tr>
<tr>
<td>Success Lake Reservoir Enlargement</td>
<td>$253,925</td>
</tr>
<tr>
<td>Eldeberry Mitigation Monitoring</td>
<td>$40,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$543,925</strong></td>
</tr>
</tbody>
</table>
**Allocation of Carry-Over Monies:** Because of savings in previous fiscal years, monies have been allocated this year for carry-over expenditures. A total of $2,000,000 in savings from previous fiscal years have been defined. For Fiscal Year 06/07, carry-over expenditures in the amount of $921,621 have been specified. Based on the total allocation, an additional amount of about $1,000,000 will be used for Fiscal Year 07/08. Further savings from the $2,000,000 allocation in addition to savings from Fiscal Year 2006/07 will be allocated to 2008/09 FY carry-over allocations.

The proposed Budget for the 2006/07 Fiscal Year includes the following proposed carry-over expenditures:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan Update</td>
<td>$100,000</td>
</tr>
<tr>
<td>Date Street Reconstruction</td>
<td>$300,000</td>
</tr>
<tr>
<td>City Clerk Election</td>
<td>$33,000</td>
</tr>
<tr>
<td>Police Communications System Upgrades</td>
<td>$112,161</td>
</tr>
<tr>
<td>Fire Building &amp; Equipment Maint/Remodel</td>
<td>$78,361</td>
</tr>
<tr>
<td>Fire Repeater, Duplexer, Base Station</td>
<td>$60,000</td>
</tr>
<tr>
<td>Comm Development Planning Technician</td>
<td>$43,277</td>
</tr>
<tr>
<td>Pub Works Salaries for Capital Projects</td>
<td>$65,895</td>
</tr>
<tr>
<td>Street Lighting Utilities</td>
<td>$15,000</td>
</tr>
<tr>
<td>Park Leisure Svs Parking Acquisition Match</td>
<td>$32,000</td>
</tr>
<tr>
<td>Park Leisure Svs Skateboard Park</td>
<td>$10,000</td>
</tr>
<tr>
<td>Park Leisure Svs Project</td>
<td>$19,657</td>
</tr>
<tr>
<td>Park Leisure Svs Zalud House Master Plan</td>
<td>$15,000</td>
</tr>
<tr>
<td>Park Leisure Svs Street Tree Trimming</td>
<td>$37,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$921,351</strong></td>
</tr>
</tbody>
</table>

**2005/06 Fiscal Years:** Financially, the 05/06 FY was transitional regarding financial factors. The most important matter was the approval by the voters of Measure H. This will allow both Police and Fire to grow in staffing and resources to meet public safety challenges within the community.

Another very important action was the approval of a very large island annexation program. These islands will add more than 5,000 inhabitants, increasing the City’s population by more than 10% in a single Fiscal Year. The Council allocated utility users’ tax monies to increase police protection to address the new populations. Fiscal analysis indicates that the amount of fiscal impact will be about $650,000 per year. This impact will be experienced in increased demands for services with similar staffing levels, except in public safety.

Other important 2005/06 financial actions were the refinancing of the City’s General Fund Certificates of Participation. The monies which have been raised will be used primarily for Jaye Street improvements associated with large commercial projects. A financial significant factor is the overall improvement in retirement programs for both police and miscellaneous employees. The financial impact of the COP refinancing will
be a relatively large additional cost for debt service in fiscal year 2006/07, while the enhanced retirement programs will add some cost for employee compensation into the future. Both of these actions have positive effects in that Jaye Street improvements will support important new commercial development in the area, while the enhanced retirement program meets a continuing stated compensation priority by City employees.

Budgetary Objectives: In the previous budget, a series of objectives were stated. Below is a summary of how the objectives were addressed in the 2005/06 FY and additional actions contemplated for the 2006/07 FY.

- Increase police officer staffing to 46 employees and then 52 employees: It is projected that by the end of 2006, the Police Department will have 56 sworn officers.

- Increase fire sworn staffing to 36 fire fighters: It is projected that by the end of 2006, the Fire Department will have 36 fire fighters and officers.

- The proposed 2006/07 FY Budget will retain a full-time code enforcement officer in the Fire Department. A system to coordinate with police, community development, and finance departments will be established to assure full coordination and communications.

- Restore funding to assure the Library is open: With the passage of Measure H additional monies have been allocated to assure that Library hours will be re-established and important programs relating to literacy will be undertaken. Planning is beginning to consider the feasibility of undertaking the development of a new Library facility.

- The General Plan update has been expanded to include a hillside ordinance and the expected completion date will be in December, 2006 or early 2007.

- The City has completed Well number 28 and will complete in the 2005/06 FY the Henderson project. The skateboard parking lot has been completed. Additional sludge drying beds have been completed. The lighted street crossing project was completed by force account. For Fiscal Year 2006/07, the skateboard project has been awarded as a construction project and funding is proposed for the completion of Indiana to Olive Avenue and the Date Street reconstruction. The Eastside/Hillside Reservoir and Martin Hill Reservoir projects should be designed and bid. Monies are being proposed in the 2006/07 FY Budget for the Rail to Trail project and Tule River Parkway property purchase.

- Work is proceeding on the completion of the Murry Park Master Plan.

- The Council reviewed and acted upon City of Porterville service charges. This action allowed the City Manager to submit a budget which fully funds allocations for equipment replacement.
• For a second year the amount of subsidy from the Risk Management Fund has
been reduced for the health care program. During 2006/07, the staff will monitor
closely costs incurred through the program. This will be fully coordinated with
the Health Care Task Force. It is anticipated that some adjustment in premium
amounts may be necessary.

• The review and coordination of classification and compensation analyses will be
an important activity during the 2006/07 Fiscal Year. The new Administrative
Services Manager will focus on this activity.

• The new Administrative Services Manager will also work to complete the
analysis of a proposal by Johnson Controls for an energy audit and a program to
replace equipment with more energy efficient options.

• The City Council approved island annexation projects during the 2005/06 FY. An
additional annexation has been initiated and should be completed in the 2006/07
FY.

• The processing of monumental commercial and residential projects should
continue through the 2006/07 FY.

• Financial support in the amount of $5,000 has been proposed in the proposed
Budget for the Sequoia Regional Institute for Higher Education which is being
implemented through the Tulare County Economic Development Corporation.

• The City continues to closely coordinate with the Tule River Tribal Council to
development projects in Porterville that will enhance the area’s economy.

• As a financial safeguard, it is proposed that the hiring freeze should be continued
into the 2006/07 Fiscal Year. It is proposed that on at least a quarterly basis, the
open positions should be cleared and positions should be fully staffed. As in the
prior year, there will be exceptions to the freeze for sworn public safety
employees, those required by contract or otherwise necessary to the public health
and safety.

• The Kings Tulare Area Agency on Aging has requested $2,000 to support the
meals program during 2006/2007. This is being paid out of community
promotion. A request has been made by the seniors who use the congregate meal
site, to expand the program to five days a week. This can be accomplished by
about $5,000 in additional support from the City. This has not been programmed
into the Budget. The City Manager recommends that this be considered as an
additional appropriation, along with about $6,000 to $7,000 which will be
necessary to pay utilities to support the current congregate meal site. The source
of this funding would be from City General Funds. A combined $12,000
appropriation could be seen as non-material in terms of the overall expenditure.
This would increase the General Fund structural deficit 2006/2007 from $31,550 to $43,500.

In conclusion, the proposed budget reflects a comprehensive and pro-active approach to the priorities of the City as directed by the City Council. This three-year plan and one-year budget is the result of an extensive analysis of the City’s revenues, expenditures, and priorities. Three items with a significant impact on this year’s process were the passage of Measure H, the implementation of the Maximus cost recovery program, and the island annexations. Another key component of the methodology used was to adjust each department’s budget to cover anticipated cost increases in labor, fuel, electricity, natural gas, risk management, and equipment replacement.

We have defined the major fund summaries and budgetary objects. We have also listed specific special allocations under General Government Re-Appropriations and Carry-Over, which will be used to complete projects identified or appropriated in prior years.

Staff will diligently monitor the economic and political landscape over the next fiscal year and its implications to the City’s financial stability. As the fiscal year progresses, staff will make any necessary corrections to the budget to achieve the goals and objectives set by Council which is a key element in the continued delivery of “The Good Life.”

Sincerely,

John R. Longley, Jr.
City Manager

S. Frank Guyton
Deputy City Manager / Fire Chief

Susan J. Slayton
Chief Financial Officer

Maria L. Bemis
Accountant II
Memorandum

TO: Honorable Mayor And Councilmembers

FROM: John Longley, City Manager

DATE: May 23, 2006

RE: Major Fund Summaries
   Recommendation to Establish Audit Committee

The following information should be included in this Fiscal Year’s Budget Message. It provides a summary of major city funds. It also makes a recommendation that the Council should establish a separate audit committee consisting of council members and staff.

**Gas Tax Funds, Local Transportation Funds:** Money for street projects are being drawn down to complete work, which has been in the queue for several years. Progress is being made on priority projects and additional monies are being sought. The City has received notification of award for seven (7) CMAQ ($5,200,000) projects beginning with the CNG fueling station to be located at Prospect adjacent to the Corporation Yard. The projects will be completed over a three year time frame and will require about $600,000 in local match monies. For the 2006/07 Fiscal Year, about $190,000 in match monies will be required for these projects. These monies have been budgeted from carry over, LTF and special gas tax funds. Other CMAQ projects include: Traffic Signal #8, Traffic Signal #9, purchase of hybrid vehicles, design of Traffic Signal #10.

**Zalud Estate:** Though the City has attempted to find funding solutions for the Zalud House, it has not been successful to date. The annual draw down is projected to be around $14,000. At this rate, the fund will have about another 7 years of life. Monies are being budgeted by Parks and Leisure Services to master plan the Zalud House. This should provide some insight about optional strategies for the City asset.

**Community Development Block Grant:** The amount of CDBG monies is being reduced by Federal action. This is an area of legislative advocacy. Though program reductions are under consideration, this program has provided vital opportunities to the community. Our primary focus with CDBG monies at this time is to service debt consisting of about 44% of this year’s entitlement. The remaining monies are used to pay administrative costs and to support the City’s Youth Center and Murry Park improvements.

**Transit Fund:** The Transit Fund shows a drawdown of monies. The critical factor for this fund is to meet the 20% fare box ratio. Because of increasing costs, the return is in
jeopardy and the Council should consider system modifications to ensure that the fare box factor is met.

**Sewer Funds:** The Sewer Funds are in order and appear stable. Significant project work should be completed during the 2006/07 Fiscal Year to address cease-and-desist order issues. The City has modified the agreement for the Farming Operation and will begin in January, 2007 the development of an RFP for the Farming operation services and management.

**Solid Waste Funds:** With the implementation of the curbside recycling program, the City’s solid waste operations will expand. The proposed fund balance shows a positive balance, which is consistent with the Fund’s financial plan. To cover the cost of the recycling program, the City will present a $.90 rate increase, consistent with the City’s RFP.

**Airport Operating:** During the 2005/06 Fiscal Year, the Airport has not posted a strong return. This is because there was no major fire in the area during the year and the level of gas sales decides the stability of the Fund. Also, gas prices have increased which means less general aviation flying overall. In future years, monies may be reduced from lower lease returns on Airport lands that are farmed. There will be some reduction in the overall balance of the Fund because of match monies paid for a slurry project at the Airport.

**Golf Course Operations:** With the reorganization of the Golf Course operation, the goal is to enhance returns on the enterprise. The proposed Budget projects a stable year financially. Over the past year, play was up at the golf course and resultantly revenue has been up. There are some additional expenditure as a result of enhanced maintenance of the facility.

**Water Funds:** The Budget defines a major drawdown of water fund monies. This is because the City will undertake during 2006/07 FY important projects including Eastside tank sites and the inter-tie with the Porterville Airport. The City is seeking loan monies to cover these costs through the CIEDB. Last year, the City lost monies because of the effectiveness of its water conservation program. This will probably be repeated in FY 2006/07, which places pressure on rate levels. The City will continue to develop supply by drilling Well #29. The City remains in negotiation to purchase a well near the Airport (Well #30).

**Risk Management Fund:** The City has experienced some cost increases from liability, which are being allocated to the Departments. The health care program still requires an annual subsidy of around $160,000, but this is greatly reduced from the $550,000 loss in 2003.

**Building Construction Fund:** With the receipt of funds from the sale of property at Thurman and Main Street, monies will be used from the Building Construction Fund to
repair the City Hall roof and to install a sound system for Centennial Park and its environs.

**Proposed Audit Committee:** The City Manager proposes for Council consideration, the formulation of an audit committee. The committee should consist of Council members and officers of the City. A proposed membership could be two Council members, the City Manager, City Attorney and Chief Financial Officer. The Committee could meet on call and would be responsible for submitting the annual audit to the Council, and performing special financial reviews and audits.
RESOLUTION NO. ___-2006


WHEREAS, The City Manager, under provisions of the City Charter of the City of Porterville, has presented to the City Council for its consideration, a proposed General Fund Operating and Capital Improvement Budget for the period beginning July 1, 2006, and ending June 30, 2007; and

WHEREAS, The City Council after thorough review, has determined said budgets, as modified and corrected, are in all respects suitable and adequate for the purposes of said budgets and cover the necessary expenses of the General Fund of the City of Porterville for the 2006-2007 Fiscal Year based on the cash reserves balance;

NOW, THEREFORE, BE IT RESOLVED

1. The City of Porterville General Fund Budget for the 2006-2007 fiscal year is adopted in the following amounts:

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Budget</td>
<td>$21,587,522</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>1,767,061</td>
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<tr>
<td>Debt Service</td>
<td>1,167,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$24,522,083</strong></td>
</tr>
</tbody>
</table>

2. It is the intention of Council that expenditures for 2006-2007 fiscal year for General Fund operating functions include the restoration of 100% funding of the equipment replacement program for all General Fund equipment.
3. Staff will update Council on the condition of the budget and ongoing validity of assumptions utilized to create it during the months of November and January and April of the fiscal year, or at any time information becomes available that would alter the viability of this budget.

4. The City Manager is authorized to transfer General Fund operating budget appropriations between functions as required.

5. Increased service levels that require additional appropriations shall not be implemented without prior City Council approval.

ATTEST:

Pedro R. Martinez, Mayor

John Longley, City Manager
RESOLUTION NO. ____-2006

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE ADOPTING THE
ENTERPRISE, INTERNAL SERVICE AND CAPITAL
BUDGETS FOR FISCAL YEAR 2006-2007

WHEREAS, The City Manager, under provisions of the City Charter of the City of Porterville, has presented to the City Council for its consideration, a proposed Operating and Capital Improvement Budget for the period beginning July 1, 2006, and ending June 30, 2007; and

WHEREAS, The City Council after thorough review, has determined said budget, as modified and corrected, is in all respects suitable and adequate for the purposes of said budget and covers the necessary expenses of the Enterprise and Internal Service Fund of the City of Porterville for the 2006-2007 fiscal year:

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Porterville Enterprise and Internal Service Funds budgets for the 2006-2007 fiscal year are adopted in the following amounts:

   Operating Budget $ 23,525,299
   Capital Projects 32,953,035
   Debt Service 2,465,799
   Total $ 58,944,133

2. Increased service levels that require additional appropriations shall not be implemented without prior City Council approval.

____________________________________
Pedro R. Martinez, Mayor

ATTEST:

__________________________________
John Longley, City Manager
RESOLUTION NO. ___-2006


WHEREAS, the Porterville City Council has reviewed proposed revenues and expenditures for Fiscal Year 2006/2007; and

WHEREAS, the City Council has determined that the successor City Council which is scheduled to be seated on June 27, 2006, should act on the adoption of the proposed City Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville, that for the months of July and August 2006, the Porterville City Manager is authorized to make expenditures to cover normal and routine expenses, including personnel costs and the continuation of projects previously approved for implementation by the City Council in amounts not to exceed the following:

- For Total General Fund Purposes - $4,087,000
- For City Government Expenses Other than General Fund Purposes - $9,824,022

BE IT FURTHER RESOLVED that these monies may not be used to initiate new projects unless specifically approved by the City Council, to hire new personnel beyond those authorized on June 30, 2006, except for public safety positions approved for hire under Measure H.

ATTEST:

______________________________
Pedro R. Martinez, Mayor

______________________________
John Longley, City Manager

P:\manager\Agenda Items\2006_06_20 CC Agenda\2006_06_20 Item 18_resc3.wpd
SUBJECT: ANNUAL REVIEW OF CITY OF PORTERVILLE/CHAMBER OF COMMERCE AGREEMENT

SOURCE: Administrative Services

COMMENT: On August 21, 1990, the City of Porterville entered into an Agreement with the Porterville Chamber of Commerce for the purpose of having the Chamber provide contributing support in conducting and maintaining certain Chamber programs and activities which best achieve the community promotion objectives of the City. Under the terms of the Agreement, the Chamber is compensated by the City for actively promoting civic, social, and cultural events and activities; disseminating information relative to promoting the advantages of Porterville; and, for asserting positive community values.

Section V of the Agreement requires the Agreement to be reviewed annually to determine whether it should be amended to increase or decrease the scope of services contracted for and the base amount allotted and payable to the Chamber under the terms thereof. This provision was intended to prevent an automatic and obligatory annual commitment of municipal funds in times of limited revenues, and to validate charges for services actually provided or expected. Information required to be provided the City by the Chamber prior to the Council's annual review of the Agreement includes: (1) Annual Chamber Activity Report; and, (2) Current Financial Statements. The required Activity Report and Financial Statements were received from the Chamber on June 12, 2006, and are attached hereto for the Council's annual review.

In accordance with the Agreement, the Chamber has officially requested the annual performance allotment of $20,000.00 for FY 2005-06. Unless the Agreement is amended following an annual review, payments of $20,000.00 can be made annually to the Chamber by the City on or before September 1st of each year (in this instance, 09/01/06), but in no event earlier than City Council receipt, and acceptance, of the requisite Chamber Reports.
The Chamber has requested the City Council’s consideration for an increase in funding, either in the current FY 2005-06 if funds are available or for the upcoming FY 2006-07, citing that the agreement services base amount of $20,000 has remained the same since 1990 – except in the instances where a specifically designated amount was provided for specially named one-time services. Since 1990, the Chamber cites that the output of activities has significantly increased to continually exceed the agreement expectations, and the cost of providing those services has increased in the past sixteen (16) years. Below, please find a chart of the agreement amounts historically paid by the City of Porterville to the Chamber of Commerce:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Agreement Amount</th>
</tr>
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<tbody>
<tr>
<td>1990-91</td>
<td>$20,000.00</td>
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<tr>
<td>1991-92</td>
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<tr>
<td>1994-95</td>
<td>$29,500.00</td>
</tr>
<tr>
<td></td>
<td>* $9,500.00 for “All-America City”</td>
</tr>
<tr>
<td>1995-96</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>1996-97</td>
<td>$20,000.00</td>
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<tr>
<td>1997-98</td>
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<td>$20,000.00</td>
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<tr>
<td>2001-02</td>
<td>$45,000.00</td>
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<tr>
<td></td>
<td>* $25,000.00 for “City Centennial”</td>
</tr>
<tr>
<td>2002-03</td>
<td>$20,000.00</td>
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<td>2003-04</td>
<td>$20,000.00</td>
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<tr>
<td>2004-05</td>
<td>$20,000.00</td>
</tr>
</tbody>
</table>

Subsequent to Council review and acceptance of the Chamber’s Activity Report and current Financial Statements, no action is required to maintain the level of services rendered, or the base compensation to be received, as set forth in the Agreement. However, should the Council decide to increase or decrease either services or compensation for FY 2005-06, such a modification requires affirmative Council Action, and a written amendment to the agreement which must be executed by a representative of both the City and the Chamber. Included in the Community Promotion Budget for FY 2005-06 was $20,000.00 to maintain the City/Chamber Agreement without amendment, and the same is proposed in the Budget for FY 2006-07.
RECOMMENDATION: That the City Council accept the Chamber of Commerce Activity Report and Financial Statements, and that any additional funding consideration by the Council should be for specific services provided by the Chamber in support of Council programs and policies.

ATTACHMENTS: 1. City/Chamber Agreement  
2. Chamber Annual Activity Report  
3. Chamber Annual Financial Statements
AGREEMENT BETWEEN THE CITY OF PORTERVILLE
AND THE PORTERVILLE CHAMBER OF COMMERCE

This Agreement is made and entered into by and between the City of Porterville,
hereinafter referred to as "City", and the Porterville Chamber of Commerce, herein-
after referred to as "Chamber", both of whom understand and agree as follows:

WHEREAS, the City is desirous of maintaining and asserting positive community
values, of disseminating information relative to promoting the advantages of
Porterville, and of supporting public interest activities; and

WHEREAS, Section 37118 of the Government Code of the State of California
authorizes the expenditure of not more than five percent (5%) of monies accruing
to the General Fund in any one fiscal year for music and promotional activities,
including promotion of sister city and town affiliation programs; and

WHEREAS, the Chamber is actively engaged in promoting civic, social and
cultural events and activities, and is therefore believed to be organized,
equipped and capable of conducting promotional activities on behalf of the City;
and

WHEREAS, it is not the intent of the City to fully underwrite, subsidize or
sponsor any particular program or activity, but to provide contributing support
toward the maintenance and continuance of certain existing programs and activities
of the Chamber which best achieve the promotional objectives of the City.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

I. CHAMBER RESPONSIBILITIES. The Chamber shall:

A. Continue to carry on programs and promotional activities which include:

1. Mail solicitations, information pool, referral services
   and visitors information bureau.

2. Holiday advertising campaigns, and the design and
   construction of the Porterville Booth for the Tulare
   County Fair.

3. Printing and distribution of informational pamphlets and
   brochures.

B. Carry on such other activities on behalf of the City as may be
   mutually agreed upon from time to time during the period of
   this Agreement.

C. By May 15 of each year, furnish an annual activity report to the
   City covering the prior year's promotional programs and activi-
   ties for the reporting period from May 1 through April 30, with
   specific emphasis on sufficient relevant information to satisfy
   the terms and intent of this Agreement as hereinabove enumerated.
   The Chamber shall also furnish the City with copies of its
   annual financial reports within thirty (30) days after they are
   prepared.
II. PAYMENT BY THE CITY. In consideration of the above recitals, the City shall, during the term of this Agreement, pay the Chamber the sum of Twenty Thousand Dollars ($20,000.00) per year. Such annual payments shall be made on or before September 1 of each year, commencing in 1990. However, such annual payments shall not be made until the City receives and reviews the annual activity report referred to in paragraph 1.C. for the preceding May 1 through April 30 reporting period.

III. TERM. This Agreement shall be in effect commencing on the approval date noted hereinbelow, and shall continue in effect until June 30, 1991. Thereafter, this Agreement shall continue on a year-to-year basis, beginning on July 1 of each year, until terminated.

IV. UNILATERAL TERMINATION. This Agreement may be terminated by either party by giving thirty (30) days written notice to the other. This Agreement shall terminate forthwith thirty (30) days following the date written notice is given.

V. ANNUAL REVIEW. This Agreement shall be reviewed annually to determine whether it should be amended to increase or decrease the amount payable to the Chamber. Subject to City budgetary limitations, any increases or decreases shall be based on services provided and expected to be provided during the then current and next fiscal years by the Chamber, and the expected tax revenues to the City from business activities during the then current and next fiscal years.

IV. AMENDMENT. This Agreement may be amended or modified only by written agreement signed by both parties. Failure on the part of either party to enforce any provision of this Agreement shall not be construed as a waiver of the right to compel enforcement of such provisions.

VII. ASSIGNMENT. This Agreement shall not be assigned by the Chamber without the written consent of the City.

VIII. NOTICES. All notices required herein shall be in writing and delivered in person or sent by registered mail, postage prepaid.

IX. RELATIONSHIP OF PARTIES. It is understood that the contractual relationship of the Chamber to the City is that of an independent contractor.

APPROVED AND DATED THIS 21st day of August, 1990.

"CITY"

Thedore G. Hasslin, Mayor
City of Porterville

"CHAMBER"

Ron Millinich, President
Porterville Chamber of Commerce

ATTEST:

Robert E. Enge
Porterville Chamber of Commerce

APPROVED AS TO FORM:

Morgan L. Foley, Porterville City Attorney
June 6, 2006

The Honorable Pedro "Pete" Martinez
Mayor, City of Porterville
291 N. Main Street
Porterville, CA 93257

Dear Mayor Martinez and Members of the Council:

The Porterville Chamber of Commerce completed an exciting 2005 year which included the introduction of new projects and enhancement of existing programs, while effectively serving Porterville businesses and the community. During our 2005 Fiscal Year, we were pleased to see continued increases in the number of individuals visiting our area, and in the contacts to our office for community inquiries, relocation purposes, and referrals.

The Chamber was proud to coordinate another very successful Iris Festival event to celebrate our city’s flower and provide an opportunity for tourism traffic and local family involvement. The 7th Annual event welcomed an estimated over 23,000 attendees and 192 booths - again breaking the existing records. We were pleased to provide this venue which effectively brings visitors and their dollars to our community, while providing a wonderful, collaborative effort for local family entertainment.

Our organization also spearheaded the continuation of the gang prevention message, initiated at the All America City Conference, by staffing a community committee which presented a Gang Involvement Prevention Forum targeting parents of pre-school and K-8 grade students. In 2005, the Chamber presented its second Sierra Business Conference – an educational, informational and motivational venue for business people of southeastern Tulare County. This event once again showcased sought-after speakers and was met with enthusiasm by the business community. The Chamber jointly presented employer workshops with the City and other partners to keep our businesses aware of various critical issues, and assist with business retention and expansion. Additionally, we embraced the concept of a Porterville Community Festival, and the Chamber and it’s Leadership Porterville project class members played a vital role in the orchestration and promotion of this activity.

Enclosed, please find our 2005 Fiscal Year activity report including City Agreement (and other) activities and our year-end Balance Sheet. Both are for your review and presented in accordance with the “Agreement Between the City of Porterville and the Porterville Chamber of Commerce,” dated August 21, 1990. This letter serves as our official request for the City’s budgeted 2005/2006 allotment to the Porterville Chamber of Commerce of $20,000.
At this time, the Board of Directors of the Chamber also requests the City Council’s consideration for an increase in funding, either retroactively into this budget year if funds are available, or for the 2006/2007 year. The amount of $20,000 for the agreement services has not increased since 1990 – except in the instances where a specifically designated amount was provided for specially named one-time services. In the period since the original agreement, the Chamber’s output of activities has significantly increased to continually exceed the agreement expectations. Additionally, the cost of providing those services has increased considerably in the past 16 years.

The Chamber sincerely appreciates the partnership support that the City Council and City staff provided in FY2005. We are pleased to continue in this cooperative effort of promoting our community and tourism while working to create a stronger local economy.

Sincerely,

Mimi Stoneburner, Board Chair

Donnette Silva Carter, President/CEO
Annual Report

to the Porterville City Council

City of Porterville

2005 Fiscal Year

Porterville Chamber of Commerce
In compliance with the agreement between the City of Porterville and the Porterville Chamber of Commerce, the Chamber has met and exceeded its obligation to provide tourism promotion, relocation and visitor assistance, and community promotion. These and a sampling of other accomplishments for the Chamber's Fiscal Year 2005 are outlined below:

1. The Chamber sponsored the 7th Annual Iris Festival to again provide a spring event for family entertainment, tourism, and the celebration of our city's official flower, the purple iris. This event was widely advertised locally, regionally and statewide and included in some national publications. The 2005 Iris Festival once again saw the Chamber involved in collaborative efforts with various local groups and area activities held that day including Porterville Celebrates Reading and the Porterville Gleaning Seniors’ Pancake Breakfast. The attendance was at its best with a record crowd of 23,000. We had another increase in the number of vendor booths and also saw more vendors traveling from out of state and utilizing our local lodging and camping facilities. This year’s event welcomed bus tours from the Central Coast and elsewhere as well as additional visitors from outside of California.

2. Served as the community’s active visitor information bureau by providing community information on recreational activities, entertainment, special events, available lodging, restaurants, etc. to an average of over 300 phone, internet and walk-in contacts per month.

3. Partnered with the City of Porterville, Leadership Porterville and others, to coordinate and promote the city’s first Porterville Community Festival — an opportunity to celebrate community and showcase the many wonderful organizations that contribute to Porterville’s ‘Good Life.’

4. Collaborated with the City of Porterville and local organizations and education entities to present the first All America City Community Forum... “Preventing Your Children From Becoming Involved in Gangs.” The activity targeted the parents of pre-school and K-8 school age children.

5. Supported the City of Porterville in its economic development efforts by maintaining our collaborative Economic Development Committee and by providing information to City staff on those businesses who contact the Chamber with an interest in locating in Porterville. The Chamber fulfills the requests from interested parties for information about community demographics, real estate availability, the retail industry, community events, and recreational opportunities.

6. Promoted tourism in Porterville and the surrounding area in recognition of the economic impact tourism has on the community. We continued our presence in the Land of the Giants tourism publication which is distributed nationally and internationally at tourism trade shows. Tourism advertising was also included in the Discover magazine.

7. Maintained our partnership and participation in the Tulare County Workforce Investment Board Employment Connection for the promotion of workforce resources for our residents and the providing of services to businesses through the Business Resource Center.

8. Provided information and referral (and other requested ) support for established and new community projects such as the Porterville Fair, Jackass Mail Run, Veteran’s Day Parade, Nuestro Pride Car Show, Sierra Winter Classic, Downtown Porterville Car Show, Pow Wow, City of Hope Spectacular, Cinco de Mayo Celebration, Flag Day Ceremony, Rollin Relics Car Show, Porterville Museum Motorcycle Show, Porterville Community Festival, and Lamb Slam.
9. The Chamber fulfilled requests from individuals researching or planning a relocation to Porterville, and from employers planning recruitment campaigns. On the average, we received 25-45 contacts/requests per month.

10. Constructed Porterville community booths at the Tulare County and Porterville Fairs with the purpose of highlighting the offerings of our businesses and community.

11. Continued the advocacy efforts for expansions of both Highway 65 and Highway 190.

12. Over 1300 community visitor packets were distributed at special events, professional conferences and club activities. The materials in these packets provide information about our community and promote our local businesses. Some of those events were: Sierra Winter Classic - 150 and the Lamb Slam - 150.

13. Maintained a world wide web page through which we receive daily requests for information about the community from individuals and businesses. Requests are received from throughout the United States and many foreign countries as well.

14. Provided information to location scouts inquiring about filming in and around Porterville.

15. The Chamber maintained membership in the Sequoia Regional Visitor’s Council which promotes tourism for Tulare County. Our participation in this effort included supporting our President/CEO’s leadership role as Vice President of this organization.

16. Participated in the International Ag Expo Visitor Center to provide information and referral to visitors from around the world. Materials on Porterville were distributed. Additionally, we saw to the inclusion of Porterville lodging and restaurant sites in the Tulare County brochure and web page prepared for the Expo.

17. Co-sponsored, with the Employment Development Department, City of Porterville, Employment Connection, and the Employer Advisory Council, valuable and low cost employer seminars to keep local businesses up-to-date on important issues which impact their operation i.e. employee retention and expansion, employment laws, etc.

18. Participated in the Higher Education Coalition efforts to advance the availability of baccalaureate degrees in Tulare County.

19. Presented the annual Children’s Christmas Parade in cooperation with the Rotary Club of Porterville, Downtown Porterville Association, and the City of Porterville.
22. Coordinated the “Business Partner for a Day” project whereby local educators and administrators were placed into business sites. This project continued to provide a unique opportunity to strengthen the relationship between business and education in our community; create a greater awareness of the educational process in Porterville; and, increase the knowledge of our educators as to the training and education necessary to secure employment in our local workforce. It is the hope of the Chamber that the insights gained by both educators and business leaders will be invaluable as schools work to meet the challenges of preparing the future workforce.

23. Maintained an active Government Affairs presence with the goal of advocating on behalf of business in our community. Representatives participated in the California Business Legislative Summit and also provided testimony before hearings in order to advocate for positive business legislation for our local businesses. The Chamber also continued its membership in the regional Business, Industry & Government group.

23. Supported the efforts of many community organizations by serving as an information center for over 150 social, cultural, business and miscellaneous events.

25. Sponsored six local community blood drives.

26. Continued to support the Leadership Porterville program, a valuable project which promotes civic leadership by training and educating emerging community leaders.

27. Presented an expanded and sold-out Business Showcase trade show event to promote business to business marketing in Porterville.

28. Co-sponsored, with the Tulare County Office of Education and Porterville Unified School District, Porterville’s second COOL Night South Middle School College & Career Expo. This exciting program provides a local venue for middle school students and their parents to learn about career/vocation options, colleges and financial support, and local high schools and their campus activities. The goal is to provide students with education about and motivation to attend high school as the first step toward workforce preparedness, while also introducing them to careers and college.

29. The Chamber continued its partnership with the Service Corps of Retired Executives (SCORE) program to bring the services to our office to make them more accessible to Porterville area businesses. This entrepreneurial counseling is a valuable business establishment/growth/retention tool and is provided free of charge.

30. Participated in the City of Porterville Partners Network.

31. Continued active support of the community Mural Project Committee. This project contributes to community beautification, downtown redevelopment, and tourism attraction.

32. Hosted numerous local ground breaking and ribbon cutting events in the community.
33. Maintained a working relationship with the Downtown Porterville Association in an effort to promote downtown revitalization.

34. The Chamber’s Business & Education Committee partnered with Porterville College and others to present an Adult Continuing Education Night Expo in order to promote the attainment of education levels from GED to PhD.

35. Presented the second Sierra Business Conference – an informational, educational and motivational event for business people in our area. The conference included acclaimed speakers sharing information on business management, Valley economics, legislative issues impacting business, and more.

36. In partnership with the Porterville Police Department, continued the Anti-Graffiti Rewards Program and Graffiti hotline.


38. Produced a new greater Porterville area community map for distribution to visitors, those interested in relocation, new business prospects, and residents.
## Chamber of Commerce of Porterville
### Balance Sheet
**As of November 22, 2005**

### ASSETS

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<thead>
<tr>
<th>Description</th>
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</thead>
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<td><strong>Current Assets</strong></td>
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<tr>
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### LIABILITIES & EQUITY

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Chamber of Commerce of Porterville
Balance Sheet
As of November 22, 2005

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SUBJECT:  TRANSPORTATION FOR YOUTH PROGRAM PARTICIPANTS

SOURCE:  PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The City Council has requested this report to consider the need for providing transportation to improve youth program participation. Specifically, an observation has been made that the Youth Center patrons face challenges in reaching the Sports Complex and other locations in order to fully participate in organized sports activities. The Youth Center currently operates 4 hours a day, six days a week during the school year; and 8 hours a day for 5 days a week, plus 4 hours on Saturday during the school breaks.

Staff has evaluated the situation and can report that there are more than 30 outings from the Youth Center within the immediate Porterville area. Regular transit operations are not available or feasible to meet these needs. The events include:

- Basketball league games @ Granite Hills High School
- Baseball league games @ Sports Complex
- Bowling
- Lake Success
- High School sport games
- Leisure Services’ Special Events

Field trips out of town also take place throughout the year. However, most of these events have chartered transportation service arrangements. Staff anticipates the continuance of the existing charter services for out-of-town trips.

Staff does receive approximately 15 annual inquires regarding transportation to the programs of the Youth Center at the offsite locations. It is reasonable to believe that participation in the organized sports and local outings would increase with transportation service.

Staff has investigated the budgetary needs for a 15-passenger van. The initial capital cost would be between $20,000 for a used vehicle to $30,000 for a new vehicle. Annual cost for equipment replacement would be approximately $4,500. Annual cost for operations assumes 2,500 miles of operation, with fuel cost of $1,000, and maintenance charges of $1,500. Risk management costs are estimated at $1,000 per year.

[Signature: Director]  [Signature: City Manager]  [Appropriated/Funded: No]  [Item No.: 88b]
Having this type of vehicle available to the Parks & Leisure Services Department would create new challenges needing some consideration. Staff would need to obtain Class B driver’s licenses, the parking and maintenance of the vehicle would need to be assigned, and the availability of its use for other than Youth Center programs would need to be specified. For Youth Center and leisure services programs it is anticipated that the staff operating the vehicle will be a component of the supervisory personnel that would already be attending the events with the youth. In these instances, the cost of upgrading driver’s licenses would be the only personnel cost. The vehicle would need to be parked at City Hall or the Corporation Yard to maintain its security and Youth Center personnel would need to retrieve and return the vehicle for each outing.

Use of the vehicle for other city activities would increase the operations and maintenance cost. Such activities would result in additional fuel, maintenance, and driver expenses that are not included in the estimates provided. Parks and Leisure Services Department staff normally could not be taken away from programs to operate the vehicle for other city activities. The cost of a driver would be approximately $10 to $12 per hour, and the cost of fuel and operations is estimated to be an additional $1.50 per mile.

Funds to support the purchase or operation of a vehicle are not available within the Parks and Leisure Services operations budget, without affecting other operations. To stay within the proposed budget two options are present for only addressing youth program transportation. The elimination of the anticipated contractual event coordinator position along with a reduction in efforts to schedule events and programs at Centennial Plaza is one option. The second option is a reduction of the Youth Center hours by approximately 30 minutes per day during the school year and approximately 45 minutes per day during the school breaks. Both of these options result in savings to personnel and related expenditures approximating the operations cost for a transportation vehicle.

For the initial capital expenditure to secure a van, staff has been unable to identify a source of funds or cost savings. Staff is also not aware of funding to support the use of a vehicle for other City activities.

**RECOMMENDATION:** That the City Council consider the issues surrounding the acquisition of a 15-passenger van to support youth program activities. Should the Council desire to obtain a vehicle, direction should be given regarding:

1. The source and amount of funds to be provided for the vehicle acquisition.

2. Either an increase to the Parks and Leisure Services Department ongoing operations budget by $8,000 to support the use of this vehicle, or which activities/programs the Council desires to be reduced in priority and scope to absorb the van operations cost.

3. A minute order policy limiting the use of the vehicle to transportation for youth program participants.
SUBJECT: AN OVERVIEW OF THE STREET MAINTENANCE PROGRAM

SOURCE: Public Works Department - Engineering Division

COMMENT: The current condition of the City's streets is of paramount concern to the Public Works Department. At a recent Council meeting, the question was asked how much is spent annually on pothole patching. The Public Works Department has allocated $175,000 in the 2006/2007 annual budget designated for overlay and chip seal maintenance projects. This figure does not represent the total street maintenance budget, as previously stated.

The City's street maintenance budget is actually 1.19 million dollars but this figure includes costs to perform tasks that cannot be considered as "street maintenance". The 1.19 million dollars is apportioned as follows:

1. Street maintenance - $394,000
2. Traffic signal maintenance, street signs & markings - $336,000
3. Street lighting - $308,000
4. Parking lot repair - $37,000
5. Storm drain maintenance & repair - $117,000

It should be noted that of the $394,000 street maintenance budget, only $46,000 is directly attributed to pothole patching activity. This figure represents approximately $41,000 in labor costs and $5,000 in material costs.

Reference was made to the City of Tulare's "street maintenance" budget. Tulare's street maintenance budget is 2.45 million dollars or, 105% larger than Porterville's. This percentage is slightly improved if the City's overlay and chip seal budget ($175,000) is included in the maintenance category. Tulare informs that they spend approximately $18,000 in material costs and it is assumed that proportionately speaking, they spend about $120,000 in labor costs.

Historically, over the last five years the level of pothole patching activity has remained relatively constant. The City averages about 3,300 sq. ft. per year with a low of 2,326 sq. ft. in 2005 and a high of 5,488 sq. ft. in 2004. As one can see in Table I included herein, other aspects of the street maintenance operation have been curtailed significantly over the same five years to allow field staff to maintain this pothole patching average. As an example, miscellaneous paving went from 44,500 sq. ft. in 2001 to 9,600 sq. ft. in 2005. Overlay work in 2002 was roughly 400,000 sq. ft. compared to 50,000 sq. ft. in 2005, and in 2001, City forces placed 30,000 pounds of crack sealer on City streets versus 180 pounds of crack sealer in 2005.
As stated above, the City’s street maintenance budget is significantly smaller than the City of Tulare. However, Public Works would like it known that the City has always pursued an aggressive Capital Improvement program. From January, 2001 to December 2005, the City has spent approximately 19.6 million dollars (7.0 million – 2001, 3.3 million – 2002, 1.8 million – 2003, 5.0 million – 2004 & 2.5 million – 2005) on capital improvement projects. Of that amount, 8.4 million dollars has been dedicated to street reconstruction projects. The 8.4 million dollars does not include the $900,000 spent in constructing traffic signals.

The City was able to finance significant street reconstruction projects because of the 1998 Street Reconstruction Certificate of Participation bonds. All remaining funds from the COPs have been programmed and will be expended in the very near future.

It is obvious that a number of City arterial and collector streets are showing advance signs of deterioration, the most significant signs being severe alligator cracks and the ubiquitous potholes. Severe alligator cracks typically indicate that the street is ready for reconstruction. Potholes are isolated problems that if acted on in a timely manner can prevent further damage and can extend the life of a street. Neglected potholes lead to street failures of greater proportions, create headaches for the local citizenry and generally speaking, present a poor image of the City.

Senior staff researched the cost of purchasing and operating a “Pothole Road Patching” truck. Staff’s research finds that the cost of the road patching truck is approximately $200,000, material costs - $10,000 per year, equipment replacement (depreciation) - $15,000 per year and M & O - $1,500 per year. Under the current system of pothole patching, it takes 103 days to patch 5,488 sq. ft. of potholes. The road patching truck with operator and flagman can perform the same task in 20 days. Overall, the City can expect a savings of approximately $10,500 per year by purchasing and using the pothole road patching truck.

From a pure economic standpoint, it is clear that there is not enough savings to recover the purchase price over the life of the unit. However, the increased productivity and subsequent time available for staff to perform other street related tasks may make the purchase of the Pothole Road Patching truck worth considering.

RECOMENDATION: Information Only.

ATTACHMENT: Table 1 – Street Maintenance Budget

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CONSIDERATION OF HIRING A FULL TIME GRANT WRITER

A Council member requested that this item be placed on the agenda to initiate discussion regarding the possible utilization of a professional grant writer to obtain various grants for the City of Porterville.

RECOMMENDATION:  None – Discussion Item Only
PUBLIC HEARING

SUBJECT: ORDINANCE TO REGULATE CONSTRUCTION, OPERATION AND MAINTENANCE OF WIRELESS COMMUNICATIONS TOWERS

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: In November of 2005 the City Council considered the approval of a number of wireless communication towers, one of which was located within the Single-Family Residential Zone. The Council denied the conditional use permit application proposing to locate the tower in the residential zone on the site of an existing church, with the intent to allow staff to evaluate permanent siting criteria. On December 6, 2005, the City Council adopted an interim urgency ordinance to preclude such applications in and within 1,200 feet of residential zones pending the adoption of a permanent ordinance to regulate wireless communications tower locations. The interim ordinance has temporarily prohibited this use, but expired on May 17, 2006.

Staff has studied criteria for regulating the construction, operation and maintenance of wireless communication towers and developed permanent standards for Council consideration. In general terms, the ordinance restricts the location of facilities in residential zones, within 150 feet of residential zones, and within 1000 feet of another wireless communication tower.

Staff has proposed a 150 foot buffer around residentially zoned property based on the proposed approval and construction requirements as well as the legal requirement to provide an adequate number of available sites. In this effort staff also evaluated 300, 500 and 1,200 foot buffers around residentially zoned properties. Exhibits representing each of these buffers are attached for reference.

RECOMMENDATION: That the City Council:

1. Approve the proposed ordinance and give first reading to the draft ordinance.
2. Waive further reading of the Ordinance and order the Ordinance to print.

Attachments:

1.) Complete Staff Report

Item No. 19
COUNCIL AGENDA: JUNE 20, 2006

PUBLIC HEARING – STAFF REPORT

TITLE: ORDINANCE TO REGULATE CONSTRUCTION, OPERATION AND MAINTENANCE OF WIRELESS COMMUNICATION TOWERS

APPLICANT: City of Porterville
291 N. Main Street
Porterville, CA 93257

PROJECT LOCATION: Throughout the City of Porterville.

SPECIFIC REQUEST: The City is proposing an ordinance to regulate wireless communications towers. On December 6, 2005, the City Council adopted an interim urgency ordinance to preclude such applications in and around residential zones pending the adoption of a permanent ordinance to regulate wireless communications tower locations. The interim ordinance has temporarily prohibited this use, but expired on May 17, 2006.

Staff has studied the affect of restriction location of wireless communication towers at 150ft, 300ft, and 500ft around residential zones (see attachments 4,5,and 6). Based on the study, staff is recommending for Council consideration a permanent standard restricting the location of facilities within a 150 foot buffer of residentially zoned areas.

The 150 foot buffer provides adequate distance from residentially zoned area to produce the desired effect of visual separation, while still providing reasonable siting options for wireless communications towers.

The interim urgency ordinance effectively restricted applications until such time as staff could complete a thorough analysis and temporarily restricted towers within 1,200 feet of residentially zoned lands. As shown in attachment 7, this buffer was particularly restrictive.

ENVIRONMENTAL: The Environmental Coordinator on June 14, 2006 made a preliminary determination that a Notice of Exemption would be appropriate for the proposed project. The project is exempt as per section 15061(b)(3) of the California Environmental Quality Act (CEQA) statutes and guidelines.

ATTACHMENTS:

1. Draft Ordinance to regulate construction, operation, and maintenance of wireless communication towers.
2. Interim Ordinance No.1685 of the City of Porterville prohibiting the use of residentially zoned land for the construction, operation, and maintenance of towers for wireless communications.

3. Extension of Interim Ordinance No. 1689.

4. 150ft residential buffer zone study area.

5. 300ft residential buffer zone study area.

6. 500ft residential buffer zone study area.

7. 1,200ft residential buffer zone area used for interim urgency ordinance.
ORDINANCE NO. ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ORDINANCE TO REGULATE CONSTRUCTION, OPERATION AND MAINTENANCE OF WIRELESS COMMUNICATIONS TOWERS

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of June 20, 2006, conducted a public hearing to consider a General Amendment of Zoning Ordinance 2626 adding provisions to Articles 26 of the Zoning Ordinance of the City of Porterville; and

WHEREAS: The proposed General Amendment of the Zoning Ordinance will establish provisions for the construction and operation and maintenance of wireless telecommunications towers and antennas.

WHEREAS: The City of Porterville (the "City") has received or expects to receive requests to site wireless telecommunications towers and antennas within the City; and

WHEREAS: The Porterville City Council finds that it is in the public interest to permit the siting of wireless telecommunications towers and antennas within the City's boundaries; and

WHEREAS: It is the intent of the City Council to protect and promote the public health, safety, general welfare and quality of life within the City by regulating the siting of wireless telecommunications towers and antennas, while preserving the rights of wireless telecommunications providers; and

WHEREAS: It is the intent of the City Council to establish guidelines for the governance of wireless telecommunications facilities which recognize the unique land use distribution, topography, and aesthetics of the community; and

WHEREAS: Public Hearings have been held before the City Council, pursuant to the Planning and Zoning Law of the State of California and the Municipal Code of the City; and

WHEREAS: Development of wireless telecommunications facilities is consistent with the goals, objectives, and strategies of the General Plan because they promote a balance of public facilities and the provision of services and amenities to the community; and

WHEREAS: Pursuant to State and local environmental regulations, it has been determined that the regulations encompassed in this Ordinance are exempt from the California Environmental Quality Act, and as a general rule, a Notice of Exemption is filed.
NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby adopt Ordinance No._______ amending Zoning Ordinance Section 2626 as follows:

SECTION 2626: Article 26 is hereby amended as follows:

ARTICLE TWENTY-SIX

SECTION 2626: Construction, Operation and Maintenance of New Towers for Wireless Communications

A. Purpose and Intent

1. To permit the siting, construction, operation and maintenance of wireless telecommunications towers and antennas within the City’s boundaries.

2. To protect and promote the public health, safety, general welfare and quality of life within the City by regulating the siting of wireless telecommunications towers and antennas, while preserving the rights of wireless telecommunications providers.

3. To establish guidelines for the governance of wireless telecommunications facilities which recognize the unique land use distribution, topography, and aesthetics of the community

B. Definitions

The words used in this ordinance have the meaning set forth below:

1. “Alternative tower structure” means man-made trees, water towers, clock towers, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

2. “Antenna” means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other commercial signals. “Antenna” shall not include any non-commercial satellite dish antenna utilized for amateur radio, citizens band radio, television, AM/FM, public safety broadcasting, or short-wave radio reception purposes.

3. “Backhaul network” means the lines that connect a provider’s towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

4. “Building-mounted” means an antenna mounted to the side or facade of a building, or to the side of another structure such as a water tank, church steeple, freestanding sign, utility tower, light pole, similar structure, or penthouse but not to include the roof of any structure.
5. "Cellular" means analog or digital wireless telecommunication technology that is based on a system of interconnected neighboring cell sites.

6. "Co-located" means the locating of wireless telecommunication equipment from more than one provider on a particular telecommunication facility.

7. "FAA" means the Federal Aviation Administration.


9. "Ground-mounted" means equipment mounted to a pole, monopole, tower, or other freestanding structure specifically constructed for the purpose of supporting an antenna.

10. "Height" means, when referring to a tower or other related structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

11. "Major wireless telecommunication facility" means a wireless telecommunication that is ground- or roof-mounted or mounted in or on any public property including the public right of way.

12. "Monopole" means a structure composed of a single spire, pole, or tower used to support antennas or related equipment.

13. "Mounted" means to be attached or supported.


15. "Penthouse” An architectural feature or structure not exceeding 14 feet in height designed to complement and locate on the roof of a building used for the purpose of sheltering mechanical equipment or telecommunications facilities.

16. "Personal communication service" means digital low-power, high frequency commercial wireless radio communication technology that has the capacity for multiple communication services and the routing of calls to individuals, regardless of location.

17. "Pre-existing towers and pre-existing antenna" means any tower or antenna for which a building permit or conditional use permit has been properly issued prior to the effective date of this Ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

18. "Roof-mounted" means to be mounted above the eave line or parapet of a building.
19. **"Stealth facility"** means any wireless telecommunication facility which is designed to blend into the surrounding environment, typically one that is located architecturally within a building or other concealing structure, and shall include any concealed antenna.

20. **"Temporary wireless telecommunication facility"** means a wireless telecommunication facility that is kept portable or mobile and deployed while a permanent facility is under construction.

21. **"Tower"** means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, guyed towers, or monopole towers (excluding telephone poles). The term includes radio and television towers, alternative tower structures, and the like. The term includes the structure and any support thereof.

22. **"Wireless telecommunication facility"** means a facility consisting of any commercial antenna, monopole, microwave dish, and or other related equipment necessary to the transmission and/or reception of cellular, personal communication service, and/or data radio communications, and which has been granted a Certificate of Public Convenience and Necessity, or a wireless registration number by the California Public Utilities Commission, or otherwise provides wireless communication services to the public.

C. **Design Standards of “Wireless Telecommunications Facilities”**

The purpose of this Section is to establish general guidelines for the siting of wireless telecommunications towers and antennas as follows:

1. Protect residential areas and land uses from potential adverse impacts of towers and antennas;

2. Encourage the location of towers in non-residential areas;

3. Minimize the total number of towers throughout the community;

4. Encourage the joint use of new and existing tower sites as a primary option rather than construction of single-use towers;

5. Encourage users of towers and antennas to locate them, to the extent possible in areas where the overall impact on the community is minimal, now and in the future; to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;

6. Enhance the ability of providers of wireless telecommunications services to provide such services to the community quickly, effectively and efficiently;

7. Consider the public health and safety of wireless telecommunication towers;
8. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures;

9. Retain local control and responsibility over the use of the public right of way to protect citizens and enhance the quality of their lives;

10. Create and preserve telecommunication facilities that will serve as an important and effective part of the City’s emergency response network;

11. Promote fair and effective wireless telecommunication services and ensure that a broad range of competitive telecommunications services with high quality telecommunications infrastructure are available to serve the community.

D. Applicability

1. New Towers and Antennas: All new towers or antennas shall be subject to Section 2626, except as provided herein.

2. Consistent with Applicable Laws: This Section shall apply, to the fullest extent allowed by and consistent with applicable Federal, State, and California Public Utility laws and regulations, to all new wireless towers and facilities, including towers and antennas proposed to be located on private or public property, as well as proposed to be located in, along, or across the public right of way.

3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Community Development Director an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the City limits or urban area boundary (UAB), including specific information about the location, height, and design of each tower. The Community Development Director may share such information with other applicants applying for administrative approvals or Conditional Use Permits under this Section or other organizations seeking to locate antennas within the jurisdiction of the City, provided, however, that the Community Development Director is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

4. Amateur Radio Station Operators/Receive Only Antennas: This Section shall not govern any tower, or the installation of any antenna, that is under the height limitation of the relevant zone and is owned and operated by a federally-licensed amateur radio station operator, or is used exclusively for receive only antennas.

5. Pre-existing Towers or Antennas: Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this Section.

E. General Requirements

1. State or Federal Requirements. All towers and antennas must meet or exceed current standards and regulations of the FCC, the FAA, and any other agency of the
State or Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Section shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner’s expense.

2. **Building Codes and Safety Standards.** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable State or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitute a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner’s expense.

3. **Measurement.** For the purposes of this Section, all distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed major wireless telecommunication facility to the nearest point of another major wireless telecommunication facility. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and County jurisdictional boundaries.

4. **Not Essential Services.** Towers and antennas shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities, or private utilities.

5. **Franchises:** Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless telecommunication system in the City have been obtained and shall file a copy of all required franchises with the Community Development Director.

6. **Public Notice:** For purposes of this Section, any permitted use, Conditional Use Permit request, variance request, or appeal of an administratively approved use or special use shall require public notice to all property owners of properties that are located within a 300 foot radius around the project site, in addition to any notice otherwise required by state law or the Municipal Code.

7. **Multiple Antenna/Tower Plan:** The City encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites. Applications for multiple sites shall be given priority in the review process, in compliance with the Permit Streamlining Act.
F. General Screening and Site Selection Guidelines

1. Stealth facilities and concealed antennas are preferred and shall be approved administratively by the Zoning Administrator. Facilities that are not stealth must be approved through the Conditional Use Permit process by City Council. To receive administrative approval a tower must show concealment elements to the satisfaction of the Zoning Administrator.

2. Wireless telecommunication facilities shall be located where the existing topography, vegetation, building or other structures provide the greatest amount of screening. Where insufficient screening exists, applicants shall provide screening satisfactory to the Community Development Director, or as otherwise required through the approval of a CUP or Variance.

3. Ground-mounted wireless telecommunication facilities shall be located only in close proximity to existing above-ground utilities, such as permanent electrical towers, light poles, trees of comparable heights, and in areas where they will not detract from the appearance of the City.

4. Wireless telecommunication facilities shall be located in the following order of preference:
   a. Integrated into building/structure design (stealth sites) co-located with other major wireless telecommunication facilities;
   b. On existing structures such as buildings, communication towers, or utility facilities not subject to the City’s franchise agreements;
   c. On existing signal, power, light or similar kinds of permanent poles;
   d. In industrial land use districts (at least 150’ from Residentially Zoned Property);
   e. In commercial land use districts (at least 150’ from Residentially Zoned Property);
   f. Not permitted on residentially zoned property or within a one hundred-fifty (150’) foot radius of any residentially zoned property.

G. General Development Requirements

The following standards apply to all telecommunications facilities:

1. Maximum height. No antenna shall exceed one hundred feet (100’) in height.

2. Setbacks.
a. Telecommunications facilities and accessory structures in compliance with height restrictions shall comply with the required building setbacks for the zoning district in which the facility is located, however, in no instance shall the facility (including antennae and equipment) be located closer than five (5') feet of any property line.

b. Antennae exceeding the maximum height limit will require a variance.

c. Telecommunications facilities shall not be located within the required front-yard area of any parcel.

3. Required separation.

a. A facility shall not be located within a five hundred (150') foot radius of any residentially zoned property unless designed as a stealth facility (i.e. penthouse, attached accessory building) and approved by the zoning administrator. See attached map

b. A facility shall not be located within a one thousand foot (1,000') radius of any other telecommunications facility, measured from the base of tower to base of tower. See attached map

c. Reduction in required facility separation. A reduction in the required separation between telecommunications facilities may be granted as a part of the Conditional Use Permit approval where technical evidence has been provided to substantiate the following findings:

i. The granting of the reduction will not substantially impair the intent and purpose of this title or the goals, policies, and objectives of the adopted General Plan; and

ii. The reduction is not requested exclusively on the basis of economic hardship to the applicant; and

iii. The reduction is necessary and essential to providing the applicant’s wireless service based on the technical constraints and the lack of other available appropriately zoned land outside the radius; and

iv. Evidence has been submitted to the satisfaction of the City demonstrating that co-location on existing tower structures is not available or is not technically feasible. Evidence may include a written statement from the service provider with the existing facility that collocation is not feasible.
4. Design criteria.

All Telecommunications Facilities shall:

a. Utilize state of the art stealth technology as appropriate to the site and type of facility. Where no stealth technology is proposed for the site, a detailed analysis as to why stealth technology is physically and technically infeasible for the project shall be submitted with the application.

b. Antennae and support structures, where utilized, must be monopole type.

c. Monopole support structures shall not exceed four (4') feet in diameter unless technical evidence is provided showing that a larger diameter is necessary to attain the proposed tower height and that the proposed tower height is necessary.

d. Wireless telecommunications facility support structures and antennae must be painted a non-glossy color so as to minimize visual impacts from surrounding properties. Specific color is subject to City review based on a visual analysis of the particular site.

e. Accessory structures must be designed and screened accordingly and shall be subject to City review based on a visual analysis of the particular site and surrounding properties.

f. Support structures and site area for wireless telecommunications antennae shall be designed and of adequate size to allow at least one additional wireless service provider to co-locate on the structure.

g. Towers shall not be artificially lighted unless required by the FAA or other applicable authority. All objects affecting navigable airspace must comply with Federal Aviation Regulation Section 77 and must be in conformance with the current land use designations for land within one mile of the runway.

h. For the protection of emergency response personnel, each telecommunications facility shall have an on-site emergency "kill switch" to de-energize all RF-related circuitry/componeney at the site. For collocation facilities, a single "kill switch" shall be installed that will de-energize all carriers at the facility in the event of an emergency.

i. All proposed fencing shall be decorative and compatible with the adjacent buildings and properties within the surrounding area and shall be designed to limit graffiti.
5. Signage.

A permanent, weather-proof identification sign, approximately sixteen inches (16") by thirty-two inches (32") in size, must be placed on the gate of the fence surrounding the facility or, if there is no fence, on the facility itself. The sign must identify the facility operator(s), provide the operator’s address, and specify a twenty-four (24) hour telephone number at which the operator can be reached so as to facilitate emergency services.


a. Landscaping must be provided to screen the facility from surrounding properties or right-of-ways.

b. All landscaping shall be installed with an irrigation system equipped with an automatic timer.

c. Street trees and other landscaping may be required for telecommunications facilities proposed on parcels lacking street frontage landscaping.

d. Landscaping must include re-vegetation of any cut or fill slopes.

e. Where possible, existing plants and trees should be used to the full extent possible for screening of the facility.

f. Where deemed appropriate by the Community Development Director, a landscape plan shall be required for the entire parcel and lease area.


a. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:00 a.m. and 7:00 p.m.

b. Traffic shall be limited to no more than one round-trip per day on an average annual basis once construction is complete, except for emergency maintenance purposes.

H. Severability

If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.
I. **Repealer**

Any ordinance(s) or part(s) thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Effective Date and Publication.**

This Ordinance shall take effect thirty (30) days following its adoption and shall, prior to expiration of fifteen (15) days after its adoption, be published in the manner prescribed by law and/or posted in at least three (3) public places as designated by resolution of the City Council.

PASSED, APPROVED, AND ADOPTED this 20th day of June, 2006.

____________________________
Pedro R. Martinez, Mayor

**ATTEST:**

John Longley, City Clerk

By____________________________
Georgia Hawley, Deputy
ORDINANCE NO. 1685

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE PROHIBITING THE USE OF RESIDENTIALLY
ZONED LAND FOR THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF NEW TOWERS FOR WIRELESS
COMMUNICATIONS

BE IT ORDAINED by the City Council of the City of Porterville, as follows, to wit:

SECTION 1: The City Council of the City of Porterville herewith finds that there is a current
and immediate threat to the public health, safety, or welfare, arising from the lack of procedures for
determining the appropriateness of locations for wireless communications towers, and from a lack of
sufficient authority and controls to allow the City to impose appropriate and necessary conditions
and regulations upon wireless communications towers within the City of Porterville.

SECTION 2: The City Planning staff is presently studying the potential and appropriate City
zoning locations, procedures and policies for the approval of the use of land for the purpose of
constructing, operating and maintaining new wireless communications towers, and are developing
proposed ordinances concerning the zoning, permitting, and regulation of wireless communications
towers.

SECTION 3: The City of Porterville does further herewith find and determine that allowing
the use of residentially zoned land for the purpose of constructing, maintaining and operating a new
wireless communication tower prior to the adoption of procedures concerning the zoning and
regulation of wireless communications towers will result in that threat to public health, safety or
welfare being exacerbated.

SECTION 4: That the City of Porterville does further herewith find and determine that there
are significant public health, safety or welfare concerns relating to issues concerning:

(a) Appropriate locations for wireless communications towers;

(b) Appropriate availability of sites for the development of wireless communications
towers;

(c) Appropriate procedures to provide for public input and comment on the
siting of wireless communications towers;

(d) Appropriate mechanisms being in place to impose appropriate and
necessary conditions upon wireless communications towers; and

(e) Appropriate opportunities for the public, and the City Council to consider and
address all impacts upon the immediate neighborhood and the community at large
resulting from wireless communications towers.

All of which gives rise to a need to complete the study, within a reasonable time, of the potential and
appropriate City zoning procedures and policies for approving the use of land for the purpose of
constructing and operating a wireless communications tower, and in order to protect the public
safety, health or welfare it is necessary to prohibit the use of residentially zoned land for the purpose
of constructing and operating a wireless communications tower until such time as said study is

ATTACHMENT
ITEM NO. 2
completed and the City Council has determined, what new and additional, if any, procedures and policies are necessary and appropriate to put in place.

SECTION 5: This Ordinance shall remain in full force and effect for a period of forty-five (45) days from and after its passage and adoption.

SECTION 6: The City Council does herewith direct the City staff to prepare and submit to the City Council, for consideration of approval and issuance by the City Council, a written report describing the measures taken and to be taken to alleviate the conditions which led to the adoption of this Ordinance; and that said report shall be submitted to the City Council at least 10 days prior to the expiration of this Ordinance.

SECTION 7: For the reasons set forth hereinabove, the City Council of the City of Porterville does herewith declare and determine that it is necessary to protect the public safety, health or welfare by adopting this Ordinance as an urgency measure to take effect immediately upon passage and adoption.

PASSED, ADOPTED AND APPROVED this 6th day of December, 2005.

Kelly West
Mayor

ATTEST:

Georgia Hanley
Chief Deputy City Clerk
STATE OF CALIFORNIA
CITY OF PORTERVILLE       (SS)
COUNTY OF TULARE

I, JOHN LONGLEY, the duly qualified City Clerk of the City of Porterville do hereby certify:

THAT the foregoing ordinance is a true and correct copy of Ordinance No. 1685, an Interim Urgency Ordinance, passed and adopted by the Council of the City of Porterville at a regular meeting held on the 6th day of December, 2005, that said ordinance has been duly published pursuant to law, and that by the terms and provisions of the Charter of the City of Porterville, said ordinance to become effective immediately, at which time said ordinance is deemed to be in full force and effect.

THAT said ordinance was introduced by Council and the same was duly passed and adopted by the following vote:

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JOHN LONGLEY, City Clerk

By: Patrice Hildreth, Deputy City Clerk
ORDINANCE NO. 1689

AN EXTENSION OF AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE PROHIBITING THE USE OF RESIDENTIALLY ZONED LAND FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF NEW TOWERS FOR WIRELESS COMMUNICATIONS

BE IT ORDAINED by the City Council of the City of Porterville, as follows, to wit:

SECTION 1: The City Council of the City of Porterville has previously enacted Ordinance No. 1685 as an Urgency Ordinance and said Ordinance shall expire on January 20, 2006.

SECTION 2: The City Council of the City of Porterville herewith finds that there is a current and immediate threat to the public health, safety, or welfare, arising from the lack of procedures for determining the appropriateness of locations for wireless communications towers, and from a lack of sufficient authority and controls to allow the City to impose appropriate and necessary conditions and regulations upon wireless communications towers within the City of Porterville.

SECTION 3: The City staff is presently preparing a Wireless Communications Ordinance to address the zoning, permitting, and regulation of wireless communications towers.

SECTION 4: The City of Porterville does further herewith find and determine that allowing the use of residentially zoned land, and land within 1,200 feet of residentially zoned land for the purpose of constructing, maintaining and operating a new wireless communication tower prior to the adoption of procedures concerning the zoning and regulation of wireless communications towers will result in that threat to public health, safety or welfare being exacerbated.

SECTION 5: That the City of Porterville does further herewith find and determine that there are significant public health, safety or welfare concerns relating to issues concerning:

(a) Appropriate locations for wireless communications towers; and

(b) Appropriate availability of sites for the development of wireless communications towers; and

(c) Appropriate procedures to provide for public input and comment on the siting of wireless communications towers; and

(d) Appropriate mechanisms being in place to impose appropriate and necessary conditions upon wireless communications towers; and

(e) Appropriate opportunities for the public, and the City Council to consider and address all impacts upon the immediate neighborhood and the community at large resulting from wireless communications towers.

All of which gives rise to a need to complete the study, within a reasonable time, of the potential and appropriate City zoning procedures and policies for approving the use of land for the purpose of constructing and operating a wireless communications tower, and in order to protect the public safety, health or welfare it is necessary to prohibit the use of residentially zoned land and land within 1,200 feet of residentially zoned land for the purpose of constructing and operating a wireless

ATTACHMENT ITEM NO. 3
All of which gives rise to a need to complete the study, within a reasonable time, of the potential and appropriate City zoning procedures and policies for approving the use of land for the purpose of constructing and operating a wireless communications tower, and in order to protect the public safety, health or welfare it is necessary to prohibit the use of residentially zoned land and land within 1,200 feet of residentially zoned land for the purpose of constructing and operating a wireless communications tower until such time as said study is completed and the City Council has determined, what new and additional, if any, procedures and policies are necessary and appropriate to put in place.

SECTION 6: The City Council finds that pursuant to Government Code Section 65858 (d), Staff prepared a written report and submitted it to the City Council for consideration describing the measures taken and to be taken to alleviate the conditions which led to the adoption of this Ordinance; and that said report was submitted to the City Council on December 20, 2005, more than 10 days prior to the expiration of this ordinance.

SECTION 7: The City Council herewith finds that the subject interim ordinance will allow time for the preparation permanent regulations and standards for the regulation of wireless communications towers, and that pursuant to Government Code Section 65858 (a), it is necessary to extend the Interim Urgency Ordinance for a period of 120 days, or until such time as the permanent ordinances can be adopted, and that the extension of time will expire on the effective date of the permanent ordinances if the effective date is prior to the horizon date of the extension of time, or upon the affirmative decision of the City Council that the interim ordinance should otherwise cease to be in effect. This Ordinance shall remain in full force and effect for a period of 120 days, unless extended, superseded by permanent regulation, modified, or ended by the City Council.

SECTION 8: For the reasons set forth hereinabove, the City Council of the City of Porterville does herewith declare and determine that it is necessary to protect the public safety, health or welfare by adopting this Ordinance as an urgency measure to take effect immediately upon passage and adoption.

PASSED, ADOPTED AND APPROVED this 17th day of January 2006.

[Signature]
Cameron J. Hamilton, Mayor Pro Tem

ATTEST:

John Longley, City Clerk

[Signature]
By: Georgie Hawley, Chief Deputy City Clerk
STATE OF CALIFORNIA  )
CITY OF PORTERVILLE  )  SS
COUNTY OF TULARE  )

I, JOHN LONGLEY, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy a resolution passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council duly called and held on the 17th day of January, 2006.

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

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JOHN LONGLEY, City Clerk

by Patrice Hildreth, Deputy City Clerk
Wireless Ordinance
300 foot buffer

- 300 foot buffer
- Permissible sitting location

Attachment 5
TITLE: CONDITIONAL USE PERMIT 3-2006 (DOUG RYAN & DAVID MAKSOUDIAN)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting approval of Conditional Use Permit 3-2006 to allow for the development of ten (10) 2-story four plexes (40 units) on a vacant 2.77-acre site located on the south side of West Tomah Avenue, approximately 190 feet west of State Highway 65. The subject site is located in the R-2 (Four Family Residential) Zone.

Pursuant to Section 301 A-2 (R-2 Zoning) of the Porterville Zoning Ordinance, two (2) to four (4) family units per lot are allowed. Additional units may be allowed subject to the approval of a Conditional Use Permit, provided the maximum number of units do not exceed a ratio of one (1) unit per three thousand (3,000) square feet of lot area. Based on the 2.77 acre site a total of 40.22 units are allowed.

The subject site consists of two (2) parcels. The east side of the site extends south of Tomah Avenue approximately halfway between Tomah Avenue and Olive Avenue. The west side of the subject site extends south of Tomah Avenue to Olive Avenue. An existing single family dwelling is located on the frontage of Olive Avenue for this parcel. A lot line adjustment is being processed to combine the northerly half of this parcel with the easterly half of the aforementioned into one lot on which the proposed apartment complex will be located. The southerly portion of the parcel with the existing single family dwelling, will become one (1) lot. Since the existing single family residence is located in the C-3 Zone, it will remain as a legal non-conforming use. The lot line adjustment will create a property line to the north of the existing dwelling which will align with the C-3 Zoning classification and R-2 Zoning classification thereby eliminating the split zoning of the property.

The subject site will have two (2) entrances/exits onto Tomah Avenue. The access drives will extend south into the complex. The circulation design will provide a looped street with parking off both sides. Dwellings are to be located on both side of the street.
Each four plex will consist of 4,632 square feet. Each unit within the four plex will consist of 1,158 square feet. Each four plex will be identical in floor plans, elevations and colors. The units are designed with an internal stairway leading up to three (3) bedrooms and a bathroom on the top floor. The bottom floor consists of a kitchen, dining area, living room and bathroom. Two (2) enclosed storage rooms are located at each end of each four plex. The exterior of the buildings will have a heavy stucco finish with earth tone colors. The roof will have fiberglass reinforced asphalt (30 year) shingles brown in color. At the ratio of 1.5 parking spaces required per unit, 60 parking spaces are required. A total of 60 covered parking spaces are proposed and an additional four (4) handicapped uncovered spaces are proposed. The parking as proposed will be located at the front of the entrances to the units. Section 305 of the Zoning Ordinance requires 750 square feet in the rear 1/3 of the lot. On the southeast corner and southwest corner of the site are two (2) large landscaped areas consisting of 3,200 square feet each. In the middle of complex on the east side and west side separating the units are two (2) additional large landscaped areas consisting of 1,600 square feet each. Additional landscaping and trees will be located at the front, side and rear of all units.

Staff is requesting that the two 3,200 square foot open space areas be landscaped to provide for play areas for children; however, no recreational apparatuses have been requested. If the City Council desires to include additional play areas or recreational apparatuses, an additional condition or modification to this condition could be added to the resolution approving Conditional Use Permit 3-2006.

ENVIRONMENTAL: This project is Categorically Exempt pursuant to Section 15332 of the CEQA Guidelines - construction of in-fill development. Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving Conditional Use Permit 3-2006

ATTACHMENT:

1. Complete Staff Report
CITY COUNCIL AGENDA: JUNE 20, 2006

PUBLIC HEARING - STAFF REPORT

TITLE: Conditional Use Permit 3-3006

APPLICANT: Doug Ryan & David Maksoudian
            3437 Roberto Court, #130
            San Luis Obispo, CA 93401

APPLICANT'S AGENT: Roberts Engineering
                    P.O. Box 908
                    Porterville, CA 93258

PROJECT LOCATION: West Tomah Avenue, approximately 190 feet west of State Highway 65.

SPECIFIC REQUEST: The applicant is requesting approval of Conditional Use Permit 3-2006 to allow for the development of ten (10) 2 - story four plexes (40 units) on a vacant 2.67 acre site.

PROJECT DETAILS: Pursuant to Section 301 A-2 (R-2 Zoning) of the Porterville Zoning Ordinance, two (2) to four (4) family units per lot are allowed. Additional units may be allowed subject to the approval of a Conditional Use Permit, provided the maximum number of units do not exceed a ratio of one (1) unit per three thousand (3,000) square feet of lot area. Based on the 2.77 acre site a total of 40.22 units are allowed.

The subject site consists of two (2) parcels. The east side of the site extends south of Tomah Avenue approximately halfway between Tomah Avenue and Olive Avenue. The west side of the subject site extends south of Tomah Avenue to Olive Avenue. An existing single family dwelling is located on the frontage of Olive Avenue for this parcel. A lot line adjustment is being processed to combine the northerly half of this parcel with the easterly half of the aforementioned into one lot on which the proposed apartment complex will be located. The southerly portion of the parcel with the existing single family dwelling, will become one (1) lot. Since the existing single family residence is located in the C-3 Zone, it will remain as a legal non-conforming use. The lot line adjustment will create a property line to the north of the existing dwelling which will align with the C-3 Zoning classification and R-2 Zoning classification thereby eliminating the split zoning of the property.

The subject site will have two (2) entrances/exits onto Tomah Avenue. The access drives will extend south into the complex. The circulation design will provide a looped street with parking off both sides. Dwellings are to be located on both side of the street.
Each fourplex will consist of 4,632 square feet. Each unit within the fourplex will consist of 1,158 square feet. Each fourplex will be identical in floor plans, elevations and colors. The units are designed with an internal stairway leading up to three (3) bedrooms and a bathroom on the top floor. The bottom floor consists of a kitchen, dining area, living room and bathroom. Two (2) enclosed storage rooms are located at each end of each fourplex. The exterior of the buildings will have a heavy stucco finish with earth tone colors. The roof will have fiberglass reinforced asphalt (30 year) shingles brown in color. At the ratio of 1.5 parking spaces required per unit, 60 parking spaces are required. A total of 60 covered parking spaces are proposed and an additional four (4) handicapped uncovered spaces are proposed. The parking as proposed will be located at the front of the entrances to the units. Section 305 of the Zoning Ordinance requires 750 square feet in the rear 1/3 of the lot. On the southeast corner and southwest corner of the site are two (2) large landscaped play areas consisting of 3,200 square feet each. In the middle of complex on the east side and west side separating the units are two (2) additional large landscaped areas consisting of 1,600 square feet each. Additional landscaping and trees will be located at the front, side and rear of all units.

Staff is requesting that the two 3,200 square foot open space areas be landscaped to provide for play areas for children; however, no recreational apparatuses have been requested. If the City Council desires to include additional play areas or recreational apparatuses, an additional condition or modification to this condition could be added to the resolution approving Conditional Use Permit 3-2006.

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.

The proposal to develop the site with a multiple family residential uses is consistent with the General Plan’s High Density Residential land use designation and R-2 (Four Family Residential) Zone. Additionally, this will in-fill a site that has been vacant for several years.

The maximum allowed density for R-2 zoned property cannot exceed 40% of lot coverage. As proposed, 32% of the subject site will be covered with garages and residential units.

Staff is requesting that one (1) of the 3,200 square foot areas be landscaped to provide for play areas for children, however, no recreational apparatuses have been requested. If the City Council desires to include additional play areas or recreational apparatuses, an additional condition or modification to this condition could be added to the resolution approving Conditional Use Permit 3-2006.

GENERAL PLAN LAND USE DESIGNATION: Medium Density Residential

EXISTING ZONING: R-2 (Four Family Residential)
SURROUNDING AREA ZONING AND LAND USE:

North: City – Tomah Avenue and apartments.
South: City – Single family dwelling, lube shop, mint mart and Olive Avenue.
East: City – Apartments and State Highway 65.
West: City - Apartments.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. Denial of the proposed project would prohibit the use of the site as proposed.

2. Approval of the conditional use permit would allow for the existing vacant site to be developed as proposed.

ENVIRONMENTAL: This project is Categorically Exempt pursuant to Section 15332 of the CEQA Guidelines - construction of in-fill development. Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: December 21, 2006.

DATE ACCEPTED AS COMPLETE: May 5, 2006

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving Conditional Use Permit 3-2006.

ATTACHMENTS:

1. Locator map
2. Proposed lot line adjustment
3. Conditional Use Permit Application
4. Notice of Exemption
5. Draft resolution approving Conditional Use Permit 3-2006 to include Exhibit “A”- Site Plan, elevation plans, floor plans and landscaping plan.
LAND USE

- APTS. (Apartments)
- CR (Commercial Retail)
- Subject Site

OLIVE AVE.

- ● = Single family dwelling
- CR = Commercial retail
- APTS. = APARTMENTS

ZONING

- TOMAH AVE.
- Subject Site

OLIVE AVE.

- = MEDIUM DENSITY RESIDENTIAL
- = HEAVY COMMERCIAL

ATTACHMENT 1
LOT LINE ADJUSTMENT


OWNERS:

DAVID MAKSoudIAN
DOUG RYAN
3427 ROBERTO COURT, #130
SAN LUIS OBISPO, CA, 93401

BY:

ROBERTS ENGINEERING
P.O. BOX 908
PORTERVILLE, CA, 93258
MAY 5, 2006
APN: 251-210-048 AND
251-210-073

VICINITY MAP

SCALE: 1" = 100'
ALL DISTANCES ARE IN FEET
AND DECIMALS THEREOF

ATTACHMENT
ITEM NO. 2

LEGEND

△ MONUMENT AS DESCRIBED
93 RECORD PER PARCEL MAP 3131"
1 LOT NUMBER PER PARCEL MAP 3131"
- RECORDER IN BOOK 32 OF PARCEL MAPS
AT PAGE 32, T.C.R.
APPLICATION FOR CONDITIONAL USE PERMIT
(See Page 3 of this form for information on preparing and filing this application)

The Applicant _____DOUG RYAN_____ AND _____DAVID MAKSoudIaN____ is the owner of property situated at South side of West Tomah Avenue _____ Avenue and between Cobb and Prospect Streets ___. Exact legal description of said property being ____ SEE ATTACHED LEGAL DESCRIPTION

As applicable, a Plot Plan and 300' radius property owners map, and corresponding mailing list are hereto attached and made a part of this application (see detailed instructions on Page 3 of this form).

1. Above described property is owned by _____Doug Ryan_____ and _____David Maksoudian______
   Date acquired _____February 2005, and August 2004

2. If applicant is the lessee, give date property was leased: ____Not applicable_____

3. List below the original deed restrictions, if any, that were placed on the property which pertain to the type of improvements permitted.
   Give date said restrictions expire ________________ Not applicable ________________
   (You may attach a copy of the original printed restrictions in answer to this question after properly underlining those features controlling the type and class of uses permitted thereby).
   There are no known deed restrictions.

4. REQUEST: The applicant requests a Conditional Use Permit to USE the above described property for the following purposes:
   (Use this space ONLY to state exactly what is intended to be done on, or with, the property).
   The applicant is requesting a conditional use permit to allow the construction of approximately 40 dwelling units under the existing R-2 zoning on a single parcel.
NOTE: The basic purpose of the Conditional Use Permit Article of the City Zoning Ordinance is to assure that the design and subsequent operation of a conditional use will be reviewed in order to carry out the purposes of the Ordinance and to protect the public health, safety and welfare, due to the unique and special characteristics of such uses.

1. State how the proposed use will not be materially detrimental to the public welfare or injurious to property or improvements in such vicinity and zone in which the use is proposed to be located.

The proposed use will allow the construction of much needed dwelling units on an unimproved lot in an existing developed area consisting of commercial, single family and multi-family development.

2. Principal requirements of intended use (Please answer the following statements, if applicable):

(a.) Total number of people that the building (or grounds, if the use is not conducted in a building) can accommodate at one time (seating capacity).

Construction will be 10, 4-unit, 2-story buildings to be used for rental purposes to families

(b.) Total number of employees that will work on the property.

None.

(c.) Total number of off-street parking spaces provided or planned.

As required by City Ordinance

(d.) Maximum height of buildings or structures.

25 feet

(e.) If the application is not intended to be a permanent conditional use, state the length of time for which it is requested.

Not applicable. Use will be permanent.
We the undersigned OWNERS OF ADJACENT PROPERTY as shown upon the map attached to the application, hereby certify that we have read the foregoing petition and agree that the facts stated correctly and completely present the conditions surrounding the property involved in the application, and believe the application SHOULD BE GRANTED. (Add additional sheets where necessary. These signatures are desirable but not required).

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**APPLICANT'S DECLARATION**

STATE OF CALIFORNIA)

COUNTY OF TULARE  ) ss.

I/We, **Donna Shamley** being duly sworn, declare and say that I am (we are) the owner(s), lessee(s), or agent of property involved in this application and that I (we) have completed this application and all other documents and maps required hereby to the best of my (our) ability and that the statements and information above referred to are, in all respects, true and correct, except, as to the matters stated to be on my information and belief.

I declare under penalty of perjury that the foregoing is true and correct, executed at ___ Porterville, CA ___ this ___2nd___ day of ___May___, 2006.

Signature: **Donna Shamley**

Mailing Address: Roberts Engineering

P. O. Box 908, Porterville, CA 93258

Telephone No.: (559) 784-6326

This is to certify that the foregoing application has been inspected by me and has been found to be thorough and complete in every particular and to conform to the rules and regulations of the City of Porterville governing the filing of such application.

By: ____________________________ Date Received: ____________________________

3 of 4
NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
County Civic Center
Visalia, CA 93291

FROM:
City of Porterville
291 N. Main Street
Porterville, California 93258

David Maksoudian & Douglas Ryan
3427 Roberto Ct. Ste. 130
San Luis Obispo, CA 93401

Conditional Use Permit 3-2006
Project Title

South side of West Tomah Avenue approximately 190 feet west of State Route 65
Project Location (Specific)

City of Porterville
Tulare County
Project Location (City)
Project Location (County)

Conditional Use Permit 3-2006 proposes to allow for the development of ten (10) two story four plexes on a vacant 2.76± acre site to be developed in one (1) phase in the R-2 (Four Family Residential) Zone. Pursuant to Section 301 A (2) of the Porterville Zoning Ordinance, more than four (4) units require approval of a Conditional Use Permit.
Description of Nature, Purpose, and Beneficiaries of Project

City of Porterville
Name of Public Agency Approving Project

David Maksoudian & Douglas Ryan, 3427 Roberto Ct. Ste. 130, San Luis Obispo, CA 93201
Person or Agency Carrying Out Project

Exempt Status: (Check One)

--- Ministerial (Section 15073)
--- Declared Emergency (Section 15071 (a))
--- Emergency Project (Section 15071 (b) and (c))
X Categorical Exemption. State type and section number: 15332, Class 32

In-fill development – Less than 5 acres.
Reasons why project is exempt

Bradley D. Dunlap, Community Development Director
Contact Person

IfFiled by Applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?
   Yes:_______ No:_______

Date Received for filing:______________

Signature

Community Development Director
Title

U/NoticeExemptCUP3-2006

ATTACHMENT
ITEM NO. 4
RESOLUTION NO.________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF CONDITIONAL USE PERMIT 3-2006 TO ALLOW FOR DEVELOPMENT OF TEN (10) 2 STORY FOUR PLEXES ON A VACANT 2.77 ACRE SITE LOCATED ON THE SOUTH SIDE OF TOMAH AVENUE, APPROXIMATELY 190 FEET WEST OF STATE HIGHWAY 65 IN THE R-2 (FOUR FAMILY RESIDENTIAL ZONE)

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of June 20, 2006, conducted a public hearing to consider Conditional Use Permit 3-2006, being a request to allow for the development of ten (10) 2-story fourplexes on a vacant 2.77 acre site located on the south side of West Tomah Avenue, approximately 190 feet west of State Highway 65 in the R-2 (Four Family Residential) Zone; and

WHEREAS: Pursuant to Section 301 A-2 (R-2 Zoning) of the Porterville Zoning Ordinance, two (2) to four (4) family units per lot are allowed. Additional units may, subject to the approval of a Conditional Use Permit, be constructed, provided the minimum lot area per family does not exceed one family unit per three thousand (3,000) square feet. Based on the 2.77 acre site 40.22 units are allowed.

WHEREAS: This project is Categorically Exempt pursuant to Section 15332 of the CEQA Guidelines - construction of in-fill development. Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.

WHEREAS: The City Council made the following findings with respect to the subject project:

1. The General Plan designates the subject site as Medium Density Residential.

   The subject site is zoned R-2 (Four Family Residential) which is supported by the General Plan. The proposed use is allowed pursuant to approval of a Conditional Use Permit.

2. That the site is physically suitable for the type of development proposed.

   The generally level site is rectangular in nature with a width of 329± feet and depth of 366± feet. The soil is not highly expansive and therefore will not create any barriers to the project as proposed.
3. That the designs of the project or the proposed improvements are not likely to cause substantial environmental damage.

With the exception to the commercial uses to the south, the subject site is surrounded on three (3) sides with apartments. The design will blend in with the uses in this area. Additionally, Staff conducted an on-site inspection. The subject site is vacant and absent of any vegetation due to weed control. No natural habitat was observed. As such, no endangered, threatened or rare species or habitats exist and no impact will occur.

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

The storage of hazardous materials other than what is utilized by residential households will be prohibited. Only those uses allowed in the R-2 Zone will be allowed.

5. That the standard of population density, site area dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities, and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

The proposed project meets all of the requirements, to include off-street parking, lot coverage, number of units allowed and landscaping required in the R-2 Zone set forth by Section 300 of the Zoning Ordinance. Additionally, conditions of approval will ensure adequate development standards are met.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the city of Porterville does hereby approve Conditional use Permit 3-2006, subject to the following conditions:

1. A minimum six (6) foot high masonry block wall shall be installed along the full length of the southern end of the property where existing block walls do not exist. The wall(s) shall match one of the colors in the color palette approved by the City Council and maintained by the Community Development Director.
2. If the applicant decides to build the first four (4) units at the front of the property and the remaining units to the south at a later date, a "Hammer-head" turn around will be required for both sides of the property. Additionally, the fire hydrant required at the rear of the property midway between the east and west property lines could be deferred until such time as proposed development occurs at the rear of the property.


4. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law. Fees are subject to change annually. 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.

5. The developer/applicant shall comply with Appendix Chapter 33, "Excavation and Grading" of the California Building Code by providing a soils engineering report and a grading and drainage plan signed by a 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.

6. The developer/applicant shall construct drainage facilities as required to serve the property (Ord. No. 1306).

7. The developer/applicant shall dedicate right-of-way adequate for a street width that matches the ultimate width in the adopted Land Use and Circulation Element and/or the width established by the City Council and property necessary for disabled ramp(s) (Ord. 1306). Parcel Map No. 3131 illustrates a dedication to the ultimate southerly right of way width.

8. The Lot Line Adjustment shall be approved prior to the issuance of a building permit. Lot Line Adjustments and pertinent easements shall be processed through the City at the same time.

9. The developer/applicant shall construct street paving (half street, if necessary to match existing grades), curb, gutter, sidewalk, wheelchair ramp(s), water, sewer, etc. along the full frontage of the parcel except where they exist and are in good condition in the opinion of the City Engineer. 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). It appears
that the proposed development will require the relocation of one (1) existing power pole to a position behind the new sidewalk.

10. The developer/applicant shall provide streetlights on Marbelite poles complying with Southern California Edison Company specifications, as approved by the City Engineer. Use of wood poles is prohibited without prior written approval of the City Engineer. The installation of one (1) 5800 lumen streetlight at the northerly portion of the property will be required as a part of the proposed development.

11. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, prior to the issuance of an occupancy permit (e.g., foundations, septic tanks, irrigation pipes, etc.).

12. The developer/applicant shall abandon existing wells, if any, after first obtaining an abandonment permit from the County Department of Environmental Health, and shall provide the City Engineer with proof of compliance with County regulations prior to performing any grading.

13. The developer/applicant shall provide off-site improvements, easements, permits, calculations, etc. if, in the opinion of the City Engineer, they are needed for the proper functioning or phasing of the improvements or an adjacent development (e.g. water, sewer, drainage, etc.). Provide calculations and improvements that will provide adequate fire flow for the apartment complex. There may be a need to install a water main from Olive Avenue through the proposed development to Putnam Avenue in order to obtain fire flow requirements. An easement shall be dedicated to the City of Porterville for this water line, if necessary.

14. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 and 2211 (Exhibit A) of the Zoning Ordinance.

15. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance of the fire hydrants.

16. The developer/applicant shall install all required refuse container enclosures 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 locations require refuse trucks to travel on the parking lot and/or access drive. Trash enclosures shall be located within the southwestern and southeastern portions of the proposed development. Trash enclosure openings shall be oriented to the flow of traffic through the apartment complex.

17. The developer/applicant shall comply with City standard for “backflow” prevention pursuant to Resolution No. 9615.
18. Three (3) complete sets of plans, signed by a licensed Architect or Engineer, to include two (2) sets of energy calculations and structural calculations will be required.

19. Compliance with access laws (both State and Federal) is required.

20. Compliance with all applicable codes is required.

21. Plan check fees are required at the time of building permit submittal.

22. A soils compaction test will be required.

23. A firewall between the storage rooms and apartments will be required.

24. School Development fees and all other City fees are due at the time of building permit issuance.

25. Signs required separate permit. A directory board at the entrance(s) will be required.

26. When any portion of the building to be protected is in excess of 150 feet from a water supply on a public street, there shall be installed on-site fire hydrants capable of supplying the required flow.

27. Three (3) additional fire hydrants will be required. Hydrant locations are to be as follows: One (1) hydrant at each driveway located along Tomah Avenue and mid-way between the south drive way on the north side. All hydrants must be in place and accepted by the Fire Department prior to any combustibles being brought onto the site.

28. The City will test and maintain all fire hydrants in the City whether on private property or not. An "easement" is required from the owner.

29. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more than 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

30. Project must meet minimum fire flow requirements per table in appendix III-A & III-B of the California Fire Code. Fire flow for this project as proposed is 2,000 GPM.

31. All driveways must be marked as “Fire Lanes”. Areas identified as “Fire Lanes” must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Sec. 22500.1.
32. That the subject site will be developed in accordance with the site plan and elevation plans labeled EXHIBIT "A", except for construction notes and schedules that will be approved through the building permit plan check process.

33. All landscaping will be required to be on an automated sprinkler/water system.

34. That the two 3,200 square foot areas be landscaped to provide for play areas for children.

35. The developer/applicant shall comply with all requirements of the Porterville Zoning Ordinance, the Porterville Municipal Code, the latest adopted Building Codes, and all other applicable laws and ordinances.

36. The Conditional Use Permit shall become null and void if not undertaken and actively and continuously pursued within one (1) year.

__________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By _______________________
Georgia Hawley, Chief Deputy City Clerk
PUBLIC HEARING

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 reduced impact on the Wastewater Treatment Plant and reduction in energy costs when water supplies are conserved.

Historically, June through August are the high water consumption months; therefore, a media campaign promoting water conservation began in late May with newspaper and radio messages. Water conservation was also promoted during the Porterville Fair with conservation information and water saving kits distributed to the public.

The water system continues to show marginal improvement from last year. Well 28 is a new well and will increase production capabilities. Water demand is starting to increase, prompting recommendation of proceeding to Phase II of the Water Conservation Plan. One aspect of Phase II is encouraging consumers to reduce water usage between the hours of 5 & 10 am and 5 & 10 pm.

Staff will closely monitor the water system and provide a report to Council at the July 18, 2006 meeting.

The City is currently in Phase I of the City's Water Conservation Plan. Phase II applies during periods when there is a water supply shortage. Voluntary conservation is requested and increased public information is implemented. Phase III applies during periods when there is a severe water supply shortage. A 20% rate increase on all residential and landscape accounts would go into effect.

RECOMMENDATION: That the City Council:

1. Approve the City moving into Phase II on June 21, 2006;

2. Set a Public Hearing for August 15, 2006 to move into Phase III for the months of August and September, if severe water supply shortage is projected; and

3. If severe water supply shortage is not projected, City staff will only have a Water Conservation Report at the August 15, 2006 Public Hearing.

ATTACHMENT: Production Graph
Monthly Production 2004 - 2006
(Primary Water System)
COUNCIL AGENDA - JUNE 20, 2006

SUBJECT: SECOND READING - ORDINANCE NO. 1698, PROHIBITING COMMERCIAL VEHICLES ALONG WESTWOOD STREET

SOURCE: Administration/City Clerk Division

COMMENT: Ordinance No. 1698 amends Chapter 17, Article XI, to include Section 17-11.18, Parking – Commercial Vehicles along Westwood Street, prohibiting commercial vehicles along Westwood Street. The ordinance was given a First Reading on May 16, 2006, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1698, waive further reading, and adopt said ordinance.

ATTACHMENT: Ordinance No. 1698

Item No. 22

Dr. Appro./OM
Funded
ORDINANCE NO. 1698

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 17, ARTICLE XI, TO INCLUDE SECTION 17-11.18 PARKING – COMMERCIAL VEHICLES ALONG WESTWOOD STREET, OF THE CODE OF THE CITY OF PORTERVILLE

THE COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

A. That Section 17-11.8, Parking – Commercial Vehicles along Westwood Street between Pioneer Avenue and the Tule River, of the Code of the City of Porterville is hereby included as follows:

   Except as noted below, no person shall park any commercial vehicle having a manufacturer’s gross vehicle weight rating of 10,000 pounds or more, in whole or in part, on any roadway adjacent to any property zoned commercial along Westwood Street from Pioneer Ave. to the Tule River, in the City of Porterville.

   Exceptions:

   a) While loading or unloading property. This exception shall apply only while such work is actually in progress and those in control of the vehicle are on the scene.

   b) While parked in connection with, and in the aid of, the performance of a service to or on a property in the block in which such vehicle is parked. This exemption shall apply only while such work is actually in progress and those in control of the vehicle are on the scene.

   c) When the vehicle has experienced mechanical failure along an authorized route of travel for such vehicles and only while repair or towing services are actually en route to, or repairing/towing said vehicle. This exemption shall apply only while the person in control of the vehicle is on the scene.

B. This ordinance and code amendment 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
SUBJECT: SECOND READING - ORDINANCE NO. 1699, AMENDING ZONING ORDINANCE SECTION 236, BUILDABLE AREA

SOURCE: Administration/City Clerk Division

COMMENT: Ordinance No. 1699 amends the Porterville Municipal Codes Appendix A, Section 236, pertaining to buildable area. The ordinance was given a First Reading on May 16, 2006, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1699, waive further reading, and adopt said ordinance.

ATTACHMENT: Ordinance No. 1699
ORDINANCE NO. 1699

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AMENDING THE PORTERVILLE
MUNICIPAL CODES APPENDIX A, SECTION 236,
PERTAINING TO BUILDABLE AREA

WHEREAS: On May 2, 2006, the City Council at its regularly scheduled meeting, considered an appeal to the Zoning Administrator’s decision regarding a request to exceed maximum lot coverage in the Claremont Terrace Subdivision; and

WHEREAS: On May 2, 2006, the City Council directed Staff to draft an amendment to the Zoning Ordinance regulations regarding buildable area in the One-Family Residential (R-1) Zone; and

WHEREAS: Zoning Ordinance Section 236 establishes “Buildable Area” in One Family Residential (R-1) Zone as “percentage of a lot which may be occupied by any and all buildings, shall not exceed forty (40) percent”; and

WHEREAS: the Zoning Ordinance Section 236 needs to be amended;

WHEREAS: the City Council has duly considered staff recommendations to amend the current Zoning Ordinance Section 236 to increase buildable area in R-1 Zone to forty-five (45) percent.

WHEREAS: based on studies and investigations made regarding increasing the maximum lot coverage. The Council made the following findings in support of Zoning Ordinance Amendment 2006-1.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby amend Porterville Zoning Ordinance Section 236 as follows:

SECTION 1: Article Two, Section 236 of the City of Porterville Zoning Ordinance is hereby amended to read as follows:

Section 236: Buildable Area (R-1 Zone)
A. The buildable area or percentage of a lot which may be occupied by any and all buildings, shall not exceed forty-five (45) percent, including garage and/or carports.

B. For general provisions and exceptions, see article twenty-six.
SECTION 3: There is hereby amended and added to the City of Porterville Zoning Ordinance Section 236 set by the City Council of the City of Porterville to regulate such buildable area standards.

SECTION 4: 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
TITLE: RESOLUTION OF INTENT TO DISESTABLISH THE BUSINESS IMPROVEMENT AREA OF THE CITY OF PORTERVILLE AND PROPOSING TO DISPOSE OF ANY ASSETS ACQUIRED WITH THE REVENUES OF ASSESSMENTS LEVIED

SOURCE: CITY ATTORNEY

COMMENT: Pursuant to direction given by the City Council at the May 16, 2006 regular City Council Meeting, the purpose of this item is to consider various options concerning the Porterville Business Improvement Area, including whether to adopt a Resolution of Intent to Disestablish the Business Improvement Area of the City of Porterville, formed in or about 1987 pursuant to the Parking and Business Improvement Area Law of 1979. Prior to and at the May 16 meeting, business owners voiced concerns over the effectiveness of the District, and a written request was submitted asking that the City Council consider disestablishment.

If the City Council wishes to disestablish the Business Improvement Area, the Council must first adopt a Resolution of Intent to do so. The attached Resolution (as required by law) sets a time and place for a public hearing, sets forth the reasons for considering disestablishment, and proposes a method for disposal of any assets of the District and the refunding of any remaining revenues. If the Council chooses to adopt the Resolution, then it should hold the public hearing at the established time, and should thereafter adopt an ordinance disestablishing the area unless a majority of the assessed business owners protest such disestablishment.

Pursuant to Section 15-37(b), if a majority of the businesses in the area file a petition with the City Clerk requesting that the City Council adopt a Resolution of Intention to modify or disestablish the area, the Council must adopt such a resolution and then proceed with the public hearing procedures. The signatures on the petition must be those of the duly authorized representatives of the businesses within the District, and the petition must be filed with the City Clerk within six weeks of the date on which the first signature was affixed.

The City Council may make other modifications to the Business Improvement Area, however any action that would result in the imposition of new assessments on businesses, or an increase in an assessment to any business owner, would require additional measures of due process. However, if the Council wishes to do so, it is requested that the City Council provide specific direction and a Resolution of Intent for such modified action can be brought back at a subsequent meeting.

Item No. 24
RECOMMENDATION: It is requested that the City Council proceed with one of the following options:

1. Adopt the Resolution of the City Council of the City of Porterville Resolving the Intent to Disestablish the Business Improvement Area of the City of Porterville and Proposing to Dispose of Assets Acquired with the Revenues of Assessments Levied within the Business Improvement District, and proceed with the public hearing and consideration of an ordinance disestablishing the Business Improvement Area in accordance with applicable law.

2. Provide direction concerning any alternative modifications to the Business Improvement Area, or the assessments levied.

3. Take no action.

ATTACHMENTS:
1. Resolution of Intent to Disestablish the Business Improvement Area of the City of Porterville
RESOLUTION NO. ____-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE RESOLVING THE INTENT TO DISESTABLISH THE BUSINESS IMPROVEMENT AREA OF THE CITY OF PORTERVILLE AND PROPOSING TO DISPOSE OF ASSETS ACQUIRED WITH THE REVENUES OF ASSESSMENTS LEVIED WITHIN THE BUSINESS IMPROVEMENT DISTRICT

WHEREAS, on May 16, 2006, at its regularly scheduled City Council Meeting, the City Council of the City of Porterville considered a written request to disestablish the Business Improvement District formed in accordance with the Parking and Business Improvement Area Law of 1979; and

WHEREAS, the District was established for the purposes of promotion of business activities in the District area, promotion of public events to take place on or in public places in the area, decoration of public places within the area, and the furnishment of music in public places in the area; and

WHEREAS, over the years, various business owners who are located within the District and pay assessments have voiced concerns with regard to effectiveness of the Business Improvement District; and

WHEREAS, disestablishment of the Business Improvement District is governed by local City regulations and Streets and Highways Code Sections 36515, 36550 and 36551; and

WHEREAS, in accordance with applicable law the City is required, prior to adopting an ordinance disestablishing the Business Improvement Area, to adopt a Resolution of Intent stating 1) the reason for disestablishment, 2) the time and place for a public hearing to consider the disestablishment, and 3) a proposal for the disposal of any assets acquired with the revenues of the assessments levied within the Business Improvement area; and
WHEREAS, the public hearing shall not be held less than twenty (20) or more than thirty (30) days after the adoption of the Resolution of Intent.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES RESOLVE AS FOLLOWS:

1. The City Council intends to disestablish the Business Improvement District due to the concerns by various business owners who pay the assessments in the District over the overall effectiveness of the District in accomplishing its purposes, as well as concerns that those who are assessed more under the assessment method do not receive a proportionately greater benefit.

2. The City Council hereby sets the public hearing for consideration of an ordinance disestablishing of the Business Improvement District, to be held during its regularly scheduled City Council Meeting on Tuesday, July 18, 2006, 7:00 p.m. or as soon thereafter as possible. Notice of the public hearing shall be provided as required by law. At the public hearing, pursuant to Porterville Municipal Code Section 15-37(f), the City Council shall hear all protests and receive evidence for and against the proposed action and shall rule upon all protests; the Council’s determination in this regard shall be final, and the Council may continue the hearing from time to time. After conclusion of the public hearing, in accordance with Porterville Municipal Code Section 15-37(e), the City Council shall adopt an ordinance disestablishing the area unless at or before said public hearing, protest against the disestablishment is made by a majority of the businesses that pay assessments within the Business Improvement District.

3. If the District is disestablished, any assets acquired with the revenues of the assessments levied within the Business Improvement District Area shall be disposed of in accordance with the City’s surplus property procedures. Any remaining revenues, or proceeds of any sales of the assets shall be refunded to the assessed business owners in the same manner as the assessments are calculated.
4. The City Clerk is hereby directed to cause notice of the public hearing to be published in a newspaper of general circulation in the City for at least seven days before the public hearing, and to mail a complete copy of this Resolution of Intention by first class mail to each business owner in the area within seven days of the adoption of this Resolution.

This Resolution was passed by the City Council members of the City of Porterville at a regular meeting thereof on the 20th day of June, 2006, by the following vote:

AYES:

NOES:

ABSENT:

________________________________________
Mayor Pedro Martinez
City of Porterville

ATTEST:

________________________________________
John Longley, City Clerk,
City of Porterville
SUBJECT:  AUTHORIZATION TO ADVERTISE FOR BIDS – RETAINING WALL AT 945 EAST MORTON AVENUE (LDS CHURCH)

SOURCE:  Public Works Department - Engineering Division

COMMENT:  Public Works is requesting authorization to advertise for bids to construct a 32” high retaining wall at 945 E. Morton Avenue. During construction of the Morton Avenue Street Reconstruction project in 2002, the Church of Jesus Christ of Latter Day Saints (LDS Church) expressed a concern regarding the steep embankment along their north property line. The steep embankment was created as a result of the new Morton Avenue alignment. Specifically, an existing telephone pedestal located at the “toe” of the embankment appeared to be in jeopardy should the embankment fail.

Senior staff agreed to construct a 35’ long, 32” high retaining wall in front of the telephone pedestal to support the embankment and thus prevent damage to the pedestal. Public Works to date was not motivated to construct the retaining wall because of the estimated cost ($5,775) to construct and because periodic field inspections indicated that the slope was stable.

Unfortunately, the latest field inspection shows signs that the slope is beginning to sluff. Interest on the COPs has accumulated to the point where these funds can pay for the retaining wall. Plans and specifications for a 35’ long, 32” high retaining wall have been prepared and are on file in the Public Works Department.

RECOMMENDATION:  That the City Council:

1. Approve the plans and specifications for a 32” high retaining wall; and

2. Authorize Public Works to advertise for bids to construct a 35’ long, 32” high retaining wall at 945 E. Morton Avenue.

ATTACHMENT:  Engineer’s Estimate
BLOCK RETAINING WALL

EXIST, 6" TREE TO BE REMOVED
EXIST, TEL PEDESTAL
EXIST, 6" BLOCK WALL

LDS CHURCH

E. MORTON AVE.

PROPOSED BLOCK RETAINING WALL

LIMITS OF EXCAVATION TO RECEIVE FTG. & WALL (APPROX. 22 C.Y.)

#4 AT TOP & BOTTOM
#4 AT 24" O.C.

8" x 8" x 16" CMU (COMMON BOND)

1. USE 5 SACK, 2500 PSI @ 28 DAY CONC. MIX.

2. COMPACT SOIL BENEATH FOOTING TO 90% R.C.

DETAIL A-A
**PROJECT: Retaining Wall @ 945 E. Morton Avenue**
**ENGINEER'S ESTIMATE**
Date: June 13, 2006

### BASE BID

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QTY.</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>18</td>
<td>CY</td>
<td>All Excavation Necessary To Receive Wall &amp; Footing. (Item includes backfill behind wall)</td>
<td>$35</td>
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<td>2.</td>
<td>35</td>
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<td>Construct 32” High retaining wall with 36” wide footing (including all steel reinforcing and soil compaction effort)</td>
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<td>$4,375</td>
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<td>3.</td>
<td>1</td>
<td>LS</td>
<td>Swale Grading &amp; General Clean-up</td>
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<td>4.</td>
<td>1</td>
<td>LS</td>
<td>Contingency – Unforeseen Items</td>
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**TOTAL BID**

$5,775

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*Signature of Project Manager*
*Signature of Public Works Director*
*Signature of City Manager*
SUBJECT: TEMPORARY RESOLUTION SUPPORTING SEPTIC TANK INSTALLATION WITHIN CITY LIMITS

SOURCE: Public Works Department - Engineering Division

COMMENT: On April 18, 2006, City Council discussed and adopted Tulare County’s policy on connecting to the City’s sewer system for a period of one year. The policy allows owners with properties located within the six recently annexed areas to install a new septic tank or repair an existing septic tank if the City’s existing sewer system is more than 200’ from the property under development.

The City Attorney informed senior staff that a resolution was needed to adopt the one-year “Septic Tank Installation”. The purpose of this staff report is to clarify the intent of the policy and to formally adopt a “Resolution to Allow the Installation or Repair of Septic Tanks Within Annexation Areas No. 446, 455, 456, 457, 458 & 459” subject to the following conditions.

"A septic tank repair or the installation of a new septic tank will be allowed if the following conditions are satisfied:"

1. The property requiring a new septic tank or requiring the repair of an existing septic tank must be located within Annexation Areas No. 446, 455, 456, 457, 458 or 459.

2. The property in question must be located more than 200’ from the City’s sewer collection system.

3. If the property in question is vacant, construction plans for the new single family home must be submitted to the Building Division and a building permit must be secured within 90 days of the adoption of the “Installation of Septic Tanks” resolution.

4. This policy is intended for the development and/or maintenance of a single-family residential unit on an individual lot and as such, property owners seeking to develop property not in strict conformance to the conditions stated herein must petition and receive approval from the City Engineer prior to the installation or repair of a septic tank.

RECOMMENDATION: That the City Council approve and adopt the attached “Resolution to Allow the Installation or Repair of Septic Tanks Within Annexation Areas No. 446, 455, 456, 457, 458 & 459.”

ATTACHMENTS: Resolution
                  Island Annexation Map

Dir Appropriated/Funded CM Item No. 260
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE TO ALLOW THE INSTALLATION
OR REPAIR OF SEPTIC TANKS WITHIN ANNEXATION
AREAS 445, 455, 456, 457, 458, 459
FOR A PERIOD OF 12 MONTHS

WHEREAS, the City Council of the City of Porterville, at its' May 2, 2006 Council Meeting, agreed to temporarily adopt Tulare County's "Building Sewers" policy for a 12-month period for properties located in Annexation Areas 445, 455, 456, 457, 458 and 459; and

WHEREAS, the City Attorney informed Staff that a resolution was needed to adopt the 12-month septic tank installation policy;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby adopt for a period of 12-months, Tulare County's "Building Sewers" policy. This policy is the same as Chapter 7 of the Uniform Plumbing Code. To wit:

A septic tank repair or the installation of a new septic tank will be allowed if the following conditions are satisfied:

1. The property requiring a new septic tank or requiring the repair of an existing septic tank must be located within Annexation Areas No. 446, 455, 456, 457, 458 or 459.

2. The property in question must be located within 200' of the property owners nearest property line and the City's sewer collection system.

3. If the property in question is vacant, construction plans for the new single family home must be submitted to the Building Division and a building permit must be secured within 90 days of the adoption of this "Installation of Septic Tanks" resolution.

4. This policy is intended for the development and/or maintenance of a single-family residential unit on an individual lot and as such, property owners seeking to develop property not in strict conformance to the conditions stated herein must petition and receive approval from the City Engineer prior to the installation or repair of a septic tank.

Adopted this 20th day of June, 2006.

__________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: Georgia Hawley, Chief Deputy City Clerk
SUBJECT: Notice of Sale of Surplus Property

SOURCE: City Manager's Office

The Porterville Unified School District has provided the City with notice regarding the sale of two pieces of property. One is located at West Putnam Avenue and North Kessing Street, while the other is at 568 West Olive Avenue.

A member of the Council has asked that these properties be considered for bid/purchase by the City of Porterville for park and recreation purposes.

The properties being sold by the Porterville Unified School District are not currently defined for purchase in any park plan of the City. Also, the City in the draft budget has not defined funding for the property. The West Olive property is built out as an office or shopping complex. The North Kessing property could be used for park development, but it is in an area where currently Bartlett School provides significant park-type area.

RECOMMENDATION

Because funding has not been established and the property is not defined in any park or open space plan, the City should not submit a bid for purchase.
May 23, 2006

John Longley, City Manager
City of Porterville
291 No. Main Street
Porterville, CA 93257

RE: Notice of Sale of Surplus Property for Park and Recreational or Open-Space Purposes

Dear Mr. Longley:

Please take notice, pursuant to Government Code Section 54220 et seq., that the Porterville Unified School District intends to sell to the highest bidder the surplus land described as follows:

Subject property is legally described as Parcels 1, 2, 3 and 4 of Parcel Map 3830, P.M. 39-33. (Also identified as northwest corner of West Putnam Avenue and North Kessing Street, Porterville, CA 93257)

Said land is hereby offered to you for sale at fair market value for park and recreational purposes or open-space purposes.

You must notify the Porterville Unified School District in writing of your intent to acquire the property within sixty (60) days after receipt of this notice. The parties shall then enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. If the price or terms cannot be agreed upon after a good faith negotiation period of sixty (60) day, the District may dispose of the property without further regard to Section 54220 et seq.

Sincerely,

[Signature]

John Snavely, Ed.D.
Superintendent

JSnavely
Property Sale/Acquisition
Not Sale – Kessing property – CDP-Park
May 23, 2006

John Longley, City Manager
City of Porterville
291 No. Main Street
Porterville, CA 93257

RE: Notice of Sale of Surplus Property for Low and Moderate Income Housing

Dear Mr. Longley:

Please take notice, pursuant to Government Code Section 54220 et seq., that the Porterville Unified School District intends to sell to the highest bidder the surplus land described as follows:

Subject property is legally described as Parcels 1, 2, 3 and 4 of Parcel Map 3830, P.M. 39-33. (Also identified as northwest corner of West Putnam Avenue and North Kessing Street, Porterville, CA 93257)

Said land is hereby offered to you for sale at fair market value for the purpose of developing low and moderate income housing or for such other purposes as are designated in Governing Code Section 54222.

You must notify the Porterville Unified School District in writing of your intent to acquire the property within sixty (60) days after receipt of this notice. The parties shall then enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. If the price or terms cannot be agreed upon after a good faith negotiation period of sixty (60) day, the District may dispose of the property without further regard to Section 54220 et seq.

Sincerely,

John Snavely, Ed.D.
Superintendent

JSnav
Property Sale/Acquisition
Nec of Sale – Kessing property – COP
May 23, 2006

John Longley, City Manager
City of Porterville
291 No. Main Street
Porterville, CA 93257

RE: Notice of Sale of Surplus Property for Low and Moderate Income Housing

Dear Mr. Longley:

Please take notice, pursuant to Government Code Section 54220 et seq., that the Porterville Unified School District intends to sell to the highest bidder the surplus land described as follows:

Parcels 1 and 2 of Parcel Map No. 3729, in the City of Porterville, County of Tulare, State of California, as per Map recorded in Book 38, Page 32, of Parcel Maps in the Office of the County Recorder of Tulare County. (Also identified as 568 West Olive Avenue, Porterville, CA 93257)

Said land is hereby offered to you for sale at fair market value for the purpose of developing low and moderate income housing or for such other purposes as are designated in Governing Code Section 54222.

You must notify the Porterville Unified School District in writing of your intent to acquire the property within sixty (60) days after receipt of this notice. The parties shall then enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. If the price or terms cannot be agreed upon after a good faith negotiation period of sixty (60) day, the District may dispose of the property without further regard to Section 54220 et seq.

Sincerely,

John Snavely, Ed.D.
Superintendent

[Signature]

Property Sale/Acquisition
No of Sale - PAS property - COP 3
May 23, 2006

John Longley, City Manager
City of Porterville
291 No. Main Street
Porterville, CA 93257

RE: Notice of Sale of Surplus Property for Park and Recreational or Open-Space Purposes

Dear Mr. Longley:

Please take notice, pursuant to Government Code Section 54220 et seq., that the Porterville Unified School District intends to sell to the highest bidder the surplus land described as follows:

Parcels 1 and 2 of Parcel Map No. 3729, in the City of Porterville, County of Tulare, State of California, as per Map recorded in Book 38, Page 32, of Parcel Maps in the Office of the County Recorder of Tulare County. (Also identified as 568 West Olive Avenue, Porterville, CA 93257)

Said land is hereby offered to you for sale at fair market value for park and recreational purposes or open-space purposes.

You must notify the Porterville Unified School District in writing of your intent to acquire the property within sixty (60) days after receipt of this notice. The parties shall then enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. If the price or terms cannot be agreed upon after a good faith negotiation period of sixty (60) day, the District may dispose of the property without further regard to Section 54220 et seq.

Sincerely,

John Snavely, Ed.D.
Superintendent

JSSm
Property Sales/Acquisition
Ntc of Sale = PAS property - COP-Park
SUBJECT: CONSIDERATION OF WATER CONSERVATION REQUIREMENTS FOR NEW DEVELOPMENT

SOURCE: Administration/City Clerk

COMMENT: A Council member requested that this item be placed on the agenda to initiate discussion regarding the possible formulation of new development requirements as relates to water conservation measures.

RECOMMENDATION: None – Discussion Item Only

Dir. Funded C/M
Approp. Item No. 28
SUBJECT: POTENTIAL BALLOT MEASURES

SOURCE: Administration/City Clerk

COMMENT: A Council member requested that this item be placed on the agenda to initiate discussions regarding potential ballot measures for the upcoming November 7, 2006 Election. As any such measures are recommended for submittal to the County of Tulare by July 18, it was felt that time was of the essence.

RECOMMENDATION: None – Discussion Item Only
AGENCY AGENDA: JUNE 20, 2006

PORTERVILLE REDEVELOPMENT AGENCY

SUBJECT: RESOLUTION AUTHORIZING CONTINUED INVESTMENT OF CITY MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTION OFFICERS

SOURCE: Administration Services Department - Finance Division

COMMENT: Resolution No. PRA 2-2003 dated May 6, 2003, authorized the Agency to continue investing monies with the State of California's Local Agency Investment Fund (LAIF) and designated officers to deposit and withdraw funds and make changes to the account. Due to personnel changes, it is necessary to update that resolution with the State of California's Local Agency Investment Fund (LAIF).

Previously authorized officers were Darrel Pyle, Administrative Services Director, Susan Slayton, Chief Financial Officer, and Maria Bemis, Accountant I. Two of those equivalent positions are held by John Lollis, Administrative Services Manager, and Maria Bemis, Accountant II. Additionally, it is recommended to add John Longley, City Manager, to the authorization list to remain consistent with the City account and the amended investment policy. These are the individuals who, if approved, will be responsible for transacting business with LAIF and managing these monies.

RECOMMENDATION: That the Porterville Redevelopment Agency adopt the attached resolution reaffirming the investment of the City's pooled monies in the Local Agency Investment Fund (LAIF) and designating transaction officers

ATTACHMENT: Draft Resolution
Resolution No. PRA 2-2003

DD Appropriated/Funded CM Item No. PRA-1
RESOLUTION NO. ________

A RESOLUTION OF THE PORTERVILLE REDEVELOPMENT AGENCY OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, REAFFIRMING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTING OFFICERS

WHEREAS, Resolution No. PRA 2-2003 dated May 6, 2003, authorized the Agency to continue participating in the State of California’s Local Agency Investment Fund (LAIF); and

WHEREAS, the officers then authorized to order deposit or withdrawal of monies and changes to the account have changed.

NOW, THEREFORE, BE IT RESOLVED that the Agency Members of the Porterville Redevelopment Agency do hereby authorize the continued investment in LAIF and designate the following officers to deposit and withdraw funds and make changes to the LAIF account:

John Longley, City Manager
John Lollis, Administrative Services Manager
Maria Bemis, Accountant II

Adopted this 20th day of June, 2006.

______________________________
Pedro R. Martinez, Chairman

ATTEST:

John Longley, Executive Secretary

By ______________________________
Georgia Hawley, Chief Deputy
RESOLUTION NO. PRA 2-2003

A RESOLUTION OF THE PORTERVILLE REDEVELOPMENT AGENCY OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, REAFFIRMING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTING OFFICERS

WHEREAS, Resolution #PRA 93-1 dated January 5, 1993, authorized the Agency to participate in the State of California’s Local Agency Investment Fund (LAIF); and

WHEREAS, the officers then authorized to order deposit or withdrawal of monies and changes to the account have changed; and

WHEREAS, LAIF now requires that changes to the authorized officers be adopted by agency’s governing board.

NOW, THEREFORE, BE IT RESOLVED that the Agency Members of the Porterville Redevelopment Agency do hereby authorize the continued investment in LAIF and designate the following officers to deposit and withdraw funds and make changes to the LAIF account:

Darrel L. Pyle, Administrative Services Director
Susan Slayton, Chief Financial Officer
Maria Bemis, Accountant I

Adopted this 6th day of May, 2003.

Richard M. Stadtherr, Chairman

ATTEST:

John Longley, Executive Secretary

By Georgia Hawley, Deputy
REDEVELOPMENT AGENCY MEETING AGENDA: June 20, 2006

SUBJECT: REDEVELOPMENT AGENCY 2006-2007 BUDGET

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: Section 33606 of the California Health and Safety Code requires the Redevelopment Agency to adopt an annual budget which contains the following information: proposed expenditures of the agency, proposed indebtedness to be incurred by the agency, the anticipated revenues of the agency, the work program and goals for the coming year, and an examination of the previous year’s achievements and a comparison of the achievements with the goals of the previous year’s work program.

The 2006-2007 work program includes the following items that may require Council direction:

- Financing Strategy – Staff has submitted a letter to the County Administrative Officer, with a copy to Supervisor Maples, indicating that the Agency has placed in its work program the desire to negotiate with the County to extend the date for repayment of the Tulare County loan for an additional three (3) year period, or negotiate to enter into a project of mutual benefit within the Redevelopment Project Area #1 boundaries utilizing the loan balance due as a portion of the County’s investment in said project.

- Public Parking – For several years the work program has listed the continuation of pursuing the formation of Parking District #3 in the North Main Street Area (Cleveland Avenue to Morton Avenue, Main Street to the Union Pacific Railroad). Staff has been unsuccessful in locating funding to bring this project to fruition and believes that funding will not be available for the formation of a new parking district in the near future. Staff is seeking direction from City Council regarding the continuation of pursuing Parking District #3.

- Downtown Revitalization – If no previous action has been taken by City Council regarding the Business Improvement Area funds, the Redevelopment Advisory Committee has expressed a desire to administer the funds for downtown revitalization. The Committee believes they can develop a program for a more streamlined administration, at the same time providing more
opportunities for the utilization of the funds, such as improvements to the streetscape, partial funding of murals, and programming of events in Centennial Plaza.

The annual budget for 2006-2007 has been prepared in accordance with Section 33606 and is provided as an attachment for Agency review and adoption.

RECOMMENDATION: That the Agency Board:
1) Adopt the attached 2006-2007 Redevelopment Agency budget; and
2) Authorize staff to begin negotiations with the County of Tulare for the extension of the loan agreement or entering into a project of mutual benefit; and
3) Authorize staff to postpone pursuing of Parking District #3 until such time as funding becomes available for a new parking project; and
4) Authorize staff to continue developing guidelines for the administration of Business Improvement Area funds by the Redevelopment Advisory Committee.

ATTACHMENTS: 1. Draft Resolution adopting the 2006-2007 Redevelopment Budget
2. Proposed 2006-2007 Redevelopment Budget
RESOLUTION NO. ______________________

A RESOLUTION OF THE PORTERVILLE REDEVELOPMENT
AGENCY APPROVING THE 2006-2007 BUDGET
PURSUANT TO HEALTH AND SAFETY CODE SECTION 33606

WHEREAS, by Ordinance No. 1227 adopted February 17, 1981, the City Council of the City of Porterville (the “City Council”) activated the Porterville Redevelopment Agency (the “Agency”) and declared itself to constitute the Agency; and

WHEREAS, by Resolution No. PRA 81-3 adopted April 7, 1981, the Agency approved a Cooperative Agreement by and between the City Council and the Agency wherein the City agreed to establish an “Agency General Fund” with money appropriated by the City Council to pay for the Agency’s administrative expenses as authorized by Health and Safety Code Section 33610; and

WHEREAS, by Ordinance No. 1436 adopted July 10, 1990, the City Council approved the Redevelopment Plan for the Porterville Redevelopment Project Area No. 1 (the “Plan”); and

WHEREAS, Health and Safety Code Section 33606 requires that the Agency adopt an annual budget; and

WHEREAS, for the purpose of fulfilling its obligations to effectuate the Plan and conduct redevelopment activities pursuant thereto, the Agency has estimated its 2006-2007 fiscal year expenditures, indebtedness, anticipated revenues and proposed work program to be as provided in the budget hereinafter referred to as the “Redevelopment Agency Budget” attached hereto as Attachment “A” and incorporated herein by reference; and

WHEREAS, the Agency is required to determine annually that the planning and administrative expenses in the Low and Moderate Income Housing Fund are necessary for the production, improvement, or preservation of low and moderate-income housing.

NOW, THEREFORE, BE IT RESOLVED by the Porterville Redevelopment Agency that the Agency approves and adopts the Redevelopment Agency Budget for the 2005-2006 fiscal year in conformance with Health and Safety Code Section 33606, determines that the planning and administrative expenses in the Low and Moderate Income Housing Fund are necessary for the production, improvement, or preservation of low and moderate-income housing, and authorizes and directs the Executive Director to submit said Budget to the City Council pursuant to Health and Safety Code Section 33611.

Porterville Redevelopment Agency

By: ____________________________
Pedro R. Martinez, Chairperson

ATTEST:

By: ____________________________
John Longley, Executive Secretary
CONTENTS

I. PREFACE
II. FINANCIAL SUMMARY
III. WORK PROGRAM 2006-2007
IV. PREVIOUS YEAR’S ACTIVITIES
I. PREFACE

The Redevelopment Agency is administered by the Community Development Department. The Agency was created pursuant to California Health and Safety Code Community Redevelopment Law. Redevelopment revitalizes targeted areas of blight and deterioration through several methods of Agency participation.

Porterville’s Redevelopment Project Area No. 1, implemented in August 1990, originally encompassed approximately 471 acres. During 2004-2005, the process to remove 2 parcels (26 acres) from the project area was completed, leaving approximately 445 acres in Project Area No. 1. The area is primarily commercially and industrially zoned.

Projects noted in the 2006-2007 budget will be limited due to funding constraints.

This budget has been prepared in accordance with California Health and Safety Code Section 33606, which requires each agency to adopt an annual budget.
## II. FINANCIAL SUMMARY

<table>
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<th>AGENCY DEBT</th>
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<th>AS OF 6-30-06</th>
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<td>Incurred 1997</td>
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<td>Redevelopment Agency Debt to City of Porterville</td>
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<td></td>
</tr>
<tr>
<td>Housing Enabled by Local Partnerships (HELP)</td>
<td>$1,499,482</td>
<td>$1,544,466</td>
<td>$1,590,900</td>
</tr>
<tr>
<td>Incurred 2003</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL DEBT INCURRED</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>As of 06-30-05</td>
<td>$8,781,930</td>
<td>$8,314,537</td>
<td>$7,553,900</td>
</tr>
<tr>
<td>As of 06-30-06</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>As of 06-30-07</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**NOTES:** California Housing Finance Agency HELP Loan due in 2012, principal and interest. Interest accrues at 3% annually; balance due at loan end date of 2012. However, it is the intent of the Agency to pay as much of this debt as possible at the completion of the Casas Buena Vista subdivision.
## REDEVELOPMENT PROJECT AREA #1
### BOND ISSUE #1
#### PROJECT FUNDING REPORT

1992 Bond Issue

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Redevelopment Fund</td>
<td>$4,682,242</td>
</tr>
<tr>
<td>Low and Moderate Income Housing Fund</td>
<td>$1,170,561</td>
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<tr>
<td>Issuance Costs</td>
<td>$ 332,197</td>
</tr>
</tbody>
</table>

1992 Total Bond Issue $6,185,000

Projects Funded by Redevelopment Fund

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Street Streetscape</td>
<td>$3,700,000</td>
</tr>
<tr>
<td>Parking Lot Acquisition &amp; Development</td>
<td>$ 905,000¹</td>
</tr>
<tr>
<td>Second &amp; Olive Ave</td>
<td></td>
</tr>
<tr>
<td>Second &amp; Harrison</td>
<td></td>
</tr>
<tr>
<td>Fourth &amp; Harrison</td>
<td></td>
</tr>
<tr>
<td>Building Façade Program</td>
<td>$ 400,000</td>
</tr>
<tr>
<td>Chamber of Commerce Building</td>
<td>$ 120,500²</td>
</tr>
<tr>
<td>Loan Repayment to Risk Mgmt Fund</td>
<td>$ 241,000</td>
</tr>
</tbody>
</table>

Total Projects Funded by Redevelopment Fund $5,366,500³

Projects Funded by Low and Moderate Income Housing Fund

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Time Low Income Homebuyer –</td>
<td></td>
</tr>
<tr>
<td>Match for HOME grants</td>
<td>$ 375,000</td>
</tr>
<tr>
<td>Target Area</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Casas Buena Vista</td>
<td>$ 425,000</td>
</tr>
<tr>
<td>St. James Place – Match for HOME grant</td>
<td>$ 256,500</td>
</tr>
<tr>
<td>Date Avenue Family Apartments</td>
<td>$ 115,000</td>
</tr>
<tr>
<td>Casas Buena Vista –</td>
<td></td>
</tr>
<tr>
<td>Common Area, Water and Sewer Improvements</td>
<td>$ 265,000</td>
</tr>
<tr>
<td>Debt Service</td>
<td>$  86,000</td>
</tr>
<tr>
<td>Implementation Plan/AI/Housing Element</td>
<td>$  53,000</td>
</tr>
</tbody>
</table>

Total Projects Funded by Low and Moderate Income Housing Fund $1,675,500³

Issuance Costs $332,197

Total Expenditures Utilizing Bond Funds and Earned Interest $7,374,197

¹Does not include $285,000 loan from Tulare County and $110,000 loan from Risk Management Fund
²Acquisition and demolition of Frontier Building, construction of public paseo
³Additional funds from interest earned
ANTICIPATED REVENUES 2006-2007 – REDEVELOPMENT FUND

Income:
Gross Tax increment Revenue $861,162
Lease of Redevelopment Property\(^1\) $ 15,600
Interest $ 1,000

$877,762

Less:
Pass Through to other Agencies $126,292
20% Housing Set-Aside
  County Allocation $ 13,036
  City Allocation $139,567
  County Administration Fee $ 24,000

($302,895)

NET REVENUE

$574,867

PROPOSED EXPENDITURES 2006-2007 – REDEVELOPMENT FUND

Debt Service:
  Bond Payments $390,350
  REDIP Loan $ 27,872
  County Loan $ 10,000
  Bond Administration $ 600
  Agency Administration $ 75,148

TOTAL PROPOSED EXPENDITURES $503,970

Transfer to (From) Reserves $ 70,897

Estimated Redevelopment Fund Reserve Balances:

<table>
<thead>
<tr>
<th></th>
<th>06/30/05</th>
<th>06/30/06</th>
<th>06/30/07</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$63,729</td>
<td>$145,198</td>
<td>$183,308</td>
</tr>
</tbody>
</table>

Notes: \(^1\)Income from the lease of the Stout building is included in the budget estimates. Income from a 12-month lease results in an increase in revenues of $15,600 in the 2006-07 fiscal year.
ANTICIPATED REVENUES 2006-2007 – HOUSING FUND

Tax Increment Revenue 2006-2007:
- County Allocation $13,036
- City Allocation $139,567
- Interest $2,500

TOTAL ANTICIPATED REVENUE $155,103

PROPOSED EXPENDITURES 2006-2007 – HOUSING FUND

Administration and Debt Service:
- Agency Administration $10,152
- Bond Payments $97,588
- Bond Administration $150

TOTAL PROPOSED EXPENDITURES $107,890

Transfer to (from) Fund Balances $47,213

Estimated Housing Fund Balances:
- As of 06/30/06 $174,076
- As of 06/30/07 $221,288
III. WORK PROGRAM

The work program for 2006-07 is based on the continued implementation of both the Redevelopment Strategic Plan adopted in 1992 and the Five-Year Implementation Plan adopted in 2004. The general redevelopment priority projects established for the expenditure of the Agency’s first bond issue have been completed to the extent of available funding. The Agency will be managing and monitoring the Redevelopment projects that have been completed and planning ahead for future projects when funding becomes available. The Agency will also be focused on the continued efforts to implement the low and moderate-income housing projects and the funding strategies approved in 2003-04. Therefore, the work program for 2006-07 is as follows:

1. Implementation Plan

   A. Continue implementation of the 2005-2009 Redevelopment Implementation Plan for the Redevelopment Agency that contains the specific goals and objectives of the Agency for the project area, the specific programs, including potential projects, and estimated expenditures proposed to be made during the five-year period beginning 2005.

2. Housing Strategic Plan Implementation

   A. Continue implementation of the Housing Strategic Plan that established policies for the expenditure of the low and moderate-income housing funds. Review status of housing funds and determine priorities for expenditure of available funds.

   B. Closeout of the Casas Buena Vista subdivision project and reconciliation of the financial statements. Proceeds from the sales will be utilized to payoff the CalHFA debt.

   C. Initiate the monitoring for the Casas Buena Vista subdivision in terms of compliance with the CalHFA loan requirements, the recorded affordability covenants on each home, and the Landscape Maintenance District.

   D. Continue to monitor the St. James Place historical renovation project for compliance with the terms of the Regulation Agreements and HOME requirements.

   E. Assist in administering the development of the Sequoia Village on River’s Edge, a 64 unit apartment complex in the Redevelopment Project Area funded with a HOME grant to the City and a pending low income tax credit allocation.

   F. Coordinate with Perris 40 Corporation in the implementation of the Disposition and Development Agreement to construct three single
family homes on Date Avenue in the Redevelopment Project Area to be purchased by participants in the City’s First Time Low Income Homebuyer Program.

3. Financing Strategy

A. Negotiate with the County of Tulare to:

1) extend the date for the repayment of Tulare County Agreement No. 18584 with the City of Porterville for an additional three (3) year period, ending on September 1, 2010, and to negotiate the waiver of any and all interest upon repayment of the loan principal; or

2) negotiate to enter into a project of mutual benefit within the Redevelopment Project Area #1 boundaries utilizing the loan balance due as a portion of the County’s investment in said project.

4. Building Façade Rehabilitation

Continue monitoring the building façade renovation grant program.

5. Public Parking

A. Monitor and maintain all Agency owned parking lots.

B. Coordinate for the demolition of the Singer building with Transit to facilitate the completion of the parking lot at Hockett Street and Oak Avenue.

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

6. Public Street and Streetscape Improvements

A. Continue to monitor the Main Street streetscape improvements.

B. Continue to pursue funding for required traffic circulation improvements, replacement or installation of sidewalks, crosswalks, curb, gutters, storm drains, street lighting, and landscaping to improve their functioning and attractiveness.
7. Downtown Revitalization

A. Centennial Plaza – Monitor construction of a retail/professional office building for compliance with the executed Development and Disposition Agreement.

B. Porterville Hotel – Continue to explore options regarding future utilization of the Porterville Hotel site, including funding sources and replacement housing required to meet the needs of the project.

C. If no previous action has been taken by City Council regarding the Business Improvement Area (BIA), submit a to transfer administration of the BIA funds from Downtown Porterville Administration to the Porterville Redevelopment Advisory Committee.

D. Through the efforts of the Redevelopment Agency and Economic Development Division encourage downtown revitalization. As part of this effort, the City will place an emphasis on filling vacant and underutilized buildings, as well as the development of vacant parcels, within Redevelopment Project Area No. 1.

8. Porterville Heritage Center

Continue monitoring the expenditures for the construction of the Tiny Tot Lot and the lighted ball fields at the Porterville Heritage Center in conjunction with the Community Development Block Grant (CDBG) program utilizing Section 108 funding.

9. Public Improvement Projects

Coordinate with the City Engineering Division on the planning and reconstruction of the Plano Street Bridge, the Jaye Street Bridge, and Date Avenue that are all projects either within the Redevelopment Project Area or adjacent to it.

10. Tule River Parkway and Rails to Trails Projects

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

Support annexation of additional industrial land and circulation improvements in the south/southeast area of the City in accordance with the General Plan Land Use and Circulation Element.
IV. PREVIOUS YEAR'S ACHIEVEMENTS

In reviewing the activities of the Redevelopment Agency in 2005-06 significant progress was made in accomplishing the goals of the work program established in last year’s budget. Following are the elements of that work program and a description of the progress made in each area:

1. Implementation Plan

   Goal: Continue implementation of the 2005-2009 Redevelopment Implementation Plan for the Redevelopment Agency that contains the specific goals and objectives of the Agency for the project area, the specific programs, including potential projects, and estimated expenditures proposed to be made during the five-year period beginning 2005.

   Action: The Redevelopment Agency, through the actions discussed below, has continued implementation of the 2005-2009 Implementation Plan for the Redevelopment Agency.

2. Housing Strategic Plan Implementation

   Goal: Continue implementation of the Housing Strategic Plan and the 2005-2009 Redevelopment Implementation Plan, and continue implementation of the policies adopted by the Agency for the expenditure of the low and moderate-income housing funds.

   Action: The Agency continued the implementation of the agreements for low and moderate-income housing projects that were executed in previous years, including Casas Buena Vista, Date Avenue Family Apartments, St. James Place, and First Time Low Income Homebuyers programs. In cooperation with the developer, the Agency also studied the possibility of expanding the Casas Buena Vista subdivision or developing a senior housing project on the property immediately east of the subdivision. The City/Agency worked with another developer to submit a HOME and low income tax credit application for a 64 unit apartment complex located within the Redevelopment Project Area. The City was awarded the $1 million HOME grant and is awaiting notification on the tax credit allocation.

   Utilizing HOME Program Income funds, the City acquired a blighted vacant lot being used as a junkyard within the Redevelopment Project Area. A Request for Proposals was distributed to developers for constructing affordable housing on the site. The City recently completed negotiations and a Disposition and Development Agreement has been executed to construct three single-family homes that will be purchased by participants in the City’s First Time Low Income Homebuyer Program.
Goal: In 2002-03 the Agency pledged the remaining $378,000 available for the First Time Home Buyer program to assist families desiring to purchase dwellings within the Casas Buena Vista (previously Casas del Rio) subdivision. It is anticipated that the remainder of these funds will be expended in the 2005-2006 fiscal year.

Action: Phase 8, the final phase of the subdivision, is nearing completion and all 82 houses have been sold. The Redevelopment Low and Moderate Housing Fund provided assistance to 25 families. As other down payment assistance funding sources were available to the homebuyers, not all of the Redevelopment housing funds allocated for the homebuyer assistance were utilized.

Goal: Continue to administer all agreements for the development of the Casas Buena Vista subdivision, including the California Housing Finance Agency (CHFA) HELP loan, the Disposition and Development Agreement with Perris 40 Corporation (Casas Buena Vista Housing Group, LLC), and the individual homebuyer assistance loans for acquisition of the houses which will incorporate affordability covenants. Evaluate a proposal to further expand affordable housing and commercial opportunities within the vicinity of the Casas Buena Vista Planned Unit Development.

Action: The Agency has been administering all of the agreements and working through problems and/or revisions as they arise. As stated above, Casas Buena Vista has been a great success with all 82 homes sold with most homebuyers taking advantage of the City’s assistance programs. The term of the affordability covenants recorded on the properties are for at least 20 years which made the units eligible for state Workforce Housing Rebate Grant funds to be utilized for public improvements.

Goal: Continue to monitor the Date Avenue Apartment rental project for compliance with the terms of the Affordable Housing Agreement between the Agency and 148 Date Avenue, LP and Corporation for Better Housing.

Action: The annual income certifications for occupancy were received by the Agency. Because of renovations to units that had been damaged by problem tenants, only 67 of the 78 units were occupied. However, 91% of those households were below 50% of Area Median Income. A new management firm was hired for the complex.

Goal: Continue to monitor the St. James Place historical renovation project on Main Street for compliance with the terms of the Regulation Agreements and HOME requirements.
3. Financing Strategy

Goal: Request City Council to reduce the interest rate to 0% per annum on the Fund Advance Agreement No. 2 with the City of Porterville. Fund Advance Agreement No. 2 provided for the advance of $110,000 from the City’s Risk Management Agency for payment of expenses incurred by the Agency associated with the improvement of certain storm drain facilities located within Project Area #1. Interest accrues at the Local Agency Investment Fund (LAIF) rate as of June 30 each year and is estimated to be 2%, or $2,826, for the 2004-05 fiscal year.

Action: Based on decisions made by City Council regarding the waiver of interest and the direction of the City Manager, staff has not moved forward on this item.

4. Building Façade Rehabilitation

Goal: Continue monitoring of the building façade renovation grant program.

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

5. Public Parking

Goal: Monitor and maintain all Agency owned parking lots.

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

Goal: Continue monitoring requirements as outlined in the Central Valley Infrastructure Grant, which was utilized for the reconstruction of the parking lot located at Hockett and Oak.

Action: On March 10, 2006, the City received determination that the project had met the eligibility and benefit requirements of the grant program. Staff presented all required close-out documents as requested by the Department of Housing and Community Development.

Goal: Continue pursuing the formation of Parking District #3 in the North Main Street Area (Cleveland Avenue to Morton Avenue, Main Street to the Union Pacific Railroad).
Action: Staff continues to seek funding for the acquisition of additional property and for the construction of parking lots within the area that would be necessary for the formation of a district in the North Main Street Area.

6. Public Street and Streetscape Improvements

Goal: Continue to monitor the Main Street streetscape improvements.

Action: Staff continues to monitor the Main Street streetscape improvements.

Goal: Continue to pursue funding for required traffic circulation improvements, replacement of installation of sidewalks, crosswalks, curb, gutters, storm drains, street lighting, and landscaping to improve their functioning and attractiveness.

Action: Staff continues to pursue funding sources to meet the traffic circulation, infrastructure, and streetscape issues for areas within the Project Area.

7. Downtown Revitalization

Goal: Centennial Plaza – Work with local developer to construct a retail/professional office building, which will offer amenities to the patrons of the adjacent Centennial Park.

Action: During the 2005-06 fiscal year, the Agency entered into a Development and Disposition Agreement (DDA) for the sale of property to Ennis Commercial Development, including certain provisions regarding the construction of a retail/professional office building at the southwest corner of Main Street and Thurman Avenue.

Goal: Porterville Hotel – Explore options regarding future utilization of the Porterville Hotel site, including funding sources and replacement housing required to meet the needs of the project

Action: To properly review the issues a white paper will be required to determine if a project can be undertaken.

Goal: Continue to coordinate with Downtown Porterville Association, Inc. (DPA) to encourage downtown revitalization. As part of this effort, the City and DPA will place an emphasis on filling vacant and underutilized buildings within the downtown area between Morton Avenue and Olive Avenue.

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

8. Porterville Heritage Center

Goal: Continue coordination in the construction of the Porterville Heritage Center (previously known as the Neighborhood Community Center) in conjunction with the Community Development Block Grant (CDBG) program utilizing Section 108 funding.

Action: Construction on the Neighborhood Community Center (formally named the Porterville Heritage Center) began early 2004 and was completed mid-2005. Staff continues to monitor expenditures of the CDBG Section 108 funds.

9. Public Improvement Projects

Goal: Coordinate with the City Engineering Division on the planning and reconstruction of the Plano Street Bridge in the Redevelopment Project Area. The project is funded through the Federal Highway Association (FHWA) and Certificates of Participation.

Action: The Redevelopment Strategic Plan and the adopted Streetscape Design for the Redevelopment Area were used extensively in the planning and design of the Plano Street Bridge project. The Plano Street Bridge project is scheduled to begin construction Spring/Summer 2006.

10. Tule River Parkway and Rails to Trails Projects

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

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

11. Annexation and General Plan Land Use

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

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