Call to Order
Roll Call

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

CLOSED SESSION:
A. Closed Session Pursuant to:
   5- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.
   6- Government Code Section 54957 - Public Employment - Title: Auditor.

7:00 P.M. RECONVENE OPEN SESSION
REPORT ON ANY ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Pedro Martinez
Invocation

PRESENTATION
City Manager’s Featured Projects for July 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.
1. **Approval of City Council Minutes of June 20, 2006 and June 27, 2006**

2. **Addition of Police Radio Frequency**  
   Re: Authorizing the acquisition of an additional police radio channel and appurtenances through MD Communications of Fresno at a cost of $9,116.46.

3. **Negotiated Purchase - Telemetry System Upgrade**  
   Re: Authorizing purchase of monitoring equipment for City’s water and sewer systems, and approving $36,349 budget adjustment to the Equipment Replacement Expenditures for FY 2006/2007.

4. **HGAC Cooperative Purchasing Agreement**  
   Re: Authorizing Mayor to sign Agreement for purchase of recycling containers, pursuant to Council’s direction on March 21, 2006.

5. **Authorization to Advertise for Bids - Class II (Bike Lane) and Class III (Bike Route) Bikeway Project**  
   Re: Approving $50,000 budget adjustment for FY 06/07 to account for BTA grant; authorizing execution and transmittal of Amendment to the Agreement with SJVAPCD for 6 month extension; and authorizing staff to advertise for bids for the project.

6. **Authorization to Advertise for Bids - Date Avenue Reconstruction Project**  
   Re: Approving Plans and Project Manual for reconstruction of said street to collector standards, from Main Street to Howard Street, including concrete and sewer improvements.

7. **Acceptance of the Henderson Avenue Reconstruction Project**  
   Re: Accepting project by Halopoff & Sons, Inc. as complete, authorizing staff to file a Notice of Completion, and authorizing staff to further evaluate the intersection of Morton Ave. And Mathew St. prior to removing temporary four-way stop.

8. **Acceptance of Improvements - New Expressions, Phase 4 Subdivision Ennis Homes, Inc. Brian Ennis**  
   Re: Accepting public improvements of Subdivision generally located north of Indiana St. and east of Springville Ave.; and authorizing staff to file a Notice of Completion.

9. **Water Conservation Phase II - Water System Status**  
   Re: Considering remaining in Phase II of Water Conservation Plan, and continuing the public hearing to the meeting of August 15, 2006 for consideration of moving into Phase III.

10. **Reimbursements for Street Improvements Along Mathew Street by Burton School District - Summit Charter Academy**  
    Re: Accepting the Mathew Street off-site public improvements constructed by Burton School District, and establishing by resolution that before benefitting/adjacent properties are permitted to develop, their proportionate share of the reimbursement amount shall be collected and reimbursed to the District, in a total amount not to exceed $146,848.36.
11. **State Department of Finance - Population and Housing Estimates**  
   Re: Authorizing the Mayor to sign a request for State certification for the City of Porterville, January 1, 2006, population of 45,220.

12. **Orange Belt Stages Lease**  
   Re: Considering the approval of a month-to-month lease with Orange Belt Stages for office space at the Transit Center, under the same terms and conditions as was approved by the Council on June 6, 2006.

13. **Selection of City Voting Delegate to League of California Cities Meeting**  
   Re: Appointing the Mayor as a voting delegate, and the Mayor Pro Tem as the voting alternate, to the League of California Cities Meeting scheduled for September 9, 2006, and authorizing the City Manager to attest to same.

14. **Tulare County’s Proposed Expenditure Plan for the Half-Cent Sales Tax Measure**  
   Re: Considering the County of Tulare’s request to include the revised Expenditure Plan in the ½ Cent Tax Measure for the November 2006 Ballot.

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

**PUBLIC HEARINGS**

15. **Consideration of Ordinance Disestablishing the Business Improvement Area of the City of Porterville, Proposing to Dispose of Any Assets Acquired with the Revenues of Assessments Levied Within the Business Improvement District, and Repealing Chapter 15, Article IV, “Business Improvement Area,” Sections 15-31 Through 15-39**  
   Re: Consideration on whether the Council should proceed with the Disestablishment of Business Improvement Area, if a majority of the assessed businesses do not protest the disestablishment.

16. **Public Transit System Modifications**  
   Re: Considering modifications to the Transit System including converting the Dial-A-COLT System to Senior and American with Disabilities Act-only and changing hours of operation of same; expanding Fixed Route Service by one bus in FY 2008/2009; increasing marketing and promotional efforts; increasing Transit Service fares to $1 and implementing a $36 monthly pass; and implementing the Capital Acquisition Program as outlined in the Short Range Transit Plan.

17. **Annual Engineer’s Report and Assessments for Landscape and Lighting Maintenance Districts**  
   Re: Consideration of assessing the fifty-four Landscape and Lighting Maintenance Districts for FY 2006-2007.

18. **Royal Oaks View Vesting Tentative Subdivision Map (Ennis Homes, Pacific Holt Corporation, Landmark)**  
   Re: Opening public hearing and continuing public hearing to the August 1, 2006 City Council Meeting.

**SECOND READING**

19. **Ordinance 1701, Approving Zone Change 4-2006 (Pre-Zoning) and Annexation 464**  
   Re: Giving Second Reading to Ordinance 1701, approving Zone Change 4-2006 (Pre-Zoning) and Annexation 464 in Northern Porterville, generally located south of Reid Avenue, north of Mulberry
Avenue, east of Scenic Drive, and west of Plano Street; waiving further reading, and adopting said ordinance.

SCHEDULED MATTERS
20. Transit Agreement with Sierra Management
   Re: Considering approval of the Agreement between the City of Porterville and Sierra Management for operational and management services of the City’s public transportation service.

21. City Flag Design
   Re: Awarding design of a City Flag to Mel Gosage Optigraphics for the total proposal cost of $2,450, appointing two City Council Members and two staff members to work with Mr. Gosage in the creation of the flag design; and directing staff to bring the completed design back to the Council for final approval.

22. CGI Communication, Inc. - Community Video and Street Banner Branding Program
   Re: Selecting one of four banner designs submitted by consultant.

23. “D” Overlay Site Review 2-2006 (Ebaugh)
   Re: Considering approval of CUP consisting of 7,641± square foot medical office building to be located generally at the northeast corner of Kessing Street and Putnam Avenue.

24. Work Program for $200,000 Allocation to the Porterville Community Center
   Re: Considering the approval of the 2006/2007 Work Program for the Porterville Community Center.

25. Sports Complex Youth Event Fees
   Re: Consideration of adjusting the Sports Complex youth event field-use game fees.

26. Sports Complex Transportation
   Re: Receiving Report issued by the Parks & Leisure Services Commission, and considering options for the transportation of youth participants to the Sports Complex.

27. Grass Parking Lot Option
   Re: Considering whether grass parking lots are a viable option.

28. Farm Management/Farmland Lease Agreement and Grand Jury Response
   Re: Informational report on status of Agenda Items on Farm management/Farmland Lease Agreement and Grand Jury Response.

Adjourn to a Meeting of the Porterville Redevelopment Agency

PORTERVILLE REDEVELOPMENT AGENCY AGENDA
July 18, 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. Authorization to Allocate Additional Redevelopment Low and Moderate Income Housing Funds to Complete the Street Slurry at Casas Buena Vista Subdivision
Re: Authorizing expenditure of up to $26,000 for completion of slurry seal on streets in Subdivision.

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 August 1, 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.
CITY MANAGER’S FEATURED PROJECTS FOR JULY, 2006

1. Casas Buena Vista
2. Modification to PERS Contract
3. Henderson Avenue Reconstruction
CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
JUNE 20, 2006, 7:00 P.M.

Call to Order at 7:00 p.m.
Roll Call: Council Member Irish, Council Member West, Mayor Pro Tem Hamilton, Council Member Stadtherr, Mayor Martinez

Pledge of Allegiance Led by Council Member Ron Irish
Invocation - one individual participated.

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

ORAL COMMUNICATIONS
• Greg Shelton, 888 N. Williford Drive, referred to Item No. 4 and spoke of marked improvements at the golf course; spoke against the City pursuing the purchase of PUSD surplus properties identified in Item No. 27, noting the interest of the Tule River Tribe and Sierra View District Hospital for same; and spoke against the new Building Fees, requesting that the Council re-examine said fees.
• Donnette Silva-Carter, Porterville Chamber of Commerce, voiced support for the Resolution of Support for Widening Highway 65, Item No. 16, and spoke of the joint efforts to see the project to fruition. She also requested support in the future toward the prioritization of efforts for widening Highway 190.
• Lee Gifford, 525 N. Murry, inquired as to the status of the proposed apartment near his residence. He spoke of direction by the Council at a previous meeting to have staff and the developer work with the residents and voiced concern that neither he nor any other residents had been informed of the progress. He spoke of construction at the site and of CC&Rs designating the area as “condominium only.” Community Development Director Brad Dunlap advised Mr. Gifford of the developer’s decision to scale back the project which then eliminated the necessity of a C.U.P., and informed Mr. Gifford of the City’s inability to enforce CC&Rs.
• Billy Smith, 548 W. Grand Avenue, voiced displeasure with the perceived disregard for traffic signals by Porterville citizens, and spoke against the recent removal of the stop signs on Villa Street at the intersection of Grand Avenue, citing safety issues.
• Jack Bush, 567 W. Grand Avenue, voiced concern with the removal of stop signs at the intersection of Villa Street and Grand Avenue and requested that the stop signs be reinstalled.
• Warren Conner, 507 W. Grand Avenue, spoke against the removal of the stop signs on Villa Street at Grand Avenue citing safety issues, and questioned the validity of negative environmental impacts created by vehicles stopping at stop signs.
• Ruth Phelps, 579 N. Villa Street, voiced displeasure with the removal of stop signs on Villa Street at the Grand Avenue intersection, and spoke of accidents and near-accidents resulting from the removal.
• Judy Smith, 548 W. Grand Avenue, spoke against the removal of the stop sign on Villa Street at Grand Avenue, and questioned whether any impact analyses had been conducted prior to their removal. Mrs. Smith then provided the Council with correspondence from Rhonda and Matt Cox, 508 W. Grand Avenue, regarding the same issue.

At the Mayor’s request, Public Works Director Baldo Rodriguez informed everyone of the grant program that mandated the removal of several stop signs for air pollution control purposes, and voiced his desire to re-address TCAG to possibly adjust the requirements. A discussion ensued as to other traffic calming measures that could potentially be employed.

Mr. Longley noted the importance and sensitivity of the matter and advised of an analysis currently underway, and estimated the end of next week as the report’s likely completion date. Mr. Longley then spoke of the misconception that crosswalks provided a safer environment for pedestrians, instead stating that studies have found the exact opposite to be true. In response to a request by Council Member Stadtherr, Mr. Longley indicated that staff could research whether information pertaining to the study(ies) on crosswalk safety was available.

Council Member Irish inquired as to how long the stop signs in question had been in place, and what necessitated their installation. Mr. Longley acknowledged Mr. Irish’s request.

• Stella Merchalt-Jenkins, 730 N. Jaye Street, voiced concern with the removal of the stop signs at Villa and N. Grand Avenue, spoke of safety issues and speeding traffic, and requested that the signs be reinstalled. Ms. Merchalt-Jenkins then voiced displeasure with the incompleteness of Indiana Street.

• Ronald Jenkins, 730 N. Jaye Street, spoke against the removal of the stop signs, voiced concern with safety issues, questioned the reasoning for a 30 mph speed limit in the subject residential area; and spoke in favor of the reinstallation of the stop signs.

Mayor Martinez requested that the Police Department commence speed enforcement activities in that vicinity. Mr. Longley confirmed action would be taken.

• Anabell Gobel, 1996 North Main Street, spoke regarding Item No. 16, voicing displeasure that the Council had not taken action to widen Highway 65. Mayor Pro Tem Hamilton informed Ms. Gobel of the City’s efforts to date with the State to prioritize the project.

• Karen Smith, a Springville resident, spoke of efforts to date by her and her associates on the widening of Highway 65, commented that State officials had indicated the decision to be up to local county officials, and voiced concern that no action had been taken. Mayor Pro Tem Hamilton reiterated that funds needed for the project were controlled by the State and not the County.

• Gail Semple, 417 E. Putnam Avenue, spoke of efforts to date for the widening of Highway 65, voiced concern with the lack of action by the County to widen the highway to the Kern County line, and spoke against prioritizing the widening of Highway 190.
Mayor Martinez spoke of the importance to the Council of the Highway 65 project, pointed out that Item 16 was a resolution of support for the project, and requested that all of those in favor of widening Highway 65 raise their hands. (Approximately 95-100% of the audience members raised their hands in support.)

- Mimi Stoneburner, Porterville Chamber of Commerce, came forward and clarified that the Chamber’s support for prioritizing the widening of Highway 190 was in recognition of the eventual necessity to improve access to Porterville, along with Highway 65, and to at least begin what was to be a lengthy process.
- Robert Vanderhorst, 288 North D Street, came forward regarding Item 24, spoke of a recent meeting of the Downtown Porterville Associations and spoke in favor of modifying the fee structure of the Business Improvement District (“BID”) to a flat fee.
- Dick Eckhoff, Downtown Porterville Association, 180 N. Main Street, confirmed with the City Attorney that language had been modified as required by law in the draft resolution in Item 24, and spoke of progress at the recent BIA meeting. Mr. Eckhoff provided letters against the disestablishment of the BID from Renay Sprague of Sprague’s Outdoor Power Center; Gary Giraudi of Whitehurst Lloyd, who also voiced support for a flat fee; and Sandy Powell of Fashion Network. He then thanked all involved parties for the recent compromise and noted the approval at the recent meeting of a flat rate assessment of $150 per annum. Mr. Eckhoff requested that Item 24 be removed from the agenda and that no further action be taken, and that the Council initiate action to approve a flat assessment rate of $150 per year per business.
- Chris Lewis, Porterville Physical Therapy, 112 N. D Street, spoke of unfairness and dissension amongst members in the DPA and spoke in favor of either a flat fee or disestablishment.
- Aaron Taylor, owner of the soon-to-be Screaming Moose Restaurant, voiced support for a flat fee for the BID.
- Casey Bolling, 198 N. Main Street, voiced support for continuing the BID with a flat fee.

**CONSENT CALENDAR**

Items 1, 2, 4, 8, 11 and 14 were removed for further discussion.

3. **BUDGET ADJUSTMENT FOR THE 2005-2006 FISCAL YEAR**

   **Recommendation:** That the City Council approve the budget adjustments proposed in the staff report, and authorize staff to modify revenue and expenditure estimates accordingly.

   **Documentation:** M.O. 01-062006

   **Disposition:** Approved.

5. **AUTHORIZATION TO REJECT BID AND RE-ADVERTISE FOR BIDS - AIRPORT IMPROVEMENT PROJECT**

   **Recommendation:** That the City Council reject the sole bid for the airport improvement project and authorize staff to re-advertise for the base project and add-alternates.
6. AWARD CONTRACT - LONG BED PICKUP TRUCK

Recommendation: That the City Council:
1. Award the contract for one (1) new one-half ton long bed pickup truck to Three-Way Chevrolet of Bakersfield, California, in the amount of $16,355.38; and
2. Authorize payment upon satisfactory delivery of the equipment.

7. AUTHORIZATION TO NEGOTIATE A CONTRACT - CONSULTING SERVICES TO PREPARE CIEDB WATER LOAN APPLICATION

Recommendation: That the 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 and Economic Development Bank (“CIEDB”);
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.

9. MODIFICATIONS TO RESIDENTIAL DRIVEWAY STANDARDS

Recommendation: That the City Council:
1. Approve and adopt the proposed resolution changing City Standards Plans C-6 and C-11 to reflect the modifications to residential driveways; and
2. Direct the City Engineer to bring forth at the earliest time possible, the revised Residential Driveway Standards Plans for the Council’s approval.

10. PUBLIC EDUCATION WORKSHOPS - CURBSIDE RECYCLING PROGRAM

Recommendation: Informational Item Only.
Disposition: No action necessary.
12. APPROVAL FOR COMMUNITY CIVIC EVENT - CALVARY CHAPEL - CROWN OF LIFE - JULY, 8, 2006

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Calvary Chapel to hold their Crown of Life event at Murry Park Pavilion Nos. 4 and 5 on Saturday, July 8, 2006 from 12:00 p.m. to 7:00 p.m., subject to the restrictions and requirements contained in Exhibit A of the Application and Agreement.

Documentation: M.O. 05-062006
Disposition: Approved.

13. RESOLUTION AUTHORIZING CONTINUED INVESTMENT OF CITY MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTION OFFICERS

Recommendation: That the City Council adopt the proposed resolution reaffirming the investment of the City’s monies in the Local Agency Investment Fund (“LAIF”) and designating transaction officers.

Documentation: Resolution 77-2006
Disposition: Approved.

15. STATE DOMESTIC PREPAREDNESS GRANT

Recommendation: That the City Council:
1. Authorize staff to purchase the equipment and labor proposed in the staff report under the negotiated bid process;
2. Authorize the disbursement of funds from the Fire Department’s “Firefighting and Rescue Equipment Replacement Fund No. EL-2997” for the initial costs; and
3. Authorize the grant reimbursement funds to be deposited into account No. EL-2997.

Documentation: M.O. 06-062006
Disposition: Approved.

16. RESOLUTION OF SUPPORT FOR HIGHWAY 65, PORTERVILLE TO BAKERSFIELD

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

Documentation: Resolution 78-2006
Disposition: Approved.
17. LEGAL SERVICES AGREEMENT - CITY ATTORNEY

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.

Documentation: M.O. 07-062006
Disposition: Approved.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the City Council approve Item Nos. 3, 5 through 7, 9, 10, 12, 13, and 15 through 17. The motion carried unanimously.


Mayor Martinez noted his abstention as to the Minutes of May 16, 2006 only.


M.O. 08-062006

AYES: Irish, West, Hamilton, Stadtherr
NOES: None
ABSTAIN: Martinez (as to May 16, 2006 only)
ABSENT: None

Disposition: Approved.

14. CIVIL AIR PATROL - SUBLEASE FROM PAPA

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.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West 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.
M.O. 09-062006
2. CLAIM - KIMBERLY BRADLEY

Recommendation: That the City 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 Irish questioned how many similar claims the City received in a given year, to which staff estimated approximately a dozen. Mr. Longley indicated that staff had studied the matter and that a memorandum had been distributed. Council Member Irish stated that he had not received the memo. A discussion ensued as to how many claims had been paid, during which staff estimated approximately three had been paid.

Council Member Stadtherr inquired as to when the photographs attached to the claim were taken. It was stated that the photographs were taken after the repairs had been made.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the City 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. The motion carried unanimously.

Disposition: Approved.

4. BUDGET ADJUSTMENT FOR GOLF COURSE OPERATIONS

Recommendation: That the City Council authorize a budget increase for the Golf Course in the amount of $58,000 for Fiscal Year ending June 30, 2006.

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

Mayor Pro Tem Hamilton noted the achievements to date of Mr. Gilwitz at the Golf Course and informed everyone of his invitation to come and check out the improvements in two weeks.

Council Member Irish requested a breakdown of the nine percent administrative fee. City Manager John Longley confirmed that the information would be provided to the Council.
COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council authorize a budget increase for the Golf Course in the amount of $58,000 for Fiscal Year ending June 30, 2006.

M.O. 11-062006

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

Disposition: Approved.

8. ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENR COST INDEX

Recommendation: This report is for informational purposes, consistent with agreements and previous instructions. It is recommended that the City Council use the information to inform any citizens that may inquire about fee adjustments.

Council Member Irish requested clarification as to the reasoning behind the different Park Impact Fees for single family residences and mobile home residences. Staff indicated that the Impacts had been established by the Council some years ago, and staff believed the fees were based on density. A discussion ensued as to the justification of said fees, during which Council Member Irish voiced concern with the fee structure.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve the fees as proposed in the staff report.

M.O. 12-062006

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

Disposition: Council approved fees presented in the informational report.

11. ANNUAL ENGINEER’S REPORT AND ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICTS

Recommendation: That the City Council:

1. Adopt the proposed 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 Reports for the Landscape and Light Maintenance Districts for Fiscal Year 2006/2007; and
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. Set a public hearing for 7:00 p.m. on July 18, 2006 regarding the Engineer’s Report and proposed assessments for the Lighting and Landscape Maintenance Districts for Fiscal Year 2006/2007.

Council Member Irish inquired as to how much of a deficit the Landscape Maintenance Districts ran overall. Parks & Leisure Services Director Jim Perrine indicated that while some Districts carried a deficit, other did not, and that overall, a positive fund balance existed. He indicated that staff was looking into why some Districts continued to erode, while others generated a positive fund balance, and surmised that some of those Districts with deficits might not be capturing all expenses. Mr. Perrine indicated that he did not have a figure for total overall dollars in deficit.

Mayor Pro Tem Hamilton questioned whether the figures accounted for arrears in property taxes. A discussion ensued, during which Mr. Perrine indicated that there might be some arrears on some of the Districts, but that generally, over the course of years, it balanced out. Mr. Perrine then advised the Council of the policy for refunding overages. He stated that prior to refunding any monies, staff would conduct an analysis of expenses, with the assistance of Wildan & Associates, to ensure the expenses were captured correctly. Mayor Pro Tem Hamilton voiced support for proceeding with an independent auditor to avoid any misperceptions.

Council Member Irish suggested that Wildan & Associates also analyze the Districts funds and advise as to which they felt should be eliminated. He then commented that he hoped the Districts were not being held so as to collect the administration fees.

Council Member Stadtherr voiced concern with spending $40,000 to determine how to refund $40,000.

Mayor Pro Tem Hamilton agreed and spoke in favor of a third-party’s assessment to avoid any misperceptions about the process.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Stadtherr that the Council approve staff’s recommendation, with the direction that a third party be used as much as possible to assess the financial viability of the Districts, and that those Districts that are not deemed to be viable be discontinued. The motion carried unanimously.

Disposition: Approved.

Mayor Martinez requested that Item 20 be presented next.

PUBLIC HEARINGS
20. CONDITIONAL USE PERMIT 3-2006 (DOUG RYAN & DAVID MAKSUDIAN)

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit 3-2006.
City Manager John Longley presented the item, and Brad Dunlap, Community Development Director, presented the staff report.

Mayor Pro Tem Hamilton noted he had not realized his business was across the street from the subject property, and therefore would need to immediately recuse himself. He then left the Council Chambers.

The public hearing opened at 8:38 p.m.

- Donna Shamley, Roberts Engineering, came forward on behalf of the applicants and spoke in favor of the CUP.
- James Randolph, 32516 Success Valley Drive, identified himself as an owner of property adjacent to the subject property. He voiced concerns with sewer, run-off and parking, and requested to see the design plans.

The public hearing closed at 8:40 p.m.

In response to an inquiry from Council Member West, a discussion ensued as to the proposed materials for construction of the carports.

- Donna Shamley came forward and indicated that the carports would be partially enclosed and constructed of wood. She added that the design would complement the structure proposed for the site, and noted the location of the carports and individual storage units on the overhead map.

Council Member Irish voiced an interest in continuing the item until more information on the design was available. He then noted that the project’s park impact fee would likely be approximately $17,840.

The Council concurred with Member Irish’s suggestion to continue the item.

In response to a request by Mayor Martinez, staff addressed the concerns raised by Mr. Randolph with regard to sewer, water run-off and parking.

Mr. Longley clarified that the direction of the Council was to bring the item back with design information, and a more legible, larger map.

Disposition: Continued.

18. CONSIDERATION OF THE PROPOSED 2006/07 FY CITY BUDGET

Recommendation: That the City Council adopt the proposed 2006/2007 Fiscal Year Budget, as modified by the Council, subject to the ratification of a newly seated City Council at the July 5, 2006 meeting.
City Manager John Longley presented the item and the staff report which included a visual presentation. Mr. Longley then noted that Sub-Items 18a through 18d related to the Budget, and requested that staff be afforded the opportunity to present the staff reports for those items at that time.

Mayor Martinez indicated that he had requested Item 18b be brought forward and that rather than moving forward that evening, he would prefer the item be referred to the Parks & Leisure Services Commission for review and recommendations.

18b. TRANSPORTATION FOR YOUTH PROGRAM PARTICIPANTS

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 & 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; and
3. A minute order policy limiting the use of the vehicle to transportation for youth program participants.

Pursuant to the request of Mayor Martinez, this Item was not presented and instead referred to the Parks & Leisure Services Commission.

Disposition: Referred to Parks & Leisure Services Commission

Council Member Stadtherr indicated that he had requested that Item 18d be brought forward, but given the broad nature of programs that the City pursued, a single grant writer would not possess the expertise to cover all of the necessary areas. As such, he requested that Item 18d be removed from the Agenda.

18d. CONSIDERATION OF HIRING A FULL TIME GRANT WRITER

Recommendation: Discussion Item Only.

Pursuant to the request of Council Member Stadtherr, this item was removed from the Agenda.

Disposition: Removed from consideration.

18a. ANNUAL REVIEW OF CITY OF PORTERVILLE/CHAMBER OF COMMERCE AGREEMENT

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.
City Manager John Longley presented the item, and Administrative Services Manager John Lollis presented the staff report.

18c. AN OVERVIEW OF THE STREET MAINTENANCE PROGRAM


The Council waived the staff report on this item.

The public hearing opened at 9:06 p.m.

- Greg Shelton, address on record, requested financial information on the City’s farming operation, and noted the requirement pursuant to the Agricultural Management Agreement to provide said information within thirty days after the close of the Fiscal Year.
- Donnette Silva-Carter, Porterville Chamber of Commerce, noted the past and current Chamber Board Members in the audience, and requested the City’s continued support of the Chamber.

Mayor Pro Tem Hamilton inquired whether the Chamber would be interested in taking the responsibility of scheduling events at Centennial Park. Ms. Silva-Carter indicated that the Chamber would consider the request and that it was looking forward to discussing its partnership with the City.

- Dick Eckhoff, address on record, spoke regarding Item 18c, noting the need for reconstruction of the City’s parking lots, and requested the Council’s consideration with prioritizing same.
- Jennifer Lindgren, 1123 E. Jasmine Drive, commended the Council on honoring Teresa Jackson, spoke of the benefits that the Chamber of Commerce provides to the City, and requested an increase in the City’s budget allocation for the Chamber to $27,000, which she estimated would equate to an annual 2% increase to cover inflation over the last 15 years.

The public hearing closed at 9:14 p.m.

Mayor Pro Tem Hamilton clarified with staff the total allocation amount for all funds for equipment replacement.

In response to Mayor Pro Tem Hamilton’s follow-up as to the concerns raised by Mr. Shelton pertaining to the financial reporting for the farming operation, Mr. Longley indicated that once the Fiscal Year ended, figures could be provided. Mayor Pro Tem Hamilton agreed and suggested that the new contract should be amended to correct that requirement.

Council Member Irish spoke of the benefits that the Chamber provided to the City and spoke in favor of increasing funding with the addition of an annual CPI increase.
Council Member West questioned the structure of the partnership, indicating that he had thought the agreement would entail contracting with the Chamber only for specific events. He then suggested that the duties the Chamber currently performed fell under its job description.

Mayor Martinez clarified with staff that the City had allocated $8,000 for a part-time individual to primarily handle Centennial Park events scheduling, as well as to assist with other activities when needed. He spoke in favor of working with the Chamber instead to handle that activity, noting that he did not wish for the City and the Chamber to compete in scheduling events. A discussion ensued as to Chamber’s work, during which Mayor Martinez spoke of the dedication of the organization and spoke in favor of increasing its allocation.

Council Member Irish voiced support for increasing the Chamber’s allocation to $30,000, with the addition of services for scheduling events at Centennial Park.

Mayor Martinez agreed with Council Member Irish’s suggestion.

City Manager John Longley clarified that the current discussion was to increase compensation to the Chamber to $30,000 to cover cost of living increases and also to pick up scheduling of Centennial Park.

Council Member Irish moved that the Council approve an increase in allocation to the Chamber of Commerce to $30,000 to cover cost of living increases and for the added service of scheduling activities at Centennial Park.

Mayor Martinez seconded the motion.

A discussion ensued as to whether the Council’s direction regarding whether the Budget would be adopted that evening, and then brought back to the newly seated Council for ratification. Council Member Irish voiced concern with passing the Budget without the new Council’s input.

Council Member Stadtherr clarified with Ms. Silva-Carter that the financials provided by the Chamber were as of October 31, 2005, which was the Chamber Fiscal Year End, and that Chamber financial reports were only required to be audited every three years. He voiced concern with the report, yet did not elaborate.

**COUNCIL ACTION:** MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that City Council approve an increase in allocation to the Chamber of Commerce to $30,000 to cover cost of living increases and for the added service of scheduling activities at Centennial Park.

AYES: Irish, Hamilton, Stadtherr, Martinez
NOES: None
ABSTAIN: West
ABSENT: None
City Manager clarified that staff would prepare a new contract with the Chamber to incorporate the revise amount, including the additional service of scheduling activities at Centennial Park, and present the proposed contract to the Chamber.

Resolution 82-2006 MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the draft FY 2006/2007 Budget, as modified by Council, subject to the ratification of the Budget by the newly seated Council. The motion carried unanimously.

Disposition: Approved, as amended.

The Council recessed for ten minutes.

19. ORDINANCE TO REGULATE CONSTRUCTION, OPERATION AND MAINTENANCE OF WIRELESS COMMUNICATIONS TOWERS

Recommendation: That the City Council:
1. Approve the proposed ordinance and give first reading to the draft ordinance; and
2. Waive further reading 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 opened at 9:50 p.m.

• Greg Shelton, 888 N. Williford Drive, questioned the accuracy of the proposed maps, and voiced concern with limiting the uses for commercial properties.
• Jimmy Strom, a Fresno resident and subject telecommunications developer, spoke in favor of the proposed 150 foot restriction.

The public hearing closed at 9:57 p.m.

A discussion ensued as to the whether the proposed 150 foot buffer around residentially-zoned properties was sufficient, during which it was suggested to increase the buffer to 300 feet. The Council clarified with the City Attorney that such an amendment could be made that evening without delaying the Ordinance.

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Council Member Stadtherr that the Council approve the proposed ordinance, as amended to increase the buffer around residentially-zoned properties from 150 feet to 300 feet, give first reading, waive further reading, and order the ordinance to print, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ORDINANCE TO REGULATE CONSTRUCTION, OPERATION AND MAINTENANCE OF WIRELESS COMMUNICATIONS TOWERS. The motion carried unanimously.
The City Manager read the ordinance by title only.

Disposition: Approved.

21. WATER CONSERVATION PLAN

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.

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

The public hearing opened at 10:04 p.m. and closed at 10:05 p.m. when nobody came forward.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the City Council approve the City moving into Phase II on June 21, 2006; and direct staff to set a public hearing for August 15, 2006 to move into Phase III for the months of August and September, in the event severe water supply shortage is projected. The motion carried unanimously.

Disposition: Approved.

SECOND READINGS

22. ORDINANCE 1698, PROHIBITING COMMERCIAL VEHICLES ALONG WESTWOOD STREET

Recommendation: That the City Council give Second Reading to Ordinance No. 1698, waive further reading, and adopt said ordinance.

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the City Council give Second Reading to Ordinance No. 1698, waive further reading, and adopt said ordinance, 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. The motion carried unanimously.
The City Manager read the Ordinance by title only.

Disposition: Approved.

23. ORDINANCE 1699, AMENDING ZONING ORDINANCE SECTION 236, BUILDABLE AREA

Recommendation: That the City Council give Second Reading to Ordinance No. 1699, waive further reading, and adopt said ordinance.

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member Irish that the City Council give Second Reading to Ordinance No. 1699, waive further reading, and adopt said ordinance, 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. The motion carried unanimously.

The City Manager read the Ordinance by title only.

Disposition: Approved.

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

Recommendation: 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.

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

Mayor Pro Tem Hamilton voiced concern with the continued discontent amongst members of the Business Improvement Area, and noted the small number of members present at the meeting that evening.
Council Member Irish agreed with Mayor Pro Tem Hamilton’s comments.

Council Member West concurred.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council adopt the Resolution of the City Council of the City of Porterville Resolving the Intent to Disestablish the Business Resolution 84-2006 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. The motion carried unanimously.

Disposition: Approved.

25. AUTHORIZATION TO ADVERTISE FOR BIDS - RETAINING WALL AT 945 EAST MORTON AVENUE (LDS CHURCH)

Recommendation: That the City Council:
1. Approve the plans and specifications for a 32" high retaining wall; and
2. Authorize the Public Works Department to advertise for bids to construct a 35’ long, 32" high retaining wall at 945 E. Morton Avenue.

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

COUNCIL ACTION: MOVED by Council Member Irish, SECONDED by Mayor Pro Tem Hamilton that the City Council approve the plans and specifications for a 32" high retaining wall; and authorize the Public Works Department to advertise for bids to construct a 35’ long, 32" high retaining wall at 945 E. Morton Avenue.

Disposition: Approved.

26. TEMPORARY RESOLUTION SUPPORTING SEPTIC TANK INSTALLATION WITHIN CITY LIMITS

Recommendation: That the City Council approve and adopt the draft Resolution to Allow the Installation or Repair of Septic Tanks Within Annexation Areas Nos. 446, 455, 456, 457, 458 and 459.

City Manager John Longley presented the item and Public Works Director Baldo Rodriguez presented the staff report.
COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Hamilton that the City Council approve and adopt the draft Resolution to Allow the Installation or Repair of Septic Tanks Within Annexation Areas Nos. 446, 455, 456, 457, 458 and 459.

Disposition: Approved.

27. NOTICE OF SALE OF SURPLUS PROPERTY

Recommendation: Because funding has not been established and the property is not defined in any park or open space plan of the City, the City should not submit a bid for purchase.

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

Mayor Pro Tem Hamilton stated that he did not see a need for the City’s acquisition of either property, and moved that the Council direct staff to draft a letter to Porterville Unified School District thanking the District, but indicating that the City was not interested in purchasing the properties.

Council Member West seconded Mayor Pro Tem Hamilton’s motion.

Council Member Stadtherr spoke of Mayor’s Park in Visalia, and suggested that Porterville could also have a “green space” through town by utilizing the slough. He then voiced displeasure with staff providing a recommendation, when he had only requested the item be placed on the Agenda. Council Member Stadtherr then noted that a need for parks always existed, and suggested that it would not hurt to ask for the property to be gifted to the City.

In response to comments made by Council Member Stadtherr, City Attorney Julia Lew clarified that the properties could be donated to the City, however some general constraints existed. She stated that public entities could not be gifted public property for funds or resources for a public purpose that was not consistent with the entity’s powers. Ms. Lew then clarified that a response to the School District was not legally required, but rather would be sent as a courtesy.

Mayor Pro Tem Hamilton amended his motion to direct staff to also convey the City’s willingness to accept the property as a donation.

Council Member West seconded the amended motion.

COUNCIL ACTION: MOVED by Mayor Pro Tem Hamilton, SECONDED by Council Member West that the Council direct staff to send a letter to Porterville Unified School District conveying the City’s inability to purchase the properties, but willingness to be gifted same.

AYES: West, Hamilton, Stadtherr, Martinez
NOES: Irish
ABSTAIN: None
ABSENT: None
28. CONSIDERATION OF FOR WATER CONSERVATION REQUIREMENTS FOR NEW DEVELOPMENT

Recommendation: Discussion item only.

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

Council Member Stadtherr spoke of the need for water conservation and voiced support for appointing two City Council Members to meet with representatives from the building industry to discuss ways to increase conservation.

Council Member Irish commented that the only way to encourage cooperation from the BIA was to offer some type of incentives.

Mayor Martinez requested that the item be brought back when the new Council was seated. The Council concurred.

Disposition: Continued for consideration by the newly-seated Council.

29. POTENTIAL BALLOT MEASURES

Recommendation: Discussion item only.

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

Council Member Stadtherr suggested that the Council consider placing an Advisory Measure on the November ballot as to whether the City should pursue photographic enforcement of speed zones and traffic signals. He spoke of the need to get the public’s opinion.

Council Member West voiced support for continuing the item for consideration by the new Council.

Mayor Pro Tem Hamilton spoke in favor of hearing the opinions of the citizens, but voiced concern with the “big brother” concept.

Council Member Irish noted the large expense in placing a measure on the ballot, and suggested the money could instead fund another motorcycle officer.

Mayor Martinez requested that the matter be brought back for consideration by the newly seated Council. The Council concurred, and due to the time constraints with placing a measure on the ballot, decided to bring the item back at the meeting of July 5, 2006.

Mayor Pro Tem requested that an estimated cost for placing an advisory measure on the ballot be included in the staff report. City Manager John Longley confirmed the Mayor’s request.
Agency Member Irish, Agency Member West, Vice-Chairman Hamilton, Agency Member Stadtherr, Chairman Martinez

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS
None

SCHEDULED MATTERS
PRA-1. RESOLUTION AUTHORIZING CONTINUED INVESTMENT OF CITY MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF) AND DESIGNATING TRANSACTION OFFICERS

Recommendation: That the Porterville Redevelopment Agency adopt the draft resolution reaffirming the investment of the City’s pooled monies in the Local Agency Investment Fund (“LAIF”) and designating transaction officers.

City Manager/Agency Secretary John Longley presented the item, and Administrative Services Manager John Lollis presented the staff report.

Vice-Chairman Hamilton inquired as to the returns on the fund, which staff estimated was approximately six percent. Staff indicated a memorandum would be provided to the Agency.

AGENCY ACTION: MOVED by Vice-Chairman Hamilton, SECONDED by Agency Member Irish that the Porterville Redevelopment Agency adopt the draft resolution affirming the investment of the City’s pooled monies in the Local Agency Investment Fund (“LAIF”) and designating transaction officers. The motion carried unanimously.

Disposition: Approved.

PRA-2. REDEVELOPMENT AGENCY 2006-2007 BUDGET

Recommendation: That the Porterville Redevelopment Agency:
1. Adopt the proposed Fiscal Year 2006/2007 Redevelopment Agency Budget;
2. Authorize staff to begin negotiations with the County of Tulare for the extension of the loan agreement for entering into a project of mutual benefit;
3. Authorize staff to postpone pursuing Parking District No. 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.

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 Porterville Redevelopment Agency adopt the proposed Fiscal Year 2006/2007 Redevelopment Agency Budget, to be ratified by the new Resolution PRA 2006-04 Council, authorize staff to begin negotiations with the County of Tulare for the extension of the loan agreement for entering into a project of mutual benefit; authorize staff to postpone pursuing Parking District No. 3 until such time as funding becomes available for a new parking project; and authorize staff to continue developing guidelines for the administration of Business Improvement Area funds by the Redevelopment Advisory Committee. The motion carried unanimously.

Disposition: Approved.

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

ORAL COMMUNICATIONS
• Dick Eckhoff, Downtown Porterville Association, inquired as to the future plans for downtown parking, ie. repairs, reconstruction, and new parking facilities. City Manager John Longley informed Mr. Eckhoff that no specific program was included in the FY 2006/2007 Budget.

OTHER MATTERS
• Council Member Stadtherr requested that staff provide him via e-mail with the graph included in Item 21.
• Mayor Martinez congratulated the City Attorney on the successful renewal of the Legal Services Agreement.

ADJOURNMENT
The Council adjourned at 10:50 p.m. to the meeting of June 27, 2006.

Patrice Hildreth, Deputy City Clerk

ATTEST:

Pedro R. Martinez, Mayor
Call to Order at 7:00 p.m.
Roll Call: Council Member Irish, Council Member West, Mayor Pro Tem Hamilton, Council Member Stadtherr, Mayor Martinez

Pledge of Allegiance - Led by Neil Smith
Invocation - a moment of silence was observed.

ORAL COMMUNICATIONS
None

COUNCIL REORGANIZATION
1. ACCEPTANCE OF CANVASS OF VOTES - ELECTION OF JUNE 6, 2006

Recommendation: That the City Council accept the Canvass of Votes submitted by the Tulare County Registrar of Voters for the Election of June 6, 2006.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Pro Tem Hamilton that the City Council accept the Canvass of Votes submitted by the Tulare County Registrar of Voters for the Election of June 6, 2006.

Disposition: Approved.

Mayor Martinez indicated that he would proceed with Item No. 3 next.

3. PRESENTATION OF SERVICE AWARD TO RETIRING COUNCIL MEMBERS BY THE MAYOR

Mayor Martinez presented plaques to retiring Council Members Irish and West, and thanked them for their service and commitment to the community.

Mayor Pro Tem Hamilton agreed with the Mayor’s comments and spoke of Council Member Irish and Council Member West’s contributions.

2. COMMENTS BY MAYOR AND MEMBERS OF THE CITY COUNCIL

Council Member West thanked the citizens of Porterville and City staff, particularly City Manager John Longley, for his professionalism and assistance.

Council Member Irish thanked the public for allowing him to serve the community; his wife, Terri; Dick and Linda Searcy; and staff, particularly noting Community Development Director Brad Dunlap, Public Works Director Baldo Rodriguez, the Police Chief and Fire Chief Frank Guyton. Council Member Irish then thanked City Manager John Longley for his support over the past three years, and spoke of the importance of honesty and integrity. He talked of the diversity of the
Porterville Community and of the high hopes he held for its future. He then noted his pride in his Irish heritage and invited his family and new friend, Mr. Sam Coulter, to come forward to escort him from the dias. He wished the new Council luck and exited the Council Chambers to the sound of Mr. Coulter’s bagpipes.

Mayor Martinez complimented Council Member Irish’s exit, which he stated spoke to the true diversity of the Porterville Community.

4. ADMINISTRATION OF OATH TO NEW COUNCIL MEMBERS AND PRESENTATION OF CERTIFICATE OF ELECTION BY JUDGE GLADE ROPER

Mayor Martinez requested that Council Members-Elect Pete V. McCracken and Felipe A. Martinez come forward to be sworn in.

Tulare County Superior Court Judge Glade Roper came forward and spoke of the importance of honesty and integrity in serving one’s community, and commented that he believed that both Mr. McCracken and Mr. Martinez possessed those attributes. Judge Roper then administered the Oath of Office to the new Council Members, and presented them with their Certificates of Election. Council Members McCracken and Martinez then took their seats on the dias.

5. ELECTION OF MAYOR

Recommendation: That the Council appoint a Council Member to hold the position of Mayor.

Council Member Stadtherr nominated Council Member Cameron J. Hamilton as Mayor.

The remaining Council Members passed on submitting further nominations.

COUNCIL ACTION: NOMINATED by Council Member Stadtherr that the Council appoint Council Member Cameron J. Hamilton as Mayor. The nomination carried unanimously.

Disposition: Council Member Cameron J. Hamilton appointed as Mayor.

Former Mayor Martinez ceremoniously transferred the gavel to Mayor Hamilton, who proceeded to assume his Mayoral duties.

6. ELECTION OF MAYOR PRO TEM

Recommendation: That the Council appoint a Council Member to hold the position of Mayor Pro Tem.

Council Member Stadtherr nominated Council Member Felipe A. Martinez as Mayor Pro Tem.

The remaining Council Members passed on submitting further nominations.
COUNCIL ACTION: NOMINATED by Council Member Stadtherr that the Council appoint Council Member Felipe A. Martinez as Mayor Pro Tem. The nomination carried unanimously.

Disposition: Council Member Felipe A. Martinez appointed as Mayor Pro Tem.

7. COMMENTS BY THE MAYOR, MAYOR PRO TEM, AND MEMBERS OF THE CITY COUNCIL

Mayor Hamilton passed on offering further comments, except to thank the Council for appointing him as Mayor. He then invited comments from the newly elected Council Members.

Council Member McCracken thanked his supporters and spoke of his desire to fulfill his duties and move the City forward.

Council Member Felipe A. Martinez thanked his family for their hard work on the election, and spoke of his interest in representing the entire community. He then pledged to always place the City first in his decisions, the City employees second, and himself third.

Mayor Hamilton acknowledged his father in the audience.

Mayor Hamilton then presented former Mayor Pedro Martinez with a plaque and thanked him for his service as Mayor.

SCHEDULED MATTER
8. CONSIDERATION OF ECONOMIC DEVELOPMENT TRAVEL

Recommendation: That the City Council approve the visit of Mayor Hamilton and City Manager Longley to Bentonville, Arkansas to discuss the distribution center, and approve the procedure for economic development travel as outlined in the staff report.

Mayor Hamilton spoke generally of the item and voiced support for its approval.

Council Member Martinez spoke of the need to be proactive and take advantage of any opportunity to support economic growth.

Council Member Stadtherr agreed and voiced support for approval.

City Manager John Longley presented the staff report to offer further information to the Council for its consideration.

City Attorney supplemented the staff report as it pertained to the requirements of AB 1234.
Council Member McCracken noted that the key to Porterville was economic development, and thus the proposed item would be beneficial. A discussion ensued as to the proposed procedure for economic development travel moving forward, and of the often times confidential nature of said travel.

**COUNCIL ACTION:** MOVED by Council Member Pedro Martinez, SECONDED by Mayor Pro Tem Felipe A. Martinez that the Council approve the visit of Mayor Hamilton and City Manager Longley to Bentonville, Arkansas to discuss the distribution center, and approve the procedure for economic development travel as outlined in the staff report. The motion carried unanimously.

Disposition: Approved.

Neil Smith of Porterville Rotary came forward and spoke of the Rotary’s pledge to assist with Skateboard Park, and presented the Council with a check for $15,000 for same.

Pete McCracken spoke of the July 4th holiday and the matter of illegal fireworks. He requested that action be taken by staff to combat the problem.

**ORAL COMMUNICATIONS**
- Dorothy Broome, 863 So. Crystal Street, voiced agreement with Council Member Irish’s comments regarding the importance of honesty and integrity.
- Ellen Powers, 720 E. Worth, Space 164, congratulated the Mayor, wished the new Council good luck, and thanked them for their service.

**ADJOURNMENT**
The Council adjourned at 7:33 p.m. to the meeting of July 5, 2006.

__________________________________________
Patrice Hildreth, Deputy City Clerk

ATTEST:

__________________________________________
Cameron J. Hamilton, Mayor
SUBJECT: Addition of Police Radio Frequency

SOURCE: Police Department

COMMENT: Since our community continues to grow and now exceeds a population of 50,000, demands for police services have expanded and put a strain on department resources. Over the past twenty years, the department has had two radio frequencies designated for police communications. Channel 1 is the primary channel designated for daily and regular police communications, including emergency and non-emergency dispatching. Our channel 2 is often used to convey non-urgent information between dispatchers and line personnel. Additionally, this channel is used by Special Units of the department during special enforcement operations or during large special events occurring in the community. On a more regular basis, this channel is also being used to communicate with the animal control officer.

In light of the demands placed on both of our channels, the most practical solution is for the department to add a third channel for police communications. The department has submitted an application to the Federal Communications Commission to add this radio frequency as a “Tactical Channel” and have digital voice protection (scrambling) features included. This would provide for secure communications by our tactical unit or police officers/investigators involved in highly sensitive or perilous investigations or calls involving hostile suspects. Clearly this would improve officer safety during such incidents and increase the likelihood of achieving the desired outcomes on these matters.

MD Communications of Fresno is our service provider for most of our communications needs. The total cost for adding this channel and requisite equipment is $9,116.46. These funds are available in the equipment replacement account or the department’s carry-over account.

RECOMMENDATION: That council authorize the purchasing agent to proceed with the acquisition of another police radio channel and pertinent equipment through MD Communications at a cost of $9,116.46.
SUBJECT: NEGOTIATED PURCHASE – TELEMETRY SYSTEM UPGRADE

SOURCE: Public Works Department - Field Services Division

COMMENT: The Telemetry System monitors the City of Porterville water wells, sewer lift stations, water storage tanks and other aspects of the City's water and sewer systems. All data comes into a centralized computer system that is located in the Field Services office. This system is a critical component of the City's Water and Sewer operations that, in addition to the aspects listed above, sends alarm notifications when operation problems arise as well as various other functions.

The computer system currently housed in the Water Systems Specialist's office is over ten years old and in need of replacement. The system has been experiencing intermittent problems. The operating system is Windows NT format and replacement of this system will require the purchase of all new software related to the telemetry system monitoring in addition to the new hardware components. US Filter is the City's current provider for these functions. US Filter staff will install the system and work with City Field Services staff to ensure minimum disruption to operations. The quote of $36,349.00 includes all travel expenses for US Filter staff.

There are funds available in the Water Equipment Replacement Fund for this purchase.

RECOMMENDATION: That the City Council:

1. Authorize the purchase of the equipment outlined in the attached quotation; and

2. Authorize a budget adjustment to the Equipment Replacement expenditures for FY 06/07 in the amount of $36,349.00.

ATTACHMENT: Quotation for Equipment

P:\pub\work\Engineering\Council Items\Negotiated Purchase - Telemetry System Upgrade 7-18-06.doc

Dir  [Signature] Appropriated/Funded  [Signature]  CM  [Signature]  Item No. 3
To: City of Porterville, California  
555 N. Prospect  
Porterville, CA 93258  

Quotation Date: February 03, 2006  

Bid Date / Time: N/A  

Estimated by: Jeff Erlanson  

Phone Number: 651.766.2700 Ext 3058  

Salesperson: Troy Hertog  

Customer Reference:  

Project: Porterville Computer Upgrade  

Quotation Number: 050113MTH2THREV A  

We are pleased to provide a quotation for upgrading the computer and HMI software on the USFilter Control Systems' SCADA system at Porterville, California. The new computer will come with Windows XP Professional operating system and require that the current software be upgraded or replaced. Tele-Dac 911/411 Alarm dialer software is a program that is no longer compatible with Windows XP and does not have a software upgrade available so it will need to be replaced with recommended ScadAlarm dialer software. The new ScadAlarm software will be required to be configured new with new voice files added. The Microcat Reporter software has been installed and running on some Windows XP systems but is not supported. If the reports fail to run on the new computer than the reports will need to be replaced with compatible Crystal Reports. Microsoft Excel (which the Microcat reporter package uses) will be replaced with a Windows XP compatible version. With the current cost of the upgrade, I have not priced the report upgrade until it is needed for sure. PCAnywhere will also need to be replaced with a Windows XP compatible version. The Wonder Ware Software version currently running on the existing computer is upgradeable, and will be upgraded to Version 9.5 to be compatible with the new computers Windows XP Professional operating system. In addition to upgrading the software, the application will have updated alarm/event history, summary and trending screens and be updated to 1024 x 768 screen resolution. Our quotation is as listed, less any clarifications and exclusions listed below.

Our itemized scope of supply is listed below. USFilter Control Systems will not provide any items that are not specifically listed.

<table>
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<th>Item</th>
<th>Qty</th>
<th>Description</th>
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| A.   | 1   | Main Computer System.  
To include:  
Mini-Tower Computer with:  
2.8 GHz Pentium 4 Processor 540J  
512MB SDRAM  
1.44MB Floppy Disk Drive  
40GB Hard Disk Drive  
48X32 CDRW/DVD Drive  
Integrated GMA 900 Video  
Integrated Sound  
Dell v.92 PCI DATA FAX Modem  
SCADALARM MODEM  
17 in. Flat Panel Monitor  
Keyboard  
Mouse  
Speakers  
MS Windows XP Professional |
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<th>Item</th>
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<th>Description</th>
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<td>B.</td>
<td>1</td>
<td>Wonderware V9.5 Upgrade</td>
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<tr>
<td>C.</td>
<td>1</td>
<td>SCADAAlarm Software Alarm Dialer</td>
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<tr>
<td>D.</td>
<td>1</td>
<td>PC Anywhere Remote Access Software</td>
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<tr>
<td>E.</td>
<td>1</td>
<td>MS Excel 2003</td>
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<tr>
<td>F.</td>
<td>1</td>
<td>Upgrade of Existing Graphics to 1024 x 768 Format</td>
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<tr>
<td>G.</td>
<td>1</td>
<td>HMI Alarm Re-tagging</td>
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<tr>
<td>H.</td>
<td>1</td>
<td>Loading of City's Existing Microcat Reporter</td>
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<tr>
<td>I.</td>
<td>1</td>
<td>Startup Services</td>
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Total sell price for items A through I is $36,349.00 net.
Clarifications:

- We are assuming that the existing system is operating. The startup services included with this quotation do not cover labor for maintaining or repairing other parts of the system. Any additional services required shall be charged to the Purchaser at the current demand service rate. We require notification at least (10) working days prior to the date start-up service is required.
- Microcat Reporter was designed to run on Microsoft's NT OS in conjunction with Microsoft Excel. The software and existing reports will run on Microsoft XP Pro OS and a later version of Microsoft Excel, but no changes can be made to the reports. Use of Microsoft Excel on the computer must also be limited to a single copy and used exclusively with Microcat Reporter.
- Existing printers, RS232/485 Convertors, MicroNet Hardkey and Cabling to be reused.

Exclusions:

Unless specifically referenced above, USFilter Control Systems excludes:

- All taxes, fees, permits, lien waivers, bonds and licenses.
- Jobsite progress or preconstruction meeting attendance.
- The supply of interconnecting materials external to enclosures, i.e. wiring, cable, conduit, pressure taps, tubing, telemetry or phone lines, or special cables.
- Any demolition, removal, transfer or disposal.
- Communication cable / telephone line coordination or connection.

Proposed Delivery Schedule:

Delivery 8 to 10 weeks after approval.

USFilter Control Systems' commitment to deliver in accordance within the contract schedules is contingent upon a prompt receipt of order and prompt submittal review/approval process.

Delivery and Storage:

Freight allowed to job site, net f.o.b. Shipping Point. Off-loading and storage at site is the responsibility of others.

Terms:

Quotation is valid for 90 days. Based on USFilter Control Systems General Terms and Conditions of sale, copy attached. An invoice for the total purchase price will be issued upon shipment. Invoice payment terms net 30 days (based upon credit approval).

Thank you for this opportunity to be of service.
Applicable Terms. These terms govern the purchase and sale of the equipment and related services, if any (collectively, "Equipment"), referred to in Seller's purchase order, quotation, proposal or acknowledgement, as the case may be ("Seller's Documentation"). Whether these terms are included in an offer or an acceptance by Seller, such offer or acceptance is conditioned on Buyer's assent to these terms. Seller rejects all additional or different terms in any of Buyer's forms or documents.

Payment. Buyer shall pay Seller the full purchase price as set forth in Seller's Documentation. Unless Seller's Documentation provides otherwise, freight, storage, insurance and all taxes, duties or other governmental charges relating to the Equipment shall be paid by Buyer. If Seller is required to pay any such charges, Buyer shall immediately reimburse Seller. All payments are due within 30 days after receipt of invoice. Buyer shall be charged the lower of 1 1/2% interest per month or the maximum legal rate on all amounts not received by the due date and shall pay all of Seller's reasonable costs (including attorneys' fees) of collecting amounts due but unpaid. All orders are subject to credit approval.

Delivery. Delivery of the Equipment shall be in material compliance with the schedule in Seller's Documentation. Unless Seller's Documentation provides otherwise, delivery terms are F.O.B. Seller's facility.

Ownership of Materials. All devices, designs (including drawings, plans and specifications), estimates, prices, notes, electronic data and other documents or information prepared or disclosed by Seller, and all related intellectual property rights, shall remain Seller's property. Seller grants Buyer a non-exclusive, non-transferable license to use any such material solely for Buyer's use of the Equipment. Buyer shall not disclose any such material to third parties without Seller's prior written consent.

Changes. Seller shall not implement any changes in the scope of work described in Seller's Documentation unless Buyer and Seller agree in writing to the details of the change and any resulting price, schedule or other contractual modifications. This includes any changes necessitated by a change in applicable law occurring after the effective date of any contract including these terms.

Warranty. Subject to the following sentence, Seller warrants to Buyer that the Equipment shall materially conform to the description in Seller's Documentation and shall be free from defects in material and workmanship. The foregoing warranty shall not apply to any Equipment that is specified or otherwise demanded by Buyer and is not manufactured or selected by Seller, as to which (i) Seller hereby assigns to Buyer, to the extent assignable, any warranties made to Seller and (ii) Seller shall have no other liability to Buyer under warranty, tort or any other legal theory. If Buyer gives Seller prompt written notice of breach of this warranty within 18 months from delivery or 1 year from acceptance, whichever occurs first (the "Warranty Period"), Seller shall, at its sole option and as Buyer's sole remedy, repair or replace the subject parts or refund the purchase price therefor. If Seller determines that any claimed breach is not, in fact, covered by this warranty, Buyer shall pay Seller its then customary charges for any repair or replacement made by Seller. Seller's warranty is conditioned on Buyer's (a) operating and maintaining the Equipment in accordance with Seller's instructions, (b) not making any unauthorized repairs or alterations, and (c) not being in default of any payment obligation to Seller. Seller's warranty does not cover damage caused by chemical action or abrasive material, misuse or improper installation (unless installed by Seller). THE WARRANTIES SET FORTH IN THIS SECTION ARE SELLER'S SOLE AND EXCLUSIVE WARRANTIES AND ARE SUBJECT TO SECTION 10 BELOW. SELLER MAKES NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE.

Indemnity. Seller shall indemnify, defend and hold Buyer harmless from any claim, cause of action or liability incurred by Buyer as a result of third party claims for personal injury, death or damage to tangible property, to the extent caused by Seller's negligence. Seller shall have the sole authority to direct the defense of and settle any indemnified claim. Seller's indemnification is conditioned on Buyer (a) promptly, within the Warranty Period, notifying Seller of any claim, and (b) providing reasonable cooperation in the defense of any claim.

Force Majeure. Neither Seller nor Buyer shall have any liability for any breach (except for breach of payment obligations) caused by extreme weather or other act of God, strike or other labor shortage or disturbance, fire, accident, war or civil disturbance, delay of carriers, failure of normal sources of supply, act of government, or any other cause beyond such party's reasonable control.

Cancellation. If Buyer cancels or suspends its order for any reason other than Seller's breach, Buyer shall promptly pay Seller for work performed prior to cancellation or suspension and any other direct costs incurred by Seller as a result of such cancellation or suspension.

Limitation of Liability. Notwithstanding anything else to the contrary, Seller shall not be liable for any consequential, incidental, special, punitive or other indirect damages, and Seller's total liability arising at any time from the sale or use of the Equipment shall not exceed the purchase price paid for the Equipment. These limitations apply whether the liability is based on contract, tort, strict liability or any other theory.

Miscellaneous. If these terms are issued in connection with a government contract, they shall be deemed to include those federal acquisition regulations that are required by law to be included. These terms, together with any quotation, purchase order or acknowledgement issued or signed by the Seller, comprise the complete and exclusive statement of the agreement between the parties (the "Agreement") and supersede any terms contained in Buyer's documents, unless separately signed by Seller. No part of the Agreement may be changed or cancelled except by a written document signed by Seller and Buyer. No course of dealing or performance, usage of trade or failure to enforce any term shall be used to modify the Agreement. If any of these terms is unenforceable, such term shall be limited only to the extent necessary to make it enforceable, and all other terms shall remain in full force and effect. Buyer may not assign or permit any other transfer of the Agreement without Seller's prior written consent. The Agreement shall be governed by the laws of the State of Delaware without regard to its conflict of laws provisions.
SUBJECT: HGAC COOPERATIVE PURCHASING AGREEMENT

SOURCE: Administration

COMMENT: At the Council meeting of March 21, 2006, Council approved the City’s Solid Waste Division as the entity to provide and implement a Curbside Recycling Program. Staff was also authorized to purchase the needed containers through a membership in a cooperative purchasing program. Staff has received the “INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING” agreement for the Mayor’s signature.

The City Attorney has reviewed the agreement and it is consistent with City procedures.

RECOMMENDATION: That the City Council:

1. Authorize the Mayor to sign the agreement.

ATTACHMENTS: 1- Interlocal Contract for Cooperative Purchasing agreement.
THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the “Act”), by and between the Houston-Galveston Area Council, hereinafter referred to as “H-GAC,” having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and *__________________________________________, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as “End User,” having its principal place of business at * __________________________________________

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on * ___________________________ (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY
The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state, or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS
H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT
This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD
The period of this Contract shall be for the balance of the fiscal year of the End User, which began * ___________________________ and ends * ___________________________. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES
The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with (1) Texas statutes and procedures governing competitive bids and competitive proposals, (2) in accordance with specifications and contract terms established by H-GAC, and (3) at published prices and administrative fees listed on H-GAC’s web site. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.
ARTICLE 6: PAYMENTS
H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC’s contractor the full amount of the invoice plus the assessed H-GAC administrative fee. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS
This Contract may be amended only by a written amendment executed by both parties, except that any alternations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES
H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC’s contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY
All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE
To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party’s control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE
Venue and jurisdiction of any suit or cause of action arising under, or in connection with, this Contract shall lie exclusively in Harris County, Texas. Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

* Name of End User (local government, agency, or non-profit corporation)

* Mailing Address

* City State ZIP Code

*By: Signature of chief elected or appointed official

* Typed Name & Title of Signatory Date

Houston-Galveston Area Council
3555 Timmons Lane, Suite 120, Houston, TX 77027

By:_________________________________________________________ Executive Director

Date:_________________________________________________________

Attest:______________________________________________________ Manager

Date:________________________________________________________

*Denotes required fields

NOTE. Facsimile copies of this document shall not be acceptable as ORIGINALS

Interstate v1 rev 10/05
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<tr>
<td>To expedite service, please complete the following blanks relevant to your agency’s administrative/elective personnel and return the completed form to H-GAC, Cooperative Purchasing Program, P.O. Box 22777, Houston, TX 77227-2777.</td>
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SUBJECT:  AUTHORIZATION TO ADVERTISE FOR BIDS – CLASS II (BIKE LANE) AND CLASS III (BIKE ROUTE) BIKEWAY PROJECT

AUTORIZATION FOR PUBLIC WORKS DIRECTOR TO EXECUTE TIME EXTENSION – REMOVE II PROGRAM, CLASS II AND CLASS III BIKEWAY PROJECT.

SOURCE:  Public Works Department - Engineering Division

COMMENT:

The Plans and Project Manual have been prepared for the Class II and Class III Bikeway Project. The project is funded by two grants. The City received $45,595 from the State Bicycle Transportation Account (BTA) and $50,000 from the San Joaquin Valley Air Pollution Control District (SJVAPCD), Remove II Grant. The Class II and Class III Bikeways route designation and corresponding funding sources are as follows:

BTA GRANT BICYCLE ROUTE DESIGNATIONS:

- Bellevue Avenue from Palm St. to E St. - Class II w/Parking
- Grand Ave. from Palm St. to "E" St. – Class II w/ Parking
- Palm St. from Morton Ave. to Grand Ave. – Class II w/ Parking
- E St. from Grand Ave. to Bellevue Ave. - Class II w/ Parking
- E St. from Bellevue Ave. to Morton Ave. – Class III
- E St. from Morton Ave. to Cleveland Ave. - Class II w/ Parking
- E St. from Cleveland Ave. to Orange Ave. - Class II w/ Parking
- Orange Ave. from E St. to Hockett St. - Class III
- Hockett St. from Walnut Ave. to Locust Ave. - Class II w/ Parking
- Locust Ave. from Hockett St. to Orange Ave. - Class II w/ Parking
- Walnut Ave. from Hockett St. to C St. – Class III
- Walnut Ave. from C St. to A St. - Class II w/Parking
- Wallace St. from Locust Ave. to Orange Ave. (Heritage Ccenter) – Class III
- Olive Avenue from Railroad to Fairgrounds - Class II w/No Parking
- Olive Avenue from Fairgrounds to Plano St. – Class III
- Plano St. from Olive Ave. Putnam Ave. – Class III
- Putnam Ave. from Railroad to Murry Park – Class III
- Garden Ave. from Railroad to Plano St. – Class III
REMOVE II GRANT BICYCLE ROUTE DESIGNATIONS:

- Morton Ave. from Westwood St. to Delta St. – Class II w/Northside Parking only
- Morton Ave. from Delta St. to Newcomb St. – Class II w/No Parking
- Morton Ave. from Newcomb St. to Lotus St. – Class III
- Morton Ave. from Lotus St. to Lowery St. – Class II w/Northside Parking only
- Morton Ave. from Lowery St. to Prospect St. – Class II w/No Parking
- Morton Ave. from Prospect St. to Villa St. – Class III
- Morton Ave. from Villa St. to Kessing St. – Class II w/No Parking
- Morton Ave. from Kessing St. to G St. – Class II w/Southside Parking only
- Morton Ave. from G St. to E St. (BTA Route Connection) – Class II w/No Parking
- Main St. from Locust Ave. (BTA Route Connection) to Main St. Bridge – Class III
- Main St. from Main St. Bridge to College Ave. – Class II and Class III w/Parking and without Parking

The Plans and Project Manual are available for review in the Public Works Department – Engineering Division.

The Engineer’s Estimate for construction is $82,633.00 with an additional $8,263.30 required for the construction contingency (10%) for a total estimated construction cost of $90,896.30. Unfortunately, the Engineering budget will be forced to absorb design and project management efforts.

Funding for the BTA project has been approved as part of the 2006/2007 fiscal year budget. Regrettably, the $50,000, 100% grant was not included or approved in the 2006/2007 budget. A budget adjustment is needed to include these funds in the 2006/2007 budget. $4,145 of the Remove II Grant is set aside for the funding match requirement for the BTA Grant, therefore a total of $91,450 is available for construction.

Workload and staffing concerns compelled Public Works to seek a six month extension to complete the work described within the San Joaquin Valley Air Pollution Control District (SJVAPCD), Remove II Grant. The SJVAPCD found merit in the City’s request for the six month extension and asked that the Public Works Director sign and transmit Agreement No. R-024 to the SJVAPCD. The aforementioned document grants the City an extension to May 14, 2007 to complete all signing, striping and posting appropriate for a Class II bicycle lane facility.

RECOMMENDATION: That City Council:

1. Direct Staff to prepare a budget adjustment in the amount
of $50,000 and approve said amount in the 2006/2007 FY budget;

2. Approve the Plans and Project Manual for the Class II and Class III Bikeway Project,

3. Authorize staff to advertise for bids;

4. 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

5. Direct staff to prepare the final construction plans and present to Council for review and approval.

ATTACHMENT: Engineer’s Estimate
Time Extension, Amendment No. 1 to Agreement No. R-024
Locator Map

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**Total:** $2,920.00
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>41</td>
<td></td>
<td>No Parking Sign (R7-6) mounted on existing Luminaire or Galv Post</td>
<td>$90.00</td>
</tr>
<tr>
<td>15</td>
<td>4,148</td>
<td>L.F.</td>
<td>Red Curb Painting</td>
<td>$0.20</td>
</tr>
<tr>
<td>16</td>
<td>1,530</td>
<td>L.F.</td>
<td>Removal of Pavement Lines by Grinding</td>
<td>$1.00</td>
</tr>
<tr>
<td>17</td>
<td>1,026</td>
<td>L.F.</td>
<td>Detail 8-Painted (2-Coats) Lane Line</td>
<td>$0.20</td>
</tr>
<tr>
<td>18</td>
<td>604</td>
<td>L.F.</td>
<td>Detail 21-Painted (2-Coats) No Passing Centerline</td>
<td>$0.30</td>
</tr>
</tbody>
</table>

**Total:** $82,633.00

10% Estimating Contingency: $3,263.30

**Total:** $90,896.30

Estimate Certified

Project Manager:  
Date:  

Public Works Director:  
Date:  

City Engineer:  
Date:  

City Manager:  
Date:  

AMENDMENT NO. 1 TO AGREEMENT NO. R-024

BETWEEN

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

AND

CITY OF PORTERVILLE

This Amendment is made and entered into this ___ day of
__________, 2006, by and between the SAN JOAQUIN VALLEY UNIFIED AIR
POLLUTION CONTROL DISTRICT, a unified air pollution control district formed
pursuant to California Health and Safety Code section 40150 et seq. (District), and
CITY OF PORTERVILLE (Contractor).

WHEREAS, on November 14, 2005, the parties entered into Agreement
No. R-024 for all activities and work necessary to stripe a Class II Bicycle Lane along
the Morton Ave. corridor to begin at Westwood St. and proceed East to the Main St.
corridor then to proceed South to College Ave. and terminate at the Porterville Junior
College.

WHEREAS, the parties wish to amend said Agreement.

NOW, THEREFORE, in consideration of their mutual promises, the
parties agree to amend said Agreement as follows:

1. The term of the Agreement shall be extended six (6) months
to May 14, 2007. No additional contract extensions shall be granted for this project.

2. All remaining terms, provisions, covenants, conditions, and
promises contained in said Agreement No. R-024 shall remain in full force and effect.

///

///
IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the day and year first hereinafore written.

CONTRACTOR
City of Porterville

DISTRICT
San Joaquin Valley Unified Air Pollution Control District

By ___________________________
Mike Maggard
Governing Board Chair

Recommended for approval:
City of Porterville

Recommended for approval:
San Joaquin Valley Unified Air Pollution Control District

Seyed Sadrelin
Executive Director/APCO

Approved as to legal form:
San Joaquin Valley Unified Air Pollution Control District

Philip M. Jay
District Counsel

Approved as to accounting form:
San Joaquin Valley Unified Air Pollution Control District

Roger W. McCoy
Director of Administrative Services

For accounting use only:

Program: ______________________

Accounting No.: ______________________

Tax I.D. No. ______________________
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS – DATE AVENUE RECONSTRUCTION PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: The Plans and Project Manual have been prepared for the Date Avenue Reconstruction Project. The project consists of the reconstruction of Date Avenue to collector standards (60' wide right of way) from Main Street to Howard Street including one lane of traffic in each direction with on street parking, sewer and water services where applicable, storm drain, fire hydrants, 8” water crossings to replace the 4” cast iron on side streets and street lighting. Included in this project is the reconstruction of A Street from Date Avenue south to its terminus with an 18” storm drain pipe through Porterville Concrete Pipe property south to the Tule River. Storm water from A Street currently sheet flows across Porterville Concrete Pipe property to the river. The City has obtained a CMAQ grant for installation of the concrete improvements in fiscal year 2007/08. Curb returns will be installed at the intersections for asphalt control. The remainder of the concrete improvements are included as an alternate bid. Should the City receive a favorable bid, the concrete improvements will be installed and the CMAQ grant will be used on another CMAQ project.

The Plans and Project Manual are available for review in the Public Works Department - Engineering Division.

The Engineer’s Estimate for construction of the full project is $694,512.50 with an additional $116,177 required for the construction contingency (10%), SCE street lights and Construction Management for a total of $810,689.50.

Funding for this project is approved in the 2006/2007 fiscal year budget.

RECOMMENDATION: That the City Council:

1. Approve the Plans and Project Manual for the Date Avenue Reconstruction Project; and

2. Authorize staff to advertise for bids.

ATTACHMENTS: Locator Map
Engineer’s Estimate

P:\pubworks\Engineering\Council Items\Authorization to Advertise for Bids - Date Avenue Reconstruction Project 7-18-06.doc

Dir [signature] Appropriated/Funded [signature] CM [signature] Item No. 6
**Engineer's Estimate**  
Date Avenue Reconstruction Project  
(Main Street to Howard Street)  
7/11/2006

**BASE BID**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Quantity</th>
<th>Unit</th>
<th>Description</th>
<th>Unit Price</th>
<th>Extension Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>L.S.</td>
<td>Mobilization and Demobilization</td>
<td>$25,000.00</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>L.S.</td>
<td>Sheeting and Shoring</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>L.S.</td>
<td>Traffic Control</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>2,000</td>
<td>C.Y.</td>
<td>Excavation and Hauling all materials in the area of the proposed new</td>
<td>$18.00</td>
<td>$36,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>improvements other than that included in item 5, including all required</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>saw cutting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>L.S.</td>
<td>Demolition, clearing and grubbing of all other items in the project area</td>
<td>$30,000.00</td>
<td>$30,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>that are in the area of items of new work including but not limited to</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>trees, stumps, shrubs, roots, structures, foundations, walls, masonry</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>columns, concrete flat work, curbs, iron pipes and fences including all</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>required saw-cutting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>4</td>
<td>EA.</td>
<td>12&quot;x12&quot;x8&quot; Tapping Sleeve with 8&quot; Gate Valve and Thrust Block</td>
<td>$6,000.00</td>
<td>$24,000.00</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
<td>EA.</td>
<td>8&quot; Tee with 8&quot; Gate Valve and Thrust Block</td>
<td>$2,500.00</td>
<td>$10,000.00</td>
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<tr>
<td>8</td>
<td>4</td>
<td>EA.</td>
<td>8&quot; 90 Degree Bend</td>
<td>$500.00</td>
<td>$2,000.00</td>
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<tr>
<td>9</td>
<td>200</td>
<td>L.F.</td>
<td>8&quot; Water Main</td>
<td>$60.00</td>
<td>$12,000.00</td>
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<tr>
<td>10</td>
<td>117</td>
<td>L.F.</td>
<td>6&quot; Water Main Runout Piping</td>
<td>$50.00</td>
<td>$5,850.00</td>
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<tr>
<td>11</td>
<td>5</td>
<td>EA.</td>
<td>Fire Hydrant Assembly EXCEPT runout piping</td>
<td>$6,000.00</td>
<td>$30,000.00</td>
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<tr>
<td>Item Description</td>
<td>EA.</td>
<td>9</td>
<td>14</td>
<td>15</td>
<td>16</td>
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<td>----------------------------------------------------</td>
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<td>------</td>
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</tr>
<tr>
<td>12 Complete 1-Inch Water Service per City Standard W-1</td>
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</tr>
<tr>
<td>13 Sanitary Sewer Lateral per City Standard S-7</td>
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<tr>
<td>14 Water service extension per City Standard W-1</td>
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<td></td>
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<tr>
<td>15 48&quot; SDMH per City Standard S-1</td>
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</tr>
<tr>
<td>16 18&quot; Storm Drain Pipe</td>
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<tr>
<td>17 15&quot; Storm Drain Pipe</td>
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<tr>
<td>18 Catch Basin per City Standard D-2 with Local Depression</td>
<td></td>
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<tr>
<td>19 Connect to Existing Storm Drain Manhole at Sta. 15 + 5.00</td>
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<tr>
<td>20 Catch Basin per City Standard D-4 and D-4.1</td>
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</tr>
<tr>
<td>21 Concrete Outlet Structure per detail on plans sheet 10</td>
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<tr>
<td>22 Remove and Abandon Existing Fire Hydrant</td>
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<td></td>
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</tr>
<tr>
<td>23 Abandon Existing 4&quot; Cast Iron Water Main</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>24 Curb and Gutter</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>25 Sidewalk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 20 Foot Radius Disabled Ramp Exclusive of Curb and Gutter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Cross Gutter with Spanders at Wallace Street</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>28 Remove and Replace Curb and Gutter</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>29 Remove and Replace Sidewalk</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>30 Cross Gutter with One (1) Spander at Cornell Street</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Description</td>
<td></td>
<td></td>
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<tr>
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<td>-----------------------------------------------------------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>31</td>
<td>368</td>
<td>L.F.</td>
<td>1-1/2-Inch Street Light Conduit and Els, including trenching, backfill, compaction, and rope</td>
<td>$13.00</td>
<td>$4,784.00</td>
</tr>
<tr>
<td>32</td>
<td>363</td>
<td>L.F.</td>
<td>2-1/2-Inch Street Light Conduit and Els, including trenching, backfill, compaction, and rope</td>
<td>$15.00</td>
<td>$5,445.00</td>
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<tr>
<td>33</td>
<td>1</td>
<td>EA.</td>
<td>Street Light Conduit Pull Boxes, including excavation, compaction and backfill</td>
<td>$500.00</td>
<td>$500.00</td>
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<tr>
<td>34</td>
<td>1,065</td>
<td>C.Y.</td>
<td>Class 2, 1-1/2 inch Crushed Rock Base</td>
<td>$50.00</td>
<td>$53,250.00</td>
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<tr>
<td>35</td>
<td>1,455</td>
<td>Tons</td>
<td>Type B Asphalt Concrete Paving for New Street Construction</td>
<td>$60.00</td>
<td>$87,300.00</td>
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<tr>
<td>36</td>
<td>7,840</td>
<td>S.Y.</td>
<td>Fog Seal Coat</td>
<td>$0.80</td>
<td>$6,272.00</td>
</tr>
<tr>
<td>37</td>
<td>10</td>
<td>EA.</td>
<td>Adjust Manhole to Grade</td>
<td>$450.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>38</td>
<td>13</td>
<td>EA.</td>
<td>Adjust Valve to Grade</td>
<td>$350.00</td>
<td>$4,550.00</td>
</tr>
<tr>
<td>39</td>
<td>1</td>
<td>L.S.</td>
<td>Signing Striping &amp; Pavement Marking</td>
<td>$15,000.00</td>
<td>$15,000.00</td>
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<tr>
<td>40</td>
<td>1</td>
<td>EA.</td>
<td>Survey Monument Assembly per City Standard M-2</td>
<td>$1,100.00</td>
<td>$1,100.00</td>
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<tr>
<td>41</td>
<td>15</td>
<td>EA.</td>
<td>Relocate Mailbox</td>
<td>$200.00</td>
<td>$3,000.00</td>
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<tr>
<td></td>
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<td>Total Base Bid</td>
<td>$530,100.00</td>
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<td></td>
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<td></td>
<td>10% Estimating Contingency</td>
<td>$53,010.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td>$583,110.00</td>
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</tbody>
</table>
## Add Alternate A Bid

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Quantity</th>
<th>Unit</th>
<th>Description</th>
<th>Unit Price</th>
<th>Extension Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2268</td>
<td>L.F.</td>
<td>Curb and Gutter</td>
<td>$20.00</td>
<td>$45,360</td>
</tr>
<tr>
<td>2</td>
<td>8,385</td>
<td>S.F.</td>
<td>Sidewalk</td>
<td>$4.00</td>
<td>$33,540</td>
</tr>
<tr>
<td>3</td>
<td>2075</td>
<td>S.F.</td>
<td>Drive Approach</td>
<td>$5.00</td>
<td>$10,375</td>
</tr>
<tr>
<td>4</td>
<td>8</td>
<td>EA.</td>
<td>20 Foot Radius Disabled Ramp Exclusive of Curb and Gutter</td>
<td>$1,500</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

<p>| | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Alternate A Bid</td>
<td>$101,275</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10% Estimating Contingency</td>
<td>$10,127.50</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$111,402.50</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Base Plus Alternate A</td>
<td>$694,512.50</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ESTIMATE CERTIFIED**

Project Manager: [Signature] 7/12/06  
Public Works Director: [Signature] 7/12/06  
City Engineer: [Signature] 7/12/06  
City Manager: [Signature] 7/12/06
COUNCIL AGENDA: JULY 18, 2006

SUBJECT: ACCEPTANCE OF THE HENDERSON AVENUE RECONSTRUCTION PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: Halopoff & Sons, Inc. has completed the Henderson Avenue Reconstruction Project per plans and specifications. The project consisted of the construction of two lanes of traffic in each direction between Newcomb and Westwood Streets, the installation of curbs, gutters, sidewalks, curb returns, street lighting, sewer, water and storm drain. It also includes the demolition of the existing bridge crossing at the Porter Slough channel and construction of a new box culvert bridge crossing.

City Council authorized expenditure of $2,468,372.97. Final construction cost is $2,283,527.78.

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

On July 5, 2005, Council authorized staff to temporarily convert the intersection of Morton Avenue and Mathew Street to a 4-way stop intersection. This modification allowed traffic to exit from the two subdivisions that use Balmayne Drive, Balmoral Drive and Mathew Street as their ingress and egress from Henderson Avenue and Morton Avenue to exit onto Morton Avenue in an orderly manner during the closure of Henderson Avenue. Staff is requesting permission from Council to further evaluate the intersection prior to removing the stop signs for east and west bound traffic.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion;
3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed; and
4. Authorize staff to further evaluate the intersection of Morton Avenue and Mathew Street prior to removing the temporary 4-way stop.

ATTACHMENT: Locator Map
SUBJECT: ACCEPTANCE OF IMPROVEMENTS - NEW EXPRESSIONS, PHASE FOUR SUBDIVISION (ENNIS HOMES, INC. BRIAN ENNIS)

SOURCE: Public Works Department – Engineering Division

COMMENT: The Subdivider, Ennis Homes, Inc. (Brian Ennis, President), has requested that the public improvements constructed for their subdivisions be accepted by the City for maintenance. All required improvements, excluding sidewalks, have been completed, inspected by City staff, and found to be acceptable.

The Subdivider has a performance bond on file with the City Clerk’s Office that will act as the one-year maintenance and sidewalk guarantees.

RECOMMENDATION: That City Council:

1. Accept the public improvements of New Expressions, Phase Four Subdivision for maintenance;

2. Authorize the filing of the Notice of Completion; and

3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

ATTACHMENT: Locator Map
SUBJECT: WATER CONSERVATION PHASE II, WATER SYSTEM STATUS

SOURCE: Public Works Department - Field Services Division

COMMENT: Phase II water conservation efforts for 2006 began in June. A media campaign began with newspaper and radio messages, and website information. Letters were also mailed to restaurants requesting that water only be served upon request. The City promoted May as Water Awareness Month and provided water conservation information and water saving kits to the public during the Porterville Fair.

The water system status continues to show marginal improvement from last year. Mild weather in May and June reduced water demands as compared to prior years. Well yields show some improvement. Well 28 is complete and in operation.

Phase III of the water conservation plan provides for a 20% rate increase on residential and landscape accounts to encourage conservation during times of severe water supply shortage.

RECOMMENDATION: That the City Council:

1. Continue with Phase II of the Water Conservation Plan; and

2. Continue to the Public Hearing that is scheduled for the August 15, 2006 Council meeting to consider moving into Phase III of the Water Conservation Plan.

ATTACHMENT: Production Graph
SUBJECT: REIMBURSEMENT FOR STREET IMPROVEMENTS ALONG MATHEW STREET BY BURTON SCHOOL DISTRICT – SUMMIT CHARTER ACADEMY

SOURCE: Public Works Department - Engineering Division

COMMENT: Burton School District has widened approximately 600 feet of the west side of Mathew Street between Olive Avenue and Clare Avenue. The widening was a requirement of the Summit Charter Academy project and was considered off-site improvements. In accordance with the Municipal Code and an agreement dated June 27, 2006 between the City of Porterville and Burton School District, this segment of street will become reimbursable once the benefiting/adjacent lands develop.

A breakdown of the various items involved with the Mathew Street widening is shown below:

<table>
<thead>
<tr>
<th>Architectural Services</th>
<th>$ 1,513.94</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility Relocation</td>
<td>$ 67,684.80</td>
</tr>
<tr>
<td>Civil Engineering</td>
<td>$ 3,570.36</td>
</tr>
<tr>
<td>Excavation</td>
<td>$ 1,742.72</td>
</tr>
<tr>
<td>Curb, Gutter, Sidewalks, Driveway &amp; Pavement</td>
<td>$ 71,773.79</td>
</tr>
<tr>
<td>Legal Services</td>
<td>$ 562.75</td>
</tr>
<tr>
<td><strong>Total Reimbursable Amount</strong></td>
<td><strong>$146,848.36</strong></td>
</tr>
</tbody>
</table>

These improvements were constructed in conjunction with said school project and were necessary for the orderly development of the area. Staff has inspected the improvements and found them to be acceptable.

In accordance with Section 21-23 and Section 21-52 of the Municipal Code, off-site and/or supplemental improvements may be required and in those cases where neighboring properties benefit from the construction, City Council has the discretion to reimburse the developer by one of the following methods:

1) Immediately reimburse the developer for the entire cost of oversizing and thereafter levy a charge upon the real property benefited thereby.

2) Collect a reasonable use charge for the account of the developer's from persons not within the subdivision/development using the oversized improvements.
In the case of this project, there are three (3) benefited properties adjacent to the west side of Mathew Street. The benefiting parcels and proportionate share of the construction costs are shown below:

<table>
<thead>
<tr>
<th>Assessor Parcel</th>
<th>Lot Frontage (A)</th>
<th>Total Frontage (B)</th>
<th>Total Cost (C)</th>
<th>Proportionate Share (A/B*C)</th>
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</thead>
<tbody>
<tr>
<td>APN 259-050-049</td>
<td>314.64 feet</td>
<td>666.64 feet</td>
<td>$146,848.36</td>
<td>$69,309.32</td>
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<tr>
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<td>666.64 feet</td>
<td>$146,848.36</td>
<td>$28,636.58</td>
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<tr>
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<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$146,848.36</td>
<td></td>
</tr>
</tbody>
</table>

Before the present owners and future owners of the above listed properties will be issued a permit or other grant of approval for development of the parcel, they must pay their proportionate share.

**RECOMMENDATION:** That City Council;

1) Accept the Mathew Street off-site public improvements constructed by Burton School District; and

2) Establish, by resolution, that before benefiting/adjacent properties are permitted to develop, their proportionate share of the reimbursement amount shall be collected and reimbursed to the Burton School District. The total reimbursement amount to be collected shall not exceed $146,848.36.

**ATTACHMENTS:** Locator Map
Resolution w/ Exhibits

P:\pubworks\Engineering\Council Items\Reimbursement for Street Improvements Along Mathew Street by Burton School 7-18-06.doc
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE ACCEPTING STREET IMPROVEMENTS AND REQUIRING
REAL PROPERTY BENEFITTED BY THE INSTALLATION TO PAY PROPER
PROPORTIONAL SHARE OF THE EXPENSE BEFORE BEING PERMITTED TO
UTILIZE STREET IMPROVEMENTS

WHEREAS, the Burton School District, hereinafter referred to as "Developer,"
has an interested in the property located on the west side of Mathew Street, about 670
feet south of Olive Avenue, know as the Summit Charter Academy, has installed street
improvements (i.e. sidewalk, curb, gutter, driveways and pavement) to serve properties
along Mathew Street between the northern boundary of the school and Olive Avenue, in
the City of Porterville, County of Tulare, State of California, as shown on the locator
map (Exhibit "A") attached hereto and hereby made a part hereof; and

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

WHEREAS, said street improvements have been constructed and completed in
conformity with all agreements, laws, regulations and ordinances of the City of
Porterville and the same has been constructed and completed in such a manner that
the same will serve the present and future owners of the property adjacent to said street
improvements as indicated on Exhibit “A”, in the City of Porterville, County of Tulare,
State of California; and

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

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

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

NOW THEREFORE BE IT RESOLVED, that before any of the present owners or
occupants, or the future owners or occupants, of said property listed on Exhibit "B" will
be issued a permit or other grant of approval for development of the parcel, they must
pay the cost listed in Exhibit "B."

AND, BE IT FURTHER RESOLVED, that upon deposit with the City of Porterville
of said payment by said property owner, that when said money is received and paid to
the City of Porterville, the same be refunded to the Developer over and during a period
of ten (10) years from July 18, 2006 without interest.

BE IT FURTHER RESOLVED, that Director of Finance, on receipt of said monies or funds, is hereby authorized and instructed to reimburse the Developer in the amount of said deposits without interest.

ADOPTED this _____________ day of __________, 2006

__________________________
Cameron Hamilton, Mayor

ATTEST:
John Longley, City Clerk

__________________________
By Georgia Hawley, Chief Deputy City Clerk
OLIVE AVE.

MATTHEW ST.

NORTH

259-050-049

259-050-050

259-050-053

REIMBURSEMENT FOR STREET IMPROVEMENTS ALONG MATHEW STREET BY BURTON SCHOOL DISTRICT-SUMMIT SCHOOL

ROBY AVE.

FOREST AVE.
Mathew Street Reimbursement Agreement
Off-site Street Improvements – Burton School District

<table>
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<tr>
<th>Assessor Parcel</th>
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<th>Total Frontage (B)</th>
<th>Total Cost (C)</th>
<th>Proportionate Share (A/B*C)</th>
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<td>222 feet</td>
<td>666.64 feet</td>
<td>$146,848.36</td>
<td>$48,902.46</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>666.64 feet</strong></td>
<td><strong>$146,848.36</strong></td>
<td><strong>$146,848.36</strong></td>
</tr>
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</table>
SUBJECT: STATE DEPARTMENT OF FINANCE - POPULATION AND HOUSING ESTIMATES

SOURCE: COMMUNITY DEVELOPMENT AND SERVICES DEPARTMENT - PLANNING DIVISION

COMMENT: The Planning Division has received a summary report of Porterville’s estimated population and housing data from the State Department of Finance. This State prepared estimate is based on a census data update conducted annually by the Planning Division.

If adopted by the Council and certified by the State, the January 1, 2006, population estimate of 45,220 for the City of Porterville becomes the basis used to distribute certain State subvention revenues to the City. The 2005 estimate was 44,496. This is an increase of approximately 1.60%. The City must now submit a request for certification to the State Controller.

As of April 3, 2006, (effective date) the twelve (12) county islands were officially recognized by the State Board of Equalization as being incorporated into the City Limits of Porterville. Since the effective dates of the annexations fell after January 1, 2006, the results of the estimated population in regard to these annexations will show up on the January 1, 2007 summary report from the State Board of Equilization.

RECOMMENDATION: That the City Council authorize the Mayor to sign a request for State certification for the City of Porterville January 1, 2006, population of 45,220.

ATTACHMENTS:

1. Department of Finance Tables dated 2005 and 2006 showing population change
2. Draft Letter
Table 2: E-5 City/County Population and Housing Estimates, 1/1/2005

County of: TULARE

<table>
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<th>CITY</th>
<th>TOTAL</th>
<th>HOUSEHOLD</th>
<th>GROUP QUARTERS</th>
<th>POPULATION</th>
<th>TOTAL SINGLE</th>
<th>HOUSING UNITS</th>
<th>MOBILE HOMES</th>
<th>OCCUPIED</th>
<th>PCT VACANT</th>
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<td>3,455</td>
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Fiscal Year 2006-2007

Encloure II
Annual Percent Change in Population Minus Exclusions (*)
January 1, 2005 to January 1, 2006 and Total Population, January 1, 2006

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(*) Exclusions include residents on federal military installations and group quarters' residents in state mental institutions, and state and federal correctional institutions.
### Table 2: E-5 City/County Population and Housing Estimates, 1/1/2006

<table>
<thead>
<tr>
<th>COUNTY/CITY</th>
<th>POPULATION</th>
<th>HOUSING UNITS</th>
<th>PERSONS PER HOUSEHOLD</th>
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<td>GROUP QUARTERS</td>
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</table>

California Department of Finance
Demographic Research Unit

Page 21 of 23
July 18, 2006

Department of Finance
Demographic Research Unit
915 "L" Street, 8th Floor
Sacramento, CA 95814

To Whom It May Concern:

On June 26, 2006, the City of Porterville received from the State Department of Finance, Porterville's Estimated population and housing data for 2006.

On July 5, 2006, the Porterville City Council adopted Porterville's new estimate population of 45,220 and authorized transmittal of this correspondence requesting the State Controller to certify Porterville's January 1, 2006, population as 45,220 by Minute Order No. _______________________

Sincerely,

Cameron Hamilton, Mayor

291 N. Main St., Porterville, CA 93257 PHONE 559.782.7460 FAX 559.781-6437
SUBJECT: Orange Belt Stages Lease

SOURCE: Administration (Transit)

COMMENT: On June 6, 2006, the City Council approved Sierra Management’s one-year lease for utilization of office space at the City Transit Center. The Orange Belt Stages Lease was not presented at the same time because they had requested additional time within which to determine whether or not they wanted to continue their occupancy of the office on the north side of the Transit Center.

Staff has spoken with Orange Belt Stages management, and they have requested that the City consider leasing them office space on a month-to-month tenancy, rather than the one-year format we have used since the completion of the Transit Center. They have not manned their office space for several months; and even though they are still attempting to hire and train a new agent for the Porterville office, they are unsure of their long-term needs. They desire a month-to-month tenancy to attempt to continue the service they provide from Porterville’s Transit Center, which is not only in their best interests, but also in the best interests of the community for anyone desiring to use their services locally. They are willing to have a 30-day or 60-day requirement for terminating their lease incorporated into the lease agreement.

Staff has queried Sierra Management about the possibility of taking over the additional space should Orange Belt Stages desire to terminate their lease. Sierra Management is interested in the additional office space, and would be willing to incorporate the additional square footage into their existing lease for the amount currently being charged to Orange Belt Stages (including the cost of living increase of four percent).
RECOMMENDATION: That the City Council:

1. Approve the request of Orange Belt Stages to enter into a month-to-month tenancy of the City Transit Center;

2. Authorize staff to prepare the lease under the same terms and conditions as the original one-year lease, however, provide for the month-to-month tenancy provisions with a 60-day notice to terminate requirement;

3. Authorize staff to negotiate with Sierra Management for the use of the additional office space now occupied by Orange Belt Stages, if and when Orange Belt Stages chooses to activate the termination provision.
COUNCIL AGENDA: JULY 18, 2006

SUBJECT: SELECTION OF CITY VOTING DELEGATE TO LEAGUE OF CALIFORNIA CITIES MEETING

SOURCE: City Manager

COMMENT: The League of California Cities bylaws state that any City official of a member city may be designated as the City’s voting delegate, or alternate delegate, to any League meeting with the approval of the City Council.

It has been the practice in the past to designate the Mayor and Mayor Pro Tem to represent the City at League Meetings as delegate and alternate, respectively. This practice has worked well.

The League of California Cities will be having their Annual Business Meeting on September 9, 2006, and it is important that the City of Porterville have a voting representative present at the meeting to take action on conference resolutions that guide cities and the League in their efforts to improve the quality, responsiveness and vitality of local government in California.

RECOMMENDATION: That Council select the Mayor as the voting delegate and the Mayor Pro Tem as the voting alternate to represent the City at the League of California Cities' Meeting, September 9, 2006, authorize the City Manager to attest to same, and direct staff to notify the League.

Attachment: “Voting Delegate Form”

Item No. 13
2006 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by August 15, 2006. Forms not sent by this deadline may be returned to the Voting Delegate Desk located in the Annual Conference Registration Area.

In order to vote at the Annual Business Meeting, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: At this year’s conference, voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this special area will be limited to individuals (voting delegates and alternates) who are identified with a special stamp on their conference badge. If your city’s voting delegate and alternate wish to sit together at the Business Meeting, they are both encouraged to register at the Voting Desk in order to obtain the identifying stamp that will admit them to the special voting area.

1. VOTING DELEGATE

Name: __________________________

Title: __________________________

2. VOTING DELEGATE ALTERNATE

Name: __________________________

Title: __________________________

ATTTEST (I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate.)

Name: __________________________

Title: __________________________

Phone: __________________________

Date: __________________________

Please complete and return by August 15 to:
League of California Cities
ATTN: Debbie Kinsey
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240

AC2006VotingDelegateLetter.doc
SUBJECT: TULARE COUNTY'S PROPOSED EXPENDITURE PLAN FOR THE HALF-CENT SALES TAX MEASURE

SOURCE: Administration

COMMENT: Over the past few days the Tulare County Association of Governments has completed their final draft of the 2006, 1/2 Cent, Transportation Sales Tax Measure Expenditure Plan.

At the Council meeting of July 5, 2006, Council approved placing the Measure on the November 2006 ballot for public consideration. Attached to the staff report was a projected expenditure plan. The new draft plan has been completed and the County of Tulare is asking for the Council to approve the plan for submission to the people of Tulare County as part of the tax measure.

The revision modifies the Tier I and Tier II definitions. Tier I will represent projects estimated to be completed in Years 1-15, while Tier II will be projects projected in Years 16-30. (The only other changes were minor grammatical corrections).

RECOMMENDATION: That the City Council:

1. Approves the County of Tulare’s request to include the attached expenditure plan in the ballot initiative.

ATTACHMENTS: Draft 2006, 1/2 Cent Transportation Sales Tax Measure Expenditure Plan
DRAFT 2006 ½ CENT TRANSPORTATION SALES TAX MEASURE EXPENDITURE PLAN

PREPARED BY:
TULARE COUNTY ASSOCIATION OF GOVERNMENTS
5961 S. MOONEY BLVD.
VISALIA, CA 93277

EXPECTED APPROVAL:
TULARE COUNTY ASSOCIATION OF GOVERNMENTS
JULY 24, 2006
Table of Contents

Introduction 1
Overview – The Expenditure Plan 1
Responding to Public Needs 2
Anticipated Measure Revenues 3
Road Map for the Work Plan: What We Will Do 3
Expenditure Plan Projects 5
For Further Information 12

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Appendix A – Plan Administration 15
Appendix B – Implementing Guidelines 20
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Introduction

A Tulare County 1/2 Cent Transportation Sales Tax Expenditure Plan was prepared to:

Guide more than $652 million in transportation fund expenditures generated through the approval of a Tulare County's half-cent transportation sales tax over the next 30 years, if approved by voters in the November 2006 election.

The Expenditure Plan, developed by the Tulare County Association of Governments (TCAG) and nine member agencies (Lindusa, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare) representing diverse community interests, will address major regional transportation needs in Tulare County through the Year 2037 with the initiation of a 1/2 cent sales tax. TCAG considered established regional needs, projects identified by voters and input from all of the city/County member agencies. To ensure the Plan addresses transportation needs of all County residents, the Tulare County Association of Governments:

- Adhered to requirements contained in the Public Utilities Code 180000 et seq.;
- Reviewed other transportation sales tax measure programs recently passed in other counties (best practices review); and
- Reviewed established transportation needs in Tulare County.

Overview - Expenditure Plan: Where the money will go

Figure 1 provides an overview of the proposed Expenditure Plan that outlines where the funds will be spent and what categories of projects will be funded. The funding categories include Regional Projects, Local Projects, Transit/Bicycle/Environmental and Administration. The formulas and breakdown of the expenditures were approved by the Tulare County Association of Governments. The proposed 30-year Transportation Measure is expected to generate a total of $652 million. Half of this amount is allocated for Regional Projects. The Regional projects are established from the adopted Regional Transportation Plan (RTP) approved by all member agencies in Tulare.
County. The projects within the RTP were selected through a process that evaluated safety, performance measures and cost effectiveness. The Regional Transportation Plan is updated every two years with 25 years of transportation projects. Many of the projects provide benefits for multiple jurisdictions such as interchange improvements, regional widening projects and environmental mitigation measures.

Referencing Figure 1, the allocations consider the many diversified transportation needs of Tulare County and have the following components, as shown.

- 35% of the expected Transportation Measure funds are allocated to “Local Programs”. Due to the diverse needs of the cities and the County, the Local Programs category was created. The Local Programs category allows each of the member agencies to develop a priority list of projects based on community needs. This allows each jurisdiction flexibility to determine local needs. This category will allow funding for projects ranging from “pot-hole repair”, road rehabilitation and freeway interchange improvements.
- 14% of the funds are directed to Transit, Bikeway/Pedestrian and Environmental projects. The program contains important projects to link the regional hike systems, provide increased transit service and an investment in environmental mitigation.
- The remaining 1% of the total expected Transportation Measure funding is directed to program implementation activities.

Details regarding the implementation of each of the programs are provided in Appendix A and B.

**Responding to Public Needs**

Two-thirds (67%) voter approval is necessary to pass the Transportation Measure in November 2006. In order to ensure that Tulare County Association of Governments is on target with this Expenditure Plan, voters and community residents were initially surveyed to determine support for a new Transportation Measure. The Voters of Tulare County responded with strong support to impose a sales tax which would lead to transportation improvements in Tulare County.

Meeting the needs of Tulare County residents requires leveraging State and Federal expenditures with local resources. Even with passage of the Measure there will not be enough funding available to address the more than $1.5 billion in transportation needs. The Transportation Measure will generate slightly more than $652 million over the next 30 years to address a portion of this need. Therefore leveraging additional federal and state dollars, beyond what the region expects, is critical. Most State and Federal grants require a match. Agencies that pass transportation sales tax measures are referred to as “Self-Help” and can generate the revenues for a match. Similar measures throughout the Valley and California have been very successful in this regard. Such measures have been viewed as the most important transportation programs ever approved by voters in those counties. Tulare County needs to become a “Self-Help” County.

The cities, the County of Tulare, and TCAG worked together to develop the Expenditure plan categories of funding, the list of regional projects, list of transit/bike/environmental projects and other key components. Regional Projects were first based on the adopted Transportation Plan approved by all agencies. A list of other regional projects was prepared that could be funded if additional revenues were received. All of the Cities and County worked together to develop the Regional Program distribution. In response to the public survey the cities and the County developed a list of bike, transit, and environmental projects.
Annual Audit of Transportation Measure Programs

The Transportation Measure expenditures and accounts of the local agencies and the Authority will be audited on an annual basis by an independent audit firm retained by Tulare County Association of Governments. Appendix A provides additional detail regarding the Transportation Measure audit process.

Citizen Oversight

To inform the public and to ensure that the Transportation Measure revenues and expenditures are spent as promised to the public, a Citizens’ Oversight Committee would be formed by TCAG as part of the new Transportation Measure. Details regarding the Committee are provided in Appendix C.

Anticipated Measure Revenues

If voters approve the Transportation Measure on November 7, 2006, they will allow TCAG to impose a ½ cent retail sales tax for 30 years (between April 1, 2007 and March 31, 2037). The Transportation Measure Sales Tax will:

Provide $652.8 million in new revenues for transportation improvements according to financial projections through the year 2037.

This estimate considers current sales tax receipts (with no growth rate in sales tax proceeds) through March 2037. Since the project funding is shown in current dollars, the projected revenues are shown in current dollars. The allocation of projected sales tax revenues to specific types of transportation funding programs and improvement projects is described in the following sections of this Expenditure Plan. A Strategic/Work Plan detailing current transportation projects will be updated every two (2) years to adjust the projection of sales tax receipts, ensuring that the projections are consistent with future expenditures and promises made in this initial Expenditure Plan. TCAG member agencies will have the option of issuing bonds to deliver Transportation Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

Road Map for the Work Plan: What We Will Do

Through many weeks of intense discussion and hard work, the following Transportation Measure funding program commitments were developed by the Tulare County Association of Governments and member agencies. TCAG realized that providing funds for all modes of transportation would meet the quality of life intent of the new Transportation Measure. This would in turn enable agencies within Tulare County to address the needs of residents, businesses, and major industries over the 30-year life of the Transportation Measure. The Expenditure Plan will:

Provide funds for regional road improvements, public transit, rehabilitate existing roads and other transportation programs that improve mobility and air quality within the County and each of the cities.

Expenditure Plan programs are detailed in Tables 1 through 4. Implementing Guidelines for each the four (4) Expenditure programs described on the next page are contained in Appendix B.
**REGIONAL PROJECTS (Regional Transportation Program)** - $326.4 million or 50%.

Authorizes major new projects to:
- Improve freeway interchanges
- Add additional lanes
- Increase safety
- Improve and reconstruct major commute corridors

These projects provide for the movement of goods, services, and people through out Tulare County. Major highlights of this Program include the funding of Regional projects through out the County. There are two phases. Phase 1 contains projects planned to be funded in the first 15 years and phase 2 are projects expected to be funded in years 16 through 30. A map showing the regional Projects for Phase 1 may be found on Figure 2.

Funds can be used for all phases of project development and implementation. Projects in both Phase 1 and Phase 2 are expected to be completed within the life of the Transportation Measure. This funding program requires matching funds from the Safe Transportation Improvement Program (STIP) administered locally through TCAG. If funding is received beyond revenue projections in the first 15 years, projects from the Phase 2 list would be advanced.

**LOCAL TRANSPORTATION PROGRAM** - $228.4 million or 35%.

The goal is to improve each individual city's and the County's local transportation systems.

$35% or $7.6 million a year has been guaranteed for local determined projects. Each City and the County will receive funding based on a formula using population, maintained miles, and vehicles miles traveled. The funding will help cities and the county meet scheduled maintenance needs and to rehabilitate their aging transportation systems.

Potential uses include:
- Pothole repair
- Repave streets
- Bridge repair or replacement
- Traffic signals
- Add additional lanes to existing streets and roads
- Improve sidewalks
- Separate street traffic from rail traffic

The local agencies in Tulare County know what their needs are and how best to address those needs. Funds can be used for all phases of project development and implementation. The County of Tulare would use the Local Transportation Program funds to create a "Farm to Market" program. Specific Local Transportation Program highlights and implementing guidelines are described in Appendix B.

**TRANSIT/BIKES/ENVIRONMENTAL MITIGATION PROGRAM (Multi-Modal Transportation Program)** - $91.3 million or 14%.

The goal of this program is to expand or enhance public transit programs that address the transit dependent population, improve mobility through the construction of bike lanes and have a demonstrated ability to get people out of their cars and improve air quality and environment. This funding program requires matching funds from the Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancement (TE) Programs administered locally through TCAG. To accomplish this important goal:

Funding is provided to transit agencies within the County to expand transit services. Funding would be provided for regional bike routes through out the County. Other uses include:
Now routes to enhance existing transit service  
Low emission buses  
Night and weekend service  
Bus shelters and other capital improvements  
Safer access to public transit service  
Regional bike routes  
Environmental Mitigation  
Preliminary Light Rail investment

Specific Transit Enhancement Program highlights and implementing guidelines are also described in Appendix B.

**ADMINISTRATION AND PLANNING PROGRAM** - $8.5 million or 1%

Transportation Measure funding is provided to TCAG to:
- Prepare Strategic/Work Plan updates
- Develop funding allocation requirements
- Administer and conduct specified activities identified in the other three (3) programs described above
- Prepare Annual Transportation Measure Report and contract for an independent audit

## Expenditure Plan Projects

This section identifies priority regional street and highway improvement projects to be implemented over the life of the Measure or by the year 2037. The projects would be funded with Measure, State Transportation Improvement Program (STIP), and/or other transportation funding.

Phase 1 capacity increasing street and road projects to be addressed in this Program are included in Table 1 and graphically displayed in Figure 2. Phase 2 projects are included in Table 2. Phase 1 projects are projected for funding for the first 15 years of the Measure and Phase 2 projects are projected to be funded in years 16 through 30. These projects will be funded using:

- Measure funding (approximately $324 million).
- A portion of State Transportation Improvement Program (STIP) funding expected over the 30-year Measure or approximately $587 million, (conservatively estimated based on recent state funding history)
- Other sources including local contributions totaling $2.9 million

These funding sources together result in slightly more than $903 million available for Phase 1 and Phase 2 Regional projects. Phase 2 projects are considered for advancement if additional funding is available and the projects are included in the current Regional Transportation Plan. During preparation of the Biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost, benefit, project readiness, and funding availability. A description of funding commitments and implementing guidelines for the Regional Program are provided in Appendix B.
## Table 1
### Summary of Regional Projects – Phase 1 (Years 1-15)

<table>
<thead>
<tr>
<th>Project</th>
<th>Limits</th>
<th>Description</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR-63</td>
<td>Packwood Creek to SR-198</td>
<td>Widen to 6 lanes</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>Road 80</td>
<td>Avenue 304 to Avenue 340</td>
<td>Widen to 4 lanes</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>Avenue 340 to Avenue 360</td>
<td>Widen to 4 lanes</td>
<td>$27,500,000</td>
</tr>
<tr>
<td></td>
<td>Avenue 360 to Avenue 410</td>
<td>Widen to 4 lanes</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Road 108</td>
<td>phase 1/Tulare limits</td>
<td>Widen to 4 lanes</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>phase 2/Visalia limits</td>
<td>Widen to 4 lanes</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>phase 3/County limits</td>
<td>Widen to 4 lanes</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Plaza Drive</td>
<td>SR 108 to Ave 304</td>
<td>Widen to 4/6 lanes</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Avenue 416</td>
<td>Road 56 signal</td>
<td>Signal</td>
<td>$1,300,000</td>
</tr>
<tr>
<td></td>
<td>Euclid to Snyder</td>
<td>Widen to 4 lanes</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Road 64 to Road 72</td>
<td>Widen to 4 lanes</td>
<td>$11,400,000</td>
</tr>
<tr>
<td></td>
<td>Room 72 to Room 64</td>
<td>Widen to 4 lanes</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Kings River Bridge</td>
<td>Widen to 4 lanes</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>SR 65</td>
<td>Phase 1/Ave 06 to SR 100</td>
<td>Widen to 4 lanes</td>
<td>$26,500,000</td>
</tr>
<tr>
<td></td>
<td>Phase 2/Ave 56 to Ave 96</td>
<td>Widen to 4 lanes</td>
<td>$20,000,000</td>
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<tr>
<td></td>
<td>Phase 3/C. line to Ave 56</td>
<td>Widen to 4 lanes</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>SR-65 (Spruce)</td>
<td>SR-137 to SR-198</td>
<td>Widen to 4 lanes</td>
<td>$100,000,000</td>
</tr>
<tr>
<td>Scranton/Indiana</td>
<td>Scranton/Indiana</td>
<td>Widen to 4 lanes</td>
<td>$3,000,000</td>
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<tr>
<td>Caldwell Ave</td>
<td>SR 60 to Mooney Blvd.</td>
<td>Widen to 4 lanes</td>
<td>$16,000,000</td>
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<tr>
<td></td>
<td>Santa Fe to Orange Ave</td>
<td>Widen to 4 lanes</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>SR-210 (Houston)</td>
<td>Lovers Lane to Ave 152</td>
<td>Widen to 4 lanes</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Betty Drive Widening</td>
<td>SR-90 to Road 80</td>
<td>Widen to 4 lanes</td>
<td>$7,000,000</td>
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<tr>
<td>Betty Drive/SR-99</td>
<td>UC improvements</td>
<td>Major UC improvements</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Caldwell Ave/SR-99</td>
<td>UC improvements</td>
<td>Major UC improvements</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Carmill/SR-99</td>
<td>UC improvements</td>
<td>Major UC improvements</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>SR-190</td>
<td>SR-99 to SR-05</td>
<td>Passing lanes</td>
<td>$10,000,000</td>
</tr>
<tr>
<td><strong>Total Regional Projects</strong></td>
<td></td>
<td></td>
<td><strong>$546,300,000</strong></td>
</tr>
</tbody>
</table>

Notes:
1. The projects are not listed by priority
2. The projects have been approved by TCAG (cities/County) in the adopted 2004 RTP
3. Projects shown are the adopted regional projects for 30 years
<table>
<thead>
<tr>
<th>Project</th>
<th>Limits</th>
<th>Description</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riggins Ave.</td>
<td>Road 80 to SR 63</td>
<td>Widet to 4 lanes</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Alla Avenue</td>
<td>Sequoia to Avenue 432</td>
<td>Widet to 4 lanes</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>SR-190</td>
<td>SR-99 to SR-65</td>
<td>Widet to 4 lanes</td>
<td>$60,000,000</td>
</tr>
<tr>
<td>(Various locations)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal widening Requests</strong></td>
<td></td>
<td></td>
<td><strong>$80,000,000</strong></td>
</tr>
<tr>
<td>AgriCenter/SR-99</td>
<td>I/C improvements</td>
<td>New I/C</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Paige/SR-99</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>SR-99 (south county)</td>
<td>various I/C improvements</td>
<td>I/C improvements</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Shirk Street/SR-198</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Akare Street/SR-108</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Visalia 198 corridor</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Lovers Lane/SR-198</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$18,500,000</td>
</tr>
<tr>
<td>Ave 140/SR-198</td>
<td>I/C improvements</td>
<td>New I/C</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Farmersville Blvd/SR-198</td>
<td>I/C improvements</td>
<td>I/C improvements</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Main Street/SR-190</td>
<td>I/C improvements</td>
<td>all phases</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>N Grand /SR-66</td>
<td>I/C improvements</td>
<td>all phases</td>
<td>$20,000,000</td>
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<tr>
<td><strong>Subtotal Interchanges</strong></td>
<td></td>
<td></td>
<td><strong>$190,000,000</strong></td>
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<tr>
<td>Synchronization</td>
<td>various agencies &amp; locations</td>
<td>PS&amp;E, ROW, CON</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Visalia Synchronization</td>
<td>various locations</td>
<td>PS&amp;E, ROW, CON</td>
<td>$9,600,000</td>
</tr>
<tr>
<td>Visalia Signals (7)</td>
<td>various locations</td>
<td>PS&amp;E, ROW, CON</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>Rural Signals (8)</td>
<td>various locations</td>
<td>PS&amp;E, ROW, CON</td>
<td>$3,081,250</td>
</tr>
<tr>
<td><strong>Subtotal signals/Synchronization Requests</strong></td>
<td></td>
<td></td>
<td><strong>$19,081,250</strong></td>
</tr>
<tr>
<td>Rural (County) Various</td>
<td>Bridge improvements (County)</td>
<td>all phases</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>McAuliffe/SR-190</td>
<td>over crossing</td>
<td>all phases</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Ben Maddox/SR-198</td>
<td>over crossing</td>
<td>all phases</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>Gentle Fe/SR-190</td>
<td>over crossing</td>
<td>all phases</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>Betty Drive/RR</td>
<td>I/C improvements</td>
<td>all phases</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>J Street/RR</td>
<td>over crossing</td>
<td>all phases</td>
<td>$16,000,000</td>
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<tr>
<td><strong>Subtotal Overcrossing/Bridges</strong></td>
<td></td>
<td></td>
<td><strong>$77,400,000</strong></td>
</tr>
<tr>
<td><strong>Subtotal Project Costs:</strong></td>
<td></td>
<td></td>
<td><strong>$386,481,250</strong></td>
</tr>
</tbody>
</table>

Notes:
1. The projects are not listed by priority.
2. All Tier II projects listed above meet the 2004 Regional Transportation Plan (RTP) criteria for a Regional Project.
3. Tier II projects may be funded if additional funding is available and the projects are amended into the RTP.
### Local Program Distribution

- **Maintained Miles; 25%**
- **Population; 50%**
- **Daily Vehicle Miles; 25%**

### Table 3
**Tulare County Agency Demographics**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Population 1/1/2006</th>
<th>%</th>
<th>Maintained Miles</th>
<th>%</th>
<th>Daily Vehicle Miles (1,000s)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dinuba</td>
<td>19,578</td>
<td>4.65%</td>
<td>59.28</td>
<td>1.54%</td>
<td>128.99</td>
<td>2.69%</td>
</tr>
<tr>
<td>Exeter</td>
<td>10,634</td>
<td>2.53%</td>
<td>37.80</td>
<td>0.98%</td>
<td>55.49</td>
<td>1.18%</td>
</tr>
<tr>
<td>Farmersville</td>
<td>10,416</td>
<td>2.48%</td>
<td>26.18</td>
<td>0.68%</td>
<td>51.71</td>
<td>1.10%</td>
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<tr>
<td>Lindsay</td>
<td>11,185</td>
<td>2.66%</td>
<td>29.77</td>
<td>0.77%</td>
<td>59.68</td>
<td>1.26%</td>
</tr>
<tr>
<td>Porterville</td>
<td>45,220</td>
<td>10.75%</td>
<td>152.79</td>
<td>3.97%</td>
<td>374.06</td>
<td>7.92%</td>
</tr>
<tr>
<td>Tulare</td>
<td>51,477</td>
<td>12.24%</td>
<td>152.49</td>
<td>3.96%</td>
<td>374.51</td>
<td>7.93%</td>
</tr>
<tr>
<td>Visalia</td>
<td>111,168</td>
<td>26.43%</td>
<td>309.06</td>
<td>8.02%</td>
<td>1,187.00</td>
<td>25.14%</td>
</tr>
<tr>
<td>Woodlake</td>
<td>7,305</td>
<td>1.74%</td>
<td>19.79</td>
<td>0.51%</td>
<td>15.93</td>
<td>0.34%</td>
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<tr>
<td>Non-Incorp.</td>
<td>153,636</td>
<td>36.53%</td>
<td>3,094.85</td>
<td>79.56%</td>
<td>2,475.73</td>
<td>52.44%</td>
</tr>
<tr>
<td><strong>TOTALS:</strong></td>
<td><strong>420,619</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>3,852.10</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>4,721.10</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

1. Population is based on California Department of Finance Annual estimates.
2. Maintained Miles are obtained from the most recent California Public Road Data book published by Caltrans.
3. Daily Vehicle Miles of Travel (1,000) are obtained from the most recent California Public Road Data book published by Caltrans.
4. All three formula components will be updated on an annual basis.
### Table 4
Summary of Local Program Distribution

<table>
<thead>
<tr>
<th></th>
<th>Total Annual</th>
<th>Total 10 years</th>
<th>Total 20 years</th>
<th>Total 30 years</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dinuba</td>
<td>$257,700</td>
<td>$2,577,604</td>
<td>$5,155,367</td>
<td>$7,733,051</td>
<td>3.30%</td>
</tr>
<tr>
<td>Exeter</td>
<td>$137,384</td>
<td>$1,373,839</td>
<td>$2,747,677</td>
<td>$4,121,516</td>
<td>1.80%</td>
</tr>
<tr>
<td>Farmersville</td>
<td>$126,096</td>
<td>$1,200,576</td>
<td>$2,551,851</td>
<td>$3,642,927</td>
<td>1.60%</td>
</tr>
<tr>
<td>Lindsay</td>
<td>$140,049</td>
<td>$1,400,486</td>
<td>$2,800,972</td>
<td>$4,201,459</td>
<td>1.84%</td>
</tr>
<tr>
<td>Porterville</td>
<td>$635,786</td>
<td>$6,357,863</td>
<td>$12,715,725</td>
<td>$19,073,586</td>
<td>8.35%</td>
</tr>
<tr>
<td>Tulare</td>
<td>$92,468</td>
<td>$6,924,677</td>
<td>$13,849,354</td>
<td>$20,774,031</td>
<td>9.09%</td>
</tr>
<tr>
<td>Visalia</td>
<td>$1,637,959</td>
<td>$16,379,586</td>
<td>$32,759,172</td>
<td>$49,135,758</td>
<td>21.51%</td>
</tr>
<tr>
<td>Woodlake</td>
<td>$82,343</td>
<td>$823,430</td>
<td>$1,646,881</td>
<td>$2,470,791</td>
<td>1.08%</td>
</tr>
<tr>
<td>Non-incorp.</td>
<td>$3,504,356</td>
<td>$39,043,552</td>
<td>$76,057,164</td>
<td>$117,130,746</td>
<td>51.28%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$7,616,212</strong></td>
<td><strong>$76,162,122</strong></td>
<td><strong>$152,324,245</strong></td>
<td><strong>$228,486,387</strong></td>
<td>100%</td>
</tr>
</tbody>
</table>

**Notes:**
1. Amounts shown are in current dollars

$7,616,212
## Table 5
Summary of Transit/Bike/Environmental Projects

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Porterville</td>
<td>CNG Buses (2)</td>
<td>$600,000</td>
</tr>
<tr>
<td>Dinuba</td>
<td>Route expansion (50k a year)</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Visalia</td>
<td>Service expansion (500k a year)</td>
<td>$10,520,000</td>
</tr>
<tr>
<td></td>
<td>Service expansion (684k a year)</td>
<td>$20,520,000</td>
</tr>
<tr>
<td></td>
<td>Transit Center expansion</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>County</td>
<td>CNG Buses (4)</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>Minor Transit improvements operations (100k a year)</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>Tulare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmersville</td>
<td>transit center (minor)</td>
<td>$250,000</td>
</tr>
<tr>
<td>Lindsay</td>
<td>Route expansion (100k a year)</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>transit center (minor)</td>
<td>$250,000</td>
</tr>
<tr>
<td></td>
<td>CNG Buses (2)</td>
<td>$400,000</td>
</tr>
<tr>
<td>Woodlake</td>
<td>Route expansion (50k a year)</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Exeter</td>
<td>(part of Visalia Urbanized Area)</td>
<td></td>
</tr>
<tr>
<td>Farmersville</td>
<td>(part of Visalia Urbanized Area)</td>
<td></td>
</tr>
<tr>
<td>Regional</td>
<td>Light Rail ROW preservation</td>
<td>$10,000,000</td>
</tr>
</tbody>
</table>

| **Total**    |                                              | $58,520,000|

<table>
<thead>
<tr>
<th><strong>Bike/Pedestrian Projects</strong></th>
<th>Agency</th>
<th>Project</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lindsay</td>
<td>Ped walkway/Bike</td>
<td>$3,900,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Phase 3 Downtown</td>
<td>$2,800,000</td>
</tr>
<tr>
<td></td>
<td>Tulare</td>
<td>Santa Fe Bike - lights</td>
<td>$2,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Santa Fe Bike - trail head</td>
<td>$2,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bike Arterial crossings</td>
<td>$1,000,000</td>
</tr>
<tr>
<td></td>
<td>Visalia</td>
<td>St John's River Path</td>
<td>$2,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cameron Creek path</td>
<td>$4,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>K Street Bike path</td>
<td>$1,600,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parkwood Creek</td>
<td>$1,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Modoc Creek</td>
<td>$1,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mill Creek</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Goshen Enhancement</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>K Road along SJ rail line</td>
<td>$4,500,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SJ river to Ave 272</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>County</td>
<td>Regional Bike Path improvements</td>
<td>$5,000,000</td>
</tr>
<tr>
<td></td>
<td>Exeter</td>
<td>Bike/ped improvements</td>
<td>$1,000,000</td>
</tr>
<tr>
<td></td>
<td>Porterville</td>
<td>Bike/ped Improvements</td>
<td>$5,000,000</td>
</tr>
<tr>
<td></td>
<td>Tulare/Visalia</td>
<td>Santa Fe Gap Connection</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Regional</td>
<td>K Road to Exeter</td>
<td>$16,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$71,200,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Environmental Projects</strong></th>
<th>Agency</th>
<th>Project</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodlake Area Mitigation banking program</td>
<td>Regional Mitigation Banking Program</td>
<td>$2,000,000</td>
<td></td>
</tr>
<tr>
<td>(results in $100,000 a year for environmental)</td>
<td>Woodlake Area Mitigation banking program</td>
<td>$1,000,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$132,720,000</td>
</tr>
</tbody>
</table>

**Notes:**
1. The projects are not listed by priority.
2. There is not a Tier III for the Transit/Bike/Environmental category.
Project Commitments – Other Programs

In addition to the Regional Program of projects, the Transportation Measure will provide additional funding for a wide range of projects determined based on agency need. Table 3 shows the projected cvcnuc distribution for the Local Programs. Each Agency will have different types of transportation projects. Examples of projects would include “pot-hole” repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects.

The County of Tulare will use the Local Program funding to create a “Farm to Market” program and for other road improvements to existing, community, local unincorporated roads. Figure 3 is a map showing potential or candidate projects for road rehabilitation. The projects are geographically distributed to all parts of the County. The map is shown for illustrative purposes. The County of Tulare will also create a “Local Community Road Improvement Program.” The Local Community Road Improvement Program would provide funding for transportation improvements in unincorporated communities. A partial list of the communities is shown below:

- Alpaugh  
- Cutter-Orosi  
- Ducor  
- Earlimart  
- East Orosi  
- East Porterville  
- Goshen  
- Ivanhoe  
- Lemon Cove  
- London  
- Pixley  
- Poplar/Cotton Center  
- Richgrove  
- Springville  
- Strathmore  
- Terra Bella  
- Tipton  
- Traver  
- Woottonville  
- Other smaller communities such as Allensworth, Oak Ranch, and Waukena

The other projects the County may potentially use the Local Program funding for include: “Pot-hole” repair, bridge repair, installation of traffic signals and transportation safety projects. The County will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Visalia would use the Local Program funding provided through a transportation sales tax augmentation to implement the City’s circulation element, and, at Council discretion, may use some of the funds to conduct on-going street maintenance.

Exactly how the City would use the funds could depend on the implementation policies of the tax including but not limited to the amount and rate of project funds generated by the tax, the criteria and priorities used to select the Tier II projects to be funded by the project portion of the sales tax, the financing options allowable under the provisions of the sales tax program, the reimbursement policies of the sales tax program, the availability of grants, bond funds, matching funds, private sector participation, federal earmarks and other types of available funding, what the impact such new monies will have on project prioritization, how cost overruns and revenue shortfalls will be addressed, how projects that impact state highways and/or other jurisdictions will be addressed through the implementation plan, and other factors yet to be determined.

Visalia’s share of the Local Program funds could yield $49.1 million in current dollars. The projects that would assist with the implementation of the City of Visalia’s circulation element and therefore could be funded by the Local Program portion of the tax could include, some, but not all of the following:

*Signal Light Synchronization ($9.0 million, est.)
*Interchange improvements at Lovers Lane and State Highway 198 ($18.5 million, est.)
*Interchange improvements at Shirk and State Highway 198 ($9 million, est.)
*Interchange improvements at Akers and State Highway 198 ($1.5 million, est.)
*Interchange improvements at Downtown Visalia (State Highway 63) and State Highway 198 ($20 million, est.)
*Street maintenance (Est. $50,000,000/annually over 30 years or $15 million)
Should additional monies become available, or if funding for the above projects comes from another source, some of the following elements of the City of Visalia's transportation system could be funded; however, there is not expected to be enough money from the sales tax augmentation Local Program funds to pay for these critical needs:

* New interchange at Road 148 and State Highway 198 ($25 million, est.)
* Santa Fe Street from Caldwell Avenue to Riggin Avenue, including overcrossing ($12.6 million)
* Overcrossing improvements at Ben Maddox and State Highway 198 ($2.8 million, est.)
* Overcrossing improvements at McAuliff and State Highway 198 ($14 million est.)
* Shirk Street improvements & widening from Highway 198 to Riggin ($9 million)
* Caldwell widening from State Route 99 to Mooney Blvd and Santa Fe Street to Road 166 ($12.6 million)
* Goshen Avenue realignment to Intersect at Lovers Lane and Mill Creek Parkway ($4 million)

(All estimates are in current dollars; estimated figures noted are the unfunded portions of the projects after the 2007/08 fiscal year.)

The City of Farmersville candidate projects include: traffic signal and intersection improvements to the intersections of Walnut & Freedom Drive and Farmersville & Noble Drive. Other potential uses for Local Program funding in Farmersville include street reconstruction and overlay projects. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Exeter candidate projects include: road widening with curb and gutter to Filbert Street, Giaze Street, and 3rd Street. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

Other Tulare County cities would have candidate projects that could include "pot-hole" repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects. The cities will evaluate annually the Local Program funded projects and prioritize based on local needs.

Table 4 provides a list of multi-modal transportation projects. Many of these projects will be identified and implemented by the local agencies to address specific needs or will be developed in accordance with implementing guidelines included in Appendix B. Examples include: Mass Transit Improvements, regional Bike trails, and contributions to environmental banking.

For Further Information:

Contact the Tulare County Association of Governments to inquire about the Measure process, discuss the candidate projects and programs contained in this Plan, or to inquire about the next steps in the Measure process.

Tulare County Association of Governments
5961 S. Mooney Blvd
Visalia, CA 93277
Ph: (559) 733-6291 Fax: (559) 733-6720

Visit the TCAG website at http://www.tularecog.org/ for more information, to sign up for our email list, and to receive updates on Measure planning activities.
Figure 2 – Phase 1 Regional Projects
Figure 3 – County of Tulare candidate “Farm to Market” projects

Figure 3: County of Tulare
“Farm to Market” Candidate Projects

Tulare County Association of Governments
APPENDICES

Appendix A - Plan Administration

Governing Board and Organizational Structure
A description of the Tulare County Association of Governments and its organizational structure related to the sales tax follows. The structure is consistent with the enabling legislation.

Tulare County Transportation Authority Structure under the Measure Program
The Tulare County Association of Governments (TCAG) will be the Tulare County Transportation Authority and administer the Measure Program in compliance with Public Utilities Code PUC 180000 et seq. If the Measure is approved by Tulare County voters in November 2006, the Authority will be responsible for administering the Measure Programs in accordance with plans and programs outlined in this and subsequent updates of this Plan. In addition, this Plan includes provision for a Citizens’ Oversight Committee. Details regarding the Committee are contained in Appendix C. The Strategic/Work Plan will continue to be prepared by TCAG and approved by its Policy Board and by the Authority.

PUC 180000 includes provisions regarding the number of members on the Authority Board. Specifically, the Authority will be represented by thirteen (13) members including:

- Five (5) members of the Board of Supervisors
- One (1) member representing each of the eight cities in Tulare County: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake consisting of members of the city council appointed by the city council

The three (3) at-large members of TCAG will not participate as members of the Authority in accordance with the intent of PUC 180051. Alternates to the regular members of the authority may participate in accordance with the TCAG By-Laws.

Plan Update, Approval Process, and Expenditure Plan Amendments

Plan Review and approval process

There are three primary reports/plans that are referenced as follows:
1. The Expenditure Plan - The Expenditure Plan is approved by the voters and may be amended once a year as outlined below.
2. The Annual report - The Annual report is prepared each year by the Citizen’s Oversight Committee to provide the public with a review of how sales tax receipts are being spent and publicize the results
3. Bi-Annual Strategic/Work Plan - Prepared every two years to outline project expenditures. The Strategic Plan will be timed to coincide with the development of the Bi-annual State Transportation Improvement Program (TIP) development.

In compliance with schedules mandated in federal and state law, TCAG regularly prepares a new long-range transportation plan (RTP) that updates and renews a list of candidate projects for all transportation modes (streets, highways, public transportation, bikeways, aviation, etc.). If funds are available for any projects beyond those now listed Table 1 in this Expenditure Plan, they will be drawn from that list. TCAG will have the option of issuing bonds to deliver Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

All updates of the Expenditure Plan will be subject to public review and public hearings. While these candidate projects may change and priorities for funding may occur, there are more than enough project needs within the County to be addressed using all types of funding, including Measure funds. It will be vital during development of each Expenditure Plan Update to consider financing all transportation modes in order to ensure a balanced and efficient transportation system. All of the projects and programs included in this Expenditure Plan are considered essential to meet the transportation needs of Tulare County.
Amendments to the Expenditure Plan

The TCAG Board may annually review and propose amendments to the Expenditure Plan to provide for the use of additional Federal, State and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. In order to react to changes in funding and/or priorities, an amendment to the plan can be proposed. Amendments will require the same voting requirements that TCAG used to adopt the original Expenditure Plan.

Di-Annual Strategic/Work Plan

The following steps will be taken by TCAG to prepare and adopt this and future Strategic Plans/biennial updates of the Transportation Measure Strategic/Work Plan. This will include a financial plan that coincides with the development of the State Transportation Improvement Program (STIP).

- TCAG staff working with member agencies and affected stakeholders will develop the Draft Strategic/Work Plan, and will update it every two years
- The TCAG Policy Board receives the Draft Strategic/Work Plan and its updates and schedules public hearings to review the Plan
- The TCAG Policy Board adopts the Strategic/Work Plan

Independent Financial Audits

If the Measure is approved by the voters, TCAG would conduct independent financial audits consistent with PUC 180000 et seq.

Implementing Guidelines

Administration Program: - 1% of the Measure

There are a number of processes that TCAG must also perform to support the Measure Program including maintenance of the Expenditure Plan and development of requirements associated with:

- Each of the proposed allocation programs
- The identification and prioritization of projects

It is recommended that TCAG be allocated 1% of sales tax revenue to address important activities. Activities of TCAG are described below:

- Prepare Annual Work Program and Budget
- Develop the Allocation Program requirements including focused studies needed to implement Measure programs
- Prepare the Strategic/Work Plan every two years
- Develop the priority list of regional capacity increasing and rehabilitation projects
- Conduct an independent audit of Measure programs and funds on an annual basis
- Conduct an on-going public outreach program
- Issue bonds to deliver Measure projects and programs contained in this Strategic/Work Plan to save project costs by delivering them earlier
- Allocate Measure proceeds to the local jurisdictions consistent with the Program requirements
Bonding and Financing

TCAG will have the authority to bond and use other financing mechanisms, including, when more advantageous economically, loans from banks and other financial lending institutions, for the purposes of expediting the delivery of transportation projects and programs and to provide economies of scale. Bonds or loans, if issued, will be paid with the proceeds of the transportation sales tax. The costs and risks associated with the bonding and loans will be presented in Strategic/Work Plan, and will be subject to public comment before any bond sale or loan application is approved.

TCAG will also be able to use other means to accelerate the delivery of projects and programs, including partnering with other COGs, the State of California, the Federal Government, and other government agencies, federal authorization funds, federal earmarks, partnering with private entities, seeking outside grants and matching or leveraging tax receipts to the maximum extent possible.

Local agencies may choose to advance funds for a project, either a project specified in the plan, or a project for which they plan to use their local agency Local Program funds, and to receive reimbursement for that advancement in accordance with the plan. The fund advancement and reimbursement projections must be approved by TCAG in accordance with the voting requirements, prior to proceeding with the project.

Contingency Fund

TCAG will also have the ability to set aside a contingency fund of up to 5% of the annual receipts from the tax.

Revenues to fund the contingency may be accumulated through the following: revenues exceed projections or a project's cost is lower than anticipated resulting in excess funds.

In the event that actual revenues in any given year are less than the budgeted revenues, the TCAG Board may use the contingency fund to make up the difference between the budgeted revenues and the actual revenues. The contingency fund may also be used to fund projects where the actual cost exceeds projections.

Accountability

All business of TCAG will be conducted in an open and public meeting process in accordance with the California Brown Act. TCAG will approve all spending plans described in this document and will ensure that adequate public involvement has been included in the preparation of all spending plans. TCAG will be required to hire an independent auditor who will annually audit all sales tax expenditures, ensuring that expenditures are made in accordance with the plan, and with prudent, established accounting regulations and practices.

Other Guidelines

This plan is guided by principles that ensure that the revenue generated by the transportation sales tax is spent in the most efficient and effective manner possible, consistent with the desires of the voters of Tulare County. The principles outlined in this section provide flexibility needed to address issues that may arise during the life of the plan.

1. TCAG will fund both regional and local projects, and will also provide funds to local agencies to address special and localized needs.

2. TCAG is charged with a fiduciary duty in administering the transportation sales tax proceeds in accordance with the applicable laws and this Expenditure Plan. Receipt of these tax proceeds may be subject to appropriate terms and conditions as determined by TCAG in its reasonable discretion, including, but not limited to, the right to require recipients to execute funding agreements and the right to audit recipients' use of the tax proceeds.

3. The monies collected through TCAG shall be accounted for and invested separately, unless and until the funds are turned over to a local agency in accordance with the plan. At such time, the local agency shall keep a separate accounting of the monies and any and all expenditures to ensure that the monies are spent in accordance with the approved expenditure plan.
4. All meetings of TCAG will be conducted in public accordance to state law, through publically noticed meetings. The annual budget of TCAG, annual work plan, biennial Strategic/Work Plan, and annual report will all be prepared for public scrutiny. The interests of the public will further be protected by the Citizens' Oversight Committee described in this Plan.

6. Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefiting Tulare County and its member agencies. The funds may not be used for any transportation projects or programs other than those specified in this Plan without an amendment of the Expenditure Plan.

6. Actual revenues may be higher or lower than expected in this Plan, due to changes in receipts and/or matching or leveraging capability. Estimates of actual revenue will be programmed annually by the TCAG during its annual budget process.

7. The actual requirements for funds in a specific program could be higher or lower than expected due to changes in funding outside of this transportation sales tax, or due to changes in project costs or feasibility. Should the need for funds for any program/project be less than the amount to be allocated by the sales tax, or should any project become infeasible for any reason, funds will first be considered for repurposing to other programs or projects in the same urban area in accordance with voting described above at a noticed public hearing. Should the need for funds in the entire area be less than the amount to be allocated by the transportation sales tax, the TCAG Board may amend the Expenditure Plan to reallocate funds to other projects following its procedures for a plan amendment.

8. All projects funded with these transportation sales tax funds will be required to complete appropriate California Environmental Quality Act (CEQA) and other environmental review as required.

9. Funds may be accumulated by TCAG or by recipient agencies over a period of time to pay for larger and long-term projects. All interest income generated by these proceeds will accrue to the specific fund/project intended. If accumulated for a general purpose, the proceeds will be used for the transportation purpose described in the Expenditure Plan.

10. TCAG will have the capability of loaning transportation sales tax receipts at prevailing interest rates to other member agencies for the implementation of needed transportation projects, provided that a guaranteed revenue stream is devoted to repay such a loan over a maximum amount of time, and provided that the loan will not interfere with the implementation of programs or projects defined in the Expenditure Plan. Loaning of funds requires TCAG Board approval.

11. Matching or leveraging of outside funding sources is strongly encouraged. Any additional transportation sales tax revenues made available through their replacement by matching funds will be spent based on the principles outlined previously in these guidelines. A member agency may elect to advance Tier I Regional Project using local funds. The agency would be eligible for repayment for the amount advanced (with no interest) subject to TCAG approval of the advancement and the year of reimbursement.

12. For Transit/Bike/Pedestrian projects shown on Table 5, obtaining outside funding or grants is encouraged. For every dollar of sales tax funding saved by an agency through obtaining outside grants, 50% will be provided to that agency's Local Program fund. (Excludes: CMAQ, TEA, FTA 5307, and FTA 5311 or other state/federal grant administered through TCAG) The other 50% would be placed in the Local Program fund to be distributed among all agencies. Examples of eligible grants include but are not limited to: State of California Bike Lane Account funding, Federal Recreation trials Program, and Federal Transit Administration new starts program.
13. For 'Regional Projects' shown on Tables 1 and 2, obtaining third party grants by member agencies is encouraged so as to leverage sales tax revenue and expedite completion of projects. All funds generated by such third party grants solicited for specific regional projects shall be applied solely to those projects. TCAG will give preference to use the savings resulting from said grants toward other regional projects which primarily benefit the member agency responsible for obtaining said grants. Grants, as applied to the foregoing, do not include STIP funds.

14. New incorporated cities or new transit agencies or services that come into existence in Tulare County during the life of the Expenditure Plan could be considered as eligible recipients of funds through a Plan Amendment, and an additional position created on the governing board.
Appendix B — Implementing Guidelines

The following Implementing Guidelines are intended to "guide" development and implementation of the measure program for Tulare County. Each of the three (3) transportation funding programs is described below. Implementing Guidelines for the fourth program (Administration/Planning Program) are described in Appendix A.

1. Regional Project Program (Regional Transportation Program)- 50% of the Measure

The Expenditure objectives are to:

- Provide additional funds to make up anticipated shortfalls to meet regional street and highway improvement needs
- Leverage Local Program state and federal funding from the California Transportation Commission (CTC)
- Accelerate delivery of street and highway projects that may otherwise be delayed because of other funding shortages

The program would provide funds for:

- Additional lane capacity on existing regional streets and highways
- Major interchange improvements
- Other improvements which improve mobility performance on the regional system

Eligible expenditures for Phase 1 and Phase 2 projects would include all recognized project phases including:

- Planning and environmental analysis
- Preliminary engineering
- Design
- Right-of-way acquisition and relocation
- Utility relocation
- Construction & Construction Engineering

In addition to Transportation Measure funds, the Regional Projects Program would require the partial allocation of State Transportation Improvement Program funds available to Tulare County to regional capacity increasing projects. These funding sources together result in slightly more than $903 million available for Phase 1 and Phase 2. Phase 2 projects are considered for advancement if additional funding is available and the projects are amended in to the current Regional Transportation Plan. During preparation of the biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost benefit, project readiness, and funding availability.
2. **Local Transportation Program - 35% of the Measure**

This program would augment:

- Existing local, state, and federal funds for local streets and roads
- Any other form of transportation that provides funding for transportation projects of significance to local agencies
- Local Transportation Impact Fees

The improvements in this category are not limited to just the concept of rehabilitation. The funding is available to all jurisdictions to address their respective needs. This program will provide "flexible funding" for:

- Meeting scheduled maintenance needs
- Rehabilitating the aging local system
- Pot hole repair
- Signals
- Safety Improvements
- Bridge replacement
- New local road capacity
- Maintenance and rehabilitation projects
- Separate street traffic from increasing rail traffic (railroad grade separations)
- Signal Synchronization
- Other improvements directly or indirectly related to transportation

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation.

3. **Transit/Bikes/Environmental Mitigation Program (Public Transportation Program) – 14% of Measure**

The program would include funding augmentation to existing transit operators to maintain basic transit services to meet the needs of:

- Public transit
- Those who are unable to drive
- Those who choose an alternative to the use of private automobiles for work and shopping trips

The program includes funding for:

- Bicycle projects
- Pedestrian Improvements
- Environmental Mitigation
- Light Rail

The Environmental Mitigation funds would be applied to an environmental mitigation bank that would encompass the projects and programs that may be funded with Measure assistance. This program would also reduce the time and significant delays associated with the current process of securing approval of affected resource agencies.

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation. In addition to Measure funds, the Regional Projects Program would require the partial allocation of Regional CMAQ/TE funding administered through TCAG. These funding sources together result in slightly more than **$132 million** available for Transit/Bikes/Environmental projects.
Appendix C — Citizens' Oversight Committee

Committee Purpose

To provide input on implementation of the plan, and to advise the TCAG Board if and when the plan needs to be augmented and to ensure that the funds are being spent in accordance with the plan.

To inform the public and to ensure that the Transportation Measure (Measure) funding program revenues and expenditures are spent as promised to the public.

Administrative Issues

Committee Formation

- The Committee will be formed within six (6) months upon approval of the Measure by the voters of Tulare County in November 2006
- The Citizens' Oversight Committee (Committee) shall not be amended out of the Expenditure Plan
- Meetings will commence when Measure revenues are recommended for expenditure; including Strategic/Work Plan updates

Selection and Duties of Committee Chair and Vice Chair

- The Committee shall select a Chair and Vice Chair from the members, each of whom shall serve a one (1) year term
- The duties of the Chair will be to call meetings, set agendas, and preside over meetings
- The duties of the Vice Chair will be to perform the same duties described above in the absence of the Chair

Committee Meetings

- The Committee will hold one formal meeting annually, with additional meetings scheduled as needed by the Committee.
- All Committee meetings must be held in compliance with the Brown Act
- All meetings will be conducted per "Robert's Rules of Order"

Subcommittee Requirements

- Subcommittees: the Committee may elect to form subcommittees to perform specific parts of its purpose.
- All subcommittees shall have an odd number of members

Committee Membership, Selection, and Quorum

Membership & Selection

The Committee will be designed to reflect the diversity of the County. The Committee will consist of 10 members. Each organization represented on the Citizens’ Oversight Committee will nominate its representative; with final appointees approved by the governing board of the TCAG. The membership shall be as follows:

*One member will be appointed by each City and the County. (Total of 9)

*One representative from a major private sector Tulare County employer, nominated by the Tulare County Economic Development Corporation

*One representative from the building industry, nominated by the Tulare County Building Industry Association.
*One representative from the agriculture industry, nominated by the Tulare County Farm Bureau

*One representative from the Hispanic community, nominated by the Tulare Kings Hispanic Chamber of Commerce

*One representative from an advocacy group representing bicyclists and pedestrians, and/or transit.

*One member who is a professional in the field of audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.

*One representative from an environmental advocacy group

- In the case of the final three representatives, applications from citizens from Tulare County who are over the age of 18 will be solicited and accepted and the representatives will be selected by the other 13 seated Board members, subject to final approval by TCAG.

**Quorum**

- A Quorum will be no less than nine (9) members of the Committee
- An action item of the Committee may be approved by a simple majority of those present, as long as the quorum requirement is met.

**Term of Membership**

- Terms of membership will be for two (2) years. No member may serve more than 8 years
- Members may be reimbursed for authorized expenses, but not be compensated for their service on the Committee
- In an effort to maintain Committee member consistency, during the first two (2) years of the Committee, terms will be staggered with 8 of the members to serve a one year term, 8 of the members to serve a two year term. The length of the first terms will be determined via random selection.
- Proxy voting will not be permitted

**Eligibility**

- U.S. citizen 18 years of age or older who resides in Tulare County
- Not an elected official at any level of government
- Not a public employee at any State, County or local city agencies
- Must submit an annual statement of financial disclosure consistent with Fair Political Practices Commission (FPPC) rules and regulations and filed with the Authority

**Staffing**

- TCAG will staff the Committee and provide technical and administrative assistance to support and publicize the Committee's activities.
- TCAG services and any necessary outside services will be paid using the TCAG's Measure Administration Program revenues
- Expert staff will be requested to provide information and make presentations to the Committee, as needed

**Responsibilities**

The Committee may receive, review and recommend any action or revision to plans, programs, audits or projects that is within the scope of its purpose stated above. Specific responsibilities include:

- Receive, review, inspect, and recommend action on independent financial and performance audits related to the Measure
• Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Measure programs, revenues, or expenditures
• Review and comment upon Measure expenditures to ensure that they are consistent with the Expenditure Plan
• Annually review how sales tax receipts are being spent and publicize the results
• Present Committee recommendations, findings, and requests to the public and TCAG in a formal annual report to inform Tulare County residents how funds are being spent.
• The Committee will have full access to the TCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from TCAG, and other relevant data generated by reputable sources. It is understood that TCAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes and that the Committee will be kept abreast of any such efforts, and is invited to participate in development of such updates in a review capacity.

The Committee will assist TCAG in taking advantage of changing situations with technical and transportation developments in the future. Therefore, the provisions regarding the Committee make up, processes and protocols are viewed through 2037 based upon a 2007 perspective, and are not meant to be unduly restrictive on the TCAG and the Committee’s roles and responsibilities.
Public Hearing

Title: Consideration of Ordinance Dismantling the Business Improvement Area of the City of Porterville, Proposing to Dispose of Any Assets Acquired with the Revenues of Assessments Levied within the Business Improvement District, and Repealing Chapter 15, Article IV, “Business Improvement Area,” Sections 15-31 through 15-39

Source: City Attorney

Comment: At the June 20, 2006, City Council Meeting, the City Council adopted Resolution No. 84-2006, setting forth its intent to dismantle the Business Improvement Area of the City and proposing to dispose of the assets acquired with the revenues of the assessments levied within the District. The Resolution scheduled the public hearing and consideration of an ordinance dismantling the District for the July 18, 2006, City Council Meeting. Public Notice of the procedures and the hearing was given in accordance with the Resolution of Intent, consistent with applicable law.

Upon holding the public hearing at the established time, the City Council may thereafter approve and give first reading to the attached ordinance dismantling the area unless a majority of the assessed business owners protest such dismantlement. Protests can be received up until the closing of the public hearing, and any written protests or other communications received prior to or at this meeting (before the close of the public hearing) will be entered into the record.

Recommendation: It is requested that the City Council proceed as follows:

1. Hold the public hearing concerning the Ordinance to Dismantle the Business Improvement Area of the City of Porterville.
2. If a majority of the assessed businesses have not protested the dismantlement, the Council may approve and give first reading to the attached Ordinance Dismantling the Business Improvement Area of the City of Porterville, Proposing to Dispose of Assets Acquired with the Revenues of Assessments Levied within the Business Improvement District, and Repealing Chapter 15, Article IV, “Business Improvement Area,” Sections 15-31 through 15-39, in their Entirety; OR

Item No. 15
3. If a majority of the assessed businesses have not protested the disestablishment, notwithstanding this the Council may opt to continue the assessments and keep the District in place or direct that other modifications be initiated, OR
4. If a majority of the assessed businesses do protest the disestablishment, the City Council should take no further action on the proposed disestablishment.

ATTACHMENT:
1. Ordinance No. _____, An Ordinance Disestablishing the Business Improvement Area of the City of Porterville, Proposing to Dispose of Assets Acquired with the Revenues of Assessments Levied within the Business Improvement District, and Repealing Chapter 15, Article IV, “Business Improvement Area,” Sections 15-31 through 15-39, in their Entirety
ORDINANCE NO. ________


WHEREAS, the Business Improvement Area of Porterville was established in 1987, in accordance with the Parking and Business Improvement Area Law of 1979, 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 furnishing of music in public places in the area;

WHEREAS, over the years, various business owners who are located within the District and pay assessments have voiced concerns with regard to the effectiveness of the Business Improvement Area/District;

WHEREAS, disestablishment of the Business Improvement Area/District is governed by local City regulations and California Streets and Highways Code Sections 36515, 36550, and 36551;

WHEREAS, in accordance with applicable law, on June 20, 2006, the City Council adopted Resolution No. 84-2006, 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, and said Resolution set the public hearing for consideration of an ordinance disestablishing the District, to be held during the regularly scheduled City Council Meeting on Tuesday, July 18, 2006, 7:00 p.m. or as soon thereafter as the matter can be heard;

WHEREAS, the above-referenced public hearing was duly noticed and held; and

WHEREAS, at the hearing the City Council heard all protests and received evidence for and against the proposed action and ruled upon all protests, and at the conclusion of the public hearing no majority protest was received opposing the disestablishment of the District;
THE COUNCIL OF THE CITY OF PORTERVILLE DO ORDAIN AS FOLLOWS:

SECTION 1. That the Porterville Business Area and District is hereby disestablished. Any assets that have been 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.


SECTION 3. Pursuant to California Streets and Highways Code Section 36551, Notice of Disestablishment of the Area shall be published once in a newspaper of general circulation in the City, not later than 15 days after the ordinance disestablishing the area is adopted.

SECTION 4. This ordinance shall be in full force and effect thirty (30) days after its passage, adoption and approval.

ADOPTED, SIGNED AND APPROVED this ______ day of ____________, 2006.

__________________________________________
Cameron Hamilton, Mayor

ATTEST:
John Longley, City Clerk

__________________________________________
By: Georgia Hawley, Chief Deputy City Clerk
ARTICLE IV. BUSINESS IMPROVEMENT AREA

Sec. 15-31. Authority.

This article is adopted pursuant to the “Parking and Business Improvements Area Law of 1979,” being Section 36500 et seq. of the California Streets and Highways Code, and Resolution of Intention No. 51-87, adopted by the city council on May 19, 1987, and titled “A Resolution of the City Council of the City of Porterville, California, Declaring its Intentions To Establish a Business Improvement Area in the Central Business District Area of the City of Porterville, To Provide for the Levying of Assessments and Charges on Specified Business Conducted Within Such Area, Classifying Various Businesses for Such Purposes, Describing the Boundaries of the Proposed Area, the Authorized Uses To Which the Proposed Revenues Shall Be Put, the Rate of Such Charges, Fixing the Time and Place of a Hearing To Be Held by the City Council To Consider the Establishment of Such an Area, and Directing the Giving of Notice of Such Hearing.” Such resolution was published and mailed as provided by law, and hearings thereon were held by the city council at its regular meeting on June 16, 1987, at which time all persons desiring to be heard, and all objections made or filed, were fully heard. The city council duly concluded the hearing on June 16, 1987, and determined that protests objecting to the formation of the area have not been made by a majority of the businesses within the area and that such protests are overruled and denied. The city council hereby finds that the businesses and improvement area, in the opinion of the city council, will be benefitted by the expenditure of the funds raised by the charges proposed to be levied.

Sec. 15-32. Area established; description.

(a) There is hereby established a business improvement area which shall be known as the “Business Improvement Area of the City of Porterville,” herein referred to as the “area” for brevity and convenience. The description of the area is as follows:

All that property within the boundaries of the following described lines:

Beginning at the intersection of the north right-of-way line of Olive Avenue with the east line of the Southern Pacific Railroad property, said line being fifty (50) feet east of the center of the main track; thence northerly along said line parallel to said main track two thousand seven hundred eighty (2,780) feet more or less to its intersection with the south right-of-way line of Morton Avenue; thence easterly along the south right-of-way of Morton one thousand sixty (1,060) feet more or less to its intersection with the west right-of-way line of Second Street; thence southerly nine hundred (900) feet more or less to its intersection with the south right-of-way line of Cleveland Avenue; thence easterly along said south right-of-way line, one hundred seventy (170) feet more or less to the west line of an alley; thence southerly along the west line of the alley one thousand eight hundred ninety (1,890) feet more or less to its intersection with the north right-of-way line of Olive Avenue; thence west along said right-of-way line, one thousand two hundred thirty (1,230) feet more or less back to the point of beginning.
Sec. 15-33. **Authorized uses of additional revenue.**

The authorized uses to which the additional revenue shall be put are as follows:

1. The general promotion of business activities in the area.
2. Promotion of public events which are to take place on or in public places in the area.
3. Decoration of any public place in the area.
4. Furnishing of music in any public place in the area.

Sec. 15-34. **Levy of charge in addition to business license tax.**

There is hereby imposed a charge for the purposes authorized in section 15-33, which charge is in addition to the ordinary business license tax as it is imposed upon businesses conducting their activities within the area by chapter 15 of the Porterville City Code. Such additional charge is imposed at the rates set forth in section 15-35 for the specified business classifications regardless of whether the business is taxed upon a flat rate or other basis under the provisions of chapter 15 of the Porterville City Code.

Sec. 15-35. **Classification of businesses and charges imposed.**

(a) **Businesses classified; determination of charge.** The businesses conducted in the area are classified as follows so as to promote the equitable imposition of the additional charge hereunder in relation to the relative benefits to be derived. The charge shall be as follows: Charges totaling an amount (not to exceed five hundred dollars ($500.00) semi-annually) equal to one hundred (100) percent of the amount paid to the city for a business license shall be paid by each business having a business license within the area of benefit.

(b) **Determination of type or class of business to be made by purchasing agent.** The determination of the type or class of business or businesses a charge payer is engaged in or about to engage in shall be an administrative function of the purchasing agent or designee of the city in accordance with chapter 15 of the Code of the city.

(c) **Change in classification; investigation.** In cases where a charge payer believes he is placed in the wrong business or class of business or businesses, he may apply in writing to the purchasing agent for a change in his classification, setting forth in full his reason for requesting such change. The purchasing agent shall conduct an investigation and shall thereupon render his decision in writing as to the proper classification or classifications.
(d) Appeal to Administrative Services Manager or designee by charge payer. If the charge payer is aggrieved by the purchasing agent's decision, he shall have the right to appeal to the Administrative Services Manager or designee. The appeal shall be filed with the Administrative Services Manager or designee within ten (10) days of the date of the purchasing agent's decision, and shall be heard by the Administrative Services Manager or designee within thirty (30) days thereafter. The charge payer shall be given at least seven (7) days' notice of the hearing by the Administrative Services Manager or designee.

Sec. 15-36. Exemption; voluntary contribution.
Any business, person or institution located in the area, which is exempt from the payment of the ordinary business operations tax of the city by reason of the provisions of the laws of the United States or the city or by reason of the provisions of the United States or California Constitution, is not to be charged under this proceeding but may make a voluntary contribution to the city. Such contribution shall be used for the purposes provided in this article.

Sec. 15-37. Modification or disestablishment of area.
(a) Generally; resolution. The city council, by ordinance, may modify the provisions of this article hereby proposed, and may disestablish the area, after adopting a resolution of intention to such effect. Such resolution shall describe the proposed change or changes, or indicate that it is proposed to disestablish the area, and shall state the time and the place of a hearing to be held by the city council to consider the proposed action.

(b) Petition by majority of businesses; filing date. If a majority of the businesses in the area file a petition with the city clerk requesting the council to adopt a resolution of intention to modify or disestablish the area, the council shall adopt such resolution and act upon it as hereinafter provided. Signatures on such petitions shall be those of a duly authorized representative of businesses in the area; and the petition shall be filed with the city clerk within six (6) weeks of the date on which the first signature was affixed.

(c) Publication and mailing of resolution. The city clerk shall cause such resolution to be published at least once in the official newspaper of the city, and shall also mail a complete copy thereof, postage prepaid, to each business in the area, or, if it is proposed to enlarge the boundaries of the area, to each business in the area as it is proposed to be enlarged, such publication and mailing shall be completed at least fifteen (15) days prior to the date of the hearing.

(d) Modification of article provisions, protest by area businesses. In the event the resolution proposes to modify any of the provisions of this article, including changes in the existing charges or in the existing boundaries of the area, such proceedings shall terminate if protest is made by a majority of the businesses in the area, or in the area as it is proposed to be enlarged, provided that the city council may modify the boundaries or charges as specified in Streets and Highways Code Sections 36526 through 36540.

(e) Disestablishment procedures. In the event the resolution proposes disestablishment of the area, the city council shall disestablish the area in accordance with
provisions of the Parking and Business Improvement Area Law of 1979, unless at such hearing, protest against disestablishment is made by a majority of the businesses in the area.

(f) **Hearing by council.** At the hearing, 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. The council may continue the hearing from time to time.

**Sec. 15-38. Administration.**

The council may provide for the administration of the area's activities by entering into a contract with an entity that, in the opinion of the city council, will have the capability of representing the interests of the businesses in the area, whose general objectives will be consistent with the purposes of this article, and who will provide the resources to effectively achieve those objectives. However, in such event the city council shall reserve onto itself sole discretion as to how the revenue derived from the charges hereunder shall be used within the scope of the authorized purposes.

**Sec. 15-39. Payment of charge; effective date; fund.**

(a) **Generally.** The collection of the charges imposed hereunder shall be at the same time and in the same manner as the general business license tax under chapter 15 of the City's Code commencing January 1, 1988.

(b) **Business improvement area fund created.** A special fund is hereby created, known as the "business improvement area fund," and the charges imposed by this article shall be deposited in such fund.
PUBLIC HEARING

SUBJECT: PUBLIC TRANSIT SYSTEM MODIFICATIONS

SOURCE: Administration (Transit)

COMMENT: At the City Council meeting of May 16, 2006, staff scheduled an agenda item covering the Short Range Transit Plan. During that item, the City’s Transportation Consultant, Charles Clouse of TPG Consulting, Inc., reviewed the Plan and several options provided for consideration. After such review, the Council directed staff to proceed with a public hearing to implement the following modifications to the Public Transit System for the City of Porterville:

- Convert the Dial-A-COLT (COLT) System to Senior and American with Disabilities Act – only service
- Expand Fixed Route Service by one bus in FY 2008/09
- Increase Marketing and Promotion Efforts to increase ridership
- Increase Transit Service fares to $1.00 and implement a $36 monthly pass for frequent users of the service
- Implement the Capital Acquisition Program as outlined in the Plan.

As a requirement of Section 5307 Federal guidelines, the City is required to have a process for soliciting and considering public comment prior to raising fares or implementing major service reductions. In addition to publishing the Public Hearing notice as prescribed by law, staff has also posted notice of the proposed changes at the Transit Center. Extensive newspaper coverage in the Porterville Recorder outlining the proposed changes has also afforded additional notification to the public.
In an effort to ascertain what additional steps may be prudent relating to the COLT system, an analysis has been completed to determine hours of operation for Seniors and ADA passengers. ADA calls received for service between the hours of 8:00 and 9:00 p.m. (during the month of May, 2006) only averaged one per day. However, average number of calls between 7:00 and 8:00 p.m. (during the month of May, 2006) averaged three per day. Staff proposes to reduce this service an additional one hour per day which would provide a further decrease in revenue hour operating costs, but still appears to be ample service given the number of ADA passengers utilizing the service beyond 8:00 p.m. With this reduction, the Senior and ADA service would operate Monday through Friday from 7:00 a.m. to 8:00 p.m., and on Saturday, service would remain the same – 9:00 a.m. to 6:00 p.m.

RECOMMENDATION: That the City Council:

1. Hold the required Public Hearing, and after consideration of any comments regarding these matters, direct staff to implement the modifications to the City’s Public Transit System as follows:

   A. Convert the Dial-A-COLT (COLT) System to Senior and American with Disabilities Act – only service, effective August 1, 2006, and operate the service from 7:00 a.m. to 8:00 p.m., Monday through Friday, and from 9:00 a.m. to 6:00 p.m. on Saturday;

   B. Expand Fixed Route Service by one bus in FY 2008/09;

   C. Increase Marketing and Promotion Efforts to increase ridership;

   D. Increase Transit Service fares to $1.00 and implement a $36 monthly pass for frequent riders of the service, effective August 1, 2006; and

   E. Implement the Capital Acquisition Program as outlined in the Short Range Transit Plan.
PUBLIC HEARING

SUBJECT: ANNUAL ENGINEERS REPORT AND ASSESSMENTS FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS

SOURCE: Parks and Leisure Services Department

COMMENT: The City has created fifty-four Landscape and Lighting Maintenance Districts since 1989. The original District had seventeen annexed areas for new developments in addition to the original area. Since 1996 new Districts have been formed for each new development, representing Districts 2 through 37.

Annually, a process of evaluating maintenance needs and establishing an assessment for each LMD must be followed. At the June 20, 2006 meeting, the City Council preliminarily approved the annual Engineer’s Report, which indicates the proposed assessments for the 2006 – 2007 fiscal year. The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by the County of Tulare.

Clerical errors, not effecting the computation of assessments, were found in the Engineer’s Report presented on June 20, 2006. The errors were misstatements of the fund balance for various districts. The Report has been corrected and the summary spreadsheet that follows the Report provides financial detail on each district. Doug Wilson, Engineer of Record for the Engineer’s Report will be available at the meeting.

RECOMMENDATION: That the City Council:
1. Open the public hearing on the 2006-2007 Assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments; and
2. Adopt the Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer’s Report and Assessments for the 2006-2007 fiscal year.

ATTACHMENTS:
1. Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer’s Report and Assessments for the 2006-2007 fiscal year
2. Engineer’s Report for the Landscape and Lighting Maintenance Districts 2006-2007 fiscal year
3. Statement of Revenues & Expenditures for Landscape Maintenance Districts

ITEM NO.: _______
RESOLUTION NO.: 2006


WHEREAS, the City Council of the City of Porterville did on the 20th day of June, 2006, adopt its Resolution of Intention No. 81-2006 to order the therein described work in connection with the continuation of assessment procedures in Landscape and Lighting Maintenance Districts, which Resolution of Intention No. 81-2006 was duly and legally published in the time, form and manner as required by Law, shown by the Affidavit of Publication of said Resolution of Intention on file in the Office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in the proceeding and concerning the necessity for the contemplated work and the benefits to be derived therefrom, and said City Council having now acquired jurisdiction to order the proposed work;

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

SECTION 1. IT IS HEREBY RESOLVED by the City Council of the City of Porterville that the public interest and convenience require the continuation of assessment procedures for the district, and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 81-2006, be done and made; and

SECTION 2. BE IT FURTHER RESOLVED that the report filed by the Engineer is hereby finally approved;

SECTION 3. BE IT FURTHER RESOLVED that the assessments for fiscal year 2006-2007 and method of assessment in the Engineer’s Report are hereby approved;

SECTION 4. BE IT FINALLY RESOLVED that the assessments are in compliance with California Code, that they are without regard to property valuation, and in compliance with Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highway Code allowing the placement of the charge on the tax roll for collection.

APPROVED AND ADOPTED this 18th day of July 2006.

Cameron J. Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: ________________________________
Georgia Hawley, Deputy City Clerk
CITY OF PORTERVILLE, CALIFORNIA
ENGINEER’S REPORT FOR
LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS
2005-2006 FISCAL YEAR

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville, Resolution Number 79-206. 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 ($2,689.47)

- 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 $268.95
- Reserves $1,921.12

Estimated Cost Per Year $14,728.65

- 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
\[ T = \text{Total annual cost} \]

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

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

**Estimated Annual Assessment**

\[ A = \frac{T}{L} = \frac{14,339.38}{126} = \$113.80 \text{ per lot} \]
ESTIMATED ACCUMULATED COSTS 2005-2006

Maintenance $ 960.00
Project Management $ 32.92

Total $ 992.92

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance ($ 2,556.64)

Maintenance $ 2,717.26
Project Management, 5 parcel maps $1,000 + $4.00 per map $ 1,020.00
Eliminate Deficit Fund Balance over 10 years $ 255.66
Reserves $ 598.94

Estimated Cost Per Year $ 4,591.86

Previous year assessment $ 3,833.00

New Assessment $ 3,833.00

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

\[
\text{Total Net Assessable Square Feet} = \text{Cost per Sq. Ft.}
\]

\[
\$3,833\_ = \$0.00374\text{ per sq. ft.}
\]

\[
1,024,967\text{ sq. ft.}
\]

Assess \$0.00374\text{ per sq. ft. 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**

- Maintenance 22,100 sq. ft. of landscaped area: $6,145.66
- Project Management 126 Lots: $32.92

Total: $6,178.58

**ESTIMATED COST 2006-2007**

- Projected July 1, 2006 Fund Balance: $3,120.44
- Maintenance, 22,100 sq. ft. of landscaped area: $7,533.60
- Project Management, 22 lots $1,000 + $4.00 per lot: $1,088.00
- Reserves: $1,293.24

Estimated Cost Per Year: $9,914.84

Previous year assessment: $8,000.00

New Assessment: $8,000.00

**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**

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

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**

\[
F = \frac{8,000 \times 0.20}{22} = \frac{$1,600.00 \text{ for remainder}}{22} = $72.73
\]

\[
A = \frac{8,000 - 1,600}{22} = $290.92 \text{ per lot in Unit One}
\]
Annexation No. 3 - Porter Creek
2006-2007 Fiscal Year
Approved CPI 2000

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 $ 4,626.80

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

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

Estimated Assessment
A = $133.58

A = Assessment Per Lot
L = Number of Lots
T = Total Annual Cost
Annexation No. 4 - LaVida Park
2006-2007 Fiscal Year

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  ($ 956.30)

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  $ 95.63
Reserves  $ 535.76

Estimated Cost Per Year  $ 4,107.48

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

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

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 ($10,278.64)

- 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 $1,027.86
- Reserves $1,231.43

Estimated Cost Per Year $9,440.92

- 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 reminder parcel is as shown in the formula below.
**Formula for Assessment**

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

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

**Estimated Assessment**

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

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Lighting 11 ea., 5,800 lumen, 8 ea., 9,500 lumen</td>
<td>$ 370.56</td>
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<tr>
<td>Project Management 12 Lots</td>
<td>$ 32.92</td>
</tr>
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<td><strong>Total</strong></td>
<td><strong>$ 403.48</strong></td>
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ESTIMATED COST 2006-2007

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<th>Description</th>
<th>Cost</th>
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<tr>
<td>July 1, 2006 Fund Balance</td>
<td>$ 3,839.96</td>
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<tr>
<td>Lighting 11 ea., 5,800 lumen @ $30.21</td>
<td>$ 332.31</td>
</tr>
<tr>
<td>8 ea., 11,000 lumen @ 36.29</td>
<td>$ 290.32</td>
</tr>
<tr>
<td>Project Management, 81 lots $400 + $3.00 per lot</td>
<td>$ 643.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 456.89</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$ 1,722.52</strong></td>
</tr>
</tbody>
</table>

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

\[ P = \frac{TA}{N} \]

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

Estimated Assessment

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

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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<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>
</tr>
<tr>
<td>Total</td>
<td>$ 134.45</td>
</tr>
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ESTIMATED COST 2006-2007

<table>
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<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$ 931.13</td>
</tr>
<tr>
<td>Lighting, 2 ea., 5,800 lumen @ $30.21</td>
<td>$ 60.42</td>
</tr>
<tr>
<td>Project Management, 12 lots $400 + $3.00 per lot</td>
<td>$ 436.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 74.46</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$ 570.88</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 410.40</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 410.40</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

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

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

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 $ 6,184.39

Maintenance, 28.460 sq. ft. of landscaped area, Lighting $ 1,946.45
5 ea., 5,800 lumens, and 1 ea., 16,000 lumens
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

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

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

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 $ 848.18
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.

\[ P_1 = \text{Portion to be assessed to Parcel 1 (developed parcel)} \]
\[ P_2 = \text{Portion to be assessed to Parcel 2} \]
\[ TA = \text{Total Assessment ($)} \]
\[ AE = \text{Administration and Engineering Cost} \]
\[ A_1 = \text{Area of Parcel 1 (acres)} \]
\[ L = \text{Lighting Cost} \]
\[ T = \text{Total area (acres)} \]

\[
P_2 = \frac{AE \times A_1}{T} = \frac{349 \times 4.81}{6.61} = \$253.96
\]

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

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 $ 2,697.81 

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

Assessment (A) = Cost (C) 
Number of Lots (L)

A = $1,824.30 / 16 = $114.02 per lot

Estimated Assessment

A = $114.02
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 $ 6,420.16

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

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 ($ 66.13)

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 $ 6.61
Reserves $ 350.77

Estimated Cost Per Year $ 2,689.22
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 ($ 2,459.37)

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 $ 245.94
Reserves $ 501.47

Estimated Cost Per Year $ 3,844.64
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

Assessment (A) = ___ Cost (C)
                Number of Lots (L)

A = $1,824.69 = $228.00 per lot
     8

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 $ 5,363.71

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)}}

A = \frac{2,816.00}{59} = $47.72 \text{ per lot}

Estimated Assessment
A = $47.72
Annexation No. 16 - New Horizon's Phase II Subdivision
2006-2007 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Lighting</th>
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</tr>
</thead>
<tbody>
<tr>
<td>8 ea., 5,800 lumens and 8 ea., 9,500 lumens</td>
<td>$ 313.92</td>
</tr>
<tr>
<td>Project Management 81 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td>Total</td>
<td>$ 346.84</td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

Projected July 1, 2006 Fund Balance $ 2,763.03

<table>
<thead>
<tr>
<th>Lighting</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8 ea., 5,800 lumens and 8 ea., 9,500 lumens</td>
<td>$ 532.00</td>
</tr>
<tr>
<td>Project Management, 81 lots $400 + $3.00 per lot</td>
<td>$ 643.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 628.34</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$ 1,803.34</td>
</tr>
</tbody>
</table>

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 $ 1,377.32  

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 $1,443.36

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

Assessment (A) = Cost (C) / Number of Lots (L)

A = $919.20 = $30.64 per lot
30

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 $19,348.63

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) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}

\begin{align*}
A &= \frac{\$12,611.04}{104} = \$121.26 \text{ per lot} \\
\text{Estimated Assessment} & \ A = \$121.26
\end{align*}
District No. 3 - New Expressions, Phase 1
2006-2007
CPI Approved 1998

**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 $ 2,078.03

*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) = \( \frac{\text{Cost (C)}}{\text{Number of Lots}} \)

\[ A = \frac{\$963.42}{56} = \$17.20 \text{ per lot} \]

**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  
  Project Management 51 Lots  
  $1,569.04  
  $32.92

Total  
$1,601.96

**ESTIMATED COST 2006-2007**

- Projected July 1, 2006 Fund Balance  
  $2,508.54

- 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

Total 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**

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

\[
A = \frac{\$2,719.14}{51} = 53.32 \text{ per lot, per year}
\]

**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  ($ 252.95)

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  $ 25.30  
Reserves  $ 315.19  

Estimated Cost Per Year  $ 2,416.47

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 ($17,688.15)

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 $ 1,768.82
Reserves $ 1,199.72

Estimated Cost Per Year $ 9,197.91

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  $ 2,982.67  
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**

\[ \text{Unit Cost} = \frac{\text{Cost (C)}}{\text{Number of front feet}} \]

Phase 1 = \$2,163.40 \div 311.72 = \$6.94 \text{ per foot}  

Ultimate cost to maintain entire Westwood Street frontage:  
1,065.95 feet \times \$6.94 \text{ per foot} = \$7,397.69  
Ultimate cost per lot to maintain entire Westwood Street frontage:  
\$7,397.69 \div 109 \text{ lots} = \$67.88 \text{ per lot}
Estimated Assessment

$2,163.40 - ($67.88 \times 20) = $805.80 = \text{remainder parcel assessment}

Phase 1 Assessment = $67.88 \text{ 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 $13,974.70

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

Assessment (A) = Cost (C) / Number of Lots (L)

A = $4,374.93 / 37 = $118.24 per lot

Estimated Assessment

A = $118.24
District No. 9 - Orchard Ridge, Phase 3
2006-2007
CPI Approved 1999

**ESTIMATED ACCUMULATED COSTS 2005-2006**

- Lighting, 10 ea., 5,800 lumen: $188.81
- Project Management 56 Lots: $32.92

*Total: $221.73*

**ESTIMATED COST 2006-2007**

- Projected July 1, 2006 Fund Balance: $3,085.83
- Lighting, 10 ea., 5,800 lumen: $302.10
- Project Management, 56 lots $400 + $3.00 per lot: $568.00
- Reserves: $130.52

Estimated Cost Per Year: $1,005.60

- Previous year assessment: $985.03
- New Assessment: $985.03

**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>
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<tr>
<td>Project Management 19 Lots</td>
<td>$ 32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 108.46</strong></td>
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</table>

**ESTIMATED COST 2006-2007**

Projected July 1, 2006 Fund Balance               $ 248.37

<table>
<thead>
<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Lighting, 4 ea., 5,800 lumens</td>
<td>$ 123.68</td>
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<tr>
<td>Project Management, 19 lots $400 + $3.00 per lot</td>
<td>$ 457.00</td>
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<td>Reserves</td>
<td>$ 87.10</td>
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<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$ 667.78</strong></td>
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<tr>
<td>Previous year assessment</td>
<td>$ 312.28</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 312.28</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

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

\[
A = \frac{$312.28 - $457.00}{19} = $16.44 \text{ per lot}
\]

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>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$327.28</strong></td>
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ESTIMATED COST 2006-2007

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<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected July 1, 2006 Fund Balance</td>
<td>$3,900.30</td>
</tr>
<tr>
<td>Lighting, 14 ea., 5,800 lumens</td>
<td>$422.94</td>
</tr>
<tr>
<td>Project Management, 76 lots $1,000 + $4.00 per lot</td>
<td>$628.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$157.64</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$1,208.58</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous year assessment</td>
<td>$1,151.92</td>
</tr>
</tbody>
</table>

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 $12,757.02

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 $ 8,917.77

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

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

A = \frac{\$2,150.40}{35} = $61.44 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>
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</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>
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</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>$3,111.41</td>
</tr>
<tr>
<td>Lighting, 11 ea., 5,800 lumens</td>
<td>$332.31</td>
</tr>
<tr>
<td>Project Management, 50 lots $400 + $3.00 per lot</td>
<td>$550.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$158.10</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$1,040.41</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$1,040.41</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$1,040.41</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

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

\[
A = \frac{$1,040.41}{50} = $20.80 \text{ per lot}
\]

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 $20,959.64

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.

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

\[
A = \$6,810.24 \div 48 = \$141.88 \text{ per lot}
\]

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 $22,150.46
- 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 = \$5,580.07 \times \frac{1}{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>Item</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>Total</td>
<td>$ 875.57</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>($ 787.86)</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>$ 78.79</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 117.93</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$ 904.19</td>
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<tr>
<td>Previous year assessment</td>
<td>$ 549.81</td>
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<tr>
<td>C.P.I. Increase of 3.2% since previous adjustment (2003-2004) applied to reduce deficit = (0.005+0.021+0.032) x $549.81</td>
<td>$ 31.42</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 581.23</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

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

\[
A = \frac{$581.23}{32} = $18.16 \text{ per lot}
\]

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>$32.92</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 70.65</strong></td>
</tr>
</tbody>
</table>

**ESTIMATED COST 2006-2007**

Projected July 1, 2006 Fund Balance  
($390.41)

<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>$39.04</td>
</tr>
<tr>
<td>Reserves</td>
<td>$79.42</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$ 608.88</strong></td>
</tr>
</tbody>
</table>

Previous year assessment  
$165.03

C.P.I. Increase of 3.2% since previous adjustment (2003-2004) applied to reduce deficit = (0.005+0.021+0.032)x $165.03  
$9.57

New Assessment  
$174.60

**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

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

\[
A = \frac{174.60}{10} = \$17.46 \text{ per lot, per year}
\]

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 $ 4,160.89
- 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

    Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens  $  78.13
    Project Management 10 Lots                        $  32.92
    Total                                               $  111.05

ESTIMATED COST 2006-2007

    July 1, 2006 Fund Balance                         ($   34.65)
    Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens  $ 126.92
    Project Management, 10 lots $400 + $3.00 per lot      $ 430.00
    Eliminate Deficit Fund Balance over 10 years         $   3.47
    Reserves                                            $  84.05
    Estimated Cost Per Year                            $  644.44

    Previous year assessment                          $  243.15
    C.P.I. Increase since previous adjustment (2003-2004)
    applied to reduce deficit = (0.005+0.021+0.032)x $243.15 $   14.10
    New Assessment                                      $  257.25

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)

\[ A = \frac{257.25}{10} = 25.73 \]

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 ($ 644.07)

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 $ 64.41
Reserves $ 387.46

Estimated Cost Per Year $ 2,970.53

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

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

\[ A = \frac{1,586.26}{30} = 52.87 \]

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 $10,173.05

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

\[ A = 88.38 \]
District No. 23 - River View Estates Phase 3  
2006 - 2007  
CPI Approved 2002

*ESTIMATED ACCUMULATED COSTS 2005-2006*

- Lighting 11 ea., 5,800 lumens $208.04
- Project Management 36 Lots $32.91

Total $240.95

*ESTIMATED COST 2006-2007*

- July 1, 2006 Fund Balance $1,487.07
- Lighting 11 ea., 5,800 lumens $332.31
- Project Management, 36 lots $400 + $3.00 per lot $508.00
- Reserves $126.05
- Estimated Cost Per Year $966.36
- Previous year assessment $713.36
- New Assessment $713.36

*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 $1,944.66

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**

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} \times \frac{\text{Number of Lots (L)}}{44}
\]

\[
A = \frac{\$2,259.41}{44} = \$51.36 \text{ per lot}
\]

Estimated Assessment

\[
A = \$51.36
\]

53
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 $22,702.01

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

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

\[
A = \frac{$28,724.33}{118} = $243.43
\]

Estimated Assessment

A = $243.42
ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$ 30.00</td>
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<tr>
<td>Project Management 47 Lots</td>
<td>$ 32.91</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 62.91</td>
</tr>
</tbody>
</table>

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance           | $ 1,295.82 |

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<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>
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<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

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

\[
A = \frac{790.62}{47} = 16.82 \text{ per lot}
\]

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 $ 0
Lighting, 11 ea., 5,800 lumens $ 32.91
Project Management 50 Lots

Total $ 32.91

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance $ 3,298.16

Maintenance 748 ft. of landscaped berm and wall, $ 1,235.48
30 % of playground maintenance, and $ 1,200.00
Lighting, 11 ea., 5,800 lumens
Project Management, 50 lots $1,000 + $4.00 per lot $ 365.32
Reserves

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

Assessment (A) = __Cost (C) __
Number of Lots (L)

A = $1,860.09  = $37.20 per lot
50

Estimated Assessment
A = $37.20

56
District No. 28 - Meadowood, Phase Three Subdivision
2005-2006
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 17 ea., 5,800 lumens, and 6 ea., 9,500 lumens</td>
<td>$ 0</td>
</tr>
<tr>
<td>Project Management 78 Lots</td>
<td>$ 32.91</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 32.91</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>$ 2,630.22</td>
</tr>
<tr>
<td>Maintenance, sq. ft. of landscaped area</td>
<td>$ 731.31</td>
</tr>
<tr>
<td>Project Management, 78 lots $400 + $3.00 per lot</td>
<td>$ 634.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 211.30</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$ 1,576.61</strong></td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 1,576.61</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 1,576.61</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

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

\[
A = \frac{1,576.61}{78} = 20.20 \text{ per lot}
\]

Estimated Assessment

\[
A = 20.20
\]
District No. 29 - River Springs, Phase 3 Subdivision
2006-2007
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2005-2006

<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 36 Lots</td>
<td>$32.91</td>
</tr>
</tbody>
</table>

Total $32.91

ESTIMATED COST 2006-2007

July 1, 2006 Fund Balance ($313.91)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 9 ea., 5,800 lumens</td>
<td>$271.89</td>
</tr>
<tr>
<td>Project Management, 36 lots $400 + $3.00 per lot</td>
<td>$508.00</td>
</tr>
<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$31.40</td>
</tr>
<tr>
<td>Reserves</td>
<td>$121.69</td>
</tr>
</tbody>
</table>

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

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

\[ A = \frac{689.87}{36} = 19.17 \text{ per lot} \]

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
Project Management 56 Lots

Total

$ 0
$ 33.97
$ 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
Project Management, 56 lots
Reserves

Estimated Cost Per Year
Previous year assessment
New Assessment

$13,398.41
$ 672.00
$ 2,009.76

$15,408.17
$ 0
$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

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

A = \frac{$15,408.17}{56} = $275.14 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>Description</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>
</tbody>
</table>

Total $ 33.97

*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>($ 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>New Assessment</td>
<td>$ 2,115.98</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**

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

\[
A = \frac{$2,115.98}{85} = $24.88\text{per lot}
\]

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 2 ea., 5,800 lumens</td>
<td>$0</td>
</tr>
<tr>
<td>Project Management 8 Lots</td>
<td>$33.96</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33.96</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>($33.96)</td>
</tr>
<tr>
<td>Lighting 2 ea., 5,800 lumens</td>
<td>$60.42</td>
</tr>
<tr>
<td>Project Management, 8 lots</td>
<td>$120.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$276.00</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$207.48</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$0</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$207.48</td>
</tr>
</tbody>
</table>

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**

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

\[ A = \frac{$207.48}{8} = $25.94 \text{per lot} \]

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

\[
A = \$23.82
\]
ESTIMATED ACCUMULATED COSTS 2005-2006

<table>
<thead>
<tr>
<th>Description</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>
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<tr>
<td>Total</td>
<td>$33.97</td>
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ESTIMATED COST 2006-2007

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
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<tr>
<td>Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens</td>
<td>$604.29</td>
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<td>$1,771.33</td>
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<tr>
<td>Previous year assessment</td>
<td>$0</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$1,771.33</td>
</tr>
</tbody>
</table>

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>
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<tr>
<td>Project Management 44 Lots</td>
<td>$33.97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33.97</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>
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</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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<td>Estimated Cost Per Year</td>
<td>$919.87</td>
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<tr>
<td>Previous year assessment</td>
<td>$ 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

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

\[
A = \frac{\$2,374.87}{24} = \$98.94 \text{ per lot}
\]

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>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 5 ea., 5,800 lumens</td>
<td>$ 0</td>
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<tr>
<td>Project Management 17 Lots</td>
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<td><strong>Total</strong></td>
<td><strong>$ 33.97</strong></td>
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ESTIMATED COST 2006-2007

<table>
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<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2006 Fund Balance</td>
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<tr>
<td>Lighting 5 ea., 5,800 lumens</td>
<td>$ 151.05</td>
</tr>
<tr>
<td>Project Management, 17 lots</td>
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<td>Estimated Cost Per Year</td>
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<td>Previous year assessment</td>
<td>$ 0</td>
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<td>New Assessment</td>
<td>$ 466.96</td>
</tr>
</tbody>
</table>

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

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

\[
A = \frac{$466.96}{17} = $27.47 \text{ per lot}
\]

Estimated Assessment

\[
A = $27.46
\]

This concludes the 2006-2007 Landscape and Lighting District Engineers Report
Douglas Wilson, RCE #20989

<table>
<thead>
<tr>
<th>District</th>
<th>#27, New Expressions Phase 3</th>
<th>#28, Meadowood Phase 3</th>
<th>#29, River Springs Phase 3</th>
<th>#30, Sierra Meadows Phase 1</th>
<th>#31, Williams Ranch Phase 2 &amp; 3</th>
<th>#32, Sunrise Villa Phase 1</th>
<th>#33, New Expressions Phase 4</th>
<th>#34, Meadow Breeze Phase 1</th>
<th>#35, Meadow Breeze Phase 2</th>
<th>#36, Amalene Estates</th>
<th>#37, Riverview Estates Phase 4</th>
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<td>0</td>
<td>466.96</td>
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<td>2,374.87</td>
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</table>

| TOTAL                    | 111,339.62                    | 178,568.45             | 153,086.07                | 101,348.52                  | 51,739.55                   | 163,079.17                | 1,000.61                  | 204,216.61                | 0                           |                      | 204,216.61     |
PUBLIC HEARING

SUBJECT: ROYAL OAKS VIEW VESTING TENTATIVE SUBDIVISION MAP (ENNIS HOMES, PACIFIC HOLT CORPORATION, LANDMARK)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicants are requesting approval of the Royal Oaks View Vesting Tentative Subdivision Map to divide a 40.39± acre parcel on the east side of Indiana Street between Brown Avenue and Poplar Ditch in southwest Porterville.

A Public Hearing was scheduled and noticed for the Royal Oaks View Vesting Tentative Subdivision Map for the July 18, 2006 City Council Meeting. Staff is requesting that the Council open the public hearing and continue the hearing to the August 1, 2006 City Council meeting due to the project being incomplete at time of submittal. Project materials and information were not submitted as required to make the July 18, 2006 City of Porterville Council Meeting.

RECOMMENDATION: That the City Council:

(1) Open the public hearing and continue the public hearing to the August 1, 2006 City Council meeting
SUBJECT: SECOND READING - ORDINANCE NO. 1701, APPROVING ZONE CHANGE 4-2006 (PRE-ZONING) AND ANNEXATION 464

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1701, approving Zone Change 4-2006 (Pre-Zoning) and Annexation 464 in Northern Porterville, generally south of Reid Avenue, north of Mulberry Avenue, east of Scenic Drive, and west of Plano Street, was given First Reading on July 5, 2006, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1701, waive further reading, and adopt said Ordinance.

Attachment: Ordinance No. 1701
ORDINANCE NO. 1701

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 4-2006 (PRE-ZONING)
CONSISTING OF 215" ACRES AND ANNEXATION 464 IN NORTHERN
PORTERVILLE, GENERALLY SOUTH OF REID AVENUE, NORTH OF MULBERRY
AVENUE, EAST OF SCENIC DRIVE, AND WEST OF PLANO STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of June 6, 2006 conducted a public hearing to consider Zone Change 4-2006 (Pre-
Zoning), being a change from County AE-20 (Exclusive Agriculture-20-Acre Minimum); R-A-
217 (Rural Residential-5 Acre Minimum) to City R-1 (One Family Residential) consistent with
the Land Use Designation consistent with the General Plan; and

WHEREAS: In conjunction with Zone Change 4-2006, Annexation 4640, proposes to
annex a single unincorporated island located in Northern Porterville, generally south of Reid
Ave., north of Mulberry Ave., east of Scenic Drive, and west of Plano Street; and

WHEREAS: The City Council of the City of Porterville, after conducting a duly notice
public hearing, as prescribed by Ordinance 1198 of the City of Porterville, and the laws of
the State of California, has determined that the public interest would best be served by approval of
the proposed pre-zoning from County AE-20 and R-A-217 Zone to R-1 zoning for the area
located in Northern Porterville, generally south of Reid Ave., north of Mulberry Ave., east of
Scenic Drive, and west of Plano Street; and consisting of 215" acres of land into the City of
Porterville as shown in Exhibit A attached hereto; and

WHEREAS: The City Council made the following findings in support of the approval
of Zone Change 4-2006.

1. That the proposed zoning will conform with the land use designation of the
   General Plan; and,

2. That a Negative Declaration was approved for this project in accordance with
   the California Environmental Quality Act based on findings of the
   environmental studies indicating that the project will not have a negative impact
   on the environment; and,

3. That the Negative Declaration prepared for this project was made available for
   public review and comment; and,

4. That this zoning classification will allow for the logical establishment of future
   Low Density Residential use as supported by the City of Porterville General
   Plan Land Use Element for the 215" acre site; and,

5. That this zoning classification will ensure that any future development of the
   subject site will be in conformance with existing plans and policies and will not
   adversely impact the surrounding area.
NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does ordain as follows:

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change 4-2006, is hereby pre-zoned from County AE-20 and R-A-217 Zone to R-1 zoning for the area in Northern Porterville, generally south of Reid Ave., north of Mulberry Ave., east of Scenic Drive, and west of Plano Street; and more particularly shown on the attached map, incorporated herein by this reference as “Exhibit A”.

Section 2: It is further ordained that upon consummation of Annexation No. 464, all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show that all of the above described real property is rezoned from County AE-20 and R-A-217 Zone to R-1 Zoning.

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage and upon consummation of Annexation No. 464.

Cameron J. Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By: Georgia Hawley, Chief Deputy
COUNCIL AGENDA: July 18, 2006

SUBJECT: TRANSIT AGREEMENT WITH SIERRA MANAGEMENT

SOURCE: Administration (Transit)

COMMENT: The Transit Agreement between the City of Porterville and Sierra Management for operational and management services for the City’s Fixed Route and Demand-Response public transit system was approved by the City Council on January 17, 2006, for a four-year term commencing July 1, 2006. Additionally, the new agreement provides for a two-year option to renew, making the agreement expand over a six-year time frame, effective through June 30, 2012, if the two-year option is exercised. The City Council authorized staff to negotiate with Sierra Management under the same terms and conditions as presently existed, and then provide Council with a copy of that Agreement for final approval.

On May 16, 2006, staff briefed the City Council on the Short Range Transit Plan and necessary modifications to enable the City to continue to meet mandated Federal requirements, especially the 20% farebox ratio. The proposed modifications are scheduled for public hearing at this same Council meeting; and if the modifications are approved, the City Council may continue with the approval of the attached service agreement. As a result of the modification to the Dial-A-COLT (Demand-Response) service, Seniors and handicapped passengers only, the City will see a significant savings in this year’s costs for the services of Sierra Management. As provided for in the Transit Agreement, the Contractor may, 90 days prior to the expiration date of each year of the agreement, submit an adjusted hourly revenue rate for the succeeding year. However, the Contractor’s “hourly rate shall not increase by more than the percentage change in the San Francisco Consumer Price Index, but not to exceed five percent (5%), unless evidenced that such costs are essential and are not within the control of the Contractor to reconcile, in which case any change in excess of the formula would require Council approval.” With a cost of living adjustment, the hourly rates would have increased if the service had remained the same. However, with the stated modifications, the total compensation paid to Sierra Management for FY 2006/07 will not increase over last year’s budgeted amount.

Dir.  

Funded/ Appropriated  

C/M  

Item No. 20
In fact, the total compensation during Fiscal Year 2006/07 will be less than last year’s total, and the hourly rates charged for Demand Response and Fixed Route will both decline. By serving Seniors and handicapped passengers only, a maximum of four Activans a day will be used for the service, compared to five per day during Fiscal Year 2005/06. Additionally, the reduction of one hour of service per day will contribute to the decrease in Vehicle Revenue Hours on which compensation is based. The reduction of Vehicle Revenue Hours and number of vehicles on the road also enabled Sierra Management to increase their drivers’ salary compensation by 5% (cost of living increase), and still negotiate a lower yearly contract amount with the City.

As the Council will note in the attached Agreement, Demand-Response will decrease from $13.52 to $12.60 per Vehicle Revenue Hour, and Fixed Route will also decrease from $13.81 to $13.62 per Vehicle Revenue Hour.

The City Attorney has reviewed the Agreement and concurs with staff’s recommendation.

RECOMMENDATION: That the City Council:

1. Approve the Agreement between the City of Porterville and Sierra Management for operational and management services for the City’s public transportation service; and

2. Authorize the Mayor to execute the Agreement on the City’s behalf.

ATTACHMENT: Agreement between the City of Porterville and Sierra Management
AGREEMENT
BETWEEN
THE CITY OF PORTERVILLE AND
SIERRA MANAGEMENT

THIS AGREEMENT is made and entered into this ___ day of __________, 2006, by and between the City of Porterville, hereinafter referred to as “CITY” and Sierra Management, hereinafter referred to as “CONTRACTOR.”

WITNESSETH:

WHEREAS, City has determined that it requires operational and management services for Fixed Route and Demand-Response (Dial-A-Ride) public transit services, hereinafter referred to as ‘TRANSIT SYSTEM,” and

WHEREAS, Contractor has represented that it has the necessary expertise and personnel, and is qualified to perform such services;

NOW, THEREFORE, it is mutually understood and agreed as follows:

1. COMPLETE AGREEMENT

This Agreement, and the attachments and documents incorporated herein, constitute the complete and exclusive statement of the terms of the Agreement between the City and the Contractor, and it supersedes all prior representations, understanding and communications. The invalidity in whole or in part of any provision of this Agreement shall not affect the validity of other provisions. City’s failure to insist in one or more instances upon the performance of any term or terms of this Agreement shall not be construed as a waiver or relinquishment of City’s right to such performance by Contractor.

2. CITY DESIGNEE

The City Manager, or his Designee, shall have the authority to act for, and exercise any of the rights of, City as set forth in the herein Agreement, subsequent to the authorization by the City Council of the City of Porterville.

3. INDEPENDENT CONTRACTOR

Contractor’s relationship to City in performance of this Agreement is that of an independent contractor. Contractor shall provide operations management at a level and capability sufficient to oversee its functions and employees. The personnel performing services under this Agreement shall at all times be under Contractor’s exclusive direction and control and shall be employees of Contractor and not employees of City. Contractor shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such
as social security, income tax withholding, unemployment compensation, workers’ compensation insurance, and similar matters.

Contractor shall designate and provide the services of a full-time General Manager, subject to the approval of City, who shall provide overall management and supervision of the Transit System operations under the terms of this Agreement. The General Manager must have a minimum of five years of experience in public transportation operations including at least three years’ supervisory experience. A bachelor’s degree in a related field from a four-year college may substitute for two years of transportation experience and one year of supervisory experience.

The General Manager shall work cooperatively with City Transit staff in matters relating to service quality, providing operational and other data as described in this Agreement, responding to comments from the Transit System passengers and the general public, and responding to specific requests for other assistance as the need arises.

Contractor shall assure City that the General Manager designated for this project will not be replaced without the written consent of City. Should the services of the General Manager become no longer available to Contractor, the resume and qualifications of the proposed replacement shall be submitted to City for approval as soon as possible, but in no event later than five (5) working days prior to the departure of the incumbent General Manager, unless Contractor is not provided with such notice by the departing employee. City shall respond to Contractor within three (3) working days following receipt of these qualifications concerning acceptance of the candidate for replacement General Manager.

The office of the General Manager will be physically located at Contractor’s operations and dispatching center in the City’s Transit Center located at 61 West Oak Avenue, Porterville. The General Manager will be expected to remain at the facility or otherwise within the Transit System service area as appropriate to the maximum extent possible. At all times, the General Manager shall be available either by phone or in person to make decisions regarding day-to-day Transit System operations or provide coordination as necessary, and shall be authorized to act on behalf of Contractor regarding all matters pertaining to this Agreement.

4. **SCOPE OF WORK/TERMINATION**

Contractor shall, upon receipt of City’s notice to proceed, perform all work necessary to complete in a manner satisfactory to the City, the services set forth in “Scope of Work,” attached hereto as Exhibit “A,” and by this reference incorporated herein and made a part hereof. Both parties agree that in the event of a lack of funding, or should Contractor fail to perform all work as set forth to the satisfaction of the City Council, the City shall provide Contractor with sixty (60) days’ written notice of City’s intent to terminate this Agreement. Both parties further agree that Contractor may terminate this Agreement by providing City with sixty (60) days’ written notice, whereupon City will exercise the provision of Section 16 of this Agreement.
It is further agreed that the City may significantly modify the public transit program and the scope of services provided by Contractor upon 120 days’ notice.

5. TERM OF AGREEMENT

This Agreement shall become effective upon execution and shall continue in full force and effect for a period of four (4) years beginning on July 1, 2006, and ending on June 20, 2010, unless earlier terminated as herein provided or by issuance of a new Agreement. Additionally, Contractor shall be granted a two-year option to extend under the same terms and conditions hereof, and shall notify the City in writing of its intent to exercise this option, at least 60 days prior to the original termination of this Agreement. The Contractor may, 90 days prior to the expiration date of each year of the four-year agreement (June 30), submit an adjusted hourly revenue rate for the succeeding year. Any adjustment shall be based upon changes in actual costs. The hourly rate shall not increase by more than the percentage change in the San Francisco Consumer Price Index, but not to exceed five percent (5%), unless evidenced that such costs are essential and are not within the control of the Contractor to reconcile, in which case any change in excess of the formula would require Council approval.

6. CONTRACTOR’S FEES

Effective July 1, 2006:

a. Demand-Response: Contractor’s Fees shall be decreased from $13.52 per Vehicle Revenue Hour to $12.60 per Vehicle Revenue Hour.

b. Fixed Route: Contractor’s Fees shall be decreased from $13.81 per Vehicle Revenue Hour to $13.62 per Vehicle Revenue Hour.

c. Fixed Costs: Contractor shall be paid the sum of $39,325.06 per month representing Fixed Costs for both systems, which monthly cost shall be divided one-half to Fixed Route and one-half to Demand-Response.

7. EXCLUSIVE AGREEMENT

Contractor shall serve as the exclusive contract agent for the City in the operation of the Transit System. During the term of this Agreement, the City shall not enter into an agreement with any other contractor or company for the operation of a similar system within the City.

The Contractor shall operate the Transit System at its expense, except as otherwise provided herein.

8. INTERRUPTION OF SERVICE

Contractor shall be excused for failure to perform services under this Agreement
if said service is prevented by reason of acts of God, strikes, labor disputes, or other items over which Contractor has no control. No payments, however, shall be made by the City to Contractor for such time as service is not available.

9. COMPLIANCE WITH FEDERAL STANDARDS

Contractor shall comply with all Federal laws and requirements including, but not limited to, Equal Employment Opportunity, Disadvantaged Business Enterprise, Labor Protection, and other laws and regulations applicable to contracts utilizing Federal funds.

Contractor shall not discriminate on the basis of religion, creed, political affiliation, race, color, ancestry, national origin, citizenship status, age, sex, sexual orientation, marital status, family status, pregnancy, medical condition, mental or physical handicap or disability, or uniformed service member status in any consideration.


10. INSURANCE

A. During the term of this Agreement, Contractor shall procure the following insurance which shall be full coverage insurance, not subject to self-insurance provisions and shall not of its own initiative cause such insurance to be canceled or materially changed during the course of this Agreement.

1) COMPREHENSIVE GENERAL LIABILITY INSURANCE – including contractual liability, and personal injury liability and property damage with at least five million dollars ($5,000,000) liability limit per occurrence.

2) WORKERS’ COMPENSATION INSURANCE – Contractor shall provide the City with a current Certificate of Workers’ Compensation Insurance coverage.

B. Prior to commencement of the term of this Agreement, Contractor shall furnish a complete copy of each insurance policy and a Certificate of Insurance thereof to the City, and which shall certify that Contractor’s insurance policy provides:

1) Signed Endorsements naming the City and the County of Tulare as additional insured on all insurance except with respect to performance hereunder for Workers’ Compensation.
(2) The coverages shall be primary as to any other insurance with respect to performance of this Agreement, and be with a company or companies having an A. M. Best Rating of no less than A:VII, and be an “admitted” insurer(s) in the State of California.

(3) Thirty (30) days’ written notice of cancellation or material change to be given to City.

C. HOLD HARMLESS CLAUSE – Contractor agrees to accept responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless and release the City, its officers, agents, employees, and assigns from any actions, claims, damages, disabilities or the cost of litigation that are asserted by any person or entity to the extent arising out of the negligent acts or omissions or willful misconduct in the performance by the Contractor hereunder, whether or not there is passive concurrent negligence on the part of the City, but excluding liability due to the active negligence or willful misconduct of the City. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Contractor, or its agents or employees, under workers’ compensation acts, disability benefits acts or other employees’ benefits acts.

11. MUNICIPAL BUSINESS LICENSE TAX

Before entering into this Agreement, the Contractor shall present satisfactory evidence that it has paid the Municipal Business License Tax of the City of Porterville.

12. CONTRACTOR’S PLACE OF BUSINESS

Contractor shall provide and operate its operations and dispatching center at the City’s Transit Center located at 61 West Oak Avenue, Porterville, California.

13. ASSIGNMENTS

Contractor may not assign, or in any way sublet, any rights or obligations accruing under this Agreement without the express written consent of the City. One such consent does not operate as a waiver to any right by the City to refuse subsequent assignments or subleases. In the event of any violation of this condition, City may immediately terminate this Agreement.
14. **BINDING**

This Agreement shall be binding on the assigns or transferees of this Agreement.

15. **LEGAL FEES**

Should either party bring suit in Court to enforce any of the terms of the contract documents, it is agreed by the Contractor and the City that the losing party shall pay to the prevailing party its costs and reasonable attorney's fees.

16. **SURETY**

Contractor shall provide the City with either a Faithful Performance Bond or an Irrevocable Letter of Credit in the amount of fifty percent (50%) of the projected annual Agreement amount. Said surety will remain in force for the term of the Agreement, including any extended term. Surety will be released thirty (30) days after expiration of the Agreement. All alterations, extension of time or other modifications to the Agreement may be made without consent of the surety or sureties. In the event the Contractor should default, the City may assume operation of the transit service/and or Agreement for a transit service operator in the open market and call the Performance Bond/Letter of Credit to collect from the surety any costs incurred by the City in maintaining transit service and/or in executing a new transit Agreement, including any cost increases incurred for the remaining term of the original Agreement.

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

**CONTRACTOR:**

Sierra Management
By ____________________________
Steven E. Tree, Owner

**CITY OF PORTERVILLE:**

______________________________
Mayor

______________________________
John Longley, City Clerk

**APPROVED AS TO FORM:**

______________________________
Julia M. Lew, City Attorney
Exhibit A

SCOPE OF WORK

Contractor shall provide the necessary management, technical, and operations personnel whose expertise will assure an efficient Demand-Response and Fixed Route transportation system, hereinafter referred to as “TRANSIT SYSTEM.” All facilities, equipment, supplies, and services required in the operation of this system will be furnished by Contractor unless specifically identified in this document to be furnished by the City of Porterville. Service shall be provided in accordance with the guidelines established herein and the attachments hereto.

SERVICE STANDARDS

Contractor shall strive at all times to provide service in a manner which will maximize both efficiency and customer service. Standards as set forth in this document are intended to be reasonably attainable by the Contractor, fair to the customer, and consistent with the City’s expectations.

The Contractor and the City shall periodically meet to evaluate performance of the system based upon these standards. If the standards are not fulfilling their intended purpose, they shall be adjusted based upon recommendations made by Contractor with concurrence and final decision by City. Should it be found that Contractor’s performance has contributed to Contractor’s failure to achieve these standards, Contractor shall take all reasonable actions requested by City to correct deficiencies in performance. Should deficiencies persist, City may take whatever additional action is necessitated by the circumstances and provided for in the Agreement of which this Scope of Work is a part.

OPERATIONS

Management of the Transit System day-to-day operations will be vested in the Contractor.

A. Service Area – Transit System shall transport individuals within the following designated areas:

1. Porterville City limits* served by the City of Porterville and designated on “Service Area Boundary Map” as the COLT Service Area (Exhibit A – Attachment 1).
2. Tulare County urban areas* served by the City of Porterville and designated on “Service Area Boundary Map” as the COLT Contract Service Area. (Exhibit A – Attachment 1).
3. Other areas as the City may direct.
*Subject to periodic adjustment.

B. **Dispatching Center** – The Contractor shall provide at Contractor’s cost sufficient number of incoming telephone lines as deemed adequate by the City to reasonably handle requests for service. Said telephone lines shall be listed in the name of the City of Porterville; designated as Transit System customer service lines; and used exclusively for Transit system customer communications.

Contractor shall provide and maintain in the City of Porterville a dispatching center adequately equipped to provide efficient transportation service.

C. **(1) Hours of Operation for Demand-Response** – Service shall be based upon a thirteen (13) hour operational day (7:00 a.m. to 8:00 p.m.) Monday through Friday, and upon a nine (9) hour operational day (9:00 a.m. to 6:00 p.m.) on Saturday. Operational hours shall be exclusive of Sundays and specified City holidays. (See Exhibit A, Attachment 2 – City Holidays).

Operational hours may be adjusted by the City based upon needs of the community, and may increase or decrease as ridership and operating revenues warrant.

**(2) Hours of Operation for Fixed Route** – Service for Fixed Route shall be Monday through Friday from 7:00 a.m. to 7:00 p.m., and on Saturday from 9:00 a.m. to 5:00 p.m. The City reserves the right to specify the hours of operation, the number of routes, and route alignments, any or all of which may change from time to time.

D. **Vehicles** – The City shall provide transit vehicles necessary to operate the COLT system. These vehicles shall be used only for activities directly related to the operation of the Transit System covered by this Agreement, unless otherwise authorized by the City, in writing. It is also the intent of this provision that the Contractor not put more transit vehicles in service (i.e., in use or on the street), at any one time, than are essential to provide both effective, yet efficient, public transportation services; and, although the entire inventory of active fleet vehicles assigned to Fixed Route Operation, or in the Demand-Response Operation, may, on occasion (i.e., peak demand periods), be in service at the same time, the total number of transit vehicles in regular service, under any circumstances not specifically authorized beforehand by the City in writing, shall not exceed four (4). Exhibit B, the Automotive Equipment List for the City of Porterville Public Transit System (a.k.a. Fleet Vehicle Inventory), is amended from time to time to reflect current inventories of fleet vehicles both for Demand-Response and Fixed Route.

The City reserves the right to increase or decrease the number of transit vehicles in the City of Porterville Public Transit System, and all transit vehicles utilized by the Contractor and shown on the latest Automotive Equipment list shall be leased
to the Contractor by the City for $1.00 per year per vehicle. Said lease shall remain in effect only for so long as this Agreement, any extension of this Agreement, or any successor Agreement to same with the same Contractor, remains in effect. The City shall register each vehicle to show its name as registered owner.

**METHOD OF SERVICE**

Effective August 1, 2006, the Demand-Response service shall be restricted to Seniors (age 62 and older) and handicapped passengers only, and shall be handled as follows:

A. Customer may be picked up either as a result of a telephone call for service using a specific telephone number as established in City’s name for customer communications, or at specific Dial-A-COLT points in the City, which may be determined, and designated from time to time, by the City.

B. Contractor shall obtain the following information from customer:

1. Point of origin
2. Point of destination
3. Number of persons in party.

C. Customer will be advised of the approximate time of pick-up.

D. Shared Rides – A Dial-A-COLT ride may be shared or occupied by more than one (1) party of Dial-A-COLT customers at the same time. If the Contractor received additional calls for Dial-A-COLT pick-ups in the vicinity of the first call, or near the route of customers in the vicinity of the first call, Contractor shall pick up those additional passengers while en route. The service will make every reasonable effort to avoid any undue delay of any customer, either at point of pick-up or en route.

E. Dial-A-COLT units will not wait for customers more than two (2) minutes at any point to preserve efficiency of system.

F. Dial-A-COLT drivers will assist in the loading and unloading of elderly and handicapped passengers, parcels and personal effects, within limits. Large, bulky items, such as television sets and 50-pound bags will not be permitted as carry-on parcels. A maximum of four (4) regular grocery bags will be permitted at any one time. The drivers shall not be responsible to lift more than 10 pounds for any one item. Any bags, parcels or personal effects that are permitted to be transported by Dial-A-COLT shall be left at the curb of the destination. Under no circumstances are drivers permitted to enter a residence or business establishment to assist with personal effects of passengers.

Fixed Route service shall be handled as follows:
A total of seven (7) designated routes currently comprise the Fixed Route system.

Designated bus stops are located at the City Transit Center and at major activity locations throughout the community. When a passenger desires to leave the bus, he should signal the driver prior to his stop by using the pull-cord and letting the driver know where he wishes to depart the bus.

Passengers shall be limited to the number of carry-on packages by the size and number that can be easily handled and which do not displace available seating. Strollers and carts must be folded before boarding the bus. Drivers are not permitted to assist passengers with carry-on packages on the buses. Flammable liquids, batteries, hazardous chemicals, tires, large auto parts, poisonous plants, and large, bulky objects are not permitted on Fixed Route vehicles.

Contractor shall be entitled to cause the removal of passengers (1) not paying the appropriate fare; (2) who are destructive, disruptive, noisy, threatening, or do not otherwise comply with directives of the driver relative to concerns for safety of the driver and/or other passengers; or (3) for any other reason which is necessary to protect the safety of the driver, other passengers, or the bus.

SCHEDULING

The Contractor shall follow the service hours schedule set forth by the City and comply with any adjustments thereto. Should the Contractor find the schedule detrimental to the attainment of the aforementioned objectives, Contractor shall make recommendations which in the Contractor’s opinion will improve the efficiency and service performance.

RESPONSE TIME

Contractor will regulate vehicle staging and routing of the Demand-Response system. Every effort will be made to pick up Dial-A-COLT customers as soon as reasonably possible; and with regard to ADA passengers, within the required Federal guidelines for providing service.

FARES

A. Demand-Response: The City will determine and set fares. The current fare is set at $1.50 per rider for Seniors (age 62 years of age and older) and handicapped (ADA-eligible) riders. One fare entitles the customer to transport from point of origin to destination. Each Dial-A-COLT trip must be supported by the Dial-A-COLT ride tickets, or cash, both of which shall be collected by the driver. Customers must purchase tickets from authorized sale points, which currently include City Hall and the City’s Transit Center. If various points of discharge are desired, or if various points of pick-ups are made, each point of pick-up or
discharge will be considered as a separate trip and driver will collect a fare from each passenger.

B. Fixed Route: The current fare for Fixed Route is One Dollar ($1.00) one-way. Fixed Route riders are welcome to transfer between bus routes to continue a trip. Transfers are free, and the schedules are designed to make a transfer easy. If a passenger plans to transfer, he shall ask the driver for a free transfer when paying for his fare upon boarding the bus. He will then present his transfer when boarding the next bus. Transfers are provided to continue a single trip. They are not good for return trips, stopovers, or transfers to the Tulare County Transit Service, and must be utilized within thirty (30) minutes of receipt.

A monthly pass is also available for the current price of $36. Holders of a monthly pass are entitled to unlimited ridership on the Fixed Route system.

Minors six (6) years of age and under are to be accompanied by an adult. A maximum of two (2) minors, four (4) years of age and under, may ride free when accompanied by an adult.

Printing of tickets, transfers and passes shall be at the City’s cost. The City will be responsible for distribution of tickets to the authorized sale points.

Should the City authorize cash fares, the Contractor shall remit the same in full to the City monthly, and record each transaction on the appropriate Driver and Dispatcher Log Forms daily. All tickets and cash fares, if authorized, shall be returned to the City monthly along with the required data collection and report forms as hereinafter set forth.

UNIFORMS

The Contractor shall furnish and maintain all operating personnel a uniform acceptable to the City including both shirts and pants.

SUPPORT ACTIVITIES

A. Promotion/Publicity – The City shall control and provide all promotion and publicity of the transit system, with the Contractor being under no obligation to expend any sums for such promotion or publicity. The City will monitor the operation, in conjunction with the Contractor, and shall handle ticket sales for such fares and at such points as the City desires. Currently, tickets are available for purchase at City Hall and the City’s Transit Center. Monthly passes are available for purchase at the City’s Transit Center located at 61 West Oak Avenue, Porterville, California.

B. Liaison – The Contractor shall maintain continuing liaison with appropriate City departments in the operation and interpretation of policies of the transit system.
C. **Training of Drivers and Operations Personnel** – Contractor shall develop, implement and maintain a formal training and retraining program which shall be subject to review and approval by City.

An outline of the training program, including periodic updates, shall be on file in the office of the City’s Transit Contractor, and a copy made available to the City upon request. All drivers, dispatchers, telephone information personnel, and supervisors shall participate in the program.

Contractor shall implement and maintain a specific training and retraining program for all drivers. The program must provide a fixed minimum number of hours of training for new employees, including classroom instruction, behind the wheel training under supervision of a certified instructor, and in-service training. The program shall include, but not necessarily be limited to, instruction covering applicable laws and regulations and defensive driving practices, handicapped passenger assistance techniques, accident/incident procedures, radio procedures, operating policies and procedures, employee work rules, vehicle safety inspection, equipment care and maintenance, customer relations and passenger conduct. Drivers shall be trained to operate all types of buses, wheelchair lifts and securement systems, and other equipment which they may be expected to use in the Dial-A-COLT and/or Fixed Route services.

All drivers shall be certified as having completed Contractor’s formal training course for new drivers as approved by City, and licensed with a valid California Class B operator’s license with appropriate certifications and medical card. Drivers of Demand-Response (Dial-A-COLT) vehicles shall possess a California General Public Paratransit Vehicle Certificate. Drivers of transit buses shall possess a Transit Bus certificate as issued by the State of California Department of Motor Vehicles, and shall meet all applicable requirements as established by the California Highway Patrol.

Dispatchers, telephone operators, supervisors and any other personnel who may from time to time be assigned to telephone information or Dial-A-COLT reservation lines shall be trained in customer relations skills, telephone manners, accident/incident procedures, transfer points, fares, Dial-A-COLT reservation procedures, and operating policies. Operations control personnel assigned to Dial-A-COLT trip scheduling and vehicle dispatching duties shall have a detailed knowledge of applicable procedures and professional techniques.

A safety program shall be developed and implemented by Contractor to assure safe conditions for all employees and customers of the transit service.

D. **Drivers – Regulations** – Contractor shall furnish the City written information covering Contractor’s policies regarding drivers’ rules; accident policy; radio
policy and procedures; fog policy; vehicle inspection, care and maintenance; reporting; and pertinent sample forms.

E. Accident or Loss Report – All vehicular loss, damage, destruction and traffic accidents involving transit system vehicles, irrespective of injury, shall be reported to the Porterville Police Department or California Highway Patrol, as appropriate. The City Manager’s Office shall be notified of such occurrences immediately upon receipt by Contractor of such information, and Contractor and City shall coordinate the reporting of such accidents to the City’s insurance adjuster for transit vehicles, currently Bragg & Associates, through the California Transit Insurance Pool (CalITIP).

DATA COLLECTION/REPORTING

Demand-Response: The Contractor shall record and provide to City the following information by the tenth day of each month. For each party transported by Dial-A-COLT: (a) time and date of request for service; (b) number of persons in party; (c) time and date of pick-up; (d) point of origin; (e) destination; (f) time and place of arrival at destination; (g) number of miles to closest tenth traveled in the performance of such service; (h) no shows; (i) County vs. City fares; and (j) number of handicapped persons transported. Also, on a monthly basis, Contractor shall notify City of (a) total number of miles driven; (b) total number of vehicle service hours; (c) total amount of fares collected; and (d) the number of passengers, by group, i.e., seniors or handicapped. Also, drivers will maintain trip sheets for the Demand-Response service. Trip sheets shall show number of patrons, point of origin, point of destination, and call originating time. Contractor’s dispatcher shall maintain records of time of pick-up and drop for each trip. Contractor shall retain all such records for a period of twenty-four (24) months, which records shall be available for audit by the City at all reasonable times.

Fixed Route: The Contractor shall record and provide to the City the following information by the tenth of each month. For each route of the Fixed Route service: (a) the number of passengers, by group, i.e., general ridership, seniors, children, non-revenue, and transfers; (b) revenue miles and operating miles and revenue hours and operating hours.

It is understood that the above information will be available to the City upon request.

All information concerning the City of Porterville Public Transit activity shall be collected daily and recorded and summarized on forms approved by the City. Any change in reporting forms or procedures shall also be approved by the City.

Reporting periods shall be on a monthly basis on or before the tenth day of each month. All accounting records for the prior month, including completed monthly summary reports, shall be forwarded with the invoice for payment to the City Manager’s office. In no event will payment be made for services until the above-mentioned report has been submitted to the City.
COMMUNICATIONS

The City shall provide the base station and antenna, radio equipment and two-way radios, and Automatic Vehicle Locator system on the vehicles.

A. Radio Frequency – The City furnishes a radio frequency authorized by the F.C.C. for the transit system communications equipment. The frequency is in the VHF range.

VEHICLE FUEL

Transit system vehicles will be fueled at the City Field Services Yard located at 555 N. Prospect. Refueling shall be accomplished in a manner to be agreed upon by the Contractor and the City.

STORAGE OF VEHICLES

Vehicles are currently stored at the City Field Services Yard located at 555 North Prospect. The City reserves the right to designate the storage location.

MAINTENANCE

The Contractor shall be responsible as follows:

A. Contractor shall not operate any vehicle when its condition jeopardizes public safety or is not in conformance with applicable Department of Transportation or California Vehicle Code requirements.

B. Contractor shall not operate a vehicle when its appearance is unacceptable to City standards for same.

1. Vehicle shall be cleaned daily of all interior litter and debris.

2. Vehicle interior panels, windows, and upholstery shall be cleaned of marks daily as necessary.

3. Vehicle exterior shall be washed as required to maintain a clean appearance. In no event shall vehicle be washed less than once weekly.

C. Contractor shall coordinate a vehicle preventative maintenance schedule with City and be responsible for scheduling vehicle use to adhere to said maintenance schedule. City retains the right to charge Contractor for City costs incurred due to missed preventative maintenance appointments. Said charges to be deducted from City’s monthly payment to Contractor.
CITY OF PORTERVILLE

SPECIFIED HOLIDAYS

New Year's Day

Independence Day, July 4th

Thanksgiving Day

Christmas Day

NOTE:

Holidays must be taken on the day of a holiday. Should a holiday fall on a Sunday, no allowance shall be made for an additional “day off.”

All holidays on which the COLT System operates, shall be operated on a “Saturday” schedule.

Exhibit A
Attachment 2
## DEMAND-RESPONSE OPERATION

**"Primary Vehicles"**

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<th>Vehicle No., Year, Make &amp; Model</th>
<th>Capacity</th>
<th>License No.</th>
<th>Fuel Type</th>
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<tr>
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<td>7. D8166 - 2006 Activan *</td>
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<td>8. D8167 - 2006 Activan *</td>
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**"Back-Up Vehicles"**

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## FIXED ROUTE OPERATION

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**"Back-Up Vehicles"**

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* Lift Equipped

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**Exhibit B**
COUNCIL AGENDA: July 18, 2006

SUBJECT: CITY FLAG DESIGN

SOURCE: Administration

COMMENT: In March of 2006, staff was directed to solicit proposals from graphic artists to create a design for a City flag. Only one proposal was submitted — from Mel Gosage Optigraphics. A copy of the proposal is attached for the Council’s review.

In order for the City to have a City flag available for the Annual League of California Cities Conference in September, this project should be commenced as soon as possible.

Staff recommends the Council consider approval of the attached proposal and form a committee comprised of two Council members and two staff members to meet with Mr. Gosage to begin exploring design options. When the completed design has been prepared, it will be presented to the entire Council for final approval before production commences.

RECOMMENDATION: That the City Council:

1. Award the design of a City flag to Mel Gosage Optigraphics for the total proposal cost of $2,450.00;

2. Appoint two Council Members and two staff members to work with Mr. Gosage in the creation of the flag design; and

3. Direct staff to bring the completed design back to the entire Council for final approval before production commences.

ATTACHMENT: Mel Gosage Optigraphics Proposal

Dir. Funded/Appropriated C/M

Item No. 21
"Request for Design"

PROPOSAL SUBMISSION

from

Mel Gosage Optigraphics
PO Box 1598 • Porterville, CA 93258 • Ph 781-4800 • Fax 553-8810

to

John Longley, City Manager
City of Porterville
291 N. Main Street
Porterville, CA 93257
Background in Design:

Mel Gosage, owner of Optigraphics, has his background in the Porterville Recorder as an advertising account executive for over a decade and was promoted to Display Advertising Manager for almost another decade. With the retirement of ex-publisher and friend, Harry Kelley, Mel, too opted out of the newspaper business to further self-employment with his current business, Mel Gosage Photography (1979 - 2005). With his love of art and encouragement from his son, Kendall, Mr. Gosage redirected his business to further his love of graphic arts, thus creating Mel Gosage Optigraphics. Although, with a BA degree in the arts and independent studies with his mentor, Gary Bersnstein (Beverly Hills), it has been the everyday business practices with personal clients that has been the greatest education.

Kendall Gosage, son of Optigraphics owner, has been a natural at graphic design (genetics?), and has been fascinated with computers since grade school level. In high school, he began taking courses at TCOVE and ended up with a “Most Creative Student” award. He graduated from Heald Institute of Technology and graduated in 1988 majoring in Computer and Electronics. It was at this time that he decided he could combine his love of computers and graphic design. After freelancing in the graphic and web design field, Kendall decided to go back to college in Tempe, Arizona at Collins College, pursuing a BA degree in Computer and Graphic Design.

Since then, he has worked as head ad designer at the Porterville Recorder, Amity Foundation (art & design dept.), and most recently, Mel Gosage Optigraphics.

Following this page are examples of various graphic design projects we have created.

Proposal Submission:

Including the initial meeting with the City Flag Committee, a second meeting with the Committee to show three to five flag concepts, a third meeting to show two to three revised proofs to get go-ahead on the final draft and a final meeting to show the finished product and get final approval followed up with the delivery of the CD of the final design of the flag with the appropriate specs necessary for the flag manufacturer. With the meetings and the hands-on computer time, I’m figuring on 35 hours @$70 for a total proposal of: $2,450.
Your perception of your real estate company...

"WE’RE THE BEST!"

(And you SHOULD feel that way)

But, What are your clients’ perception of your company?

Put three and a half decades of Business Imaging Experience to work for you!

WEB SITE ADVANTAGES

- 750 million potential customers
- Update listings
- Personalized biographies of agents online
- Expand your advertising here from other medias
- Stay ahead of your competition

Call and let us know what you want and let us give you a quote.

FULL COLOR BUSINESS CARDS

We will design your business card template for a one time setup fee. We will keep this on file for you. This will help with your consistency, time, costs, and allow you to be up and running in no time.

We can take a picture, or we can pick one up from you along with the realtor’s information and we will deliver to your office within 4 business days. Free minor photo touch-ups for pictures on cards.

$79

500 full color cards in 3 to 4 business days

FREE MINOR PHOTO TOUCH-UPS

Also available: tent cards, double sided cards, post cards, holiday cards, brochures, flyers, posters, magnetic signs, custom jingles and much more.

We can also remove small objects blocking houses, such as telephone poles, etc. Hablamos Español.

tel (559) 781-4800 • fax (559) 553-8810 • www.mgoptigraphics.com
designs@mgoptigraphics.com • PO Box 1598 Porterville, CA 93258

* Larger quantities available. This offer good only with company template used. Double sided printing available for extra cost.
THERE IS HOPE

La Entrada de Amistad is a Therapeutic Treatment program experienced at treating people with addiction problems. For 30 years we have been on the front lines helping people help themselves clean up their lives and become more positive and productive individuals. Teaching people how to live healthy productive lives is our mission. We believe people can change in an environment that fosters trust, where new values can be formed, where men and women can learn to build honest relationships, and an exciting drug- and alcohol-free life... a life where responsibility is sought out, not avoided. The curriculum at La Entrada de Amistad enables people to become enthusiastic participants in their own growth. Encounter groups, individual work with counselors, case management, as well as intellectual exercise to expand both mind and spirit, are part of daily services offered at La Entrada de Amistad.

AMITY

La Entrada de Amistad is part of Amity, which has been sought out over the years by people of all ages, races, religions, by families and friends alike. Amity has been sought out when other methods, models, programs, clinics, counselors and psychiatrists could not stop the drug use, could not stop the self-destructive behaviors, the selfishness, the pain, or the downward spiral of life.

"WE DON'T TREAT FRIENDSHIPS DELICATELY, BUT WITH THE ROUGHEST OF COURAGE FOR WHEN THEY ARE REAL, THEY ARE THE MOST POWERFUL THINGS WE KNOW"

LA ENTRADA DE AMISTAD PHILOSOPHY

RECOVERY IS AROUND THE CORNER

At La Entrada de Amistad, the process of moral growth begins and forms the foundation of emotional stability and personal courage necessary for a healthy drug-free life. La Entrada de Amistad allows individuals sufficient time to transform unstable chaotic lives, to ones of dignity and self respect.

REUNITING FAMILIES IN A HEALTHY WAY!

- 48 Beds for Women & Children (Ages 0 - 11 years)
- 6 to 12-month Residential
- Dual Diagnosis Services

OTHER SERVICES AVAILABLE
- SOAR • YWCA • HOLISTIC HEALTH CARE • GED

ALL REFERRALS ORIGINATE FROM FEMALE OFFENDER SERVICES AT NEW MEXICO WOMEN'S CORRECTIONAL FACILITY

1000 MAIN STREET, PORTER HALL
MAILING: P.O. BOX 1536
LOS LUNAS, NM 87031
TELEPHONE: 505.866.0590
FAX: 505.866.0568
Wake Up With The Recorder

Ask Red
The Recorder's Spokesbird

Q Is the Recorder getting rid of youth carriers?

A Not exactly. Deadlines have to be met by all of our independent contractors who deliver the paper at the crack of dawn! Youth carriers are welcome to continue working with us as always. That's a decision the youth will have to make with their parents.

Q What time will I get my newspaper delivered in the morning?

A That's the best part! It should be delivered before you hear me crow - by 5:00 AM to the racks and by 6:00 AM to your home.

Q Won't the morning newspaper contain old and outdated information?

A No, just the opposite. Morning papers offer print news, sports and advertising information many hours sooner than afternoon papers do. Right now, news and sports events that occur after 10 or 11 AM do not appear in print until the next afternoon. With a morning paper, you read about those events the next morning. The same is true for news that occurs at night, such as high school sports. Shoppers also will be able to take advantage of advertising sales the same day that they appear. Now, many ads refer to sales that start the next day.

Q What if I don't get my paper once the Recorder starts morning delivery?

A Our Goal is to never ruffle your feathers, but if we do call 784-5000 and we'll fly a paper right out to you.

Q Will the paper cost the same with the morning delivery?

A Yep! It's still just chicken feed. (rooster humor)

Morning Delivery Coming
July 28, 2003
PORTERVILLE FAIR 2004
WEDNESDAY, MAY 12TH THROUGH SUNDAY MAY 16TH

Somethin' to Squeal About

Entertainment & Events:
- PAGE 3: Hypnosis comes to the fair
- PAGE 7: Celebrity cook-off
- PAGE 19: Enjoy the life under the Big Top
- PAGE 15: All about the Carnival
- PAGE 33: Fair's Entertainment Schedules of Events

Special Days:
- PAGE 17: Theme Days Return to the Fair
Valentine's Dinner for 2
Feb. 13-16 after 4 PM only

Appetizer:
'Mozzarella Sticks to share
2 small Caesar Salads

Choice of two of the following:
Szs. Prime Rib Dinner
Broiled Salmon Dinner
Steak & Fried Shrimp Dinner

781-0608
only at Porterville Carrows
located at 360 W. Montgomery Ave.
(Next to Best Western Porterville Inn)
AMISTAD DE LOS ANGELES
AN AMITY FOUNDATION TEACHING
AND THERAPEUTIC COMMUNITY

- Parole Residential Multi-Service Center
  that serves both male and female parolees
- 180 day length of stay, with written
  approval stays can be extended up to 1 year
- Intensive curriculum based therapeutic
  community that deals with the cycles of
  addiction, criminality, violence and their
  surrounding issues
- Participants must reach the third phase
  of the program before they are entitled
  to work (approximately 100 - 120 days)

RMSC ENROLLMENT CRITERIA

- Homeless, indigent or in an "at-risk"
  environment
- Physically and mentally able to care for
  themselves
- No history of extreme violence or arson
- Not required to register as a sex offender
- Is not pregnant and has not applied to
  receive SSI (Supplemental Security Insurance)
- Willing and able to participate in the
  program and work assignment
- CDCR has the final decision regarding
  program placements and retains the
  right to remove parolees from the
  program at any time

Enrollment
(213) 743-9079

3745 South Grand Ave.
Los Angeles, CA 90007
SUBJECT: CGI COMMUNICATIONS, INC. – Community Video and Street Banner Branding Program

SOURCE: Administration

COMMENT: On July 5, 2006, the City Council appointed a committee comprised of Council Members Stadtherr and McCracken to review the banner proof and banner placement locations proposed in connection with the Community Video and Street Banner Branding Program and report back to the City Council with their recommendations.

The committee met with staff on July 7, 2006, and discussed various banner color combinations and possible sponsor information that may be requested. Several potential sponsors have indicated preference for the color used for background for the sponsor portion of the banner. Not being able to accommodate each one individually, the committee expressed its opinion that the background for the sponsor portion should be consistent throughout the community, and felt that white would be the appropriate color. However, each individual sponsor could then work with the vendor to designate the color they prefer for the sponsor information to be applied. The committee agreed that sponsor information may consist of any combination of the following: Business name, logo, telephone number.

Several color combinations were discussed, and the committee felt that the final decision on the actual banner proof and banner locations should be a joint Council decision. However, neither committee member expressed any concerns over the banner location information provided by CGI Communications, Inc.

RECOMMENDATION: That the City Council approve the following recommendations of the committee:

1. That the City Council approve one of the four options attached for the banner proof to be provided to CGI Communications, Inc.;

2. That the sponsor information portion of the banner should consist of a white background, with specific colors for sponsor name, logo or telephone number to be designated by sponsor and vendor.

Dir. Appropriated/Funded C/M Item No. 22
Porterville, CA 2006
1st Year Plot Map
6-6-06 pg. 1

Poles: 79
Usable: 75
Open: 75
TITLE: "D" OVERLAY SITE REVIEW 2-2006 (EBAUGH)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting approval of a 7,641± square foot medical office building to be located generally at the northeast corner of Kessing Street and Putnam Avenue. The subject site is within the PO(D) (Professional Office - Design Review Overlay) Zone.

The proposed office building is the second building to be located in this complex. The complex consists of five parcels (Parcel 5 being utilized for parking). On January 8, 2002, the City Council approved "D" Overlay Site Review 4-2001. That office building consists of 4,855± square feet and is located on Parcel 1 at the north end of the complex. The proposed office building will be located just south of the existing building and will front on Kessing Street. The footprint of the building is situated over the parcel line separating Parcels 2 and 3. As a result, a lot line adjustment will be required to make these two (2) parcels as one (1). Parcel 4, located at the south end of the complex, remains vacant.

The underlying architectural theme for this building will match to the existing building to the north, incorporating a light tan stucco finish, charcoal brown slate hip roof, natural stone veneer and decorative pre-fab concrete pillars at the entrance and corners of the building.

The east side of the complex has an existing six (6) foot high wrought iron fence. An additional six (6) foot high wrought iron fence is proposed to extend along the full length of Cleveland Avenue, around the corner and south along the full length of Kessing Street then east along Putnam Avenue to completely enclose the complex. The proposed height of the fence and gate exceeds that which is defined in the City Code, but the design review overlay process allows consideration and approval of unique design elements. A six (6) foot high wrought iron gate is proposed at the entrance/exit onto Cleveland Avenue and the entrance/exit onto Kessing Street. The applicant/agent states that the gates will be electrically controlled by either a remote control system or card guard system. The gates will remain open from 8:00 am to 5:00 pm Monday through Friday, or longer if business hours are extended. The project was evaluated as a whole in the Design Overlay Site Review in 2002. Since that time, an ordinance regarding the construction of a block wall to separate residential and non-residential uses has been adopted by the City Council. At the date of original approval, that ordinance was not in place, so the wrought iron fence that was initially installed along the eastern property boundary may remain.
An associated application was presented to Staff requesting a variance for a sign 22 feet in height to accommodate the height of the six (6) foot high wrought iron fence. Staff has communicated with the applicant that the approval and construction of a six (6) foot high wrought iron fence does not create circumstances that would enable Staff to support a sign variance. The application for a variance was not deemed complete to accompany the “D” Overlay approval.

The parking ratio is based on floor space and usable storage area. Based on the 4,855± square feet of the existing building and the 7,641± square feet of the proposed building, a total of 12,496± square feet will exist. At the ratio of one parking space for every 200 square feet of gross floor area, 63 parking spaces are required. The subject site has 63 existing parking spaces. The remaining vacant Parcel 4 consisting of 6,492± square feet will limit the size of any future building based upon the additional parking, which will be required.

ENVIRONMENTAL: The project as proposed is Categorically Exempt pursuant to Section 15332, Class 32 of the CEQA Guidelines - (In-fill Development Projects). 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 containing findings and conditions in support of approval for “D” Overlay Site Review 2-2006.

ATTACHMENTS:

1. Complete Staff Report.
STAFF REPORT

TITLE: DESIGN OVERLAY SITE REVIEW 2-2006

APPLICANT: Dr. Michael Ebaugh
254 N Kessing Street
Porterville, CA 93257

REPRESENTATIVE: Deron Johns
Webb & Son
678 N. Plano Street
Porterville, CA 93257

SPECIFIC REQUEST: The applicant is requesting approval of a 7,641± square foot medical office building to be located generally at the northeast corner of Kessing Street and Putnam Avenue. The subject site is within the PO(D) (Professional Office - Design Review Overlay) Zone.

PROJECT DETAILS: The proposed office building is the second building to be located in this complex. The complex consists of five parcels (Parcel 5 being utilized for parking). On January 8, 2002, the City Council approved "D" Overlay Site Review 4-2001. That office building consists of 4,855± square feet and is located on Parcel 1 at the north end of the complex. The proposed office building will be located just south of the existing building and will front on Kessing Street. The footprint of the building is situated over the parcel line separating Parcels 2 and 3. As a result, a lot line adjustment will be required to make these two (2) parcels as one (1). Parcel 4 located at the south end of the complex is still vacant.

The proposed 7,641± square foot new building also has a 1,473± square foot area in the attic, which will contain cooling, heating and mechanical units. Access to this area will be via a hatch and ladder to allow for servicing the units. The underlying architectural theme for this building will be similar in nature to the existing building to the north. A light tan stucco finish, charcoal brown slate hip roof, natural stone veneer and decorative pre-fab concrete pillars at the entrance and corners of the building are proposed.

The east side of the complex has an existing six (6) foot high wrought iron fence. An additional six (6) foot high wrought iron fence is proposed to extend along the full length of Cleveland Avenue, around the corner and south along the full length of Kessing Street then east along Putnam Avenue to completely enclose the complex. The proposed height of the fence and gate exceeds that which is defined in the City Code, but the design review overlay process allows consideration and approval of certain exceptions. A six (6) foot high wrought iron gate is proposed at the entrance/exit onto Cleveland Avenue and the entrance/exit onto Kessing Street. The applicant/agent states that the gates will be electrically controlled by either a remote control system or card guard system. The gates will
remain open from 8:00 am to 5:00 pm Monday through Friday. The project was evaluated as a whole in the Design Overlay Site Review in 2002. Since that time, an ordinance regarding the construction of a block wall to separate residential and non-residential uses has been adopted by the City Council. At the date of original approval, that ordinance was not in place, so the wrought iron fence that was initially installed along the eastern property boundary may remain.

The parking ratio is based on floor space and usable storage area. Since the 1,473± square feet of area proposed in the attic is to be utilized for cooling, heating and mechanical units, this area will not be included in the overall parking ratio. Based on the 4,855± square feet of the existing building and the 7,641± square feet of the proposed building, a total of 12,496± square feet will exist. At the ratio of one parking space for every 200 square feet of gross floor area, 63 parking spaces are required. The subject site has 63 existing parking spaces. The remaining vacant Parcel 4 consisting of 6,492± square feet will limit the size of any future building based upon the additional parking, which will be required.

GENERAL PLAN AND ZONING: The General Plan designates the site as Professional Office. The site is zoned PO(D) (Professional Office - Design Review Overlay) Zone.

SURROUNDING ZONING AND LAND USE:

North: Cleveland Avenue and Bartlett School ground
South: Putnam Avenue and professional office uses
East: Single family residential dwellings and a fourplex
West: Kessing Street and the Porterville Unified School storage yard

STAFF ANALYSIS: Based on the 4,855± square feet of the existing building and the 7,641± square feet of the proposed building, a total of 12,496± will exist. At the ratio of one parking space for every 200 square feet of floor area, 63 parking spaces are required. The subject site has 63 existing parking spaces. The remaining vacant Parcel 4 consisting of 6,492± square feet will limit the size of any future building based upon the additional parking, which will be required.

The Porterville Redevelopment Agency Strategic Plan encourages the expansion of professional office uses in the downtown commercial area. Since the adoption of the Strategic Plan, several downtown office developments have been built. With the exception of the existing medical office to the north the area surrounding the subject site has not developed with a unified architectural theme. The building as proposed appears to be an attractive addition to the streetscape.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No project. Denial of the proposed use permit would not allow the applicants to construct the professional office complex as it is proposed.
2. Approve the project. Approval of the request would result in the applicant being conditionally allowed to construct the professional office complex as proposed subject to approval of “D” Overlay Site Review 2-2006.

ENVIRONMENTAL: This project is Categorically Exempt pursuant to Section 15332 Class 32 of the CEQA Guidelines - In-fill Development projects. 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 ACCEPTED AS COMPLETE: July 5, 2006

ATTACHMENTS:

1. Zoning, land use and General Plan designation map
2. Notice of Exemption
3. City Council Resolution 1-2002
4. Draft Resolution containing findings and conditions in support of “D” Overlay Site Review 2-2006 (Site plan, and elevations - Exhibit “A”)
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 93257

Michael Ebaugh
234 N. Kessing Street
Porterville, CA 93257

“D” Overlay Site Review 2-2006
Project Title

Generally the northeast corner of Kessing Street and Putnam Avenue.
Project Location (Specific)

City of Porterville
Project Location (City)

Tulare
Project Location (County)

“D” Overlay to allow for the construction of a 7,641 square foot medical office in the PO (D) (Professional Office “D” Overlay Site Review) Zone.
Description of Nature, Purpose, and Beneficiaries of Project

City of Porterville
Name of Public Agency Approving Project

Michael Ebaugh, 254 N Kessing Street, Porterville, CA 93257
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

_____ Ministerial (Section 15073)
_____ Declared Emergency (Section 15071 (a))
_____ Emergency Project (Section 15071 (b) and (c))
_____ Categorical Exemption, State type and section number: 15332

In-fill development
Reasons why project is exempt

Bradley D. Dunlap, AICP, Community Development Director
Contact Person
If Filed by Applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the Project? Yes:

Date Received for filing:

Signature
Community Development Director
Title

U/NoticeExempt"D"overlay22006

ATTACHMENT

NO. 2
RESOLUTION NO. 1-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL FOR “D” OVERLAY SITE REVIEW 4-2001 TO ALLOW THE DEVELOPMENT OF A 3,573± SQUARE FOOT MEDICAL OFFICE BUILDING TO BE LOCATED WITHIN AN OFFICE COMPLEX AT THE NORTHEAST CORNER OF PUTNAM AVENUE AND KESSING STREET

WHEREAS: The City Council at its regularly scheduled meeting of January 8, 2002, reviewed the site plans for a proposal to develop a 3,573± square foot medical office building to be located within a new office complex at the northeast corner of Putnam Avenue and Kessing Street, within the PO(D) (Professional Office - Design Review Overlay) Zone; and

WHEREAS: Pursuant to Article 18 (Supplemental “D” - Design Review Overlay Zone) of the Porterville Zoning Ordinance, the City Council made the following findings:

1. That the General Plan indicates the site is located within an area designated for Professional and Office uses.

2. That medical offices are permitted and compatible uses in the PO(D) Zone.

3. That the design and architectural features of the subject project are compatible with that of proximately situated developments.

NOW, THEREFORE, BE IT RESOLVED: That the Porterville City Council does hereby approve “D” Overlay Site Review 4-2001 under the Supplemental “D” Overlay Zone regulations subject to the following conditions:

1. That construction of any facilities or buildings on the site shall conform substantially to the applicant’s precise plot plans as approved, and incorporated herein by this reference as Exhibit “A” except as modified herein.

2. The following will be required at the time of building permit application submittal:

   a. Two complete sets of plans, including a grading and drainage plan, signed by an architect or engineer, including structural and energy calculations.

ATTACHMENT
ITEM NO. 3
b. Two sets of landscape and irrigation plans and a $25.00 plan check fee. Landscape plans shall be subject to the Landscape and Irrigation Specification Manual.

c. Design and construction in compliance with State and Federal Disabled Access requirements.

d. Design and construction in compliance with the latest adopted Uniform Codes.

e. Fire walls and protected openings shall be provided as per the Uniform Codes.

f. Plan check fees shall be paid at the time of permit plan submittal. School development fees, traffic impact fees, and other City fees shall be paid at the time of permit issuance.

g. All proposed signage will require a separate permit.


4. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.

5. The developer/applicant shall follow Appendix Chapter 33 of the Uniform Building Code including provision of a grading and drainage plan signed by a licensed civil engineer or architect. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

6. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc. along the full frontage of Cleveland Avenue adjacent to Parcels 1 and 5 and along the Kessing Street frontage of Parcel 5. The developer/applicant shall also construct additional improvements, if necessary for orderly development, in the opinion of the City Engineer (e.g., drainage facilities, etc.).

7. The developer/applicant shall construct drainage facilities as required to serve the property.

8. 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).
9. The developer/applicant shall design and improve the modifications to the parking lot in conformance with Section 2206 of the Zoning Ordinance.

10. The developer/applicant shall abandon existing wells, if any, after first getting an abandonment permit from the County Department of Environmental Health, and providing the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.

11. The developer/applicant shall follow Ordinance No. 1288 on waste water discharge requirements and before issuance of a building permit, shall complete and submit the following:

   a. Wastewater Discharge Permit;
   b. Payment of the application fee.

12. If Ordinance No. 1288 requires monitoring, based on the responses in the Wastewater Discharge Permit, then the developer/applicant shall provide monitoring facilities to allow inspection, sampling, and flow measurement of the flows in the building sewer and drainage system.

13. If hazardous materials are to be stored in jurisdictional quantities anywhere on the property, the developer/applicant shall develop and maintain a Hazardous Materials Business Plan Program, follow Chapter 6.95 of the Health and Safety Code, and shall tell the Hazardous Materials Unit of the Tulare County Division of Environmental Health. The developer/applicant shall provide proof of compliance with County requirements before issuance of a certificate of occupancy.

14. The developer/applicant shall install a refuse container enclosure according to City Standards. The developer/applicant shall also sign a waiver of liability for refuse truck damage to the parking lot if the refuse container location requires refuse trucks to travel on the parking lot.

   [Signature]

   Gordon T. Woods, Mayor

ATTEST:

   [Signature]

   C. G. Huffaker, City Manager
STATE OF CALIFORNIA

(St.
COUNTY OF TULARE )

I, C. G. HUFFAKER, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council regularly called and held on the 8th day of January, 2002.

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

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<th>GURROLA</th>
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C. G. HUFFAKER, City Clerk

By Georgia Hawley, Deputy City Clerk
RESOLUTION NO.______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF "D" OVERLAY SITE REVIEW 2-2006 TO ALLOW FOR THE CONSTRUCTION OF A 7,641± SQUARE FOOT MEDICAL OFFICE TO BE LOCATED GENERALLY AT THE NORTHEAST CORNER OF KESSING STREET AND PUTNAM AVENUE IN THE PO(D) (PROFESSIONAL OFFICE - "D" OVERLAY SITE REVIEW) ZONE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 18, 2006, considered "D" Overlay Site Review 2-2006, to allow for the construction of a 7,641± square foot medical office to be located generally at the northeast corner of Kessing Street and Putnam Avenue in the PO(D) (Professional Office - "D" Overlay Site Review) Zone; and

WHEREAS: Based on the 4,855± square feet of the existing building and the 7,641± square feet of the proposed building, a total of 12,496± square feet will exist. At the ratio of one parking space for every 200 square feet of floor area, 63 parking spaces are required. The subject site has 63 existing parking spaces. The remaining vacant Parcel 4 consisting of 6,492± square feet, will limit the size of any future building based upon the additional parking which will be required; and

WHEREAS: This project is Categorically Exempt pursuant to Section 15332 Class 32 of the CEQA Guidelines - In-fill Development projects. 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:

1. That the proposed project is consistent with the General Plan.

   The General Plan designates the subject site for Professional Office uses. The existing PO (D) zoning and proposed use is consistent with the General Plan.

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 102.10 ± feet to the north, 86.45 ± feet to the south and a depth of 122.64± feet, which allows for compliance with all applicable zoning standards. 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.

   The subject site has residential uses to the east, school to the north, a school storage
yard to the west and professional office uses to the south. The design of the proposed office building will match the architectural designs of the existing medical office building to the north. The subject site has existing improved parking, which has been provided in the complex. As a result, 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 in medical offices will be prohibited. Only those uses allowed in the PO (D) 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 allowed in the PO (D) Zone set forth by Section 600 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 “D” Overlay Site Review 2-2006 subject to the following conditions:

1. No wall- or roof-mounted equipment is allowed that is visible from the street or surrounding properties.

2. The use of the attic will be limited to all mechanical, heating and cooling equipment. Any use other than these, such as the storage of files related to the business, will require additional parking.

3. Although precise calculations have not yet been made, the developer/applicant should be aware that traffic impact fees will apply to this project. The current rate for General Office/Institutional development is $2,381 per 1,000 square feet. All development impact fees may be financed for five years with no interest at the option of the developer/applicant.

4. That construction of any facilities or buildings on the site shall conform substantially to the applicant’s precise plot plans as approved, and incorporated herein by this reference as Exhibit “A” except as modified herein.

5. The following will be required at the time of building permit application submittal:
a. Submit three (3) complete sets of plans, signed by a licensed Architect or Engineer, to include two (2) sets of energy calculations and structural calculations.
b. Compliance with access laws (both State and Federal) is required.
c. Compliance with all applicable codes is required.
d. Plan check fees are required at the time of building permit submittal.
e. A soils compaction test may be required.
f. School Development fees and all other City fees are due at the time of building permit issuance.
g. Firewalls are required in relation to some proposed buildings and property lines.
h. Signs require a separate permit.
i. The developer/applicant shall pay all applicable fees according to the Municipal Code and State Law.


7. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.

8. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc. along the full frontage of the parcels to be developed. The developer/applicant shall also construct additional improvements, if necessary for orderly development, in the opinion of the City Engineer (e.g., drainage facilities, etc.).

9. The developer/applicant shall comply with Ordinance No. 1636 regarding Waste Water Discharge requirements and shall complete and submit the a Wastewater Discharge Permit Application, Part “A”. If monitoring is required, based on the responses to questions in Part “A” of the Wastewater Discharge Permit, then the developer/applicant shall complete and submit the remainder of the application along with the Permit Fee, and provide monitoring facilities to allow inspection, sampling, and flow measurement of the flows in the sewer and drainage system.

10. If hazardous materials are to be stored in jurisdictional quantities anywhere on the property, the developer/applicant shall develop and maintain a Hazardous Materials Business Plan Program, follow Chapter 6.93 of the Health and Safety Code, and shall tell the Hazardous Materials Unit of the Tulare County Division of Environmental Health. The developer/applicant shall provide proof of compliance with County requirements before issuance of a certificate of occupancy.
11. Signage must be architecturally compatible with the proposed development, and have a consistently themed treatment for the office complex. Signs are subject to the Community Development Director approval.

12. The project is exempt from the California Environmental Quality Act, pursuant to Section 15332 of the Public Resources Code.

13. 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.

14. Depending on the location of the existing fire hydrant, additional fire hydrants may be required.

15. 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.

16. Fire hydrants spacing shall be as follows: In Commercial development, one hydrant shall be installed at every 300 feet intervals.

17. 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 submitted will be 1750 GPM and require a minimum of 1 hydrant.

18. Knox box will be required on the proposed building. Any locked access gates must also be fitted with a Fire Dept. access device. Application may be obtained from the Fire Department.

19. The vehicular access gates will be electrically controlled by either a remote control system or card guard system. The gates will remain open from 8:00 am to 5:00 pm Monday through Friday, or longer if businesses are open.

20. The developer/applicant shall have a registered Civil Engineer or Land Surveyor prepare and submit a Lot Line Adjustment that will reconfigure property lines to meet the requirements of all applicable codes. The following information is required at the time of submittal:

   1. Three copies of a Map and Legal Descriptions
   2. Processing fee in the amount of $125.
   3. Adequate title information (deed, etc.) to verify current ownership and the method of creation of the effected parcels.

The Lot Line Adjustment shall be approved prior to the issuance of a building permit.
21. Any change in the color scheme or architecture proposed for the office buildings shown on Exhibit “A” will require the approval of the Community Development Director.

22. All conditions applicable to City Council Resolution 1-2002 for “D” Overlay Site Review 4-2001 shall remain in full force and effect.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By

Georgia Hawley, Deputy City Clerk
EXTERIOR FINISH MATERIALS AND COLORS TO COMPLIMENT ADJACENT EXISTING BUILDING PREVIOUSLY APPROVED BY C.O.P.
SUBJECT: WORK PROGRAM FOR $200,000 ALLOCATION TO THE PORTERVILLE COMMUNITY CENTER

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: At the July 5, 2006 City Council meeting the City Manager committed staff to provide a work program on how the budget allocation of $200,000 would be utilized for the Porterville Community Center, located at 466 E. Putnam Avenue. Staff has evaluated the highest priority needs for repairs and rehabilitation of the facility and suggest the funds be allocated to operational/maintenance expenditures and roofing renovation. The roofing renovation is believed to be possible with application of a polyurethane roofing system over the existing slate roof. This approach should be 50% or less of the cost for the removal of the existing roof and replacement with metal roofing.

When additional funds are available other needs that should be addressed in a triage approach are: the replacement of HVAC systems, renovation of the restrooms, additional ADA access improvements, and flooring repairs/resurfacing. These are listed in staff’s recommended priority, and assume that the building will be utilized for general meeting and assembly purposes. Uses not permitted would include: educational classrooms, special needs programs, and food preparation. Budgetary estimates are as follows:

Annual operations and maintenance $ 95,000
  Staffing $56,000
  Supplies, maintenance & services $18,500
  Utilities $18,000
  Risk Management $ 2,500
Polyurethane roof system $105,000
Total 2006/2007 work plan budget $200,000

Other Priority Improvements
HVAC system for building chapel area $ 15,000
Renovation of restrooms $115,000
ADA and access improvements $ 50,000
HVAC system for building west wing $ 15,000
Flooring repairs & resurfacing $100,000

RECOMMENDATION: Approve the 2006/2007 work program for the Porterville Community Center.
COUNCIL AGENDA: JULY 18, 2006

SUBJECT: SPORTS COMPLEX YOUTH EVENT FEES

SOURCE: PARKS AND LEISURE SERVICES COMMISSION

COMMENT: Recently, several sports leagues have contacted the Parks & Leisure Services Department to reserve fields at the Sports Complex for practice and/or league games. It became apparent when City staff was entering the request into the new facility reservation software, that one league was not accustomed to providing the necessary information by which field-use game fees are calculated. Staff requested of this league information on the number of players and a specific game schedule. The league representative has expressed an objection to the manner in which this information would be utilized to determine the field-use game reservation fee. The league representative indicated that their league had never been charged field-use fees and had only been charged parking fees in the past.

Staff has researched the records over the past three years for three youth sport leagues that seasonally utilize the Sports Complex for practice and/or game play. There generally is not a clear description in the records of the basis or purpose of all fees that these leagues have paid in the past. The AYSO and Flag Football league representatives have indicated that fees have been paid only for obtaining seasonal parking passes, and that a field-use fee has never been charged. The CYSA league representative has indicated that both a player field-use fee and parking pass fee has been paid by their organization.

In all cases it appears that the charged seasonal parking pass fee was not the full fee adopted by the City Council. A charge of $1.00 per game (most leagues have 6 to 12 games) was utilized, not the $20.00 per season fee established by Council Resolution No. 109-2002. On the other hand, practice field reservation records for several teams have been located, which seem to have been correctly applied.

The magnitude of the fee miscalculation is significant. Staff estimates that with the various leagues there are at least 600 players participating in an average of 10 games per league. At $1.00 per player per game the uncollected youth game field-use fees would be approximately $6,000 per year.

Attachment ‘A’ is a recent staff memorandum providing records on the past two years of charges to AYSO, along with copies of City Council Resolution Nos. 109-2002 and 20-2006. Attachment ‘B’ is copies of receipts from AYSO for 2003. Attachment ‘C’ is the compilation of CYSA records for the past three years. Attachment ‘D’ is the extent of records found for Flag Football.
The AYSO and Flag Football organizations do have a “Concession License” with the City. This License pertains only to the manner in which fees for the use of the concession building will be determined, and it contains no provisions for the use of the fields or parking lot. No other agreements can be found in City records, and Department administrative staff was not aware of any other modifications to the Sports Complex fees. Attachment ‘E’ is a copy of the “Concession License”.

The Parks and Leisure Services Commission was requested to evaluate the matter and provide a recommendation to the City Council at their July 6, 2006 meeting. Representatives of the various youth sport leagues were present and provided comment. The Commission’s deliberations were completed with the following motion being approved.

The Commission recommends that the City Council charge only the Sports Complex parking fees this year, and phase-in the youth event field-use game fee over the next three years.

Staff identified three options for Commission and City Council consideration; Retain the fees as adopted by Resolution No. 109-2002 and amended by Resolution No. 20-2005, eliminating the youth player field-use game fee, or adjusting the youth player field-use fee to a lower amount. The Commission’s recommendation to the Council is in keeping with the third option.

**RECOMMENDATION:** That the City Council adopt the Resolution approving an adjustment to Sports Complex youth event field-use game fees.

**ATTACHMENTS:** Resolution approving an adjustment to Sports Complex youth event field-use game fees
Sports Complex field-use and payment receipt records
Sports Complex Concession License
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING AN ADJUSTMENT TO SPORTS COMPLEX YOUTH EVENT
FIELD-USE GAME FEES

BE IT HEREBY RESOLVED, by the City Council of the City of Porterville, that the Sports Complex youth event related field-use game fees by as follows:

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<th>Effective Date</th>
<th>Fee</th>
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<tr>
<td>Effective July 19, 2006</td>
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<tr>
<td>Effective June 1, 2007</td>
<td>$0.35 per participant</td>
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<tr>
<td>Effective June 1, 2008</td>
<td>$0.70 per participant</td>
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<tr>
<td>Effective June 1, 2009</td>
<td>$1.00 per participant</td>
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Dated this 18th day of July 2006

_____________________________
Cameron J. Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: ___________________________
Georgia Hawley, Chief Deputy City Clerk
MEMORANDUM

TO: Felipe Martinez, Council Member-Elect

FROM: Jim Perrine, Parks and Leisure Services Director

THROUGH: John Longley, City Manager

DATE: June 23, 2006

SUBJECT: AYSO FIELD RESERVATION INFORMATION

Attached are copies of the following records related to the AYSO use of the Sports Complex:

Request for Use of Facilities submitted June 20, 2006

Request for Use of Facilities submitted May 11, 2005
Receipt # 7074 summarizing $3,320 in fees due
Receipt # 7173 for payment of $2,400
Receipt # 7376 for payment of $20
Receipt # 7400 for payment of $300
Receipt # 7429 for payment of $600

Request for Use of Facilities submitted May 4, 2004
Receipt # 6542 for payment of $3,900
Receipt # 6547 for payment of $12
Receipt # 6550 for payment of $12
Receipt # 6576 for payment of $12
Receipt # 6608 for payment of $1,200

Resolution No. 109-2002, adopting fees and charges (in part pertaining to Sports Complex use)
Resolution No. 20-2006, adopting parking fees for the Sports Complex

I have not been able to fully determine the method by which the fees for the two previous years were calculated. The two staff members involved with the field use process over the past few years are both on vacation at present. I hope to be able to make contact with one or both of these individuals next week in order to get further information. We have implemented a new software system since last year, which generates more understandable reports, and automatically will calculate the fees based upon the use reservation.

From the Desk of
Jim Perrine, Director
Parks & Leisure Services
Phone: 559.782.7536
Fax: 559.791.7854

ATTACHMENT A
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: __________________________

Nature of Use: A ☐ 50  Are fees being charged? ☐

Date of Event: 8-1-06  1-31-07  Time: ☐ 8:00 Am To: ☐ 5:00 P.M

Amplified Equipment/Music: ☐ Yes  ☐ No
Bounce House: ☐ Yes  ☐ No  Bounce House Company: __________________________  Set-Up Time: __________________________

Attendance: __________________________

Will Alcohol be Served: ☐ Yes  ☐ No  Number of Drinking Adults ($2 per person): __________________________

Requested Requirements: __________________________

Concession Stand: West of the River

Organization: A ☐ 50  REGION 215
Name: Luis Medina, Regional Commissioner
Mailing and/or Billing Address: 1844 W. Date Ave
Phone: Day/Work: 357-6902  Cell No.: 357-6902  Evening/Home: 357-6902  Email: lmedina@ci.porterville.ca.us

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: 6/70/06

*** FOR OFFICE USE ONLY ***

APPROVED: __________________________  DATE: __________________________
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: __________________________  Received By: __________________________
SUPERVISOR FEE: __________________________  DEPOSIT RETURNED: __________________________
SPECIAL DEPARTMENT NOTATIONS: __________________________

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
SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES

07/15/05 Rev.
PARKS, PAVILIONS AND SPECIAL AREAS

1. Rental $33.00 per use, non-refundable. If cancellation is due to natural causes, a credit form will be issued.
2. No alcoholic beverages are allowed in the parks without a permit issued by Parks and Leisure Services and the Police Department. Those who want alcohol must apply at least ten (10) working days prior to the event. Alcohol beverage tags - $2.00 per tag. Permits only issued to those who rent pavilions or special areas. Alcohol tags are to be picked up at City Hall, 291 N Main Street.
3. Park hours: 7:00 a.m. to 10:00 p.m.
4. Restroom hours: October - March 7 a.m. to 4 p.m.; April - September 7 a.m. to 8 p.m. If additional hours are requested, a $10/hour supervisor fee will be charged.
5. Rental time includes set-up, take-down and clean up.
6. Bounce Houses are an additional $27.00. Company must have an insurance policy naming the City as additional insured on file. See #4 under Athletic Facilities.
7. Vehicles are to be parked in paved designated areas only. Vehicle access to unload and load is permitted with a parking permit; however, there is no parking allowed in the park except in special circumstances. Vehicles parking in the park outside of the designated paved parking areas will be cited by the Police Department.
8. Amplified equipment must receive approval from the Police Department, application must be submitted ten (10) working days prior to the event. In the event you are in the park using amplified equipment without a permit, you may be charged a penalty.
9. Please call the Police Department at 782-7400 if you need any assistance or if you have any problems.

ATHLETIC FACILITIES

1. Fees for use of lights: Municipal Ball Park Adults $31.00/use; Youth - $15.00/use. Field maintenance $30.00 per day. Commercial use - $50.00 per hour (plus light charges) Tournament and other uses without lights $10.00 per hour. Supervision $15.00 per hour. A deposit of $25.00 - $300.00 is required if bases and/or chalker are requested.
3. Sports Complex - Adults $2.00 per person; Youth $1.00 per person/per game. Practice - Youth $5.00; Adults per team $10.00. Event Parking $2.00 per car; $5.00 per bus.
4. Insurance: An insurance certificate must be on file at the Parks and Leisure Services office naming the City of Porterville as an additional insured for up to Two Million Dollars ($2,000,000) for all uses, including liquor and food liability, if sold on City premises with ABC License.
5. No alcoholic beverages allowed on premises, without special permission.

BUILDING RESERVATIONS (COMMUNITY CENTER, LIBRARY)

1. Fees and Charges; Non-Profit organizations - Large room $20/hour, Small room $15/hour, Patio $12/hr. Profit organizations - Large rooms $40/hour Small room $30/hour, Patio $25/hour. Commercial use $75/hour, small room $50/hour, patio $40/hour (A business license is required). Kitchen $10/hour. A $25 - $300 cleaning deposit is required (Pending the type of use of the building). Ten dollars per hour fee for a maintenance supervisor.
2. No alcoholic beverages allowed on premises; no smoking allowed in buildings; no balloons allowed in building.
3. Applicants are responsible for their own set-up, take down and clean up. (Included in reserved time)
4. City furniture or property may not be removed or displaced by any permittee without permission from authorized personnel.
5. Library rental hours: Mon. - Thurs. 10 a.m. - 8:00 p.m.

ZALUD HOUSE

1. $75 Deposit required, non-refundable if customer cancels. Fees: Garden - $50/hour. If activity is during non-scheduled hours, fee is $65/hour. A $25 - $300 cleaning deposit is required (pending type of use). Two hour minimum rental for weddings.
2. Wine and champagne in small amounts are the only alcoholic beverages allowed on premises. Rice or bird seed is not permitted in Zalud House and Garden area.
3. City furniture or property may not be removed or displaced by permittee without permission from authorized personnel.
4. Applicants are responsible for their own set-up and clean-up. Rental time includes set-up, takedown and clean-up.
5. Zalud House hours: Wed. - Sat. 10 a.m. to 4 p.m, Sunday 2 p.m. to 4 p.m.

MUNICIPAL POOL RENTAL

1. Fees: (1-100 people), $65/hour - (101-200 people), $75/hour - (201-280 people), $85/hour.
2. Bottles or glass containers are not allowed within pool area. No cutoffs allowed as bathing suits.
3. Alcoholic beverages are not allowed, smoking is not permitted in pool area.

FACILITY INFORMATION

1. Rental time includes set-up, take down and clean up.
2. At no time shall there be more people admitted to the facility than the legal seating capacity will accommodate.
3. Flammable decorations including scenery shall be fire resistant or flame proofed in accordance with the requirements of the City Fire Department.
4. No device which produces flame, sparks, smoke or explosions shall be used in any facility without the approval of the Fire Department.
5. Reservations are accepted no more than one year in advance.
6. Credit forms are available. No refunds are given.

Three dollar ($3) administrative fee per transaction for any change

Rev. 07/15/05
S:\forms\Request for Use
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
☐ Veterans Park  ☐ Library  ☐ Hayes Fields  ☐ Zalud Garden
☐ Zalud Park  ☐ Municipal Ballpark  ☐ College Ballfields  ☐ Other

Area/Room: EAST OF SNACK BAR

Nature of Event: Softball League (Youth) Are fees being charged?
Date of Event: AUGUST 1, 2003 - FEB. 28, 2004  Time: 6:30 PM - 8:00 PM

Amplified Equipment/Music: ☐ Yes  ☐ No
Bounce House: ☐ Yes  ☐ No  Bounce House Company:

Attendance: ~100/day  Will food or drink be served: ☐ Yes  ☐ No

Will Alcohol be Served: ☐ Yes  ☐ No  Number of Drinking Adults ($2 per person):

Requested Requirements:

*******

Organization: AYSO REGION 315
Name: DON RAMIREZ
Mailing and/or Billing Address: P.O. BOX 7881 PORTERVILLE CA. 93258
Phone: Day/Work: 756-2890  Cell No.: 756-4899  Evening/Home: 756-4899

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: DON RAMIREZ  Date: May 11, 2005

** FOR OFFICE USE ONLY **

APPROVED:  DATE: 5-13-05

POLICE DEPT.:  DATE:

RENTAL CHARGE:

ALCOHOL PERMIT CHARGE:

DATE PAID:  RECEIVED BY:

SECURITY/KEY DEPOSIT:

DATE PAID:  RECEIVED BY:

ENTERTAINMENT CHARGE:

DATE PAID:  RECEIVED BY:

INSURANCE REQUIRED:

DATE SUBMITTED:  RECEIVED BY:

SPECIAL DEPARTMENT NOTATIONS:

Called in advance to paid

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
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SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
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3. Restroom hours: October - March 7 a.m. to 4 p.m.; April - September 7 a.m. to 8 p.m. If additional hours are requested, a $10/hour supervisor fee will be charged.
4. Rental time includes set-up, take-down and clean up.
5. Bounce Houses are an additional $27.00. Company must have an insurance policy naming the City as additional insured on file. See #3 under Athletic Facilities.
6. Vehicles are to be parked in paved designated areas only. Vehicle access to unload and load is permitted with a parking permit; however, there is no parking allowed in the park except in special circumstances. Vehicles parking in the park outside of the designated paved parking areas will be cited by the Police Department.
7. Amplified equipment must receive approval from the Police Department, application must be submitted ten (10) working days prior to the event. In the event you are in the park using amplified equipment without a permit, you will be charged additional fees.
8. Zalud Park Roller Hockey/Basketball Courts - Lights; Adults - $4/hr; Youth - $2/hr. Court Reservations - $2/hr. hour without lights.

ATHLETIC FACILITIES

1. Fees for use of lights: Municipal Ball Park Adults $31.00/use; Youth - $15.00/use. College Fields - Adults $30.00/use; Youth - $15.00/use. Field maintenance $30.00 per day. Commercial use - $50.00 per hour (Plus light charges) Tournament and other uses without lights $10.00 per hour. Supervision $15.00 per hour. A deposit of $25.00 - $300.00 is required if bases and/or chalker are requested.
2. Sports Complex - Adults $2.00 per person; Youth $1.00 per person/per game. Practice - Youth $5.00; Adults per team $10.00. Event Parking $2.00 per car; $5.00 per bus.
3. Insurance: An insurance certificate must be on file at the Parks and Leisure Services office naming the City of Porterville as additional insured for up to Two Million Dollars ($2,000,000) for all uses, including liquor and food liability.
4. No alcoholic beverages allowed on premises.

BUILDING RESERVATIONS (COMMUNITY CENTER, LIBRARY)

1. Fees and Charges; Non-Profit organizations - Large room $20/hour, Small room $15/hour, Patio $12/hour. Profit organizations - Large rooms $40/hour, Small room $30/hour, Patio $25/hour. Commercial use $75/hour, small room $50/hour, patio $40/hour (A business license is required). Kitchen $10/hour. A $25 - $300 cleaning deposit is required (Pending the type of use of the building). Ten dollars per hour fee for a maintenance supervisor.
2. No alcoholic beverages allowed on premises; no smoking allowed in buildings; no balloons allowed in building.
3. Applicants are responsible for their own set-up, take down and clean up. (Included in reserved time)
4. City furniture or property may not be removed or displaced by any permittee without permission from authorized personnel.
5. Library rental hours: Mon. - Thurs. 9 am - 8:30 pm, Friday 9 am - 5:30 pm, Saturday 9 am - 4:30 pm.

ZALUD HOUSE

1. $75 Deposit required, non-refundable if customer cancels. Fees: Garden - $50/hour. If activity is during non-scheduled hours, fee is $65/hour. A $25 - $300 cleaning deposit is required (pending type of use). Two hour minimum rental for weddings.
2. Wine and champagne in small amounts are the only alcoholic beverages allowed on premises. Rice or bird seed is not permitted in Zalud House and Garden area.
3. City furniture or property may not be removed or displaced by permittee without permission from authorized personnel.
4. Applicants are responsible for their own set-up and clean-up. Rental time includes set-up, takedown and clean-up.
5. Zalud House hours: Wed. - Sat. 10 am to 4 pm, Sunday 2 pm to 4 pm.

MUNICIPAL POOL RENTAL

1. Fees: Large pool (1-200 people), $40/hour - (201-350 people), $45/hour; Large and Training pools (1-200 people), $55/hour; (201-350 people), $60/hour; Training and Wading pools (1-100 people), $30/hour.
2. Bottles or glass containers are not allowed within pool area. No cutoffs allowed as bathing suits.
3. Alcoholic beverages are not allowed, smoking is not permitted in pool area.

FACILITY INFORMATION

1. Rental time includes set-up, take down and clean up.
2. At no time shall there be more people admitted to the facility than the legal seating capacity will accommodate.
3. Flammable decorations including scenery shall be fire resistant or flame proofed in accordance with the requirements of the City Fire Department.
4. No device which produces flame, sparks, smoke or explosions shall be used in any facility without the approval of the Fire Department.
5. Reservations are accepted no more than one year in advance.
6. Credit forms are available. No refunds are given.

Three dollar ($3) administrative fee per transaction for any change
Date: 05/16/2005  
Receipt #: 7074  

PAYEE:

AYSO  
738 E. Putman  
Porterville CA 93257  
Customer #: 000371  
782-2830 (209) 920-0454 (209)

Total Amount Paid: $ 0.00

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Thank You for your payment!
Date: 06/16/2005  Office Receipt #: 
Receipt #: 7173  Operator: 026

PAYEE:
AYSO
738 E. Putman
Porterville CA 93257
Customer #: 000371
782-2830 (209) 920-0454 (209)

Total Amount Paid: $2400.00

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**Total Amount Paid This Receipt:** $2400.00

**Totals:** $3320.00  $3320.00  $0.00

Thank You for your payment!
Facility Receipt

Date: 08/30/2005
Receipt #: 7376

PAYEE:
AYSO
738 E. Putman
Porterville CA 93257
Customer #: 000371
782-2830 (209) 920-0454 (209)

Total Amount Paid: $ 20.00

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Total Amount Paid This Receipt: $ 20.00

Thank You for your payment!
Date: 09/08/2005
Receipt #: 7400

Office Receipt #: Sports Complex
Operator: 026

PAYEE:
AYSO
738 E. Putman
Porterville CA 93257
Customer #: 000371
782-2830 (209) 920-0454 (209)

Total Amount Paid: $300.00

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Total Amount Paid This Receipt: $300.00

Totals: $3320.00 $3320.00 $0.00

Thank You for your payment!
Date: 09/16/2005
Receipt #: 7429

Office Receipt #: Season '05
Operator: 026

PAYEE:
AYSO
738 E. Putman
Porterville CA 93257
Customer #: 000371
782-2830 (209) 920-0454 (209)

Total Amount Paid: $ 600.00

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Total Amount Paid This Receipt: $ 600.00

PAYMENT(S) HISTORY:

Totals: $ 3320.00 $ 3320.00 $ 0.00

Thank You for your payment!
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
☐ Veterans Park ☐ Library   ☐ Hayes Fields  ☐ Zalud Ballfields
☐ Zalud Park   ☐ Municipal Ballpark  ☐ College Ballfields  ☐ Other

Area/Room: East of Sackbar and Eastern Section

Nature of Use: AYSO Soccer
Are fees being charged?

Date of Event: August 1 - February 1, 2004-2005
Time: 7:00 AM
To: 5:00 PM

Amplified Equipment/Music: ☐ Yes ☐ No

Bounce House: ☐ Yes ☐ No
Bounce House Company:

Attendance: ~ 800

Will food or drink be served: ☐ Yes ☐ No

Will Alcohol be Served: ☐ Yes ☐ No
Number of Drinking Adults ($2 per person):

Requested Requirements: Two or three portable toilets on eastern side

**************************

Organization: AYSO Region 315
Name: Don Ramirez
Mailing and/or Billing Address: 738 E Putnam, Porterville, CA 93257
Phone: Day/Work: 782-2870 Cell No.: 920-0454 Evening/Home: 781-0310

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: Don Ramirez
Date: May 4, 2004

*** FOR OFFICE USE ONLY ***

APPROVED: 

POLICE DEPT.: 

RENTAL CHARGE:

ALCOHOL PERMIT CHARGE:

SECURITY/KEY DEPOSIT:

ENTERTAINMENT CHARGE:

INSURANCE REQUIRED:

SPECIAL DEPARTMENT NOTATIONS:

Distribution: Original - Dept.; Green - Parks; Blue - Police; Yellow - Applicant
291 NORTH MAIN STREET, PORTERVILLE, CA 93257, PHONE (559) 782-7461
FAX (559) 791-7854, Park/facility information available @ www.ci.porterville.ca.us

SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
PARKS, PAVILIONS AND SPECIAL AREAS

1. Rental $33.00 per use, non-refundable. If cancellation is due to natural causes, a credit form will be issued.
2. No alcoholic beverages are allowed in the parks without a permit issued by Parks and Leisure Services and the Police Department. Those who want alcohol must apply at least ten (10) working days prior to the event. Alcohol beverage tags - $2.00 per tag. Permits only issued to those who rent pavilions or special areas. Alcohol tags are to be picked up at City Hall, 291 N Main Street. Please call the Police Department at 782-7400 if you need any assistance or if you have any problems.
3. Restroom hours: October - March 7 a.m. to 4 p.m.; April - September 7 a.m. to 8 p.m. If additional hours are requested, a $10/hour supervisor fee will be charged.
4. Rental time includes set-up, take-down and clean up.
5. Bounce Houses are an additional $27.00. Company must have an insurance policy naming the City as additional insured on file. See #3 under Athletic Facilities.
6. Vehicles are to be parked in paved designated areas only. Vehicle access to unload and load is permitted with a parking permit; however, there is no parking allowed in the park except in special circumstances. Vehicles parking in the park outside of the designated paved parking areas will be cited by the Police Department.
7. Amplified equipment must receive approval from the Police Department, application must be submitted ten (10) working days prior to the event. In the event you are in the park using amplified equipment without a permit, you will be charged additional fees.
8. Zalud Park Roller Hockey/Basketball Courts - Lights; Adults - $4/hr; Youth - $2/hr. Court Reservations - $2/hr; hour without lights.

ATHLETIC FACILITIES

1. Fees for use of lights: Municipal Ball Park Adults $31.00/use; Youth - $15.00/use. College Fields - Adults $30.00/use; Youth - $15.00/use. Field maintenance $30.00 per day. Commercial use - $50.00 per hour (Plus light charges) Tournament and other uses without lights $10.00 per hour. Supervision $15.00 per hour. A deposit of $25.00 - $300.00 is required if bases and/or Chalker are requested.
2. Sports Complex - Adults $2.00 per person; Youth $1.00 per person/per game. Practice - Youth $5.00; Adults per team $10.00. Event Parking $2.00 per car; $5.00 per bus.
3. Insurance: An insurance certificate must be on file at the Parks and Leisure Services office naming the City of Porterville as additional insured for up to Two Million Dollars ($2,000,000) for all uses, including liquor and food liability.
4. No alcoholic beverages allowed on premises.

BUILDING RESERVATIONS (COMMUNITY CENTER, LIBRARY)

1. Fees and Charges; Non-Profit organizations - Large room $20/hour, Small room $15/hour, Patio $12/hour. Profit organizations - Large rooms $40/hour Small room $30/hour, Patio $25/hour. Commercial use $75/hour, small room $50/hour, patio $40/hour (A business license is required). Kitchen $10/hour. A $25 - $300 cleaning deposit is required (Pending the type of use of the building). Ten dollars per hour fee for a maintenance supervisor.
2. No alcoholic beverages allowed on premises; no smoking allowed in buildings; no balloons allowed in building.
3. Applicants are responsible for their own set-up, take down and clean up. (Included in reserved time)
4. City furniture or property may not be removed or displaced by any permittee without permission from authorized personnel.
5. Library rental hours: Mon. - Thurs. 9 am - 8:30 pm, Friday 9 am - 5:30 pm, Saturday 9 am - 4:30 pm.

ZALUD HOUSE

1. $75 Deposit required, non-refundable if customer cancels. Fees: Garden - $50/hour. If activity is during non-scheduled hours, fee is $65/hour. A $25 - $300 cleaning deposit is required (pending type of use). Two hour minimum rental for weddings.
2. Wine and champagne in small amounts are the only alcoholic beverages allowed on premises. Rice or bird seed is not permitted in Zalud House and Garden area.
3. City furniture or property may not be removed or displaced by permittee without permission from authorized personnel.
4. Applicants are responsible for their own set-up and clean-up. Rental time includes set-up, take down and clean up.
5. Zalud House hours: Wed. - Sat. 10 am to 4 pm, Sunday 2 pm to 4 pm.

MUNICIPAL POOL RENTAL

1. Fees: Large pool (1-200 people), $40/hour - (201-350 people), $45/hour; Large and Training pools (1-200 people), $55/hour; (201-350 people), $60/hour; Training and Wading pools (1-100 people), $30/hour.
2. Bottles or glass containers are not allowed within pool area. No cutoffs allowed as bathing suits.
3. Alcoholic beverages are not allowed, smoking is not permitted in pool area.

FACILITY INFORMATION

1. Rental time includes set-up, take down and clean up.
2. At no time shall there be more people admitted to the facility than the legal seating capacity will accommodate.
3. Flammable decorations including scenery shall be fire resistant or flame proofed in accordance with the requirements of the City Fire Department.
4. No device which produces flame, sparks, smoke or explosions shall be used in any facility without the approval of the Fire Department.
5. Reservations are accepted no more than one year in advance.
6. Credit forms are available. No refunds are given.

Three dollar ($3) administrative fee per transaction for any change
**Porterville Parks & Leisure Svcs**
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

**Facility Receipt**

**Date:** 09/10/2004  
**Receipt #:** 6542  
**Office Receipt #:** 325x12  
**Operator:** 026

**PAYEE:**

AYSO  
738 E. Putman  
Porterville CA 93257  
**Customer #:** 000371  
782-2830 (209) 920-0454 (209)

**Total Amount Paid:** $3900.00

**PAYMENT(S):**

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**Total Amount Paid This Receipt:** $3900.00  
**Totals:** $5136.00  
$5136.00  $ 0.00

Thank You for your payment!
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

Facility Receipt  

Date: 09/10/2004  
Receipt #: 6547  

PAYEE:  
AYSO  
738 E. Putman  
Porterville CA 93257  
Customer #: 000371  
782-2830 (209) 920-0454 (209)  

Total Amount Paid: $12.00  

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<td>75.00</td>
<td>$900.00</td>
<td>$900.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Victor R</td>
<td>SC Sports field #1</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$0.00</td>
<td>7373</td>
<td>1.00</td>
<td>$12.00</td>
<td>$12.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>20 parking</td>
<td>SC Sports field #1</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$0.00</td>
<td>7373</td>
<td>20.00</td>
<td>$300.00</td>
<td>$300.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Total Amount Paid This Receipt: $12.00  
Totals: $5136.00  

Thank You for your payment!
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

Facility Receipt  

Date: 09/13/2004  
Receipt #: 6550  

PAYEE:  
AYSO  
738 E. Putman  
Porterville CA 93257  
Customer #: 000371  
782-2830 (209) 920-0454 (209)  

Total Amount Paid: $ 12.00  

<table>
<thead>
<tr>
<th>Cash</th>
<th>ID #:</th>
<th>Check</th>
<th>Check #:</th>
<th>Card</th>
<th>Card #:</th>
<th>Memo</th>
<th>Account</th>
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<th>0.00</th>
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PAYMENT(S):  

<table>
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<tr>
<th>Description</th>
<th>Facility Name</th>
<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
<th>Permit</th>
<th>Qty</th>
<th>Amt Owed</th>
<th>PaidToDate</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrativ SC</td>
<td>Sports field #1 04 games</td>
<td></td>
<td>09/12/2006</td>
<td>$ 0.00</td>
<td>7373</td>
<td>12.00</td>
<td>$39000.00</td>
<td>$39000.00</td>
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<tr>
<td>Lesley Rush SC</td>
<td>Sports field #1 04 games</td>
<td></td>
<td>09/12/2006</td>
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<td>7373</td>
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<td>75.00</td>
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<tr>
<td>Victor R SC</td>
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<td>7373</td>
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<td>$ 12.00</td>
<td>$ 12.00</td>
<td>$ 0.00</td>
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<tr>
<td>20 parking</td>
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<td>7373</td>
<td>20.00</td>
<td>$ 300.00</td>
<td>$ 300.00</td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>

Total Amount Paid This Receipt: $ 12.00  

Totals: $ 5136.00 $ 5136.00 $ 0.00  

Thank You for your payment!
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461

Facility Payment Receipt

Date: 09/17/2004  
Receipt #: 6576  
PAYEE:

AYSO  
738 E. Putman  
Porterville CA 93257  
Customer #: 000371  
782-2830 (209) 920-0454 (209)

Total Amount Paid: $ 12.00

| Cash | $ 12.00 | ID #: |
| Check | $ 0.00 | Check #: |
| Card | $ 0.00 | Card #: |
| Memo | $ 0.00 | Account | $ 0.00 |

Bank #:  
Card Type:  
Memo #: Mr. Soto #401

PAYMENT(S) HISTORY:

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<thead>
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<th>Description</th>
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<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
<th>Permit #</th>
<th>Qty</th>
<th>Amt Owed</th>
<th>PaidToDate</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrat</td>
<td>Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$ 0.00</td>
<td>7373</td>
<td>12.00</td>
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<td>$ 3900.00</td>
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</tr>
<tr>
<td>Lesley Rush</td>
<td>Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$ 0.00</td>
<td>7373</td>
<td>1.00</td>
<td>$ 12.00</td>
<td>$ 12.00</td>
<td>$ 0.00</td>
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<tr>
<td>Unknown</td>
<td>Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$ 0.00</td>
<td>7373</td>
<td>1.00</td>
<td>$ 12.00</td>
<td>$ 12.00</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Administrat</td>
<td>Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$ 12.00</td>
<td>7373</td>
<td>75.00</td>
<td>$ 900.00</td>
<td>$ 12.00</td>
<td>$ 888.00</td>
</tr>
</tbody>
</table>

Total Amount Paid This Receipt: $ 12.00  
Totals: $ 4824.00 $ 3936.00 $ 888.00

Thank You for your payment!
**Porterville Parks & Leisure Svcs**  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

*Facility Receipt*

Date: 09/30/2004  
Receipt #: 6608  
Office Receipt #: parking pass 04  
Operator: 026

**PAYEE:**

AYSO  
738 E. Putman  
Porterville CA 93257  
Customer #: 000371  
782-2830 (209) 920-0454 (209)

**Total Amount Paid:** $1200.00

<table>
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<tr>
<td>Memo</td>
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<td>Account $0.00</td>
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**PAYMENT(S):**

<table>
<thead>
<tr>
<th>Description</th>
<th>Facility Name</th>
<th>Event</th>
<th>Date</th>
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<th>Qty</th>
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<th>PaidToDate</th>
<th>Balance</th>
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<tbody>
<tr>
<td>Administrativ Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$0.00</td>
<td>7373</td>
<td>12.00</td>
<td>$3000.00</td>
<td>$3000.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Lesley Rush Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$0.00</td>
<td>7373</td>
<td>1.00</td>
<td>$12.00</td>
<td>$12.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Unknown Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$0.00</td>
<td>7373</td>
<td>1.00</td>
<td>$12.00</td>
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<td>$0.00</td>
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</tr>
<tr>
<td>Administrativ Field #1 - W.</td>
<td>04 games</td>
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<td>75.00</td>
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<tr>
<td>Victor R Field #1 - W.</td>
<td>04 games</td>
<td>09/12/2006</td>
<td>$12.00</td>
<td>7373</td>
<td>1.00</td>
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<tr>
<td>20 parking Field #1 - W.</td>
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<td>20.00</td>
<td>$300.00</td>
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<td>$0.00</td>
<td></td>
</tr>
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</table>

**Total Amount Paid This Receipt:** $1200.00  
**Totals:** $5136.00 $5136.00 $0.00

*Thank You for your payment!*
RESOLUTION NO. 109-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADOPTING FEES AND CHARGES FOR THE CITY OF PORTERVILLE

BE IT HEREBY RESOLVED by the City Council of the City of Porterville that

the following Fees and Charges for the City of Porterville are hereby adopted:

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Group Field</td>
<td>$20.00 per hour</td>
</tr>
<tr>
<td>(Tournament &amp; other uses of fields.)</td>
<td></td>
</tr>
<tr>
<td>Picnic Area Reservation</td>
<td>$30.00 picnic area</td>
</tr>
<tr>
<td>Alcohol Tags</td>
<td>$2.00 each</td>
</tr>
<tr>
<td>Commercial Bounce House</td>
<td>$27.00</td>
</tr>
<tr>
<td>Sports Complex</td>
<td></td>
</tr>
<tr>
<td>Participant Use Fee (Per Game)</td>
<td>Youth Event - $1.00</td>
</tr>
<tr>
<td>Participant Use Fee (Per Game)</td>
<td>Adult Event - $2.00</td>
</tr>
<tr>
<td>Parking Fee</td>
<td>Per Vehicle - $2.00</td>
</tr>
<tr>
<td>Buses</td>
<td>Per Bus - $5.00</td>
</tr>
<tr>
<td>Parking Pass (Per Sports Season)</td>
<td>Parking Pass</td>
</tr>
<tr>
<td>Reservation for Practice</td>
<td>(Per Season) - $20.00</td>
</tr>
<tr>
<td>Youth (Per Day, Per Team)</td>
<td>Youth - $5.00</td>
</tr>
<tr>
<td>Adult (Per Day, Per Team)</td>
<td>Adult - $10.00</td>
</tr>
</tbody>
</table>

Dated this 16th day of July, 2002.

Gordon T. Woods, Mayor

ATTEST:

John Longley, City Manager
RESOLUTION NO. R-20-2006

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE ADOPTING PARKING FEES
FOR THE CITY OF PORTERVILLE SPORTS COMPLEX

BE IT HEREBY RESOLVED by the City Council of the City of Porterville that the following daily parking fees are hereby adopted to become effective on April 1, 2006, and that such fees replace all previous parking related fees and charges for the Porterville Sports Complex.

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Recreational Vehicle or Bus</td>
<td>$10.00</td>
</tr>
<tr>
<td>Other motor vehicles</td>
<td>$3.00</td>
</tr>
<tr>
<td>Seasonal pass per game day</td>
<td>$1.50</td>
</tr>
</tbody>
</table>

Dated this 7th day of February 2006.

Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: Georgia Hawley, Chief Deputy City Clerk
City of Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(559) 782-7461  
Registration Receipt

<table>
<thead>
<tr>
<th>Date</th>
<th>Receipt #</th>
<th>User ID</th>
<th>Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/25/2003</td>
<td>33988</td>
<td>022</td>
<td>022</td>
</tr>
</tbody>
</table>

**PAYEE INFORMATION**

Don Ramirez  
738 E Putnam  
Porterville, CA 93257

**PAYMENT INFORMATION**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount Charged</td>
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<tr>
<td>Total Amount Due</td>
<td>$3000.00</td>
</tr>
<tr>
<td>Amount Paid</td>
<td>$3000.00</td>
</tr>
<tr>
<td>Balance Due</td>
<td>$0.00</td>
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</table>

**PAYEE ACCOUNT INFORMATION**

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
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<td>Prior Balance</td>
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<tr>
<td>Used To Pay Fees</td>
<td>$0.00</td>
</tr>
<tr>
<td>Current Balance</td>
<td>$0.00</td>
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</table>

**ENROLLEE(S):**

<table>
<thead>
<tr>
<th>AN</th>
<th>Don Ramirez</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer #</td>
<td>003838</td>
</tr>
<tr>
<td>From</td>
<td>09/09/2002</td>
</tr>
<tr>
<td>To</td>
<td>12/31/2002</td>
</tr>
<tr>
<td>Nontransferable</td>
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</tr>
</tbody>
</table>

**Activity:** ZParking Pass - Fall  
**Location:** Sports Complex Parking Lot  
**Times:** 07:30AM 05:30PM  
**Fees:** $3000.00  
**Amount Applied:** $3000.00  
**Amount Owed:** $0.00

NO REFUNDS will be granted unless for medical reason (doctor's note required). An administration fee of $25.00 will be withheld from any request without medical reason.

A $3 administrative fee will be charged for any participant transfers/changes.

Comments:

-----------

PARKS & LEISURE DEPT.
JUL 2 0 2003
DEPOSIT

ATTACHMENT B
<table>
<thead>
<tr>
<th>Parent/Guardian Name</th>
<th>Phone</th>
<th>Home</th>
<th>Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>DON RAMIREZ</td>
<td>781-0510</td>
<td>782-2890</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>738 E LINDAM</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Participant Name</th>
<th>Amount</th>
<th>Parking Passes</th>
<th>Dates</th>
<th>Total Fee</th>
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<tbody>
<tr>
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<td>#0034 - #0354</td>
<td>$350</td>
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<td>$10/each</td>
<td>300.00</td>
</tr>
</tbody>
</table>

I, the undersigned, hereby agree to defend, and hold harmless the City of Porterville and its officers, employees and agents from and against any and all loss, liability, charges and expenses including attorney’s fees and causes of action of whatsoever character which may arise from reason of participation in the above Program/Service or be in any way connected herein. The City of Porterville does not provide accident, medical, liability or any other insurance for the program participants.

NO REFUNDS will be granted unless for medical reasons (doctor’s note required). An administration fee of $25 will be withheld from any request for refund without medical reason.

Signed ___________________________ Date ________

Don Ramie

Cash ______ Check # 3084 Cr Card ______ Total Paid 3000.00 Date Received 7/25/03 Receipt # 33984
Porterville Parks & Leisure Svcs
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Receipt

Date: 09/05/2003
Receipt #: 5664
Office Receipt #: 50 tags
Operator: 057

PAYEE:
AYSO
738 E. Putman
Porterville CA 93257
Customer #: 000371
782-2830 (209) 920-0454 (209)

Total Amount Paid: $ 500.00

Cash $ 0.00 ID #:
Check $ 500.00 Check #: 3116
Card $ 0.00 Card #:
Memo $ 0.00 Account $ 0.00

PAYMENT(S):

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<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
<th>Permit #</th>
<th>Qty</th>
<th>Amt Owed</th>
<th>PaidToDate</th>
<th>Balance</th>
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</thead>
<tbody>
<tr>
<td>Sports C.</td>
<td>SC Soccer Field #2</td>
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<td>$ 500.00</td>
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</tr>
<tr>
<td>LOYD</td>
<td>SC Soccer Field #2</td>
<td>AYSO</td>
<td>09/01/2003</td>
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Total Amount Paid This Receipt: $ 500.00

PAYMENT(S) HISTORY:

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</thead>
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<td>$ 15.00</td>
<td>$ 15.00</td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>

Totals: $ 515.00

Thank You for your payment!
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
☐ Veterans Park ☐ Library    ☐ Hayes Fields    ☐ Zalud Ballfields
☐ Zalud Park    ☐ Municipal Ballpark    ☐ College Ballfields    ☐ Zalud Garden
☐ Other

Area/Room: SOCCER FIELD 75 X 120 YDS. SOUTH Are fees being charged? NO

Nature of Use: GAMES

Date of Event: JULY 10, 2003 - JAN 30, 2003

Time: 8:00 AM To: 4:00 PM

SAT/SUN. ONLY

Amplified Equipment/Music: ☐ Yes    ☑ No

Bounce House: ☐ Yes    ☑ No Bounce House Company:

Attendance: Will food or drink be served: ☐ Yes    ☑ No

Will Alcohol be Served: ☐ Yes    ☑ No

Number of Drinking Adults ($2 per person): 

Requested Requirements: AREA MARKED FOR SOCCER FIELD

****************************

Organization: CYSA CALIFORNIA YOUTH SOCCER ASSN.
Name: ROBERT RODRIGUEZ
Mailing and/or Billing Address: 1117 W. BROWN AVE. Pahr, CA 93267
Phone: Day/Work: 792-2312 Cell No.: 389-8076 Evening/Home: 781-716

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: 6/3/03

*** FOR OFFICE USE ONLY ***

APPROVED: ____________________________ DATE: 6/14/03

POLICE DEPT: ____________________________ DATE: ____________________________

RENTAL CHARGE: ____________________________ DATE: ____________________________

ALCOHOL PERMIT CHARGE: ____________________________ DATE PAID: ____________________________ RECEIVED BY: ____________________________

SECURITY KEYS DEPOSIT: ____________________________ DATE PAID: ____________________________ RECEIVED BY: ____________________________

ENTERTAINMENT CHARGE: ____________________________ DATE PAID: ____________________________ RECEIVED BY: ____________________________

INSURANCE REQUIRED: ____________________________ DATE SUBMITTED: ____________________________ RECEIVED BY: ____________________________

SPECIAL DEPARTMENT NOTATIONS: Game fees $1/Per Child/Per Game; $2 for parking

ATTACHMENT C

PARK IN DESIGNATED AREAS ONLY

Distribution: Original - Dept.; Green - Parks; Blue - Police; Yellow
291 NORTH MAIN STREET, PORTERVILLE, CA 93257, PHC
FAX (559) 791-7854, Park/facility information available at www

SEE BACK PAGE FOR RULES, REGULATIONS &
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461

**FACILITY RESERVATION CONTRACT**

<table>
<thead>
<tr>
<th>Permit #</th>
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**CUSTOMER AND PAYMENT INFORMATION**

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<tr>
<td>Authorized Agent</td>
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<tr>
<td>Address</td>
<td>1117 W.Brown</td>
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<td>Porterville, CA 93257</td>
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<tr>
<td>Phone #</td>
<td>782-2952 (209)</td>
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**Payment Information**

- Total Amount Charged: $ 0.00
- Total Amount Paid To Date: $ 0.00
- Total Amount Refunded: $ 0.00
- Total Amount Discounted: $ 0.00
- Balance Due: $ 0.00

**FACILITY INFORMATION**

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<tr>
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**Dates Reserved**

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Sun Nov 30, 2003  at 08:00A  Sun Nov 30, 2003  at 04:00P  CA Youth Soccer Assn.  0  8000
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Sun Dec 07, 2003  at 08:00A  Sun Dec 07, 2003  at 04:00P  CA Youth Soccer Assn.  0  8000
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Sat Jan 24, 2004  at 08:00A  Sat Jan 24, 2004  at 04:00P  CA Youth Soccer Assn.  0  8000
Jan 25, 2004  at 08:00A  Sun Jan 25, 2004  at 04:00P  CA Youth Soccer Assn.  0  8000

Total Days:  58

Totals:  0  464000

DISCLAIMERS

1. An insurance certificate must be on file at the Parks and Leisure Services Office naming the City of Porterville as additional insurer for two million dollars ($2,000,000.00) limits for all uses, including liquor and food liability.

2. No alcoholic beverages allowed on premises.

3. Please note: A $3 administrative fee and $15 supervisor fee is added on top of rental fee.

4. NO REFUNDS will be given unless for medical reasons. An administration fee of $25 will be withheld from any request for refund without medical reason.
CITY OF PORTERVILLE
PARKS & LEISURE SERVICES DEPARTMENT
REQUEST FOR USE OF FACILITIES

LEASE PRINT CLEARLY - PRESS HARD

FACILITY REQUESTED:
☐ Murry Park  ☐ Community Center  ☐ Burton Ballfields
☐ Veterans Park  ☐ Library  ☐ Other ________
☐ Zalud Park  ☐ Municipal Ballpark  ☐ College Ballfields

Area/Room: Soccer Field 75 x 120 Yards

Nature of Use: Soccer Games

Date of Event: August 22 thru Sept 29

Amplified Equipment/Music: ☐ Yes ☐ No

Bounce House: ☐ Yes ☐ No
Bounce House Company: 7/15 22 29/03

Attendance: ____________________________

Will Alcohol be Served: ☐ Yes ☐ No
Number of Drinking Adults ($2 per person):

Requested Requirements: AREA FOR SOCCER FIELD FOR CSYF LEAGUE GAMES

NESTS, GOALS, LINE MARKINGS; Field Will be Provided by Team

Organization: California Youth Soccer Association

Name: Robert Brusilova

Mailing and/or Billing Address: 111 W. Brand

Phone: Day/Work: 559-782-2350  Cell No.: 351-8076  Evening/Home: 781-7118

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: 7/9/03

** ** FOR OFFICE USE ONLY ** **

APPROVED: ____________________________  DATE: 7/9/03

POLICE DEPT.: ____________________________  DATE: 9/2/03

RENTAL CHARGE: $300/game ($55 per home)

ALCOHOL PERMIT CHARGE: $100 (Per Game)

SECURITY/KEY DEPOSIT: $100 (Per Game)

ENTERTAINMENT CHARGE: $50 (Per Game)

INSURANCE REQUIRED: $250 (Per Game)

SPECIAL DEPARTMENT NOTATION: $3 per player/parking pass/per game

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.city.porterville.ca.us

SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
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
☐ Veterans Park
☐ Library
☐ Hayes Fields
☐ Zalud Ballfields
☐ Zalud Park
☐ Municipal Ballpark
☐ College Ballfields
☐ Other _______________

Area/Room: ________________

Nature of Use: ________________

Are fees being charged? ________________

Date of Event: ________________
Time: ____:____ To: ____:____

Amplified Equipment/Music: ☐ Yes ☐ No ________________

Bounce House: ☐ Yes ☐ No ________________

Bounce House Company: ________________

Attendance: ________________

Will food or drink be served? ☐ Yes ☐ No ________________

Number of Drinking Adults ($2 per person): ________________

Requested Requirements: ________________

******

Organization: ________________

Name: ________________

Mailing and/or Billing Address: ________________

Phone: Day/Work: ________________

Cell No.: ________________

Evening/Home: ________________

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: ________________

** ** FOR OFFICE USE ONLY ** **

APPROVED: ____________________________ DATE: ________________

POLICE DEPT.: ____________________________ DATE: ________________

RENTAL CHARGE: $50.00 ____________________________ 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: ____________________________ Received By: ____________________________

SPECIAL DEPARTMENT NOTATIONS: ____________________________

PARKS 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) 791-7854, Park/facility information available @ www.ci.porterville.ca.us

SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

*Facility Receipt*

**Date:** 08/25/2003  
**Receipt #:** 5631  
**Office Receipt #:**  
**Operator:** 057

**PAYEE:**  
CYSA  
Porterville CA 93257  
Customer #: 000315  
782-2952 (209) 781-7118 (209)

**Total Amount Paid:** $60.00

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**Totals:** $833.00 $833.00 $0.00

Thank You for your payment!
Date: 09/04/2003
Receipt #: 5661

PAYEE: CYSA

Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 648.00

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Total Amount Paid This Receipt: $ 648.00

PAYMENT(S) HISTORY:

Totals: $ 833.00 $ 833.00 $ 0.00

Thank You for your payment!
Porterville Parks & Leisure Svcs
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Receipt

Date: 09/05/2003
Receipt #: 5665
Office Receipt #: 15 tags
Operator: 057

PAYEE:
CYSA
Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 125.00

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<th>Amt Paid</th>
<th>Permit #</th>
<th>Qty</th>
<th>Amt Owed</th>
<th>PaidToDate</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports C.</td>
<td>SC Soccer Field #3 CYSA Youth</td>
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<td>07/12/2003</td>
<td>$ 0.00</td>
<td>6171</td>
<td>12.00</td>
<td>$ 60.00</td>
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<td>$ 0.00</td>
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<td>6171</td>
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<tr>
<td>Parking-Gladi</td>
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<td>07/12/2003</td>
<td>$ 0.00</td>
<td>6171</td>
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<td>$ 190.00</td>
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<td>07/12/2003</td>
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Total Amount Paid This Receipt: $ 125.00

PAYMENT(S) HISTORY:

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<td></td>
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<td></td>
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</tbody>
</table>

Totals: $ 833.00 $ 833.00 $ 0.00

Thank You for your payment!
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
- □ Veterans Park
- □ Library
- □ Hayes Fields
- □ Zalud Park
- □ Municipal Ballpark
- □ College Ballfields
- □ Other ________

Area/Room: Soccer Fields
Nature of Use: Games
Date of Event: August, Sept, Nov, Dec, Jan
Amplified Equipment/Music: □ Yes □ No
Bounce House: □ Yes □ No
Bounce House Company: __________
Attendance: James Will food or drink be served: □ Yes □ No
Will Alcohol be Served: □ Yes □ No
Number of Drinking Adults ($2 per person): ________
Requested Requirements: Fields Soccer

* * * * * * * * * * * *

Organization: CYSA
Name: Rod Thiessen
Mailing and/or Billing Address: 1117 W. Brown Ave
Phone: Day/Work: 761-2350 Cell No.: 561-5807 Evening/Home: 761-7118

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: 4/7/04

* * * FOR OFFICE USE ONLY * * *

APPROVED: ___________________________ DATE: 4-13-04
POLICE DEPT.
RENTAL CHARGE:

ALCOHOL PERMIT CHARGE:
SECURITY/KEY DEPOSIT:
ENTERTAINMENT CHARGE:
INSURANCE REQUIRED:
SPECIAL DEPARTMENT NOTATIONS: $1 PER DAY/PER GAME - $2 PARKING GAME DAYS OR $1 PARKING PASS/PER PLAYER. CERTIFICATE OF INSURANCE NAMING THE CITY AS ADDITIONAL INSUREE

For $1 million,

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) 791-7854, Park/facility information available at www.ci.porterville.ca.us

SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
Porterville Parks & Leisure Svcs
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Payment Receipt

Date: 09/16/2004
Receipt #: 6571

Office Receipt #: 1 team not paid
Operator: 026

PAYEE:

CYSA
1117 W.Brown
Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 688.00

PAYMENT(S):

<table>
<thead>
<tr>
<th>Description</th>
<th>Facility Name</th>
<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
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<tbody>
<tr>
<td>Sports C.</td>
<td>Field #2 -Center</td>
<td>CYSA GAMES</td>
<td>08/02/2004</td>
<td>$ 81.00</td>
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<td>Sports C.</td>
<td>Field #2 -Center</td>
<td>CYSA GAMES</td>
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<td>$ 104.00</td>
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<td>Field #2 -Center</td>
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Total Amount Paid This Receipt: $ 688.00

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<td>7128</td>
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</table>

Totals: $ 688.00 | $ 688.00 | $ 0.00

Thank You for your payment!
**Facility Reservation Contract**

Permit # 7128  
Operator # 069  
Date: 06/09/2004

**Customer and Payment Information**

<table>
<thead>
<tr>
<th>Company Name</th>
<th>CYSA</th>
<th>#: 000315</th>
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<tbody>
<tr>
<td>Authorized Agent</td>
<td>Robert Rodriguez</td>
<td>#: 015623</td>
</tr>
<tr>
<td>Address</td>
<td>Porterville, CA 93257</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>782-2952 (209)</td>
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<tr>
<td>Customer Type</td>
<td>Youth</td>
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**Payment Information**

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
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<td>Total Amount Paid To Date</td>
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<td>Total Amount Discounted</td>
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Payment is due by 11/16/2004

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**Facility Information**

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>SC Soccer Field #2</th>
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</thead>
<tbody>
<tr>
<td>Facility Type</td>
<td>soccer</td>
</tr>
</tbody>
</table>
| Location | Sports Complex  
2701 W Scranton Ave  
Porterville, CA 93257 |

**Dates Reserved**

<table>
<thead>
<tr>
<th>Starts</th>
<th>Ends</th>
<th>Event</th>
<th>Attendance</th>
<th>Hours</th>
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<td>Mon Nov 01, 2004 at 05:00P</td>
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Sat Nov 13, 2004 at 08:00A Mon Nov 15, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Nov 20, 2004 at 08:00A Sat Nov 20, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Nov 22, 2004 at 08:00A Mon Nov 22, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Nov 27, 2004 at 08:00A Sat Nov 27, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Nov 29, 2004 at 08:00A Mon Nov 29, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Dec 04, 2004 at 08:00A Sat Dec 04, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Dec 06, 2004 at 08:00A Mon Dec 06, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Dec 11, 2004 at 08:00A Sat Dec 11, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Dec 13, 2004 at 08:00A Mon Dec 13, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Dec 18, 2004 at 08:00A Sat Dec 18, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Dec 20, 2004 at 08:00A Mon Dec 20, 2004 at 05:00P CYSA GAMES 0 9,000
Mon Dec 27, 2004 at 08:00A Mon Dec 27, 2004 at 05:00P CYSA GAMES 0 9,000
Sat Jan 01, 2005 at 08:00A Sat Jan 01, 2005 at 05:00P CYSA GAMES 0 9,000
Mon Jan 03, 2005 at 08:00A Mon Jan 03, 2005 at 05:00P CYSA GAMES 0 9,000
Sat Jan 08, 2005 at 08:00A Sat Jan 08, 2005 at 05:00P CYSA GAMES 0 9,000
Mon Jan 10, 2005 at 08:00A Mon Jan 10, 2005 at 05:00P CYSA GAMES 0 9,000
Sat Jan 15, 2005 at 08:00A Sat Jan 15, 2005 at 05:00P CYSA GAMES 0 9,000
Mon Jan 17, 2005 at 08:00A Mon Jan 17, 2005 at 05:00P CYSA GAMES 0 9,000
Sat Jan 22, 2005 at 08:00A Sat Jan 22, 2005 at 05:00P CYSA GAMES 0 9,000
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Mon Jan 31, 2005 at 08:00A Mon Jan 31, 2005 at 05:00P CYSA GAMES 0 9,000

Total Days: 52 Totals: 0 468,000

DISCLAIMERS

1. An insurance certificate must be on file at the Parks and Leisure Services Office naming the City of Porterville as additional insurer for two million dollars ($2,000,000.00) limits for all uses, including liquor and food liability.

2. No alcoholic beverages allowed on premises.

3. Please note: A $3 administrative fee and $15 supervisor fee is added on top of rental fee.

4. NO REFUNDS will be given unless for medical reasons. An administration fee of $25 will be withheld from any request for refund without medical reason.
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA  93258  
(209) 782-7461  

*Facility Receipt*

**Date:** 04/19/2004  
**Receipt #:** 6134  
**Office Receipt #:** 16 days  
**Operator:** 026

**PAYEE:**  
CYSA  
Porterville CA  93257  
**Customer #:** 000315  
782-2952 (209)  
781-7118 (209)

**Total Amount Paid:**  $80.00

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<tbody>
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<td>Memo</td>
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**PAYMENT(S):**

<table>
<thead>
<tr>
<th>Description</th>
<th>Facility Name</th>
<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
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**PAYMENT(S) HISTORY:**

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<th>Permit #</th>
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**Total Amount Paid This Receipt:**  $80.00  
**Totals:**  $80.00  
$80.00  $0.00

Thank You for your payment!
Porterville Parks & Leisure Svcs
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Receipt

Date: 09/07/2004
Receipt #: 6535

Office Receipt #: 026

PAYEE:

CYSA
Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 70.00

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<td>Memo</td>
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<td>Account $ 0.00</td>
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PAYMENT(S): |

<table>
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<th>Description</th>
<th>Facility Name</th>
<th>Event</th>
<th>Date</th>
<th>Amt Paid</th>
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</thead>
<tbody>
<tr>
<td>Administrativ SC Soccer Field #3</td>
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Total Amount Paid This Receipt: $ 70.00

Totals: $ 70.00 $ 70.00 $ 0.00

Thank You for your payment!
Porterville Parks & Leisure Svcs
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Receipt

Date: 09/16/2004          Office Receipt #: 1 team not paid
Receipt #: 6571            Operator: 026

PAYEE:

CYSA

Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 688.00

PAYMENT(S):

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</table>

Total Amount Paid This Receipt: $ 688.00

Totals: $ 688.00 $ 688.00 $ 0.00

Thank You for your payment!
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: ______________

Nature of Use: ____________ Are fees being charged? ____________

Date of Event: 9/10/05 - 9/11/05  Time: 8:00 AM - 5:00 PM

Amplified Equipment/Music: ☐ Yes  ☐ No

Bounce House: ☐ Yes  ☐ No  Bounce House Company: __________________________

Attendance: __________________________

Will Alcohol be Served: ☐ Yes  ☐ No Number of Drinking Adults ($2 per person): __________

Requested Requirements: Field space for soccer fields  so parking passes...

Organization: Robert Roeblez/CYSA

Name: __________________________

Mailing and/or Billing Address: 708 W BROWN AVE P.O. BOX 93577

Phone: Day/Work: 789-2456  Cell No.: 361-5557  Evening/Home: 261-7168  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: 8/16/05

*** FOR OFFICE USE ONLY ***

APPROVED: __________________________ Date: 8/17/05

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: ____________ Received By: __________________________

SUPERVISOR FEE: __________________________ DEPOSIT RETURNED: __________________________

SPECIAL DEPARTMENT NOTATIONS: __________________________

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
SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES

07/15/05 Rev.
Porterville Parks & Leisure Svc
291 N. Main Street
Porterville, CA 93258
(209) 782-7461

Facility Receipt

Date: 09/09/2005
Receipt #: 7402
Office Receipt #: season pass
Operator: 026

PAYEE:

CYSA
Porterville CA 93257
Customer #: 000315
782-2952 (209) 781-7118 (209)

Total Amount Paid: $ 231.00

Cash $ 0.00 ID #: see Schedule
Check $ 231.00 Check #: 1833
Card $ 0.00 Card #:
Memo $ 0.00 Account $ 0.00

Bank #:
Card Type:
Memo #: season pass

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Total Amount Paid This Receipt: $ 231.00

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Totals: $ 555.00 $ 555.00 $ 0.00

Thank You for your payment!
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

Facility Receipt

Date: 09/16/2005  
Receipt #: 7430  
Office Receipt #: CYSA 05  
Operator: 026

PAYEE:  
CYSA  
Porterville CA 93257  
Customer #: 000315  
782-2952 (209)  
781-7118 (209)

Total Amount Paid: $ 174.00  
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Total Amount Paid This Receipt: $ 174.00  
Totals: $ 555.00  

Thank You for your payment!
Porterville Parks & Leisure Svcs  
291 N. Main Street  
Porterville, CA 93258  
(209) 782-7461  

Facility Receipt  

Date: 12/01/2005  
Receipt #: 7528  
Operator: 026  

PAYEE:  
CYSA  
Porterville CA 93257  
Customer #: 000315  
782-2952 (209) 781-7118 (209)  

Total Amount Paid: $ 687.50  

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Total Amount Paid This Receipt: $ 687.50  
Totals: $ 687.50  

Thank You for your payment!
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
☐ Veterans Park ☐ Library ☐ Hayes Fields ☐ Zalud Garden
☐ Zalud Park ☐ Municipal Ballpark ☐ College Ballfields ☐ Other

Area/Room: Snack Bar

Nature of Use: Flag Football

Are fees being charged? ☐ Yes ☐ No

Date of Event: Sept 11, 2004 - Nov 06, 2004

Time: ☐ To:

Amplified Equipment/Music: ☐ Yes ☐ No

Bounce House: ☐ Yes ☐ No Bounce House Company:

Attendance:

Will food or drink be served? ☐ Yes ☐ No

Will Alcohol be Served: ☐ Yes ☐ No

Number of Drinking Adults ($2 per person):

Requested Requirements:

Although 115 were!

*******

Organization: Flag Football of Porterville

Name: Dana Wilson

Mailing and/or Billing Address: 764 Salmon Ave, Porterville, CA

Phone: Day/Work: 734-4042 Cell No.: Evening/Home: 734-5558

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: 9-08-04

*** FOR OFFICE USE ONLY ***

APPROVED: Yvonne Date: 9-08-04

POLICE DEPT.:

RENTAL CHARGE:

ALCOHOL PERMIT CHARGE:

SECURITY/KEY DEPOSIT:

ENTERTAINMENT CHARGE:

INSURANCE REQUIRED:

SPECIAL DEPARTMENT NOTATIONS: Snack Bar is worked out w/ Sponsors Organization Fees

$1 Play Fee Per Game, $10 Parking Fee Per Car, Snack Bar Fee

PARK IN DESIGNATED AREAS ONLY

Distribution: Original - Dept.; Green - Parks; Blue - Police; Yr
291 NORTH MAIN STREET, PORTERVILLE, CA 93257, PH
FAX (559) 791-7854, Park/facility information available @ www

SEE BACK PAGE FOR RULES, REGULATIONS

ATTACHMENT D
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
☐ Veterans Park ☐ Library ☐ Hayes Fields ☐ Zaahit Gardens
☐ Zalud Park ☐ Municipal Ballpark ☐ College Ballfields ☐ Other ________
Area/Room: Fields & Snack Bar ________
Nature of Use: Football Games ________ Are fees being charged? ☐ No
Date of Event: Nov 20, 2004 Time: 7:00 AM To: 10:00 PM
Amplified Equipment/Music: ☐ Yes ☐ No
Bounce House: ☐ Yes ☐ No Bounce House Company:
Attendance: ____________________________ Will food or drink be served? ☐ Yes ☐ No
Will Alcohol be Served: ☐ Yes ☐ No Number of Drinking Adults ($2 per person):
Requested Requirements:

***************

Organization: Aggieland of Porterville
Name: Dennis Wilson
Mailing and/or Billing Address: 764 Palmyra St, Porterville, CA 93257
Phone: Day/Work: 754-9102 x130 Cell No.: Evening/Home: 783-8575

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 insurance 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: 9-13-04

*** FOR OFFICE USE ONLY ***

APPROVED: ____________________________ Date: 9/13/04
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: ____________________________
SPECIAL DEPARTMENT NOTATIONS: $1 PARKING FEE @ REGISTRATION, $1 PER PLAYER PER GAME
PLUS SNACK BAR FEES $5.00 PER HOUR.

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) 791-7854, Park/facility information available @ www.ci.porterville.ca.us

SEE BACK PAGE FOR RULES, REGULATIONS AND POLICIES
CITY OF PORTERVILLE
SPORTS COMPLEX
CONCESSION LICENSE

The City of Porterville, hereinafter referred to as "CITY" hereby grants to the Porterville American Youth Soccer Association (AYSO) and the Porterville Flag Football Association, hereinafter referred to as "LICENSEE", a license for services to the public in general, of sale of soft drinks, prepackaged foods, ice creams, candies, and general confectionery articles and products at the Concession Building located at the Sports Complex, for a term of five years commencing September 1, 2002 and ending September 1, 2007. The LICENSEE shall not sell or serve any type of alcoholic beverage on the premises.

1. The LICENSEE shall, at all times during the terms of said license, keep and maintain the concession building open for the convenience of patrons at said Complex during the hours in which said complex is being utilized for organized soccer and football or at any other time the CITY deems the operation of the concession necessary for special activities.

2. The LICENSEE shall keep and maintain all concession facilities, equipment and grounds at and around said concession building in good and sanitary condition and shall keep and maintain all of the concession fixtures and equipment in good condition and repair. The concession floor shall be wet mopped with a disinfectant after each use.

3. The LICENSEE shall open all gates and secure them open with locks upon opening the park and concession facility. The LICENSEE shall close and lock all gates upon closing the concession building and park.

4. In the event the LICENSEE shall fail, neglect or refuse to abide by and perform the terms, conditions, covenants, and agreements hereof, the CITY may, at its option, terminate and cancel this License and in the event of a termination of this License, the LICENSEE shall surrender up and deliver to the CITY complete possession of the premises where said License is being operated within 30 days after receiving notice to vacate.

5. The LICENSEE shall not assign, transfer or convey this license or any of the rights or benefits hereunder to any person, firm or corporation without first securing the written consent of the CITY.

6. The CITY, by its authorized agents and servants, reserves the right of entry upon the premises where said license is being operated for purposes of inspection.
14. Notwithstanding any provision of this agreement to the contrary this agreement may be terminated by either party, with or without cause, by giving the other party thirty (30) days written notice of termination. Notice shall be given by personal delivery or first class mail, return receipt requested.

15. Attorneys Fees. If any litigation is commenced between the parties to this Agreement concerning the Agreement or the rights and duties of either in relation to the Agreement, the party prevailing in that litigation shall be entitled, in addition to any other relief that may be granted in the litigation, to a reasonable sum as and for its attorneys fees in the litigation, which shall be determined by the court in that litigation or in a separate action brought for that purpose.

IN WITNESS whereof the parties have executed this License Agreement at Porterville, California this 20th day of August, 2002.

CITY OF PORTERVILLE

By: Gordon T. Woods, Mayor

PORTERVILLE AMERICAN YOUTH SOCCER ASSOCIATION

By: President

ATTEST:

John Longley, City Clerk

PORTERVILLE FLAG FOOTBALL ASSOCIATION

By: President

APPROVED AS TO FORM:

Julia M. Lew, City Attorney
SUBJECT: SPORTS COMPLEX TRANSPORTATION

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: At the June 20, 2006 City Council meeting staff was requested to ask the Parks and Leisure Services Commission to evaluate options to enhance the availability of transportation for youth to the Sports Complex. This matter was placed on the July 6, 2006 Commission agenda. Copies of the staff comments along with referenced attachments are included with this report.

Staff discussion has concluded that a study would be beneficial to better determine the need for organized transportation services to the Sports Complex region. Several significant community employers are located in the same remote region of the community as the Sports Complex. Information from a study would assist in identifying other possible users of a transportation system, and potential financial support.

The Commission’s consideration of this matter was completed with approval of the following motion:

The Commission understands the challenges of transportation to the Sports Complex, but does not see an efficient or economical solution to recommend for further consideration or study at this time.

RECOMMENDATION: Receive the report from the Parks and Leisure Services Commission related to Sports Complex transportation.

ATTACHMENT: Parks and Leisure Services Commission agenda staff comments and attachments.
Transportation to Sports Complex

The City Council has asked that your Commission consider the issues related to the accessibility of the Sports Complex for various youth sports programs. A concern was originally expressed that the Youth Center organizes teams to participate in City sports leagues. The league games are played at sites other than the Heritage Center. An observation was made that these youth have difficulty finding a means of transportation to remote game sites, such as the Sports Complex. Further deliberation determined that the challenge of transportation, specifically to the Sports Complex, may be more universal to all youth, and that such may be a significant deterrent to participation in various sports leagues. The Council has asked the Commission for input and recommendations on options to provide transportation to and from the Sports Complex.

The City transit staff has indicated that Federal regulations prohibit the use of the transit vehicles for event transportation. Including the Sports Complex into the regular fixed route service would be cost prohibitive. Attachment 3a is a copy of a transit staff memorandum addressing the transit service restrictions.

The Sports Fields Evaluation provides information on the general magnitude of the Sports Complex use. Attachment 3b is an excerpt from the Sports Field Evaluation regarding the Sports Complex facility.

Options to address the matter seem to include having the Parks and Leisure Services Department providing and/or operating a transportation service to the Sports Complex. I am concerned with what our obligations and responsibility could be for the control and care of the minors. If parents/guardians entrust them to our care for transportation to a remote location we may need to monitor their activities while at the site. We certainly would be responsible for accounting on their whereabouts at all times, as well as ensuring that they are transported back to town and signed out to their responsible custodian. For a few dozen Youth Center participants, the staff that would be transporting would also be their coaches, and thus we could control things. If we have to transport minors for all the other leagues the challenge could be horrendous. Obtaining enough vehicles and trained drivers for this type of sporadic service will also be a challenge, as will the potential ADA issues.

There would seem to be some potential to garner interest from other businesses within the southwest quadrant of the City in the need for alternative transportation. Eagle Mountain, The Sheltered Workshop, and Sequoia National Forest are probably the largest employers in this area. But there are many other businesses located in the general area of the Sports Complex. The General Plan preferred alternative also designates this region for much more employment related development. Rather than a fixed route transit service or a demand-response service there may be some synergy around an express route special transit service.

I suggest that the Commission discuss the matters and give some consideration to recommending the preparation of study that can provide factual information. Foundational information to a study should include:
• For each sports league and employer, are organized transportation services already in place between the area of the Sports Complex and some other portion of town?
• For each sports league, on a time of day, and day of week basis, how many minors already participating are projected to take advantage of a transportation system?
• For each sports league, on a time of day, and day of week basis, how many additional participants are projected to enroll if transportation was available?
• For each sports league, what physical disabilities are accommodated for disability challenged participants?
• For employers within the general area, on a time of day, and day of week basis, what would the anticipated ridership be for transportation service?
• Would the leagues or employers provide any financial assistance to a transportation service?

Action: Consider Council referral
June 26, 2006

TO: John Longley, City Manager
    Frank Guyton, Deputy City Manager

FROM: Linda Clark, Administrative Analyst

SUBJECT: Youth Transportation to Sports Complex

In reviewing e-mail messages received while I was on vacation, I came across two concerning the above-referenced subject. I will attempt to address them with the best information I have available.

Both e-mails reference requests from the new Council Members asking why we cannot extend Dial-A-Ride to youth and provide them with a voucher; provide them with a pass to access Dial-A-Ride from any point in the City to the Sports Complex, or modify the bus route.

On May 16, we made a very detailed presentation to the City Council relating to the Short Range Transit Plan and mandated Federal requirements, one of which was the 20% farebox ratio requirement for both Transit and Demand-Response (Dial-A-Ride). Currently, Transit is on the fence with the 20% requirement, and Demand-Response is hovering around 15%. In an effort to address rising operating costs mainly due to vehicle maintenance and steep fuel increases, several options were presented to the City Council, with final direction given by the Council to proceed with a public hearing to address the following:

- Convert COLT to Senior and ADA only service
- Expand Route Service by one bus in FY 2008/09
- Increase Marketing and Promotion Efforts to increase ridership
- Increase Transit Service fares to $1.00 and institute a $36 monthly pass for frequent riders of the service
- Implement the Capital Acquisition Program as outlined in the Plan.

Pursuant to that direction, we have noticed the public hearing and are prepared to proceed in this fashion on July 18. We are confident that if the Council approves the above recommendation, we will be able to bring both systems into compliance with our Federal regulations.
In response to the e-mail requests, before the Council decides to “add youth” to the list of preferred service for Demand-Response, consideration should be given to several issues. First of all, if the City were to provide a voucher (and subsidize each voucher), currently $2.50 is the general ridership fare, and $1.50 is the fare for Seniors and ADA passengers; however, the actual cost to deliver the service per rider is $11.97. Once the service converts to Senior and ADA only, the fare will remain at $1.50 for Seniors and ADA. If the Council decided it wanted to include “youth” and subsidize free passes that youth could use on Dial-A-Ride to and from the Sports Complex, we can be certain that the Seniors and ADA will emphatically question why the City is subsidizing that group of passengers and not Seniors and ADA. It will definitely be a precedent-setting decision, and not one that should be made without consideration as to how it may impact the remaining passengers on the service.

Another question that should be addressed is what type of need really exists for transportation to and from the Sports Complex. It appears this is a seasonal usage, and therefore makes it extremely difficult to support from a public transportation perspective. For instance, we do not currently have a fixed route operating close enough to that area to just “add a stop.” Our closest route is Route 6, which accesses the Family Healthcare Network and then returns to the Transit Center. This route shares a bus with our newest Route – Route 7 that services the Porterville Adult School on Pioneer and areas in the northwestern portion of the City. Route 6 operates once each hour on the hour, for instance 7:00 a.m., 8:00 a.m., etc. The Sports Complex is too far from town to consider adding it to this route as an additional stop. By the time the bus would leave the Family Healthcare Network stop, circle through the residential area to the south of FHCN, and then proceed to the Sports Complex, there would not be sufficient run-time to access the Sports Complex and then return to the Transit Center within the 28-minute time frame. It would probably take at least 45 minutes, at the minimum, to complete a route aligned in that manner. The bus has to return to the Transit Center on time to allow that same bus to then proceed timely to service Route No. 7.

In addition to the time constraints, there is a secondary problem with using a public transportation fixed route bus and depending upon it to access the Sports Complex. Fixed Route is not compatible with team sports. The buses do not have room to carry ice chests, umbrellas, folding chairs, sports bags, athletic equipment, etc. Also, no child under the age of seven is permitted to ride the bus alone.

Additionally, to just operate a public transit bus every once in a while when sports events are scheduled, it would be considered a “charter service,” prohibited by our Section 5307 regulations with our federally funded equipment.

To consider another route to pick up areas not presently served by transit in the area of the airport, including the Sports Complex, would necessitate a route being developed to run on its own, not being connected to the transfer system already developed, requiring anyone using that route to wait at the Transit Center until the next available 30-minute cycle. There is no possibility we could safely run a route that far to the south and west and return to the Transit Center within 28 – 30 minutes.
For discussion purposes, an estimate for the annual cost of a new route would be somewhere in the neighborhood of $175,000 which doesn’t take into account the purchase of additional equipment that may be needed if a route were to be developed prior to our regular capital equipment purchases now programmed. Prior to this type of an expense being incurred, we would strongly recommend some type of a study be completed to determine the extent of the need for subsidized public transportation to that location. It would appear it would be much more cost effective to pursue the purchase of some type of van and incorporate that purchase and operation into the sports program itself.

This type of activity, without even considering the problem with charter regulations, is not really one that is conducive to public transportation as we currently operate our system. The actual busy time at the Sports Complex would be seasonal, thus making public transportation all the more of a subsidy the remainder of the times involved when no one would be riding the system.

I certainly do not want to appear like my response is deliberately negative; however, it is important to remember the reasons behind our recommendation to the City Council relating to modifications to our current service. We are not currently meeting farebox requirements, and we must make changes to meet those requirements to avoid jeopardizing our Federal funding. Other Section 5307 entities are experiencing the same difficulties due to rising operating costs. We cannot afford adding an additional service that will increase operating costs even further, without being assured that the farebox recovery will be sufficient (20% of the route’s operating costs). Relating to the Demand-Response system, we need to be equally as careful that we are not adding additional costs without sufficient farebox recovery, since that service is only at approximately 15% (with a 20% requirement). Additionally, any precedent we set in providing vouchers to youth could impact the remaining ridership, and we can be assured those questions will arise.

We will be glad to work with Jim on using surplus transit equipment through the youth program itself, or we can address the issue further once we are aware of the full extent of any need for public transportation, if it appears that need is such that could generate the required farebox return with implementation of a new route. At that time, funding the added route cost would also have to be taken into consideration, and an amendment made to any existing contract that may be in place with Sierra Management to account for an increase in additional operating hours (Vehicle Revenue Hours).

I would be more than happy to sit down at any time with the new Council Members if they have any questions relating to public transportation. This can be a very complex issue, and a frustrating one, when Federal requirements preclude them from doing what appears to be a simple request. If I can be of any assistance, just let me know.
SPORTS COMPLEX - 2701 W. Scarnton

A. Facility Description

11 soccer fields (turf fields)
   Area 1  Field 1 = 225' x 360'
            Field 2 = 225' x 360'
            Field 3 = 225' x 360'
            Field 4 = 225' x 360'
            Field 5 = 225' x 360'
            Field 6 = 225' x 360'
            Field 7 = 225' x 360'

   Area 4  Field 1 = 110' x 240'
            Field 2 = 110' x 240'
            Field 3 = 110' x 240'
            Field 4 = 110' x 240'

3 football fields (turf fields)
   Area 4  Field 1 = 120' x 360'
            Field 2 = 120' x 360'
            Field 3 = 120' x 360'

2 softball diamond (turf outfields, dirt infield, no mounds)
   Area 4  Diamond 1 (Bobbi Sox) = 60' base paths, no outfield fence
            Diamond 2 (Bobbi Sox) = 60' base paths, no outfield fence

Concession Stand  Restrooms  Parking
B. League/Practice Users and Schedules

<table>
<thead>
<tr>
<th>AREA 1</th>
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<tbody>
<tr>
<td>Soccer Fields 1 – 7</td>
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<table>
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<tr>
<th>AREA 2</th>
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<tbody>
<tr>
<td>Soccer Field 2</td>
<td>Soccer Field 3</td>
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<tr>
<td>January</td>
<td>CYSA</td>
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<td>February</td>
<td>Open</td>
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<td>March</td>
<td>Open</td>
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<td>April</td>
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<td>October</td>
<td>CYSA</td>
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<tr>
<td>November</td>
<td>CYSA</td>
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<td>February</td>
<td>Open</td>
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<tr>
<td>March</td>
<td>Open</td>
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<td>April</td>
<td>Juventus Soccer</td>
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<tr>
<td>May</td>
<td>Juventus Soccer</td>
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<td>June</td>
<td>Juventus/Baseball G-Knot 11-13</td>
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<td>July</td>
<td>Baseball G-Knot 11-13</td>
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<td>August</td>
<td>Open</td>
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<td>September</td>
<td>Juventus Soccer</td>
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<td>October</td>
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<td>November</td>
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<td>December</td>
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<tr>
<td>AREA 3</td>
<td>Soccer Field 1</td>
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<td>January</td>
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<td>July</td>
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<td>August</td>
<td>AYSO</td>
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<td>September</td>
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<tr>
<th>AREA 4</th>
<th>Flag Football Field 1</th>
<th>Flag Football Field 2</th>
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<tbody>
<tr>
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<td>September</td>
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<td>Open</td>
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<tr>
<th></th>
<th>Softball Diamond 1 (North)</th>
<th>Softball Diamond 2 (South)</th>
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<tr>
<td>January</td>
<td>Open</td>
<td>Open</td>
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<tr>
<td>February</td>
<td>PAYSA (Practice)</td>
<td>PAYSA (Practice)</td>
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<tr>
<td>March</td>
<td>PAYSA (Practice)</td>
<td>PAYSA (Practice)</td>
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<td>April</td>
<td>PAYSA (Practice)</td>
<td>PAYSA (Practice)</td>
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<td>May</td>
<td>PAYSA (Practice)/Youth Baseball</td>
<td>PAYSA (Practice)/Youth Baseball</td>
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<tr>
<td>June</td>
<td>Youth Baseball</td>
<td>Youth Baseball</td>
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<td>December</td>
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<td>User and Schedule</td>
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<tr>
<td>PAYSA practice time ranges from 2:00pm - 7:00pm depending on month</td>
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<tr>
<td>Youth Baseball 5:00pm - 8:00pm (M-T-W-Th League)</td>
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<tr>
<td>AYSO 8:00am - 5:00pm (M-T-W-Th-F-Sat-Sun League)</td>
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<tr>
<td>Juventus Soccer 10:00am - 12:00pm (Sat. League)</td>
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<tr>
<td>Baseball G-Knot 11-13 6:00pm - 8:00pm (T-Th League)</td>
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<tr>
<td>CYSA schedule varies from 8:00am - 5:00pm depending on month Scheduled on Saturday and some Sundays</td>
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<tr>
<td>Flag Football 8:00am - 3:00pm (Sat. League)</td>
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C. Capacity for League Use

The Sports Complex has many opportunities for expanded league play. No field has maximum play for more than six months during the year.

According to data from league representatives, this facility has play from five different leagues, August thru December. The time schedules while appearing to be over-lapping do not conflict since each league uses different fields. See list of fields above.

This facility is not heavily scheduled during the fall. Selected fields are also available to handle multiple sports in after school leagues, February through May. See field assignment chart.

Area 2: Soccer Field 2 is available February through December, Field 3 is open February through September, while Field 4 is open January through April. It is also available in August, November and December.

Area 3: Soccer Field 1 is available January through July.

Area 4: Flag Football Fields 1 & 2 are open January through August and then again for the month of December.
Softball Diamonds 1 & 2 are both available for the month of January and then July through December.
SUBJECT: GRASS PARKING LOT OPTION

SOURCE: Public Works Department - Engineering Division

COMMENT: A Councilman asked that staff prepare a report describing the pros & cons of allowing the use of grass covered parking lots as an option to the standard asphalt concrete parking lot. Regrettably, no one on the Public Works staff has any experience with grass-covered parking lots. Therefore, some of the information provided in this report is based on the literature presented by Grasspave2.

Before proceeding with the pros and cons, a brief description of the Grasspave2 system. The Grasspave2 system is a system of interlocking high-density polyethylene rings installed a few inches below the surface. The plastic rings are filled with sand and then covered with grass. The sand filled rings when properly installed have a bearing capacity of 5,700 psi. This compares favorably with concrete that is normally rated at 3,000 psi.

The Pros & Cons of the “Grasspave2” system:

Pros:

1. Aesthetically pleasing.
2. Comparable in cost to install and may be cheaper than asphalt concrete.
3. Eliminates or dramatically reduces “heat” centers.
4. Significantly reduces surface runoff to City storm drain system.
5. Adds greenery to the City.
6. Maintenance costs for Grasspave2 pavements will generally be 60% to 90% of the cost to maintain an asphalt parking lot (manufacturer’s claim).
Cons:

1. Potential high water use to keep lot green.
2. Significant increase in daily to weekly upkeep, i.e. mowing, trimming, weeding, etc.
3. Potential eyesore if upkeep is not maintained, i.e., business closure.
4. Sole source or near sole source which may affect prices available to City customers.

RECOMMENDATION: That City Council:
1) Make the determination as to whether the grass parking lot option is a viable option; and
2) If determined to be a viable option, direct Public Works to prepare the necessary changes to the City Ordinance to allow Grasspave2 or similar method of parking lot construction.
COUNCIL AGENDA: JULY 18, 2006

SUBJECT: FARM MANAGEMENT/FARMLAND LEASE AGREEMENT AND GRAND JURY RESPONSE

SOURCE: Public Works Department - Engineering Division

COMMENT: At the July 5, 2006 Council meeting, Council directed staff to prepare and present the framework of an RFP for a Farm Management and Farmland Lease Agreement. Council also directed that staff present a report on the City's response to the Grand Jury.

Subsequent to the July 5th meeting, Councilman Stadtherr informed that he would not attend the August 1st Council meeting. The Farm Management and Farmland Lease Agreement RFP is a very important matter. It has been Council's policy to act on important matters only when the full Council is present.

The fact that Councilman Stadtherr will not be in attendance on August 1st, compels staff to place the RFP item on the August 15, 2006 Council meeting. The staff report will include the framework, establish key points that must be addressed and will contain a timeline on all aspects of the RFP.

Per Council's direction, the staff report addressing the Grand Jury's questions and comments will be on the August 1, 2006 Council meeting.

RECOMMENDATION: Information Only

P:/pubworks/Engineering/Council Items/Farm Management & Farmland lease Agreement 7-18-06.doc

Dir Appropriated/Funded  CM  Item No. 28
SUBJECT: AUTHORIZATION TO ALLOCATE ADDITIONAL REDEVELOPMENT LOW AND MODERATE INCOME HOUSING FUNDS TO COMPLETE THE STREET SLURRY AT CASAS BUENA VISTA SUBDIVISION

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: In the original negotiations with Perris 40 for the development of the Casas Buena Vista subdivision, the Redevelopment Agency pledged to complete the construction of the common area and slurry seal the streets. The construction of the common area was completed over a year ago, but it was determined that it would be best to slurry seal the streets at the end of the construction of the houses. Originally, $20,000 had been budgeted from the Redevelopment Low and Moderate Income Housing Fund for the street work, but the cost estimate from Field Services for this work has now increased to approximately $46,000. Field Services is also very short handed and another employee that works in this area is preparing to retire in the near future. Since the construction of the homes has been completed and all are occupied by low income homebuyers, staff would like to move forward quickly with the slurry seal to complete the total project.

Staff recently revised the proforma for the project which is looking very optimistic. The final numbers are still not available as staff needs to meet with the developer to complete the final accounting, including the profit sharing for the project. However, even without the profit sharing, it appears that the Agency will be able to pay the HELP loan debt immediately and then collect the remaining homeowner loan payments from the HELP loan assistance which will add up to over $20,000 over the next ten years. Additionally, since the developer did not use all of the Redevelopment funds allocated for the first time homebuyer forgivable loans, there are undesignated funds available in the Redevelopment Low Income Housing Fund of approximately $80,000.

RECOMMENDATION: That the Redevelopment Agency authorize the expenditure of up to an additional $26,000 from the Redevelopment Low and Moderate Income Housing Fund for the completion of the slurry seal on the streets in the Casas Buena Vista subdivision by Field Services personnel.