CITY COUNCIL AGENDA
PORTERVILLE, CALIFORNIA
JUNE 19, 2007, 6:00 P.M.

Call to Order
Roll Call

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

CLOSED SESSION:

A. Closed Session Pursuant to:
   1- Government Code Section 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: Three Cases.
   2- Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation: Two Cases.

7:00 P.M. RECONVENE OPEN SESSION

REPORT ON ANY ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by the Council Member Pete McCracken
Invocation

PRESENTATION
City Manager’s Featured Projects for June 2007

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 May 30, 2007
2. Budget Adjustment for the 2006-07 Fiscal Year
Re: Approving budget adjustment of $110,000 in City Attorney/Professional Services expenditures to account for unanticipated litigation costs.

3. Acceptance of the LDS Church Retaining Wall Project
   Re: Accepting project consisting of the construction of a 32” high x 35’ long retaining wall at the LDS Church on East Morton Avenue; authorizing the notice of completion; and authorizing payment to David L. Prado in the amount of $8,000.

4. Sale of Property at the Porterville Airport Industrial Park to Blair Electric Services, Inc.
   Re: Approving draft resolution authorizing the sale of a one-acre site on Thunderbolt Drive, at a price of $75,000, to Blair Electric Services.

5. Conditional Use Permit 6-2007 - Three Amigos Restaurant
   Re: Status report on applicant’s request to use a partially developed parking lot for the proposed restaurant at 377 S. Howard Street.

6. Joint Funding Agreement with Tulare County for Thunderbolt Probation Officer
   Re: Approving the extension of the current agreement for the Thunderbolt Delinquency Prevention Program for Fiscal Year 2007/2008 at a cost of $33,773.

7. Request to Apply for Edward Byrne Memorial Justice Assistance Grant Funds
   Re: Authorizing the filing of a grant application to the Bureau of Justice for a grant award of $26,428 to assist in crime reduction and public safety improvements.

8. Annual Engineer's Report and Assessments for Landscape Maintenance Districts
   Re: Ordering the preparation of, and giving preliminary approval to, the 2007/2008 Engineer’s Report for the Landscape & Lighting Maintenance Districts; declaring an intent to levy and collect assessments; and setting a public hearing for July 10, 2007 at 7:00 p.m. regarding same.

   Re: Approving carnival event at 163 West Orange, from 2:00 p.m. to 7:00 p.m. on Saturday, June 23, 2007, subject to stated restrictions.

10. Extension of Moratorium for Use of Credit Cards
    Re: Approving a two month extension on the moratorium for the use of credit cards for payments to the City exceeding $250.

11. Airport Lease Renewal - Lot 46B
    Re: Approving the five-year lease extension with Mr. Travis Bierman for Lot 46B at the Porterville Municipal Airport.

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

PUBLIC HEARINGS
12. Request to Adopt Budget for Fiscal Year 2007-08
Re: Considering approval of the draft budget for Fiscal Year 2007/2008, as presented, modified by recommendations outlined in the Finance Letters.

13. Vacate a Portion of Public Water, Sewer and Storm Drain Facilities Easement Related to the Development of the Skilled Nursing Facility (Sierra View District Hospital)
   Re: Considering the vacation of a portion of a 60-foot wide water, sewer and storm drain facilities easement located in the former Cleveland Avenue right of way west of Pearson Drive.

SECOND READING
   Re: Giving Second Reading to Ordinance 1722, amending Ordinance 1198, being the Zoning Ordinance pertaining to the definition of Family, and R-A uses in the Suburban Residential Zone, and adopting said Ordinance.

SCHEDULED MATTERS
15. Presentation of City Flags
   Re: Informational report on the completion of production of new City Flags, and a presentation to the City Council of same.

16. Design Overlay Site Review 4-2007 (Sierra View District Hospital)
   Re: Considering “D” Overlay Site Review to allow the development of a 21,000± sq. ft. 45-bed sub-acute nursing facility to be located generally west of Pearson Drive near the terminus of Cleveland Avenue (now abandoned).

17. Annual Adjustment of Fees by Application of the ENR Cost Index
   Re: Informational report on the annual adjustment, as of July 1, 2007, of Hillside Development Trunk Line Sewer Fees; Hillside Development Water Trunk Fees; Transportation Impact Fees; and Park Impact Fees.

18. Annual Review of City of Porterville/Chamber of Commerce Agreement, and Consideration of Amendment to Future Agreements
   Re: Reviewing Chamber of Commerce’s Annual Activity Report and Financial Statements; authorizing payment pursuant to the Agreement; and considering request for amendment regarding Chamber’s responsibilities for FY 2007-2008.

19. Minor Service & Repair in General Commercial Areas (C2 Zones)
   Re: Considering whether minor automotive service and repair services without the sale of gasoline should be allowed in C2 Zones.

20. Proposed City Ordinance Section 17-11.13
   Re: Considering ordinance to prohibit the parking of vehicles on lawns.

21. Request for Appropriation to Develop a First Phase Business Plan for a Potential Health Careers Academy
   Re: Considering request to appropriate $5,000 from reserves to retain a consult to develop first phase business plan for joint establishment of a vocational health careers institute.
22. Tulare County Draft Public Facilities Impact Fee Study Request for Commentary  
Re: Authorizing staff to prepare a letter to the County outlining concerns regarding its draft  
Public Facilities Impact Fee Study.

23. Request for City Council Study Session  
Re: Considering the scheduling of a study session to review the setting of a False Alarm Fee  
with the Police Department.

Re: Considering request to direct staff to provide a status report, with use options, on the  
development and completion of Centennial Plaza.

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

JOINT PORTERVILLE REDEVELOPMENT AGENCY/CITY COUNCIL AGENDA  
June 19, 2007

Roll Call: Agency Members

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.

JOINT SCHEDULED MATTER
PRA-1. Legal Findings for Financing the Construction of Parking Lot Improvements in the  
Redevelopment Area (East Side of Hockett Street Between Mill and Oak Avenues and  
Authorization to Enter into a Loan Agreement between the City of Porterville and the  
Porterville Redevelopment Agency  
Re:

REDEVELOPMENT SCHEDULED MATTER
PRA-2. Redevelopment Agency By-Law Amendment  
Re: Considering amendment to By-Laws regarding the designation of officers.

PRA-3  
Consideration of Organizational and Economic Scenarios Regarding the Porterville  
Hotel  
Re: Considering the scheduling of a Closed Session on Friday, June 29, 2007 at 2:30  
p.m. to review the project and provide instructions to negotiators.

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 July 9, 2007 at 5:30 p.m.

It shall be the policy of the City Council to complete meetings, including closed sessions, by 11:00 p.m. unless, upon consensus, Council elects to continue past the adjournment hour.

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 JUNE 2007

1. Tule River Clean-Up
2. Murry Park Master Plan and Environmental
3. Stolen Vehicle License Plate Reader
4. Muni Ballpark Bleacher Removal Project
PORTERVILLE CITY COUNCIL MINUTES
ADJOURNED MEETING
WEDNESDAY - MAY 30, 2007 - 6:00 P.M.
291 NORTH MAIN STREET, PORTERVILLE
CITY HALL COUNCIL CHAMBERS

Call to Order at 6:00 p.m.
Roll Call: Council Member McCracken, Council Member Pedro Martinez, Mayor Pro Tem Felipe Martinez, Council Member Hernandez, Mayor Hamilton

Pledge of Allegiance led by Council Member Pedro Martinez
Invocation – a moment of silence was observed.

ORAL COMMUNICATIONS

• Hector Figueroa, 259 East Oak Street, came forward and identified himself as a 7th grader from Bartlett Middle School. He spoke of the National Young Leaders State Conference to be held in San Jose, and requested the Council’s sponsorship.
• Nathaniel Rogers, 49 E. Putnam Avenue, identified himself as a 7th grader from Bartlett Middle School and requested the Council’s sponsorship in attending the National Young Leaders State Conference.

SCHEDULED MATTER

1. 2007/2008 BUDGET STUDY SESSION

City Manager John Longley presented the item and the staff report which included a visual presentation. Mr. Longley spoke of the City’s budgetary process, provided an overview of the proposed budget, and noted the Capital Projects Study Session scheduled for June 8, 2007. He then called upon the department directors to present their department budgets.

Public Works Director Baldo Rodriguez spoke of the Water, Sewer, and Solid Waste Funds, and the status of staffing and service levels in the department. He noted the expansion of operations in the Solid Waste Fund due to the implementation of the City’s curbside recycling program, which he indicated had exceeded revenue projections. A discussion ensued as to project service levels and street repairs. Mr. Rodriguez then presented Finance Letters No. 5 and No. 6 regarding Banner Poles and the Analysis of Street Lights, respectively. A discussion ensued as to the street light analysis, during which Mr. Rodriguez stated that a “windshield assessment” would be undertaken by staff, and the findings with options reported to the Council.

John Lollis, Acting Deputy City Manager/Administrative Services Manager presented an overview of the preliminary budget for Risk Management, Finance, Human Resources, and City Clerk. A brief discussion ensued as to the recruitment process.

Police Chief Chuck McMillan came forward next and presented the proposed Police Department budget to the Council. He spoke of Measure H funds; staffing levels; the decision to reinstate responding to non-injury traffic accidents; the recent installation of a license plate reader and the purchase of three additional readers; and of current negotiations with local schools regarding a third School Resources Officer. Chief McMillan then addressed animal control, noting that the
annual cost for animal control services was approximately $155,000 per year, and that his department was looking at options for next year when the contract expired.

Fire Chief Mario Garcia presented the proposed budget for the Fire Department next. He spoke of staffing levels; the increase in call volume attributed to the recent annexations; an increase in arson-related fires; the plan to hire a full-time fire investigator; and an increase in public information with a public information officer funded by a gaming grant. Chief Garcia then provided a status report on the City’s code enforcement program, and spoke of the goal to hire a second officer. The Chief next spoke of Emergency Management, noting the upcoming training session for key personnel on June 14th. Chief Garcia lastly presented Finance Letters Nos. 2 and 3 on Classroom/EOC Facility at Station 2, and Fire Rescue Apparatus, respectively.

In response to questions posed by the Council, City Attorney Julia Lew stated that she would research whether Measure H funds could be utilized to fund a code enforcement officer.

Parks & Leisure Services Director Jim Perrine addressed the Council next, presenting the Parks & Leisure Services proposed budget. Mr. Perrine spoke of Parks, Leisure Services, the Library, the Zalud House, and the Golf Course, during which brief discussions ensued. Mr. Perrine then proceeded to present Finance Letters related to his department, including No. 1 - Sports Complex Parking Fees; No. 2 - Sports Complex Debt Service; No. 3 - Community Center Improvement Project; No. 3 - Sports Complex Second Entrance; No. 3 - Sports Complex Concession Parking; and No. 4 - YES/RAP Certification Pay Program.

With regard to the Sports Complex parking fees, Council Member Pedro Martinez requested that staff provide an additional option of possibly increasing user fees at the Complex. As to the Community Center Improvement Project, Council Member Pedro Martinez requested that the remaining funds be used for ADA upgrades at the facility. He then queried staff on the estimated completion date for the landscaping portion of the Skateboard Park, and inquired whether artificial turf could be used. A discussion then ensued as to the trimming of bushes and trees. It was suggested that the oleanders on Olive Avenue and Henderson Avenue needed trimming.

Community Development Director Brad Dunlap next presented the proposed budget for the Community Development Department. He spoke of the focus on staffing, particularly the City Planner position, and of funds available to fund a GIS Technician position for one year. With regard to Economic Development, Mr. Dunlap noted the recent hiring of a new Development Assistant and Administrative Aide, and spoke of the increase in economic development activity. Mr. Dunlap then spoke of housing and redevelopment, indicating that his department would be looking at possibly amending the redevelopment area in the future. He then proceeded to present Finance Letters No. 2 and 3, regarding the Hockett/Mill Parking Lot, and the Park Impact Fee Analysis, respectively. With regard to the Hockett/Mill Parking Lot, Mr. Dunlap spoke of the need for repairs, particularly with the revitalization of the Schortman Building.

A discussion ensued as to the status of the parking lot on Oak Street, during which it was indicated that staff would provide a memorandum on the status of funding and the reason for the delay.
Mr. Longley then proceeded to present the proposed budget for City Council, City Manager and the Airport. A discussion ensued related to increased travel by Council Members on behalf of the City. It was requested that the budget for Council travel be increased. Mr. Longley indicated that he would meet with the Mayor to review the travel expenses and address the Council’s needs.

Council Member Pedro Martinez proposed moving the Monache Ball Courts Project “below the line” and moving “above the line” items such as playground improvements at Murry Park and Veterans’ Park; Leisure Services Update and a new Leisure Program; and improvements to the driving range at the Golf Course.

ORAL COMMUNICATIONS

• Dick Eckhoff, 197 North Main Street, spoke of the deteriorated condition of parking lots downtown and of their dire need of repairs. He requested that the City focus on improving the parking lots and that ongoing maintenance costs be included in the budget.

• Ralph Tyrell, Johnson Controls, came forward and spoke of his company’s proposal and the savings in energy costs that could be realized by the City if the City moved forward with the project.

OTHER MATTERS

• Mayor Hamilton:
  1. Inquired as to the identify of the contractor handling the Water Tie-In Project, noting the dangerous condition of the roads in the location of the project. Mr. Rodriguez indicated that Halopoff was the contractor on the project and that the situation was to be remedied.
  2. Requested clarification as to whether the Council could sponsor students for the National Young Leaders State Conference. A brief discussion ensued during which it was stated that if the Council sponsored one or two students, it would likely be inundated with other requests, and that a decision would then need to be made as to where it should draw the line.

• Mayor Pro Tem Felipe Martinez thanked staff for managing the City while Mr. Longley attended meetings in Sacramento with the Council Members.

• Council Member Hernandez spoke of the efforts by 4H and FFA Members for their participation at the Porterville Fair and requested that a Letter to the Editor be drafted for the Council’s signature congratulating the members on their successful projects.

ADJOURNMENT

The Council adjourned at 9:35 p.m. to the meeting of June 5, 2007.

Patrice Hildreth, Deputy City Clerk

SEAL:

Cameron Hamilton, Mayor
SUBJECT: BUDGET ADJUSTMENT FOR THE 2006-07 FISCAL YEAR

SOURCE: Administrative Services

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

There is one (1) adjustment proposed for tonight’s Council meeting.

No. 1: City Attorney Professional Services
Due to litigation requiring special outside counsel and other litigation matters, the expenditures for the City Attorney is projected to exceed budget by $110,000. Funds for this proposed budget adjustment would be allocated from General Fund reserves.

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

Date: June 19, 2007

<table>
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<tr>
<th>FUND</th>
<th>NO.</th>
<th>DESCRIPTION</th>
<th>FUNDING SOURCE</th>
<th>DOLLAR AMOUNT</th>
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<td>1</td>
<td>City Attorney Professional Services</td>
<td>General Fund Reserves</td>
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Modification No: 10-06/07
COUNCIL AGENDA: JUNE 19, 2007

SUBJECT: ACCEPTANCE OF THE LDS CHURCH RETAINING WALL PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: David L. Prado has completed construction of the LDS Church Retaining Wall Project per plans and specifications. The project consisted of the construction of a 32" high x 35' long retaining wall at the Church site located on E. Morton Avenue.

City Council authorized expenditure of $8,800. Final construction cost is $8,000.

David L. Prado requests that the City accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

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

P:\pub\works\Engineering\Council Item\Acceptance of the LDS Retaining Wall Project - 2007-06-19.doc

Dir Appropriated/Funded CM

Item No. 3
SUBJECT: SALE OF PROPERTY AT THE PORTERVILLE AIRPORT INDUSTRIAL PARK TO BLAIR ELECTRIC SERVICES, INC.

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: During the June 5, 2007 closed session meeting of the City Council, Council authorized staff to complete the negotiations with Blair Electric Services, Inc. (Blair) for the sale of the 1-acre site on Thunderbolt Drive (APN 302-390-004) at a price of $75,000, inclusive of all escrow fees.

Blair has submitted the ten percent (10%) deposit required in the Purchase and Sale Agreement and is ready to enter into escrow. To complete the transaction, a Resolution authorizing the sale of the property is required.

RECOMMENDATION: That the City Council approve the Resolution authorizing the sale of City property to Blair Electric Services, Inc.

Attachments: 1. Resolution
RESOLUTION NO. ____________________-2007

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PORTERVILLE AUTHORIZING THE SALE
OF CITY PROPERTY TO BLAIR ELECTRIC SERVICES, INC.

BE IT HEREBY RESOLVED by the City Council of the City of Porterville, that the City of Porterville hereby grants to Blair Electric Services, Inc. a deed for property at the Porterville Municipal Airport Industrial Park, with certain property situate, lying and being near the City of Porterville, in the County of Tulare, State of California, to-wit:

See Exhibit "A"

BE IT FURTHER RESOLVED that said deed be recorded in the office of the Tulare County Recorder. The foregoing has been authorized by the City Council of the City of Porterville.

______________________________
Cameron Hamilton, Mayor

ATTEST:
JOHN LONGLEY, City Clerk

______________________________
Georgia Hawley, Chief Deputy City Clerk
SUBJECT: CUP 6-2007 – 3 AMIGOS RESTAURANT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: During the public hearing on June 5, 2007 the City Council approved CUP 6-2007 that allowed the 3 Amigos Restaurant to proceed with the project as conditioned by Resolution No. 45-2007. In particular, the approval included a condition to restrict use of the patio area until the property to the north is developed for parking in compliance with City Standards.

At the same meeting, June 5, 2007 the project proponent requested that the City Council allow the use of lot proposed for additional parking without being fully developed. Council directed Staff to meet with the project proponent to discuss alternatives and a proposed plan for improvement, including a timeline that showed phasing and development of the parking lot to the north. The developer stated that immediate improvements would include lighting and treatment to parking lot area to minimize dust and safety hazards while making the area usable for parking.

Council’s final direction was to return with an update and proposal for phasing of the parking lot improvements.

Staff has contacted the restaurant owners and scheduled a meeting for June 20, 2007 and will update the City Council at the City Council meeting of July 10, 2007.

RECOMMENDATION: Receive and File.
SUBJECT: JOINT FUNDING AGREEMENT WITH TULARE COUNTY FOR THUNDERBOLT PROBATION OFFICER

SOURCE: Police Department

COMMENT: The City of Porterville and the County of Tulare have had a long standing agreement wherein they provide the Thunderbolt Delinquency Prevention Program to the community. The City provides office space in the police facility and pays the County for 50% of the Probation Officer's total yearly cost. The current agreement is set to expire on June 30, 2007. The cost of funding Porterville's portion of the program in the upcoming fiscal year has been determined to be $33,773.

The Thunderbolt Delinquency Prevention Program has been a vital component in dealing with juvenile crime in Porterville for almost twenty-three years. This is a "diversion type" program for minors who are first time offenders and considered "at risk." These minors are dealt with through an informal probation process that includes supervision, community service, and counseling. This program has been very successful in dealing with the youth of our community. Without this program, a majority of these minors would fall through the cracks, with no consequences for their misdeeds.

RECOMMENDATION: That the City Council:

1) Extend the current Agreement for joint funding of the Thunderbolt Probation Officer for the period of July 1, 2007 to June 30, 2008 in the amount of $33,773;
2) Authorize the Mayor to execute the Agreement on behalf of the City of Porterville.

Attachment: Agreement
AMENDMENT TO AGREEMENT

THIS AMENDMENT TO AGREEMENT, is entered into as of ____________, 2007, between the COUNTY OF TULARE, referred to as the COUNTY, and CITY OF PORTERVILLE, referred to as the CITY, with reference to the following:

A. The parties entered into an Agreement as of June 24, 2003, (Tulare County Agreement No. 21658) to obtain the services of a Probation Officer employed by the COUNTY for its Thunderbolt Delinquency Prevention Program:

B. Tulare County Agreement No. 21658 was subsequently amended by Tulare County Agreement Nos. 21658-A, 21658-B and 21658-C.

C. The parties now desire to extend said agreement for one additional year.

ACCORDINGLY, IT IS AGREED:

A. Paragraph 17 of said Agreement is hereby amended to read as follows:

17. TERM: This Agreement shall become effective July 1, 2003, and shall terminate on June 30, 2008, unless otherwise terminated as provided in the Agreement.

B. Except for the amended paragraph of said Agreement, all other terms and conditions of said Agreement shall remain in full force and effect.

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TULARE COUNTY AGREEMENT NO. _________
THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signature below:

COUNTY OF TULARE

Date: ________________________

By ___________________________
Chairman, Board of Supervisors

“County”

ATTEST: C. BRIAN HADDIX
County Administrative Officer/Clerk of the
Board of Supervisors of the County of Tulare

By ___________________________
Deputy Clerk

CITY OF PORTERVILLE

Date: ________________________

By ___________________________
Title __________________________

“CITY”

ATTEST:

_____________________________
City Clerk

Approved as to Form
County Counsel

By ___________________________
Deputy

Date: 4-11-07
SUBJECT: REQUEST TO APPLY FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS

SOURCE: Police Department

COMMENT: The City of Porterville has received notification that our jurisdiction is eligible to apply to the Bureau of Justice assistance for a grant award of $26,428. The City of Porterville will be filing the grant application for funds from the Edward Byrne Memorial Justice Assistance Grants Program, established within the Bureau of Justice Assistance.

The purpose of the JAG Program is to provide local jurisdictions with opportunities to reduce crime and improve public safety through the use of the grant funds for a wide variety of activities, from increasing personnel and equipment resources for law enforcement, to developing and supporting programs to enhance effective criminal justice processes. It is proposed at this time, if the City is awarded the JAG Grant, the funds will be used to offset operational costs for the Police Department’s School Resource Officer.

RECOMMENDATION: That City Council:

1) Authorize the filing of the grant application;
2) Authorize the City Manager to sign all necessary documents as pertains to the grant;
3) Authorize a budget adjustment upon receipt of the funds.

ATTACHMENT: Draft Resolution
PORTERVILLE POLICE DEPARTMENT INTEROFFICE MEMORANDUM

June 7, 2007

TO: John Longley, City Manager
    John Lollis, Deputy City Manager
    City Council Members

FROM: Chuck McMullan, Chief of Police

SUBJECT: Grant Funding Opportunity

On June 6, 2007, Captain Kroutil was notified regarding our police department's potential eligibility for grant funds through the Edward Byrne Memorial Justice Assistance Grant (JAG). JAG allows state and local governments to support a broad range of activities to prevent and control crime and to improve the justice system. The funding distribution is based on population and crime statistics as well as law enforcement expenditure data.

There are six general-purpose areas under JAG, one of which is Law Enforcement Programs. We have applied for this grant in the past, most recently in August 2006. We have historically used the received funds to offset the operational costs of our School Resource Officer Program and I recommend we continue with this. In review of the 2007 JAG allocations, it was found that our department is eligible for $26,428. There are no matching funds required for the grant.

I have completed a City Council agenda item, which is attached. I respectfully request that this item be placed on the City Council agenda for approval to apply for these funds. Upon approval, my staff and I will work with our finance department to apply for and obtain these grant funds. If you have any further questions, please contact me.

CM:js

Attachment
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ACCEPTING EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS
AND
APPROVING A BUDGET ADJUSTMENT TO THE POLICE DEPARTMENT BUDGET

BE IT HEREBY RESOLVED by the City Council of the City of Porterville as follows:

1. That the City of Porterville accept the 2007/2008 Edward Byrne Memorial Justice
   Assistance Grant (JAG) funds;

2. That the Police Department appropriation be increased by $26,428 from JAG
   funds received for Fiscal Year 2007/2008 to allow for the expenditure of those Grant
   Funds in support of the School Resource Officer Program and its operational costs.

ADOPTED this 19th day of June, 2007.

____________________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

____________________________________
By Georgia Hawley, Chief Deputy City Clerk
COUNCIL AGENDA: JUNE 19, 2007

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

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

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

The first attached Resolution is necessary to initiate the annual Engineer’s Report, which will show the proposed assessments for the 2007-2008 fiscal year. The second Resolution provides preliminary approval to the Engineer’s Report for fiscal year 2007-2008, and sets a Public Hearing on the assessments for July 10, 2007. The comprehensive annual Engineer’s Report is provided as an attachment. Once the assessments are approved by the City Council, they are transmitted to the County of Tulare for placement upon the tax bill of the property owners and indicated as a special assessment. The third Resolution declares the intent of the City Council to levy and collect the assessments for fiscal year 2007-2008.

Also provided with this report is a spreadsheet to illustrate the beginning and ending fund balance for the current fiscal year, as well as the proposed full district assessment. This spreadsheet has a column to indicate whether the proposed assessments include a consumer price index adjustment. A few districts still have negative fund balances, but the number of such is fewer as the efforts to bring those inline have improved. The authority to raise assessments lies with the consent of the assessed property owners. The fund balances for several districts justify refunds. The refunds are proposed to be accomplished through a ‘One Time Adjustment’ in the assessments for those districts. In effect the assessments are established, but a one-time credit is applied to reduce the amount of assessment levied onto the tax roll. Staff is committed to continued efforts to improve the assessment process during the upcoming fiscal year. It is anticipated that this process will result in the consolidation of many districts and the likely reduction of assessments for many of those. While working through the consolidation considerations this year it is staff’s goal to identify options to an increase in assessments for those still with negative fund balances.
RECOMMENDATIONS:

1. That the City Council adopt Resolutions:
   c. Declaring the intent to levy and collect assessments for fiscal year 2007-2008, and offering a time and place for hearing objections thereto.

2. Further, that the City Council set a public hearing for 7:00 PM on July 10, 2007 regarding the Engineer’s Report and proposed assessments for the Landscape and Lighting Maintenance Districts for fiscal year 2007-2008.

ATTACHMENTS:
- Resolution ordering preparation of Engineer’s Report
- Resolution of preliminary approval to Engineer’s Report
- Engineer’s Report for fiscal year 2007-2008
- Resolution declaring intent to levy assessments
- Statement of revenues and expenditures spreadsheet
RESOLUTION NO.: ________

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

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

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

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

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

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

2. The Engineer of Work is ordered to prepare the report for fiscal year 2007 – 2008
   in accordance with Article 4, Division 15, of the Streets and Highways Code,

APPROVED AND ADOPTED this 16th day of June 2007.

__________________________________________
Cameron J. Hamilton, Mayor

ATTEST:
John Longley, City Clerk

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR FISCAL YEAR 2007-2008 FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS

WHEREAS, on the 19th day of June, 2007 said City Council did adopt a Resolution directing the Engineer of Work to make and file with the City Clerk of said City a report in writing for Fiscal Year 2007-2008 as required by the Landscaping and Lighting Act of 1972;

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

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

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

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

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

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

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

Reference is hereby made to said maps for further, full and more particular description of said Assessment District, and the same maps so on file shall govern for all details as to the extent of each said Assessment District.
APPROVED AND ADOPTED this 19th day of June 2007.

________________________
Cameron J. Hamilton, Mayor

ATTEST:
John Longley, City Clerk

By: _______________________
Georgia Hawley, Deputy City Clerk
RESOLUTION NO.:


The City Council of the City of Porterville, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

DESCRIPTION OF WORK

SECTION 1. That the public interest and convenience requires it is the intention of the City Council of the City of Porterville, California, to order the following work be done, to wit:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

LOCATION OF WORK

SECTION 2. The foregoing described work is to be located within the following areas:

1. Right-of-way and easement along the Westwood Street frontage of Unit 1 and II of Westwood Estates, more particularly described on maps which are on file in the City Clerk’s office entitled “Landscape and Lighting Maintenance District No. 1.”

2. Right-of-way and easements along street frontage along Hope Avenue, Newcomb Street, Thunderbolt Drive and Corsair Drives of the Airport Industrial Park, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 1 to Landscape and Lighting Maintenance District No. 1".
3. Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; south perimeter west of fire access road, west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 2 to Landscape and Lighting Maintenance District No. 1".

4. Porter Creek Avenue right-of-way to the bank of the Porter Slough median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line Porter Slough, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 3 to Landscape and Lighting Maintenance District No. 1".

5. LaVida Park green belt, east on Plum Way Street and the entries east along Beverly street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 4 to Landscape and Lighting Maintenance District No. 1".

6. Westwood Estates #4, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 5 to Landscape and Lighting Maintenance District No. 1".

7. Northpointe includes subdivision lighting located south of Westfield Avenue and east of Matthew Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 6 to Landscape and Lighting Maintenance District No. 1".

8. Quail Park Phase II Subdivision includes payment of street lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 7 to Landscape and Lighting Maintenance District No. 1".

9. Westwood Park Unit Three Subdivision includes the east side of Westwood street and the fire access road on the south side of the subdivision, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 8 to Landscape and Lighting Maintenance District No. 1".

10. Map No. 4132 includes lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 9 to Landscape and Lighting Maintenance District No. 1".

11. Westview Subdivision includes street lighting and landscaping on the east side of Cobb Street, more particularly described on maps which are on file in the City Clerk's office
entitled "Annexation No. 10 to Landscape and Lighting Maintenance District No. 1".

12. New Horizons Phase One Subdivision includes lighting, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 11 to Landscape and Lighting Maintenance District No. 1".

13. Sunrise Estates Phase Six Subdivision includes landscape maintenance, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1".

14. Wisconsin Manor I Subdivision includes landscape and lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 14 to Landscape and Lighting District No. 1."

15. Northpointe Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 15 to Landscape and Lighting District No. 1."

16. New Horizon's Phase II Subdivision includes lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 16 to Landscape and Lighting District No. 1."

17. Westwood Mobile Home Park includes landscape and lighting maintenance more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 18 to Landscape and Lighting District No. 1."

18. Castle Woods Phase I Subdivision includes landscape and lighting maintenance more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 19 to Landscape and Lighting District No. 1."

19. District No. 2 = North Creek Estates Subdivision located on Westwood north of Westfield includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.2.

20. District No. 3 = New Expressions Phase I Subdivision located along Indiana Street between Springville Avenue and Cleo Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 3.

21. District No. 4 = River Springs Phase I Subdivision located along Newcomb Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.4
22. District No. 5 = Castle Woods Phase II Subdivision located on Castle Avenue, Salisbury Street, and Median Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 5.

23. District No. 6 = Creek View Estates located between Porter Creek Avenue and the property line in Porter Slough includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 6.

24. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 7.

25. District No. 8 = River Breeze Subdivision located on Newcomb Street, Patsy Street and Springs Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 8.

26. District No. 9 = Orchard Ridge Phase 3 Subdivision located on Mathew Street, Nancy Avenue, Cheryll Avenue and Belmont Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 9.

27. District No. 10 = Orchard Ridge Phase 4 Subdivision located on LaVida Court and Carmelo Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s Office entitled District No. 10.

28. District No. 11 = Orchard Ridge Phase 5 Subdivision located on Mathew Street, LaVida Avenue, Michael Street and Julieann Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 11.

29. District No. 12 = Westwood Estates Unit 5, Phase 2, located along Henderson Avenue and Brandy Way includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 12.

30. District No. 13 = River Ranch 3, located along Newcomb Street, Lloyd Avenue and Patsy Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 13.

31. District No. 14 = River Springs, Phase 2 Subdivision located on River Avenue, Beverly Street, Date Avenue and River Springs Drive includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 14.
32. District No. 15 = Meadowood, Phase 1 Subdivision located on Newcomb Street, Cheryl Avenue and York Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 15.

33. District No. 16 = New Expressions, Phase 2 Subdivision located on the Lybarger Avenue Cul de Sac at the entry of the Tule River Parkway Trail includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 16.

34. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Julieann Avenue and Michael Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 15.

35. District No. 18 = Ohio North Subdivision located on Ohio Way Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 18.

36. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 19.

37. District No. 20 = West View Place Subdivision located on Median Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 20.

38. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No.21.

39. District No. 22 = Meadowood Phase Two Subdivision located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street, and Birch Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office.

40. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmont Street, Orange Avenue and Parkwest Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 23.
41. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue, and Santa Maria Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 24.

42. District No. 25 = Casas Del Rio Subdivision located on Date Street, Casas Del Rio Avenue, Presidio Avenue, Rio Bonito Street, Alamo Court, Camellia Street, Tule Court and Rio Vista Avenue includes landscape and recreation area maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 25.

43. District No. 26 = Orchard Ridge, Phase Nine Subdivision located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 26.

44. District No. 27 = New Expressions Phase 3 Subdivision located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 27.

45. District No. 28 = Meadowood Phase Three Subdivision located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 28.

46. District No. 29 = River Springs Phase Three Subdivision located on Date Avenue, River Springs Drive and Atkins Court includes lighting maintenance and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 29.

47. District No. 30 = Right-of-way, easements, and public lands within Sierra Meadows, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 30.

48. District No. 31 = Right-of-way, easements, and public lands within Williams Ranch, Phase 2 and 3 Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 31.

49. District No. 32 = Right-of-way, easements, and public lands within Sunrise Villa, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 32.

50. District No. 33 = Right-of-way, easements, and public lands within New Expressions,
Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 33.

51. District No. 34 = Right-of-way, easements, and public lands within Meadow Breeze, Phase Two Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 34.

52. District No. 35 = Right-of-way, easements, and public lands within Meadow Breeze, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 35.

53. District No. 36 = Right-of-way, easements, and public lands within Amalene Estates Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 36.

54. District No. 37 = Right-of-way, easements, and public lands within Riverview Estates, Phase Four Subdivision, more particularly described on maps which are on file in the City Clerk’s office entitled District No. 37.

55. District No. 38 = Right-of-way, easements, and public lands within Ranch Victoria, Phase One Subdivision located on the north side of Putnam Avenue and east of Mathew Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 38.

56. District No. 39 = Right-of-way, easements, and public lands within Williams Ranch Phase 4 Subdivision, including Theta Avenue, Bel-Aire Court, Terry Court, Silver Maple Street and Red Oak Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 39.

57. District No. 40 = Right-of-way, easements, and public lands within Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street, and more particularly described on maps which are on file in the City Clerk’s office entitled District No. 40.

Reference is hereby made to said maps for further, full and more particular description of said assessment district, and the same maps so on file shall govern for all details as to the extent of said assessment district.

**DESCRIPTION OF ASSESSMENT DISTRICT**

SECTION 3. That the contemplated work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a district, which said district is described as follows:
1. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 26-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

2. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 1 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 146-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

3. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 2 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 42-92, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

4. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 3 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 69-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

5. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 4 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 100-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

6. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 5 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 144-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

7. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 6 to Landscape and
Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 54-94 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

8. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 7 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 45-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

9. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 8 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 97-94 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

10. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 9 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 51-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

11. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 10 to Landscape and Lighting Maintenance District No. 1." heretofore approved by the City Council of said City by Resolution No. 46-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

12. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 11 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 79-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

13. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of "Annexation No. 12 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 80-95 indicating by said boundary line the extent of the
territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.

14. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 14 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No 24-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

15. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 15 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 140-95 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

16. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 16 to Landscape and Lighting Maintenance District No. 1” heretofore approved by the City Council of said City by Resolution No. 33-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

17. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 18 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 50-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

18. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain “Map of Annexation No. 19 to Landscape and Lighting Maintenance District No. 1" heretofore approved by the City Council of said City by Resolution No. 56-96 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.

19. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain “Map of Landscape and Lighting District No. 2" heretofore approved by the City Council of said City by Resolution No. 126-98 indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the office of the City Clerk of said City.
20. All that certain "Map of Landscape and Lighting District No. 3" heretofore approved by the City Council of said City by Resolution No. 127-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

21. All that certain "Map of Landscape and Lighting District No. 4" heretofore approved by the City Council of said City by Resolution No. 128-98 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

22. All that certain "Map of Landscape and Lighting District No. 5" heretofore approved by the City Council of said City by Resolution No. 29-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

23. All that certain "Map of Landscape and Lighting District No. 6" heretofore approved by the City Council of said City by Resolution No. 89-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

24. All that certain "Map of Landscape and Lighting District No. 7" heretofore approved by the City Council of said City by Resolution No. 67-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

25. All that certain "Map of Landscape and Lighting District No. 8" heretofore approved by the City Council of said City by Resolution No. 120-99 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

26. All that certain "Map of Landscape and Lighting District No. 9" heretofore approved by the City Council of said City by Resolution No. 15-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

27. All that certain "Map of Landscape and Lighting District No. 10" heretofore approved by the City Council of said City by Resolution No. 28-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

28. All that certain "Map of Landscape and Lighting District No. 11" heretofore approved by the City Council of said City by Resolution No. 22-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
29. All that certain "Map of Landscape and Lighting District No. 12" heretofore approved by the City Council of said City by Resolution No. 65-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

30. All that certain "Map of Landscape and Lighting District No. 13" heretofore approved by the City Council of said City by Resolution No. 133-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

31. All that certain "Map of Landscape and Lighting District No. 14" heretofore approved by the City Council of said City by Resolution No. 166-2000 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

32. All that certain "Map of Landscape and Lighting District No. 15" heretofore approved by the City Council of said City by Resolution No. 55-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

33. All that certain "Map of Landscape and Lighting District No. 16" heretofore approved by the City Council of said City by Resolution No. 91-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

34. All that certain "Map of Landscape and Lighting District No. 17" heretofore approved by the City Council of said City by Resolution No. 114-2001 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

35. All that certain "Map of Landscape and Lighting District No. 18" heretofore approved by the City Council of said City by Resolution No. 22-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

36. All that certain "Map of Landscape and Lighting District No. 19" heretofore approved by the City Council of said City by Resolution No. 23-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

37. All that certain "Map of Landscape and Lighting District No. 20" heretofore approved by the City Council of said City by Resolution No. 30-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
38. All that certain “Map of Landscape and Lighting District No. 21” heretofore approved by the City Council of said City by Resolution No. 44-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

39. All that certain “Map of Landscape and Lighting District No. 22” heretofore approved by the City Council of said City by Resolution No. 93-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

40. All that certain “Map of Landscape and Lighting District No. 23” heretofore approved by the City Council of said City by Resolution No. 94-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

41. All that certain “Map of Landscape and Lighting District No. 24” heretofore approved by the City Council of said City by Resolution No. 191-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

42. All that certain “Map of Landscape and Lighting District No. 25” heretofore approved by the City Council of said City by Resolution No. 58-2003 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

43. All that certain “Map of Landscape and Lighting District No. 26” heretofore approved by the City Council of said City by Resolution No. 59-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

44. All that certain “Map of Landscape and Lighting District No. 27” heretofore approved by the City Council of said City by Resolution No. 60-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

45. All that certain “Map of Landscape and Lighting District No. 28” heretofore approved by the City Council of said City by Resolution No. 61-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

46. All that certain “Map of Landscape and Lighting District No. 29” heretofore approved by the City Council of said City by Resolution No. 90-2004 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.
47. All that certain “Map of Landscape and Lighting District No. 30” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

48. All that certain “Map of Landscape and Lighting District No. 31” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

49. All that certain “Map of Landscape and Lighting District No. 32” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

50. All that certain “Map of Landscape and Lighting District No. 33” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

51. All that certain “Map of Landscape and Lighting District No. 34” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

52. All that certain “Map of Landscape and Lighting District No. 35” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

53. All that certain “Map of Landscape and Lighting District No. 36” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

54. All that certain “Map of Landscape and Lighting District No. 37” heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

55. All that certain “Map of Landscape and Lighting District No. 38” heretofore approved by the City Council of said City by Resolution No. 38-2007 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

56. All that certain “Map of Landscape and Lighting District No. 39” heretofore approved
by the City Council of said City by Resolution No. 38-2007 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

57. All that certain "Map of Landscape and Lighting District No. 40" heretofore approved by the City Council of said City by Resolution No. 38-2007 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the office of the City Clerk of said City.

REPORT OF ENGINEER

SECTION 4. The City Council of said City has ordered preparation of the annual the report of the Engineer of Work, which report indicates the amount of the proposed assessment, the district boundary, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report, Landscape and Lighting Maintenance Districts 2007-2008 Fiscal Year" will be filed in the Office of the City Clerk of said City, and prepared for the 2007-2008 fiscal year in accordance with the Landscaping and Lighting Act of 1972. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

COLLECTION OF ASSESSMENTS

SECTION 5. The assessment shall be collected at the time and in the same manner as County taxes are collected.

TIME AND PLACE OF HEARING

SECTION 5. Notice is hereby given that on the 10th day of July, 2007, at the hour of 7:00 p.m. in the City Council Chambers at 291 North Main, in the City of Porterville, any and all persons having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

LANDSCAPING AND LIGHTING ACT OF 1972

SECTION 6. All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated The Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.
PUBLICATION OF RESOLUTION OF INTENTION

SECTION 7. Published notice shall be made pursuant to Section 6061 of the Government Code. The publication of the Notice of Hearing shall be completed at least 10 days prior to the date of hearing.

CERTIFICATION

SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED 19th day of June 2007.

________________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

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

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

SECTION 2. General Description

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

1. Annexation No. 1 = The Hope Drive, Newcomb Street, Thunderbolt Drive and Corsair Drive frontages of the Airport Industrial Park
2. Annexation No. 2 = Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street
3. Annexation No. 3 = Porter Creek Avenue right-of-way to the center line of the Porter Slough, median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line of Porter Slough
4. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street
5. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip
6. Annexation No. 6 = Northpointe Subdivision includes subdivision lighting located south of Westfield Avenue and east of Mathew Street
7. Annexation No. 7 = Quail Park Phase II Subdivision located on Lime Street
8. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River
9. Annexation No. 9 = Parcel Map No. 4132 located on the corner of Henderson Avenue and Westwood Street
10. Annexation No. 10 = Westview Subdivision located on the corner of Westfield Avenue and Cobb Street
11. Annexation No. 11 = New Horizons Phase One Subdivision and the remainder parcel located along Springville Ave. and Indiana Street
12. Annexation No. 12 = Sunrise Estates Phase Six Subdivision located on the corner of Prospect Street and Orange Avenue
13. Annexation 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. Annexation 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 Julienne 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, Cherryl 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

56. District No. 38 = Ranch Victoria, Phase One Subdivision located on the north side of Putnam Avenue and east of Mathew Street

57. District No. 39 = Williams Ranch Phase 4 Subdivision, including Theta Avenue, Bel-Aire Court, Terry Court, Silver Maple Street and Red Oak Street

58. District No. 40 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood 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 2007-2008 fiscal year for Landscape and Lighting District No. 1, including Annexations 1 through 19 and District 2 through 40.

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)
2007-2008 Fiscal Year
Approved CPI 2000
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 13,650 sq. ft. of landscaped area
Project Management 126 Lots $14,680.90

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance ($4,882.52)

Maintenance, 13,650 sq. ft. of landscaped area $15,150.68
Project Management, 126 lots $1,000 + $4.00 per lot $1,504.00
Eliminate Deficit Fund Balance over 10 years $488.25
Reserves 15% $2,571.44

Estimated Cost Per Year $19,714.38

Previous year assessment $14,339.38
C.P.I. Increase of 3.3% since previous adjustment (2006)
applied to reduce deficit = 0.033 x $14,339.38 $473.20

New Assessment $14,812.58

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

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

A = Assessment per lot
L = Number of lots
T = Total annual cost
The 2007-2008 assessment will be spread based upon the total lots. Total lot count is 126 lots.

Estimated Annual Assessment

\[
\frac{A}{L} = \frac{$14,812.58}{126} = $117.56 \text{ per lot}
\]
Annexation No. 1 - Airport Industrial Park
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance</td>
<td></td>
</tr>
<tr>
<td>Project Management</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$924.00</strong></td>
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ESTIMATED COST 2007-2008

<table>
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<tr>
<th>Description</th>
<th>Cost</th>
</tr>
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<tbody>
<tr>
<td>Projected July 1, 2007 Fund Balance</td>
<td>($2,734.29)</td>
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<tr>
<td>Maintenance</td>
<td>$2,804.21</td>
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<tr>
<td>Project Management, 5 parcel maps $1,000 + $4.00 per map</td>
<td>$1,020.00</td>
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<tr>
<td>Eliminate Deficit Fund Balance over 10 years</td>
<td>$273.43</td>
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<tr>
<td>Reserves</td>
<td>$614.65</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$4,712.29</strong></td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$3,833.00</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$3,833.00</td>
</tr>
</tbody>
</table>

ASSESSMENT

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

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

FORMULA FOR ASSESSMENT:

Total Landscape Maintenance Costs = Cost per Sq. Ft.
Total Net Assessable Square Feet

$3,833 = $.00374 per sq. ft.
1,024,967 sq. ft.
Assess $.00374 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
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 22,100 sq. ft. of landscaped area
Project Management 126 Lots
Total $6,578.29

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $4,645.62

Maintenance, 22,100 sq. ft. of landscaped area $7,774.68
Project Management, 22 lots $1,000 + $4.00 per lot $1,088.00
Reserves $1,329.40

Estimated Cost Per Year $10,192.08

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 2007-2008 assessment will be spread based upon the above formula. There are 22 lots in Unit One. The 47.89 acre remainder parcel is included on the final subdivision map and will be assessed 20% of the total estimated cost for landscaping maintenance until it is developed at which time it will be combined with the other completed units and assessed fully.

Estimated Assessment
\[ F = \$8,000 \times 0.20 = \$1,600.00 \text{ for remainder} \]
\[ A = \frac{8000 - 1600}{22} = \$290.92 \text{ per lot in Unit One} \]
Annexation No. 3 - Porter Creek  
2007-2008 Fiscal Year  
Approved CPI 2000  

ESTIMATED ACCUMULATED COSTS 2006-2007

- Maintenance 89,200 sq. ft. includes Slough Clean Up
- Project Management 177 Lots
- Total $17,667.85

ESTIMATED COST 2007-2008

- Projected July 1, 2007 Fund Balance $8,033.85
- Maintenance, 89,200 sq. ft. of landscaped area $23,672.78
- Project Management, 177 lots $1,000 + $4.00 per lot $1,708.00
- Reserves (15%) $3,807.12
- Estimated Cost Per Year $29,187.90
- 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.

FORMULA FOR ASSESSMENT:

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

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

Estimated Assessment
\[ A = 133.58 \]

\[ A = \text{Assessment Per Lot} \]
\[ L = \text{Number of Lots} \]
\[ T = \text{Total Annual Cost} \]
Annexation No. 4 - LaVida Park
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 3,790 sq. ft. of landscaped area
Project Management 17 Lots
Total $1,739.06

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance ($412.24)

Maintenance, 3790 sq. ft. of landscaped area $2,485.15
Project Management, 17 lots $1,000 + $4.00 per lot $1,068.00
Eliminate Deficit Fund Balance over 10 years $41.22
Reserves $539.16

Estimated Cost Per Year $4,133.53

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:

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

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

Estimated Assessment
A = $145.26
Annexation No. 5 - Westwood Estates Unit Four,  
Unit Five (Phase 1)  
2007-2008 Fiscal Year  
Approved CPI 1999  
(Adj. 2006)

**ESTIMATED ACCUMULATED COSTS 2006-2007**

Maintenance 14,700 sq. ft. of landscaped area  
Project Management 47 Lots  
Total $5,971.54

**ESTIMATED COST 2007-2008**

Projected July 1, 2007 Fund Balance ($10,634.17)

Maintenance, 14,700 sq. ft. of landscaped area $6,185.43  
Project Management, 47 lots $1,000 + $4.00 per lot $1,188.00  
Eliminate Deficit Fund Balance over 10 years $1,063.42  
Reserves $1,265.53  
Estimated Cost Per Year $9,702.37  
Previous year assessment $6,146.47  
C.P.I. Increase since previous adjustment (2006) applied to reduce deficit = 0.033 x $6,146.47 $202.83  
New Assessment $6,349.30

**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:**

\[ A = \text{Assessment per lot} \]
\[ L = \text{Number of lots} \]
\[ T = \text{Total annual cost} \]

\[ A = \frac{T}{L} = \frac{6,349.30}{47} = 135.10 \]

Estimated Assessment
\[ A = \$135.10 \]
Annexation No. 6 - Northpointe
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 11 ea., 5,800 lumen, 8 ea., 9,500 lumen
Project Management 81 Lots
Total $515.77

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $4,931.12

Lighting 11 ea., 5,800 lumen @ $30.21
8 ea., 11,000 lumen @ 36.29 $622.63
Project Management, 81 lots $400 + $3.00 per lot $643.00
Reserves $456.89

Estimated Cost Per Year $1,722.52

Previous year assessment $1,722.52

New Assessment $1,722.52

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

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

Estimated Assessment
\[ P = 21.28 \]
Annexation No. 7 - Quail Park Phase II
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 2 ea., 5,800 lumen
Project Management 12 Lots
Total $131.17

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $779.81

Lighting, 2 ea., 5,800 lumen @ $30.21 $60.42
Project Management, 12 lots $400 + $3.00 per lot $436.00
Reserves $24.82

Estimated Cost Per Year $521.24

Previous year assessment $410.40

New Assessment $410.40

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

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

Estimated Assessment
\[ A = \$34.20 \]
Annexation No. 8 - Westwood Park Unit Three  
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 28,460 sq. ft. of landscaped area
Project Management 36 Lots
Total $1,439.38

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $7,238.49

Maintenance, 28,460 sq. ft. of landscaped area, Lighting
5 ea., 5,800 lumens, and 1 ea., 16,000 lumens $2,008.74
Project Management, lots $1,000 + $4.00 per lot $1,144.00
Reserves $472.91

Estimated Cost Per Year $3,625.65

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:

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

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

Estimated Assessment
\[ A = \$68.92 \]
ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 1 ea., 16,000 lumens
Project Management 2 Parcels
Total $89.58

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $1,127.22

Lighting 1 ea., 16,000 lumens $47.47
Project Management, lots $400 + $3.00 per lot $406.00
Reserve $22.67

Estimated Cost Per Year $476.14

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.

\[
P1 = \text{Portion to be assessed to Parcel 1 (developed parcel)}
\]

\[
P2 = \text{Portion to be assessed to Parcel 2}
\]

\[
TA = \text{Total Assessment (\$)}
\]

\[
AE = \text{Administration and Engineering Cost}
\]

\[
A1 = \text{Area of Parcel 1 (acres)}
\]

\[
L = \text{Lighting Cost}
\]

\[
T = \text{Total area (acres)}
\]

\[
P2 = \frac{AE \times A1}{T} = \frac{349 \times 4.81}{6.61} = 253.96
\]

\[
P1 = AE - P2 + L = 349 - 253.96 + 47.47 = 142.52
\]
Based on benefit in the district, the estimated assessment will be spread based on the preceding formula.

Estimated Assessment

P2 = $253.96
P1 = $142.52
ESTIMATED MAINTENANCE COST

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 1,307 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumens
Project Management 16 Lots
Total $1,099.82

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $3,370.07

Maintenance, 1307 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumens $1,353.21
Project Management, 16 lots $1,000 + $4.00 per lot $1,064.00
Reserves $362.58

Estimated Cost Per Year $2,779.79

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
Annexation No. 11 - New Horizon's Phase One  
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting
6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and  
2 fixtures, 16,000 lumen  
Project Management 63 Lots  
Total $537.59

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $6,803.90

Lighting
6 ea., 5,800 lumen, 11 ea., 9,800 lumen, and  
2 ea., 16,000 lumen $675.39

Project Management, 63 lots $400 + $3.00 per lot $589.00

Reserves $63.22

Estimated Cost Per Year $1,327.61

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

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTC = One time Cost
OTAA = One time adjusted Assessment

OTC=C-OTA
OTC=$1,045.80-$564.21

OTC=$481.59

OTA = \frac{OTC}{N}

OTA = \frac{\$481.59}{81}

OTA = \$7.64
Annexation No. 12 - Sunrise Estates Phase Six  
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

  Maintenance 2,840 sq. ft. of landscaped area and  
  Lighting, 7 ea., 5,800 lumens  
  Project Management 32 Lots  
  Total \[ \$1,131.77 \]

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance \[ \$92.19 \]

  Maintenance, 2,840 sq. ft. of landscaped area, and  
  Lighting, 7 ea., 5,800 lumens \[ \$1,242.36 \]  
  Project Management, 32 lots $1,000 + $4.00 per lot \[ \$1,128.00 \]  
  Eliminate Deficit Fund Balance over 10 years \[ \$0.00 \]  
  Reserves \[ \$355.55 \]  

Estimated Cost Per Year \[ \$2,725.92 \]

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.

\[\text{FORMULA FOR ASSESSMENT:}\]
\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]
\[
A = \frac{1,429.00}{32} = 44.66 \text{ per lot}
\]

Estimated Assessment  
A = $44.66
ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 3,030 sq. ft. of landscaped area and
Lighting, 3 ea., 5,800 lumens
Project Management 8 Lots
Total $1,507.85

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance ($1,789.96)

Maintenance, 3,030 sq. ft. of landscaped area and
Lighting, 3 ea., 5,800 lumens $2,131.32
Project Management, 8 lots $1,000 + $4.00 per lot $1,032.00
Eliminate Deficit Fund Balance over 10 years $179.00
Reserves $501.35

Estimated Cost Per Year $3,843.66

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 = \frac{1,824.69}{8} = $228.00 per lot

Estimated Assessment
A = $228.08
Annexation No. 15 - Northpointe Phase II Subdivision
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 5 ea., 5,800 lumens, and 1 ea., 9,500 lumens
Project Management 59 Lots
Total $200.69

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $8,023.27

Lighting 5 ea., 5,800 lumens and 1 ea., 9,500 lumens $187.34
Project Management, 59 lots $400 + $3.00 per lot $636.00
Reserves $41.17

Estimated Cost Per Year $864.51

Previous year assessment $2,816.00

New Assessment $864.51

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 = 864.51 = $13.95 per lot
59

Estimated Assessment
A = $13.96

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTC = One time Cost
OTAA = One time adjusted Assessment
OTC=C-OTA
OTC= $864.51– $864.51

OTC=$0.00

OTA = \frac{OTC}{N}

\frac{OTA = $0.00}{59}

OTA = $0.00
Annexation No. 16 - New Horizon's Phase II Subdivision
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting
8 ea., 5,800 lumens and 8 ea., 9,500 lumens
Project Management 81 Lots
Total $447.28

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $4,051.52

Lighting, 8 ea., 5,800 lumens and 8 ea., 9,500 lumens $532.00
Project Management, 81 lots $400 + $3.00 per lot $643.00
Reserves $628.34

Estimated Cost Per Year $1,803.34

Previous year assessment $1,803.34

New Assessment $1,803.34

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

A = $1,803.34 = $22.26 per lot
     81

Estimated Assessment
A = $22.26
Annexation No. 18 - Westwood Village Mobile Home Park, Phase I  
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting
5 ea., 16,000 lumens
Project Management 1 Lots
Total $284.39

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $1,844.19

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:

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

\[
A = \frac{787.35}{1} = 787.35 \text{ per lot}
\]

Estimated Assessment
A = $787.34
Annexation No. 19 - Castle Woods Phase I Subdivision
2007-2008 Fiscal Year

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting
9 ea., 5,800 lumens and 1 ea., 16,000 lumens
Project Management 30 Lots
Total $294.97

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $2,021.41

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 $109.84

Estimated Cost Per Year $919.20

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

\[ A = \frac{\$919.20}{30} = \$30.64 \text{ per lot} \]

Estimated Assessment
\[ A = \$30.64 \]
District No. 2 - North Creek Subdivision  
2007-2008  
CPI Approved 1998

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 12,677 sq. ft. of landscaped area  
Project Management 104 Lots  
Total $6,425.35

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $24,882.64

Maintenance, 12,677 sq. ft. of landscaped area $11,777.94
Project Management, 104 lots $1,000 + $4.00 per lot $1,416.00
Reserves $1,979.09

Estimated Cost Per Year $15,173.03

Previous year assessment $12,611.05

New Assessment $12,611.05

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 = $12,611.04 / 104 = $121.26 per lot

Estimated Assessment
A = $121.26

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTC = One time Cost
OTAA = One time adjusted Assessment
OTC=C-OTA
OTC= $12,611.04–$12,611.04

OTC=$0.00

OTA = OTC
N

OTA = $0.00
35

OTA = $0.00
District No. 3 - New Expressions, Phase I
2007-2008
CPI Approved 1998

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting
10 ea., 5,800 lumens
Project Management 56 Lots
Total $475.69

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $2,539.68

Lighting, 10 ea., 5,800 lumens $302.10
Project Management, 56 lots $400 + $3.00 per lot $568.00
Reserves $93.32

Estimated Cost Per Year $963.42

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:

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

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

Estimated Assessment
A = $17.20
District No. 4 - River Springs, Phase 1  
2007-2008  
CPI Approved 1998  

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Maintenance 2,100 sq. ft. of landscaped area, and Lighting, 8 ea., 5,800 lumens and 2 ea., 16,000
- Project Management 51 Lots
- Total $1,730.75

**ESTIMATED COST 2007-2008**

- Projected July 1, 2007 Fund Balance $3,225.87
- Maintenance, 2,100 sq. ft. of landscaped area $2,213.73
- Project Management, 51 lots $1,000 + $4.00 per lot $1,204.00
- Reserves $512.66
- Estimated Cost Per Year $3,930.39
- 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
2007-2008
CPI Approved 2002
(Adj.2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 1,715 sq. ft. of landscaped area, and
Lighting 8 ea., 5,800 lumens
Project Management 25 Lots
Total $937.37

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance ($355.37)

Maintenance, 1,715 sq. ft. of landscaped area $1,007.21
Project Management, 25 lots $1,000 + $4.00 per lot $1,100.00
Eliminate Deficit Fund Balance over 10 years $35.54
Reserves $321.41

Estimated Cost Per Year $2,464.16

Previous year assessment $937.42
C.P.I. Increase since previous adjustment (2006) applied to reduce deficit = (0.033)*$937.42 $30.93

New Assessment $968.35

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:

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

A = $968.35 = $38.74 per lot
  25

Estimated Assessment
A = $38.74
District No. 6 - Creek View  
2007-2008  
CPI Approved by vote 1999  
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

- Maintenance 23,600 sq. ft. of landscaped area and
- Lighting 5 ea., 5,800 lumen
- Project Management 19 Lots

Total $4,312.37

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $(18,154.68)

- Maintenance, 23,600 sq. ft. of landscaped area and
- Lighting 5 ea., 5,800 lumen $5,318.27
- Project Management, 19 lots $1,000 + $4.00 per lot $1,076.00
- Eliminate Deficit Fund Balance over 10 years $1,815.47
- Reserves $1,231.46

Estimated Cost Per Year $9,441.20

- Previous year assessment $4,468.58
- C.P.I. Increase since previous adjustment (2006)
  applied to reduce deficit = 0.033 x $4,468.58 $147.46

New Assessment $4,616.04

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} = \frac{\text{Number of lots (L)}}{19}
\]

\[
A = \frac{\$4,616.04}{19} = \$242.94 \text{ lot}
\]

Estimated Assessment
\[
A = \$242.94
\]
District No. 7 - Ford Estates
2007-2008
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea., 16,000 lumens
Project Management 20 Lots
Total $899.72

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $6,365.59

Maintenance, 1,365 sq. ft. of landscaped area and
Lighting 4 ea., 5,800 lumen, and 1 ea. 16,000 lumens $1,612.44
Project Management, 20 lots $1,000 + $4.00 per lot $1,080.00
Reserves $403.87

Estimated Cost Per Year $3,096.30

Previous year assessment $2,163.40

New Assessment $2,163.40

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

Unit Cost = Cost (C)
Number of front feet

Phase 1 = $2,163.40 = $6.94 per foot
311.72 feet

Ultimate cost to maintain entire Westwood Street frontage:
1,065.95 feet X $6.94 per foot = $7,397.69

Ultimate cost per lot to maintain entire Westwood Street frontage:
$7,397.69 = $67.88 per lot
109 lots
Estimated Assessment
$2,163.40 - ($67.88 \times 20) = $805.80 = \text{remainder parcel assessment}

Phase 1 Assessment = $67.88 \text{ per lot}
Remainder Parcel Assessment = $805.80
District No. 8 - River Breeze
2007-2008
CPI Approved 1999

ESTIMATED ACCUMULATED COSTS 2006-2007

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
Project Management 37 Lots
Total $2,764.93

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $15,504.08

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 $3,966.91
Project Management, 37 lots $1,000 + $4.00 per lot $1,148.00
Reserves $767.24

Estimated Cost Per Year $5,882.15

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 = $118.24 per lot
37

Estimated Assessment
A = $118.24
**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Lighting, 10 ea., 5,800 lumen
- Project Management 56 Lots
- Total $339.25

**ESTIMATED COST 2007-2008**

Projected July 1, 2007 Fund Balance $3,650.99

- Lighting, 10 ea., 5,800 lumen $302.10
- Project Management, 56 lots $400 + $3.00 per lot $568.00
- Reserves $114.93
- Estimated Cost Per Year $985.03

- 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

\[
A = 17.58
\]
ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting, 4 ea., 5,800 lumens  
Project Management 19 Lots  
Total $202.31

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $291.39

Lighting, 4 ea., 5,800 lumens $123.68
Project Management, 19 lots $400 + $3.00 per lot $457.00
Reserves $29.03

Estimated Cost Per Year $609.71

Previous year assessment $312.28

New Assessment $312.28

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:

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

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

Estimated Assessment
A = $16.44
**District No. 11 - Orchard Ridge, Phase 5**  
**2007-2008**  
**CPI Approved 1999**

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Lighting, 14 ea., 5,800 lumens  
  Project Management 76 Lots  
  Total $379.55

**ESTIMATED COST 2007-2008**

- Projected July 1, 2007 Fund Balance $4,534.22
- Lighting, 14 ea., 5,800 lumens $422.94
- Project Management, 76 lots $400.00 + $3.00 per lot $628.00
- Reserves $100.98
- Estimated Cost Per Year $1,151.92
- Previous year assessment $1,151.92
- New Assessment $1,151.92

**ASSESSMENT**

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{1,151.92}{76} = 15.16 \text{ per lot}
\]

Estimated Assessment  
A = $15.16
ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 19,112 sq. ft. of landscaped area and
Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen
Project Management 34 Lots
Total $5,562.28

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $13,740.88

Maintenance 19,112 sq. ft. of landscaped area and
Lighting, 12 ea., 5,800 lumen, and 4 ea., 16,000 lumen $7,326.42
Project Management, 34 lots $1,000 + $4.00 per lot $1,136.00
Reserves $1,269.36

Estimated Cost Per Year $9,731.78

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
2007-2008
CPI Approved 2000

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens
Project Management 35 Lots
Total $274.84

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $10,638.82

Maintenance 1,000 sq. ft. of landscaped area, and
Lighting, 7 ea., 5,800 lumens and 1 ea., 16,000 lumens $1,691.25
Project Management, 35 lots $1,000 + $4.00 per lot $1,140.00
Reserves $424.69

Estimated Cost Per Year $3,255.94

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

A = $2,150.40 = $61.44 per lot
35

Estimated Assessment
A = $61.44

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.
OTA = One time adjustment amount
OTC = One time Cost
OTAA = One time adjusted Assessment

OTC = C - OTA
OTC = $2,150.40 - $174.20

OTC = $1,976.20

\[
\text{OTA} = \frac{\text{OTC}}{N}
\]

\[
\text{OTA} = \frac{1,976.40}{35}
\]

OTA = $56.46
District No. 14 - River Springs, Phase Two Subdivision
2006 - 2007
CPI Approved 2000

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Lighting, 11 ea., 5,800 lumens
- Project Management 50 Lots
- Total $311.06

**ESTIMATED COST 2007-2008**

- Projected July 1, 2007 Fund Balance $3,530.03
- Lighting, 11 ea., 5,800 lumens $332.31
- Project Management, 50 lots $400 + $3.00 per lot $550.00
- Reserves $158.10
- Estimated Cost Per Year $1,040.41
- Previous year assessment $1,040.41
- New Assessment $1,040.41

**ASSESSMENT**

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

**FORMULA FOR ASSESSMENT:**

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

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

Estimated Assessment

\[
A = 20.80
\]

**ONE TIME ADJUSTMENT**

There will be a one time adjustment in the assessment to reduce the Fund Balance.

\[
\text{OTA} = \text{One time adjustment amount}
\]
OTC = One time Cost
OTAA = One time adjusted Assessment

OTC=C-OTA
OTC= $1,040.41 – $150.15

OTC=$890.26

OTA = OTC
N

OTA = $890.26
35

OTA = $17.80
District No. 15 - Meadowood, Phase 1 Subdivision
2006 - 2007
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2006-2007

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
Project Management 48 Lots
Total $5,087.99

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $22,682.56

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 $5,882.28
Project Management, 48 lots $1,000 + $4.00 per lot $1,192.00
Reserves $1,061.14

Estimated Cost Per Year $8,135.42

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.

FORMULA FOR ASSESSMENT:

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

A = \$6,810.24 = $141.88 per lot
48

Estimated Assessment
A = $141.88
District No. 16 - New Expressions, Phase 2
2006 - 2007
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 5,800 sq. ft. of landscaped area,
Playground area, 30%, and Lighting, 13 ea., 5,800 lumens
Project Management 54 Lots
Total $1,418.82

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance $26,138.29

Maintenance, 5,800 sq. ft. of landscaped area,
Playground area, 30%, and Lighting, 13 ea., 5,800 lumens $4,694.68
Project Management, 54 lots $1,000 + $4.00 per lot $1,216.00
Reserves $886.60
Estimated Cost Per Year $6,797.28
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:

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

A = $5,580.07 / 54 = $103.34 per lot

Estimated Assessment
A = $103.34

ONE TIME ADJUSTMENT

There will be a one time adjustment in the assessment to reduce the Fund Balance.

OTA = One time adjustment amount
OTC = One time Cost
OTAA = One time adjusted Assessment

OTC=C-OTA
OTC= $5,580.07– $5,580.07

OTC=$0.00

OTA = OTC
N

OTA = $0.00
54

OTA = $0.00
District #17 - Orchard Ridge Phase 6
2006 - 2007
CPI Approved 2001

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting, 7 ea., 5,800 lumens
Project Management 32 Lots
Total $219.77

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance ($470.47)

Lighting, 7 ea., 5,800 lumens $211.47
Project Management, 32 lots $400 + $3.00 per lot $496.00
Eliminate Deficit Fund Balance over 10 years $47.05
Reserves $37.73

Estimated Cost Per Year $792.24

Previous year assessment $581.23
C.P.I. Increase of 3.3% since previous adjustment (2006) applied to reduce deficit = (0.033) x $549.81 $19.18

New Assessment $600.41

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{600.41}{32} = \$18.76 \text{ per lot} \]

Estimated Assessment
\[ A = \$18.76 \]
District #18 - Ohio North
2005 - 2006
CPI Approved 2002

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting, 2 ea., 5,800 lumens
Project Management 10 Lots
Total $105.67

ESTIMATED COST 2007-2008

Projected July 1, 2007 Fund Balance ($378.79)

Lighting, 2 ea., 5,800 lumens $60.42
Project Management, 10 lots $400 + $3.00 per lot $430.00
Eliminate Deficit Fund Balance over 10 years $37.88
Reserves $26.41

Estimated Cost Per Year $554.71

Previous year assessment $174.60
C.P.I. Increase of 3.3% since previous adjustment (2006)
applied to reduce deficit = (0.033)x $174.60 $5.76

New Assessment $180.36

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:

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

\[ A = \frac{180.36}{10} = 18.04 \text{ per lot, per year} \]

Estimated Assessment
\[ A = 18.04 \]
District No. 19 - Williams Ranch Phase I
2006 - 2007
CPI Approved 2002
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 13,910 sq. ft. of landscaped area and
Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens
Project Management 41 Lots
Total $5,015.62

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $4,898.69

Maintenance, 13,910 sq. ft. of landscaped area and
Lighting 11 ea., 5,800 lumens, and 2 ea., 9,500 lumens $5,568.20
Project Management, 41 lots $1,000 + $4.00 per lot $1,164.00
Reserves $1,009.83

Estimated Cost Per Year $7,742.03

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:

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

\[
A = \frac{5,965.16}{41} = \$148.49 \text{ per lot}
\]

Estimated Assessment

A = $148.48
District No. 20 - West View Place
2006 - 2007
CPI Approved 2002
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 3 ea., 5,800 lumens, and 1 ea., 9,500 lumens
Project Management 10 Lots
Total $155.02

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $7.05

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 $0.00
Reserves $27.85

Estimated Cost Per Year $584.77

Previous year assessment $257.25
C.P.I. Increase since previous adjustment (2006) $8.49
applied to reduce deficit = (0.033)x $257.25

New Assessment $265.74

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{$265.74}{10} = \$26.58

Total Assessment
A = $26.58
District No. 21 - Orchard Ridge Phase 7
2006-2007
CPI Approved 2002
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens
Project Management 30 Lots
Total $1,276.91

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance ($273.08)

Maintenance 2412 sq. ft. (30/74 of 5950 sq. ft.) landscaped area and Lighting, 6 ea. 5,800 lumens $1,443.42
Project Management, 30 lots $1,000 + $4.00 prc lot $1,120.00
Eliminate Deficit Fund Balance over 10 years $27.31
Reserves $388.61

Estimated Cost Per Year $2,979.34

Previous year assessment $1,586.26
C.P.I. Increase since previous adjustment (2006) applied to reduce deficit = (0.033)x$1,586.26 $52.35

New Assessment $1,638.61

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{1,638.61}{30} = 54.62
\]

Estimated Assessment
A = $54.62
District No. 22 - Meadowood Phase 2
2006 - 2007
CPI Approved 2002

ESTIMATED ACCUMULATED COSTS 2006-2007

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
Project Management 55 Lots
Total $747.78

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $14,149.70

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 $3,908.76
Project Management, 55 lots $1,000 + $4.00 per lot $1,220.00
Reserves $769.31
Estimated Cost Per Year $5,898.08
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 2006-2007

Lighting 11 ea., 5,800 lumens
Project Management 36 Lots
Total
$311.06

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance
$1,871.09

Lighting 11 ea., 5,800 lumens
$332.31
Project Management, 36 lots $400 + $3.00 per lot
$508.00
Reserves
$42.02

Estimated Cost Per Year
$882.33

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:

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

A = $713.36 / 36 = $19.82
District No. 24 - Orchard Ridge, Phase Eight  
2007-2008  
CPI Approved 2003  
(Adj. 2006)

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area and Lighting, 11 ea. 5,800 lumens  
- Project Management 44 Lots  
- Total $2,404.34

**ESTIMATED COST 2007-2008**

- July 1, 2007 Fund Balance $1,428.54
- Maintenance 3538 sq. ft. (44/74 of 5950 sq. ft.) landscaped area and Lighting, 11 ea. 5,800 lumens $1,705.66
- Project Management, 44 lots $1,000 + $4.00 per lot $1,176.00
- Reserves $432.25
- Estimated Cost Per Year $3,313.91
- Previous year assessment $2,259.41
- C.P.I. Increase since previous adjustment (2006) applied = (0.033)x$2,259.41 $212.13
- New Assessment $2,471.54

**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)

\[
A = \frac{\$2,471.54}{44} = \$56.18 \text{ per lot}
\]

Estimated Assessment  
A = $56.18
District 25 - Casas Del Rio Subdivision
2006-2007
CPI Approved 2003

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Maintenance 55,950 sq. ft. of landscaped and recreation area
- Project Management 118 Lots
- Total $12,780.94

**ESTIMATED COST 2007-2008**

- July 1, 2007 Fund Balance $44,156.53
- Maintenance 55,950 sq. ft. of landscaped and recreation area $24,084.78
- Project Management, 118 lots $1,000 + $4.00 per lot $1,472.00
- Reserves $3,833.52
- Estimated Cost Per Year $29,390.30
- 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
\[ A = 243.42 \]
District No. 26 - Orchard Ridge, Phase Nine  
2007-2008  
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2006-2007

<table>
<thead>
<tr>
<th>Item</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td></td>
</tr>
<tr>
<td>Project Management 47 Lots</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$829.44</td>
</tr>
</tbody>
</table>

ESTIMATED COST 2007-2008

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2007 Fund Balance</td>
<td>$1,230.28</td>
</tr>
<tr>
<td>Lighting 10 ea., 5,800 lumens</td>
<td>$302.10</td>
</tr>
<tr>
<td>Project Management, 47 lots $400 + $3.00 per lot</td>
<td>$430.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$58.52</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$790.62</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$790.62</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$790.62</td>
</tr>
</tbody>
</table>

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

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

Estimated Assessment

\[
A = $16.82
\]
District No. 27 - New Expressions, Phase 3 Subdivision  
2007-2008  
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 748 ft. of landscaped berm and wall,  
30% of playground maintenance, and Lighting, 11 ea., 5,800 lumens  
Project Management 50 Lots  
Total                                           $1,746.37

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance                         $3,334.07

Maintenance 748 ft. of landscaped berm and wall,  
30% of playground maintenance, and Lighting, 11 ea., 5,800 lumens $1,275.01
Project Management, 50 lots $1,000 + $4.00 per lot $1,200.00
Reserves                                         $371.25

Estimated Cost Per Year                         $2,846.26

Previous year assessment                        $1,860.09

New Assessment                                   $1,860.09

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{1,860.09}{50} = 37.20 \text{ per lot}
\]

Estimated Assessment
\[
A = 37.20
\]
District No. 28 - Meadowood, Phase Three Subdivision
2005-2006
CPI Approved 2004

ESTIMATED ACCUMULATED COSTS 2006-2007

- Lighting 17 ea., 5,800 lumens, and 6 ea., 9,500 lumens
- Project Management 78 Lots
- Total $1,893.73

ESTIMATED COST 2007-2008

- July 1, 2007 Fund Balance $2,309.94
- Maintenance, sq. ft. of landscaped area $731.31
- Project Management, 78 lots $400 + $3.00 per lot $634.00
- Reserves $211.30
- Estimated Cost Per Year $1,576.61
- Previous year assessment $1,576.61
- New Assessment $1,576.61

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

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

Estimated Assessment
A = $20.20
District No. 29 - River Springs, Phase 3 Subdivision
2007-2008
CPI Approved 2004
(Adj. 2006)

ESTIMATED ACCUMULATED COSTS 2006-2007

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 9 ea., 5,800 lumens</td>
<td>$265.42</td>
</tr>
<tr>
<td>Project Management 36 Lots</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$265.42</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2007-2008

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2007 Fund Balance</td>
<td>$5.47</td>
</tr>
<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>$308.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$38.99</td>
</tr>
<tr>
<td><strong>Estimated Cost Per Year</strong></td>
<td><strong>$818.88</strong></td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$689.87</td>
</tr>
<tr>
<td>C P I Increase since previous adjustment (2006)</td>
<td>applied to reduce deficit = (0.033) x $689.57</td>
</tr>
<tr>
<td><strong>New Assessment</strong></td>
<td><strong>$712.64</strong></td>
</tr>
</tbody>
</table>

ASSESSMENT

1. 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:

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

\[
A = \frac{712.64}{36} = 19.80 \text{ per lot}
\]

Estimated Assessment

A = $19.80
District No. 30 – Sierra Meadows, Phase 1 Subdivision
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

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
$415.98

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance
$10,453.08

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 $1,000 + $4.00 per lot
Reserves
$13,133.66
$672.00
$2,070.85

Estimated Cost Per Year
$15,876.50

Previous year assessment
$15,408.17

New Assessment
$15,408.17

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

\[ A = \frac{15,408.17}{56} = 275.14 \text{ per lot} \]

Estimated Assessment
\[ A = 275.14 \]
District No. 31 – Williams Ranch, Phase 2 and 3
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens
Project Management 85 Lots
Total .............................................. $666.95

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance .............................................. $1,119.70

Lighting 24 ea., 5,800 lumens, and 2 ea., 16,000 lumens $819.98
Project Management, 85 lots $12.00 per lot $1,020.00
Reserves .............................................. $276.00

Estimated Cost Per Year .............................................. $2,115.98

Previous year assessment .............................................. $2,115.98

New Assessment .............................................. $2,115.98

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

A = $2,115.98 / 85 = $24.88 per lot

Estimated Assessment
A = $24.88
District No. 32 – Sunrise Villa, Phase 1 Subdivision
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 2 ea., 5,800 lumens
Project Management 8 Lots
Total $105.67

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance ($173.39)

Lighting 2 ea., 5,800 lumens $60.42
Project Management, 8 lots $400 +$3.00 per lot $424.00
Reserves $25.09

Estimated Cost Per Year $526.85

Previous year assessment $207.48

C.P.I. Increase since previous adjustment (2006)
applied to reduce deficit = (0.033) x 207.48 $6.85

New Assessment $214.33

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

A = $214.33 = $26.80 per lot
8

Estimated Assessment
A = $26.80
District No. 33 – New Expressions, Phase 4 Subdivision
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens
Project Management 58 Lots
Total $304.12

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $766.00

Maintenance 220 ft. of wall, and
Lighting, 11 ea., 5,800 lumens, 2 ea., and 9,500 lumens $522.24
Project Management, 58 lots $1,000 + $4.00 per lot $696.00
Reserves $182.74

Estimated Cost Per Year $1,400.98

Previous year assessment $1,382.36

New Assessment $1,382.36

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:

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

A = $1,382.36 = $23.82 per lot
    58

Estimated Assessment
A = $23.82
District No. 34 – Meadow Breeze, Phase 2 Subdivision
2007-2008
Formed and CPI Approved 2006

*ESTIMATED ACCUMULATED COSTS 2006-2007*

- Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens
- Project Management 78 Lots
  - Total: $452.20

*ESTIMATED COST 2007-2008*

- July 1, 2007 Fund Balance: $1,008.87
- Lighting 14 ea., 5,800 lumens, and 5 ea., 9,500 lumens: $604.29
- Project Management, 78 lots $400 +$3.00 per lot: $936.00
- Reserves: $231.04
- Estimated Cost Per Year: $1,771.33
- Previous year assessment: $1,771.33
- New Assessment: $1,771.33

*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:*

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

where: 
- Assessment \((A)\)
- Cost \((C)\)
- Number of Lots \((L)\)

**Example:**

\[ A = \frac{1771.33}{78} = 22.70 \text{ per lot} \]

Estimated Assessment
\[ A = 22.70 \]
District No. 35 – Meadow Breeze, Phase 1 Subdivision
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

Lighting 9 ea., 5,800 lumens
Project Management 44 Lots
Total $261.55

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance $375.79

Lighting 9 ea., 5,800 lumens $271.89
Project Management, 44 lots $400 +$3.00 per lot $328.00
Reserves $119.99

Estimated Cost Per Year $919.87

Previous year assessment $919.87

New Assessment $919.87

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:

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

A = $919.87 = $20.90 per lot
44

Estimated Assessment A = $20.90
District No. 36 – Amalene Estates Subdivision
2007-2008
Formed and CPI Approved 2006

ESTIMATED ACCUMULATED COSTS 2006-2007

Maintenance 339 ft. of wall, 1870 sq. ft., and
Lighting, 10 ea., 5,800 lumens, and 1 ea., 16,000 lumens
Project Management 24 Lots
Total $333.06

ESTIMATED COST 2007-2008

July 1, 2007 Fund Balance ($483.24)

Maintenance 339 ft. of wall, 1870 sq. ft., and
Lighting, 10 ea., 5,800 lumens, and 1 ea., 16,000 lumens $1,833.98
Project Management, 24 lots $1,000 + $4.00 per lot $472.00
Reserves $353.15

Estimated Cost Per Year $2,707.45

Previous year assessment $2,374.87

New Assessment $2,374.87

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:

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

A = $2,374.87 / 24 = $98.94 per lot

Estimated Assessment
A = $98.94
The Lots and improvements of District 36 are absorbed into District 40:

Actual Assessment
A = $0.00
District No. 37 – Riverview Estates, Phase 4 Subdivision
2007-2008
Formed and CPI Approved 2006

**ESTIMATED ACCUMULATED COSTS 2006-2007**

- Lighting 5 ea., 5,800 lumens
- Project Management 17 Lots
- Total $114.05

**ESTIMATED COST 2007-2008**

July 1, 2007 Fund Balance ($126.00)

- Lighting 5 ea., 5,800 lumens $151.05
- Project Management, 17 lots $400 + $3.00 per lot $451.00
- Reserves $30.73

- Estimated Cost Per Year $645.38
- Previous year assessment $466.96
- C.P.I. Increase since previous adjustment (2006) applied = (0.033) x 466.96 $15.41

- New Assessment $482.37

**ASSESSMENT**

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

---

**FORMULA FOR ASSESSMENT:**

\[
A = \frac{\text{Assessment (A)}}{\text{Cost (C)}} = \frac{\text{Number of Lots (L)}}{17}
\]

\[
A = \frac{482.37}{17} = 28.38 \text{ per lot}
\]

**Estimated Assessment**

\[
A = 28.38
\]
District No. 38 – Ranch Victoria, Phase One Subdivision
2007-2008
Formed and CPI Approved 2007

ESTIMATED ACCUMULATED COSTS 2006-2007

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 2 ea., 5,800 lumens</td>
<td>$ 0</td>
</tr>
<tr>
<td>Project Management 6 Lots</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 0</strong></td>
</tr>
</tbody>
</table>

ESTIMATED COST 2007-2008

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2007 Fund Balance</td>
<td>$ 0</td>
</tr>
<tr>
<td>Lighting 2 ea., 5,800 lumens</td>
<td>$ 60.42</td>
</tr>
<tr>
<td>Project Management, 6 lots</td>
<td>$ 418.00</td>
</tr>
<tr>
<td>Reserves</td>
<td>$ 293.92</td>
</tr>
<tr>
<td>Estimated Cost Per Year</td>
<td>$ 502.33</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$ 0</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$ 502.33</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:

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

\[
A = \frac{502.33}{6} = 83.72 \text{ per lot}
\]

Estimated Assessment
A = $83.72
District No. 39 – Williams Ranch Phase 4 Subdivision  
2007-2008  
Formed and CPI Approved 2007

**ESTIMATED ACCUMULATED COSTS 2007-2008**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting 5 ea., 5,800 lumens</td>
<td>$0</td>
</tr>
<tr>
<td>Project Management 59 Lots</td>
<td>$33.97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$33.97</strong></td>
</tr>
</tbody>
</table>

**ESTIMATED COST 2007-2008**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2007 Fund Balance</td>
<td>($33.97)</td>
</tr>
<tr>
<td>Lighting 17 ea., 5,800 lumens</td>
<td>$513.51</td>
</tr>
<tr>
<td>Project Management, 59 lots</td>
<td>$577.00</td>
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<tr>
<td>Reserves</td>
<td>$54.53</td>
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<tr>
<td>Estimated Cost Per Year</td>
<td>$1,145.03</td>
</tr>
<tr>
<td>Previous year assessment</td>
<td>$0</td>
</tr>
<tr>
<td>New Assessment</td>
<td>$1,145.03</td>
</tr>
</tbody>
</table>

**ASSESSMENT**

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

**FORMULA FOR ASSESSMENT:**

\[
A = \frac{C(L)}{L}
\]

\[
A = \frac{1,145.03}{59} = $19.40 \text{ per lot}
\]

Estimated Assessment  
\[
A = $19.40
\]
District No. 40 – Amalene Estates Subdivision
2007-2008
Formed and CPI Approved 2007

ESTIMATED ACCUMULATED COSTS 2006-2007

  Maintenance 736 ft. of wall, 5445 sq. ft., and
  Lighting, 16 ea., 5,800 lumens, and 1 ea., 16,000 lumens
  Project Management 53 Lots

  Total $0.00

ESTIMATED COST 2007-2008

  July 1, 2007 Fund Balance $0.00

  Maintenance 736 ft. of wall, 5445 sq. ft., and
  Lighting, 16 ea., 5,800 lumens, and 1 ea., 16,000 lumens $4,143.69

  Portion due Ford Estates Dist 7, 37.25 percent $3,038.80
  Project Management, 53 lots $1,212.00
  Reserves $973.13

  Estimated Cost Per Year $7,460.68

  Previous year assessment $0.00

  New Assessment $7,460.68

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:

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

\[ A = \frac{7,460.68}{53} = 140.76 \text{ per lot} \]

Estimated Assessment
\[ A=140.76 \]

Assessment of Remainder (AR) = A * Number Lots proposed
Remainder (LR)-
Number Lights proposed for Remainder * $30.21
AR = 140.76 \times 29 - 6 \times 30.21 = $3900.78

Assessment = $140.76 \text{ ea} \text{ for 24 developed lots and } $3900.78 \text{ for the remainder}

Total Assessment for 2007-2008 = $7,279.02

Total developed lot count is 24 lots plus a remainder.

This concludes the 2007-2008 Landscape and Lighting District Engineers Report
Douglas Wilson, RCE 20989

<table>
<thead>
<tr>
<th>Fund Bal (Def)</th>
<th>Assessments</th>
<th>Net Revenue</th>
<th>Projected Expenditures</th>
<th>Projected over (under) Expenditures</th>
<th>Projected Fund Bal (Def)</th>
<th>2007 CPI Adjmt</th>
<th>Refund</th>
<th>Net Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>District #22, Meadowood Phase 2</td>
<td>10,268.03</td>
<td>4,861.60</td>
<td>4,829.45</td>
<td>747.78</td>
<td>3,881.67</td>
<td>14,149.70</td>
<td>0.00</td>
<td>4,861.60</td>
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<tr>
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<td>1,480.13</td>
<td>713.36</td>
<td>702.02</td>
<td>311.06</td>
<td>390.95</td>
<td>1,871.90</td>
<td>0.00</td>
<td>713.36</td>
</tr>
<tr>
<td>District #24, Orchard Ridge Phase 8</td>
<td>1,668.83</td>
<td>2,269.41</td>
<td>1,984.05</td>
<td>2,404.34</td>
<td>(440.29)</td>
<td>1,428.54</td>
<td>212.13</td>
<td>0.00</td>
</tr>
<tr>
<td>District #25, Casas del Rio</td>
<td>29,614.66</td>
<td>28,724.33</td>
<td>27,322.81</td>
<td>12,780.94</td>
<td>14,541.87</td>
<td>44,156.53</td>
<td>0.00</td>
<td>28,724.33</td>
</tr>
<tr>
<td>District #26, Orchard Ridge Phase 9</td>
<td>1,303.63</td>
<td>790.62</td>
<td>756.09</td>
<td>829.44</td>
<td>(73.35)</td>
<td>1,230.28</td>
<td>0.00</td>
<td>750.62</td>
</tr>
<tr>
<td>District #27, New Expressions Phase 3</td>
<td>3,410.23</td>
<td>1,860.09</td>
<td>1,670.21</td>
<td>1,746.37</td>
<td>(76.16)</td>
<td>3,334.07</td>
<td>0.00</td>
<td>1,860.09</td>
</tr>
<tr>
<td>District #28, Meadowood Phase 3</td>
<td>2,692.10</td>
<td>1,576.81</td>
<td>1,511.57</td>
<td>1,893.73</td>
<td>(382.16)</td>
<td>2,309.94</td>
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<td>1,576.81</td>
</tr>
<tr>
<td>District #29, River Springs Phase 3</td>
<td>(340.84)</td>
<td>689.87</td>
<td>811.73</td>
<td>265.42</td>
<td>345.31</td>
<td>5.47</td>
<td>22.77</td>
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<tr>
<td>District #30, Sierra Meadows Phase 1</td>
<td>(248.90)</td>
<td>15,408.17</td>
<td>11,117.96</td>
<td>415.98</td>
<td>10,701.98</td>
<td>10,453.08</td>
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<td>15,408.17</td>
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<tr>
<td>District #31, Williams Ranch Phase 2 &amp; 3</td>
<td>(248.90)</td>
<td>2,115.98</td>
<td>2,035.56</td>
<td>666.95</td>
<td>1,368.60</td>
<td>1,119.70</td>
<td>0.00</td>
<td>2,115.98</td>
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<tr>
<td>District #32, Sunrise Villa Phase 1</td>
<td>(248.89)</td>
<td>207.48</td>
<td>161.17</td>
<td>105.67</td>
<td>75.50</td>
<td>(173.39)</td>
<td>6.85</td>
<td>0.00</td>
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<tr>
<td>District #33, New Expressions Phase 4</td>
<td>(248.90)</td>
<td>1,382.36</td>
<td>1,319.02</td>
<td>304.12</td>
<td>1,014.90</td>
<td>766.00</td>
<td>0.00</td>
<td>1,382.36</td>
</tr>
<tr>
<td>District #34, Meadow Breeze Phase 1</td>
<td>(248.90)</td>
<td>1,771.33</td>
<td>1,709.97</td>
<td>452.20</td>
<td>1,257.77</td>
<td>1,008.87</td>
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<td>1,771.33</td>
</tr>
<tr>
<td>District #35, Meadow Breeze Phase 2</td>
<td>(248.90)</td>
<td>919.87</td>
<td>866.24</td>
<td>261.55</td>
<td>624.69</td>
<td>375.79</td>
<td>0.00</td>
<td>919.87</td>
</tr>
<tr>
<td>District #36, Amalene Estates</td>
<td>(248.90)</td>
<td>2,374.67</td>
<td>987.24</td>
<td>333.06</td>
<td>(234.34)</td>
<td>0.00</td>
<td>0.00</td>
<td>2,374.67</td>
</tr>
<tr>
<td>District #37, Riverview Estates Phase 4</td>
<td>(244.90)</td>
<td>466.96</td>
<td>232.95</td>
<td>114.05</td>
<td>118.90</td>
<td>(128.00)</td>
<td>15.41</td>
<td>0.00</td>
</tr>
<tr>
<td>District No. 38, Ranch Victoria, Phase One Subdl</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>District No. 39, Williams Ranch Phase 4 Subdl</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>District 40, Amalene Estates Subdivision</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>207,926.01</td>
<td>202,223.93</td>
<td>183,816.05</td>
<td>116,829.80</td>
<td>66,988.25</td>
<td>275,758.50</td>
<td>1,197.36</td>
<td>19,944.18</td>
</tr>
</tbody>
</table>
SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT
WORLD OF VICTORY CHURCH – COMMUNITY CHRISTIAN

SOURCE: Administrative Services - Finance Division

COMMENT: The World of Victory Church is requesting approval to hold a carnival
outreach event in front of their church on "E" Street, Saturday, June 23,
2007, from 2:00 p.m. to 7:00 p.m. Street closure requested is in front
of their church, from Orange Street to the end of their church building
on "E" street. This application is submitted in accordance with the
Community Civic Events Ordinance No. 1326, as amended.

The application has been routed according to the ordinance
regulations and reviewed by all the departments involved. All
requirements are listed on the attached copy of the Application,
Agreement and Exhibit "A."

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

ATTACHMENT: Community Civic Event Application and Agreement,
Exhibit "A", map, outside amplifier permit form.

D.D. Appropriated/Funded C.M. Item No. 9
CITY OF PORTERVILLE
APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A
COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Application date: 5-30-07  Event date: 6-23-07
(5-31-07)

Name of Event: Community Christian Outreach

Sponsoring organization: Word of Victory Church  PHONE # TBA
Address: 163 W. Orange St. Porterville, Ca.
Authorized representative: Pastor: Angel Segura  PHONE # 782-1523
Address: TBA
Event chairperson: Pastor: Angel Segura  PHONE # TBA

Location of event (location, map must be attached): Carnival
Outside our church, 163 West Orange St., Porterville, Ca.

Type of event/method of operation: Christian Service
Run and Operated By Word of Victory Church Members

Nonprofit status determination: 501(c)(3)

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

<table>
<thead>
<tr>
<th>Service</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barricades (quantity)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Police protection</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Street sweeping</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Refuse pickup</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

Assistance required:

<table>
<thead>
<tr>
<th>Service</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks facility application required:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly permit required:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Approve</th>
<th>Deny</th>
</tr>
</thead>
<tbody>
<tr>
<td>______</td>
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<tr>
<td>______</td>
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<tr>
<td>______</td>
<td>_____</td>
</tr>
</tbody>
</table>

1 of 4
CITY OF PORTERVILLE

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

Authorization: This permit must be submitted 30 days PRIOR to the date of the event in order to obtain City Council approval.

City Code requirements:

- At least 48" must remain clear on sidewalks for pedestrian traffic.
- Do not block any entrance to or exit from buildings.
- Area must be accessible to emergency and safety personnel and vehicles.
- Electrical cords must be approved and installation checked by the Fire Department.

Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. The City of Porterville shall be named as additional insured. The amounts of such insurance and any additional requirements are listed in Exhibit "A."

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

Health permit: Organization/Applicant will obtain or ensure that all participants obtain a health permit(s) from the County of Tulare Department of Health if any food is to be served in connection with this Community Civic Event.

First aid station: Organization/Applicant will establish a first aid station to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 1326, as amended, and the terms and conditions set forth by City Council and stated in Exhibit "A." The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

[Signature]

(Name of organization)  
(Signature)  
(Date)
Name of event: Community Christian Outreach

Sponsoring organization: ________________________________

Location: ________________________________ Event date: 6-23-07

List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. **NO PERMIT WILL ISSUED WITHOUT THIS INFORMATION.** This form should be completed at the time of application, but must be submitted one week prior to the event.

<table>
<thead>
<tr>
<th>Vendor name</th>
<th>Address</th>
<th>Telephone</th>
<th>Type of Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Vendor Sales</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

...
CITY OF PORTERVILLE

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

Name of event: Community Christian Outreach

Sponsoring organization: Word of Victory Church

Event date: 6-23-07 Hours: 2PM to 7PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Closed From</th>
<th>1/2 Block</th>
<th>To</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>E Street</td>
<td>Orange St</td>
<td>End of</td>
<td></td>
<td>Carnival</td>
</tr>
<tr>
<td></td>
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<td>Church Bldg.</td>
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<table>
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<tr>
<th>Sidewalks</th>
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<table>
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<tr>
<th>Parking lots and spaces</th>
<th>Location</th>
<th>Activity</th>
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<tbody>
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4 of 4
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

WORLD OF VICTORY CHURCH

COMMUNITY CHRISTIAN OUTREACH

JUNE 23, 2007

Business License Supervisor:  No requirements.
    S. Perkins

Public Works Director:       Provide general clean-up after event.
    B. Rodriguez

Community Development Director:  
    B. Dunlap

Field Services Manager:  No comment.
    B. Styles

Fire Chief:  
    M.G. Garcia

Parks and Leisure Services Director:  No comment.
    J. Perrine

Police Chief:  
    C. McMillan

Acting Deputy City Manager:  See attached Exhibit A.
    J.D. Lollis
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: World of Victory Church  
Event: Community Christian Outreach  
Event Chairman: Angel Segura  
Location: World of Victory Church parking lot  
Date of Event: June 23, 2007  
Time of Event: 2:00 pm to 7:00 pm

RISK MANAGEMENT: Conditions of Approval

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

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

A.  Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A:VII, and the insurance company must be an "admitted" insurer in the State of California.
OUTSIDE AMPLIFIER PERMIT
(City Ordinances #18-14 & 18-9)

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

POLICE DEPARTMENT

1. Name and home address of the applicant:
   ___________________________________________ Phone # ________________________
   ___________________________________________

2. Address where amplification equipment is to be used:
   ___________________________________________ Phone # ________________________

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

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

5. Dates and hours of operation of amplification equipment:
   ___________________________________________

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

____________________  ____________________
Applicant                Date

____________________  ____________________
Chief of Police          Date

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

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

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

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

cc: ______________________
____________
____________
SUBJECT: EXTENSION OF MORATORIUM FOR USE OF CREDIT CARDS

SOURCE: Administrative Services

COMMENT: At its meeting on March 20, 2007, the Council approved staff’s recommendation to impose a three (3) month moratorium on the use of MasterCard and Visa credit cards effective April 1 through June 30, 2007, establishing a maximum payment amount of $250.00 that could be charged to credit cards. The moratorium was recommended due to the significant processing fees that were being assessed to the City in their use, especially to the Public Works Department in the use of credit cards for the payment of building permits. With each transaction in the use of a credit card, the City was being assessed an approximate 2.37% transaction fee. In an analysis for the fiscal year 2006-2007 from July 1 to mid-March, the City had been assessed over $25,000.00 in credit card processing fees, projected to be in excess of $40,000 by the end of the fiscal year. As a result of the moratorium, projected processing fees are projected now not to exceed $27,000.

Concurrent with the moratorium period, staff has worked with the Audit Committee in the preparation of a Request for Proposals for Banking Services, with the intended effective date of a potential new banking services provider having been July 1, 2007. A critical component of the Banking Services RFP was for the considering parties to provide solutions for the City not to be responsible for the transaction fees, as well as ensuring the City receives the lowest or most competitive processing rate. Staff has reviewed the RFP submittals with the Audit Committee, who will be making their recommendation to the City Council at its meeting on July 10th. A component of the delay in the Audit Committee making its recommendation to Council is the opportunity for staff to work in addressing and clarifying the merchant services provisions with the RFP responders, given none of the submittals provided a perfect solution to eliminate transaction fees although providing more friendly processing fee rates. Staff remains optimistic that options will be developed with the successful submittal to eliminate transaction fees.
RECOMMENDATION: That the Council approve a two (2) month extension of the moratorium on the use of credit cards effective July 1 through August 31, 2007, with the maximum payment amount that can be charged to credit cards remaining $250.00 per transaction.
SUBJECT: AIRPORT LEASE RENEWAL – LOT 46B

SOURCE: ADMINISTRATIVE SERVICES/PURCHASING DIVISION

COMMENT: Mr. Travis Bierman is the current leaseholder of Lot 46B at the Porterville Municipal Airport. The lease will expire on July 31, 2007; however, the lease terms allow for options to extend the lease in five-year periods, provided the City receives a request to exercise the option 120 days prior to expiration. Paragraph 2 of the Lease Agreement (attached) further states the City’s granting of the option is discretionary, but will not be unreasonably withheld. We have received a request from Mr. Bierman dated April 16, 2007, asking to continue his lease on Lot 46B. Staff recommends that Council waive the 120-day notice requirement and grant the five-year option to extend the lease to July 31, 2012.

RECOMMENDATION: That the Council approve the extension of the Lease Agreement between the City of Porterville and Mr. Travis Bierman of Rapid City, SD, for Lot 46B at the Porterville Municipal Airport.

ATTACHMENT: Locator Map
Letter from Mr. Bierman requesting renewal
Paragraph 2 of original Lease Agreement
April 16, 2007

City of Porterville

Attn: Jim McDonald
Porterville City Council

I am requesting that my lease on Hangar 46B be renewed at the present rate and for the maximum amount of time. Please act upon this request at the soonest possible date.

Thank you for your prompt attention on this matter.

Travis Bierman
23756 Arena Drive
Rapid City, SD  57702

559-260-2599
LEASE AGREEMENT
PORTERVILLE MUNICIPAL AIRPORT

THIS LEASE AGREEMENT ("Lease"), executed at Porterville, California this 1st day of August, 1992, by and between the CITY OF PORTERVILLE, a political subdivision of the State of California, hereinafter referred to as "City" and DONALD M. AND MARJORIE E. MATTHEWS hereinafter referred to as "Lessee".

WHEREAS, City owns and operates an airport in the City of Porterville, State of California, commonly known and described as "Porterville Municipal Airport"; and

WHEREAS, It is the desire of City to utilize said airport for the general public by its development and use in providing aeronautical-related facilities and service:

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Premises:

   (a) Demised Premises: City, for and in consideration of the covenants, conditions, agreements, and stipulations herein set forth, does hereby demise and lease to Lessee, and Lessee hereby hires from City, those certain premises situated in the City of Porterville, State of California, more particularly described by metes and bounds in Exhibits being attached hereto and by this reference made a part hereof.

   2. Term: The term of this lease shall commence when both parties have executed the same and shall terminate on July 31, 2002. Provided Lessee is not in default with respect to any of the
conditions or covenants of this lease. Lessee shall have an option to request an extension of the terms hereof for additional periods of five (5) years, by giving written notice thereof to Lessor not less than 120 days prior to expiration of this agreement or any five year extension. Lessor is not obligated to grant any extension but such shall not be unreasonably withheld.

3. **Rental and Business Privilege Consideration:** Lessee agrees to pay to City in lawful money of the United States without deduction or offset, to the Finance Director, City of Porterville, P O Box 432, Porterville, California, 93258, or to such person or persons and at such place or places as may be designated from time to time by City, a rental rate of $.1662 per square foot per year. Inasmuch as the lease site contains approximately 3,220 square feet of land area, said rental rate will be $535.17 per year payable in advance on August 1st of each year of this lease. See Exhibit "A" attached.

At the end of each year of this lease, the rate shall be adjusted by a percentage equal to the percentage increase or decrease in the Consumer Price Index (CPI) for San Francisco in the interval between the date of execution of this Lease or the last date of rate adjustment.

4.a **Purpose:** This Lease is made for the purpose of constructing and operating an aircraft hangar to be used for the parking and storage of aircraft and other activities incidental thereto. Lessee shall not use the premises or any part thereof or permit them to be used for any purpose or purposes other than stated above.

Lessee shall not do or permit any act or thing to be done upon the premises which constitutes nuisance or which may disturb the
SUBJECT: Request to Adopt Budget For Fiscal Year 2007-08

SOURCE: City Manager

The Council has been provided with a Budget Message for fiscal year 2007/08 which defines the parameters for the Budget Draft. Essentially, the Budget proposes a balanced fiscal picture for the coming year.

This, however, is subject to a series of future actions, which at this time are not fully understood. When the Draft Budget was compiled the assumptions were continuing, conservative growth. At this time, the economic segment from construction is declining. Whether this will be a trend down or profound is not certain.

Essentially, the estimate at this time is a glass half-full or half-empty.

**IF THE GLASS IS HALF-FULL**, the City will be generally within the parameter of the proposed spending plan. The prospects of the Riverwalk Shopping Center and Edison Service Center construction argue for this scenario. Another significant factor for consideration is the impact of employee meet and confer settlements.

**IF THE GLASS IS HALF-EMPTY**, the City’s revenues will decline and/or the magnitude of employee settlements will be beyond assumed levels. If settlements are generally marginally beyond assumed levels and construction related revenue is at 1994 levels in actual dollars, then the probable impact on the bottom line in the General Fund will be a negative $615,000 with a reduction at year’s end in fund balance to $2,251,393. If impacts from settlements or decreased revenues including construction revenues, sales or property tax are more significant, then the extent of the annual deficit could be more profound.

The implications of the decision of half-full or half-empty are the tenor of the Budget. The proposed spending program for this year is service preservation and a marginal ramp up in services. It is a “Get ‘er Done Budget.” To modify it at this time based on tentative emerging trends would compromise the direction and energy defined in the spending requests.
To cover the matter, the staff and Council will remain vigilant regarding revenues and expenditures. If it is found by mid year that the half-empty assumptions are correct, the City Manager will recommend curtailments in the spending program to address deficits which may be projected at that time.

The action taken to modify at mid-year will be in the Council’s court. The management factors, which the staff may use are limited. They include:

**Reserve Funds**: Except for monies reserved to cover COP debt service and the “Rainy Day Reserve”, reserve funds to balance out revenue reductions have not been officially or unofficially established. Cash flow instead is being used for current service delivery.

**Employee Hiring Levels**: The desire has been to have a fully staffed work force to emphasize service delivery. Consistent with this instruction, vacancies are at about 8.7% for all employees and an estimate 7% for General Fund. Both of these numbers should decline throughout the year. The difference is quite thin because the budget assumes a 2% savings from vacancies and the General Fund.

**Revenue Estimation**: The key to a budget is often in the revenue estimates. The lesson learned is that conservative estimates lead to happy financial conclusions. This does not work, however, when a full service scenario is in play. This is the case in this year’s Draft Budget, so revenues are estimated as close to Best Estimate as possible.

**Expenditure Coverage**: A second option to a flexible management of the budget is building in a contingency to the expenditure budget. The City’s efforts at budget management and the use of deflators for expenditure have reduced this margin. This can be seen over the past couple of years in spending trends. To address this factor, close periodic scrutiny of expenditures has been the rule. As time passes, however, the continuing use of the deflator places increased pressure on spending.

**Fund Coverage**: To protect the General Fund a common strategy has been covering General Fund expense with more elastic revenue sources such as enterprise monies. This has to be within limits, and a set of rules has been developed in this regard. This is not an area where there has been any expansion of effort over the past few years. In fact, the trend is the opposite with Measure H. In the case of Police, when a Police position becomes vacant in the General Fund, the Measure H officer is moved to the General Fund. In this case, the General Fund protects the Measure H monies. This has been the policy of the Measure H Oversight Committee. This removes any potential savings and will reduce the margin and increase the pressure on the General Fund.
All of this is to say, that the tools in the tool bag that generally have protected the General Fund have to a significant extent been reduced or mitigated. This reduces the buffers that provide safeguards in a dynamic system of revenues and spending. The result is that there are limited internal measures to adjust and manage the budget, so any future resolution must go to the Council and the determinations must be made there.

The City Manager determined to present the proposed budget for two reasons:

- The City has some one-time coverage in its Fund Balance. This will not address mid or long term any increase in expenditure or reduction in revenues, but the monies will provide time to correct spending patterns.

- The City has a consistent review pattern to consider new trends and modify direction accordingly.

Rather than reiterating both the Budget Message and the power point “Porterville’s Budgetary Approach” in this staff report, they are incorporated by reference.

In addition, the Chief Financial Officer has compiled Finance Letters that contain answers to questions asked by the City Council at the two study sessions. Rather than reiterating these subjects in this report, it is recommended that the Finance Letters be specifically reviewed in the course of the public hearing on the Budget.

**Recommendation:** Determine the glass is half-full, and approve the Draft Budget as presented, modified by recommendations outlined in the Finance Letters.

If the glass is half empty, the staff should return with proposed resource and service level reductions.
City of Porterville
2007/2008 Preliminary Annual Budget

Finance Letter #6

To: Honorable Mayor and Council Members

From: Maria Bemis, Chief Finance Officer
John Lollis, Acting Deputy City Manager
John Longley, City Manager

Date: June 19, 2007

The following supplemental information is provided for your consideration with the Fiscal Year 2007/2008 Budget.

6.1 City Council and Community Promotion: Some items in the City Council and City Promotion budgets were changed to reflect more accurately the expected expenditures for fiscal year 2007/2008. Professional service in City Council was changed to $35,000 for auditing services. A total of $28,540 was transferred from City Council to Community Promotion to cover the annual contribution of $14,000 to K/T AAA and the Holiday lighting expenditure of $14,540. These changes do not increase or decrease total budget. Attached are the new budget worksheets for the City Council and Community Promotion.

6.2 Community Promotion Dues and Contributions: Below is a breakdown of dues and contributions budgeted for FY 2007/2008:

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<td>Tulare County BIZ</td>
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<td>Economic Dev Corp</td>
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<tr>
<td>TCAG (JPA Agreement)</td>
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<tr>
<td>League of CA Cities</td>
<td>$20,000</td>
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</table>

6.3 City Council Travel and Deputy City Manager: The Mayor and the City Manager have reviewed the allocation of additional monies to Council travel. The City Manager recommends that the $14,000 allocated to hiring a new Deputy City Manager be moved out of City Manager’s budget and re-allocated for City Council’s travel and conferences. Attached is the new budget worksheet for the City Manager.

Since the compilation of the Budget, there is greater economic uncertainty regarding the revenue assumptions. Because of this, the City Manager recommends that a Deputy City Manager not be hired at this time. Instead, the City Manager should
appoint from the Department Directors a deputy, as has been the practice in the past. This individual should then be placed in the Deputy City Manager range for salary purposes, but should retain responsibility for their department’s administration. The additional $142,000 in cost to Risk Management and enterprise funds would also be removed.

6.4 Singer Parking Lot Project: The engineering and design for the Singer Parking Lot Project has been completed by TPG Consulting, Inc. and submitted to the City’s Engineering Dept. There is approximately $275,000 available to complete the parking lot and street improvements. Construction is scheduled to begin in September and completed by the first week of November. Attached is a detailed update on the project prepared by Linda Clark, administrative analyst.

6.5 Bicycle and Transit Plans: Public Works must complete and submit a Bicycle and Transit Plans to the Transportation Association by September 28, 2007. The “plan” will follow the bicycle routes recommended in the updated General Plan. Public Works anticipates completion of the General Plan in late autumn 2007. $140,000 of Measure ‘R’ funds will be allocated annually to implement the bicycle plan. $600,000 of Measure ‘R’ funds will be allocated over the 30 year life of the Measure ‘R’ program for transit development and bus purchases.

The $600,000 allocated to Transit over 30 years is insufficient. Funds allocated to the Bicycle Plan must be used for bicycle related projects such as purchasing right of way and developing bike routes. The funds cannot be shifted or used for transit purposes. In the year 2012, there will be an opportunity for agencies to revise, modify or change their Bicycle & Transit plans. At that opportunity, the City will commit significantly more funds to transit and less to bicycle related projects.

6.6 City Park Area and Trailway Miles: The City of Porterville currently has approximately 300 acres of park and open space land under the responsibility of the Parks and Leisure Services Department. The trailways consist of one mile of Rails to Trails and two and one-half miles of discontinuous pathways along the Tule River between Main Street and Westwood Street.

6.7 Putnam Community Center Access Improvement Project: It was reported in Finance Letter #3 that $77,648 of the emergency reserves allocated for the Putnam Community Center is currently unallocated. Included in the allocation was $25,000 for the replacement of the HVAC unit at City Hall. An additional amount of $20,000, which was not reported in Finance Letter #3, was reserved for the replacement of the HVAC unit at the Community Center. The remainder of the total allocation of $200,000 that would be available for other improvements is $57,648. Council has requested that a proposal be prepared to utilize the remaining funds for improvements to enhance accessibility of the facility.

An approximate 2,800 square foot parking lot could be constructed to the west of the Putnam Avenue entrance. This parking lot would accommodate 4 handicap parking
spaces and require one driveway approach to be installed to the west of the existing bus stop. The parking lot could be designed for expansion to add 3 additional handicap spaces. A further expansion easterly to the opposite side of the building entrance could provide approximately 4 additional handicap spaces. A second driveway to Putnam Avenue would be required at the easterly end of an expanded parking lot.

A budgetary estimate of $57,500 has been compiled for the initial 4 handicap-space parking lot. It is anticipated that the remaining funds could be sufficient to accomplish the initial phase.

6.8 Trimming of Shrubs and Trees within Roadway Median Islands: General shrub maintenance is addressed at least every other year based on prior experience. At any other time, when a visibility issue is observed or reported, a review is made to determine if further trimming or other action is needed. A specific reference has recently been made to Dwarf Oleanders in median islands along Olive Avenue. The cost to have the contractor remove the Dwarf Oleanders and replace with groundcover and mulch material is estimated to be $2,100.

The proposed 2007/2008 budget does not contain funding for the contract tree services that we have utilized over the last two years. The proposed work program for street trees is limited to hazard abatement.

For a more detailed discussion on this subject, please see attached memo prepared by Jim Perrine, Parks and Leisure Services Director.

6.9 Sports Complex Parking Fees: There has been an inquiry about the elimination of parking fees at the sports complex but retaining the revenue generated by raising other fees. The Parks and Leisure Services Director, Jim Perrine has prepared a memo citing several options to address this matter. Please see attached memo.

6.10 Monache Basketball Court Lighting vs. Other Parks & Leisure Projects: In the budget study session held on May 30, 2007, Council has suggested that the $175,000 allocated to the Monache basketball court lighting in the preliminary budget for 2007/2008 be substituted for other Parks & Leisure projects. Attached is the option prepared by Parks and Leisure Services Director, Jim Perrine, for consideration by Council and a listing of other projects ranked in order of priority by the Parks & Leisure Services Commission.

6.11 Heritage Center Ballfield Project: As requested by City Council at the capital projects budget study session, Jim Perrine, Parks and Leisure Services Director, has prepared a Summary of expenditures, encumbrances and funding available for the Heritage Center Ballfield project. Please see attached memo.
6.12 **Security Systems in City Facilities**: At the capital projects budget study session, a question was raised about the security systems in the various facilities owned by the City. Attached is a discussion on this subject prepared by Jim Perrine and also a listing of the city facilities and the known alarm systems currently in place.

6.13 **New Library Preliminary Cost Information**: The preliminary budget proposed for the fiscal year 2007/2008 included an appropriation of $220,000 from Measure H Funds for the preliminary planning cost of building a new library. Included in this amount is $30,000 of Measure H carryover funds from the prior fiscal year. At the capital projects budget study session, Council had requested a more complete picture for this project, including total cost and funding. Please see attached analysis prepared by Parks and Leisure Services Director, Jim Perrine.

6.14 **Water Truck**: Current costs for a Mobile Water Supply Fire Apparatus equipped with a 2,600-gallon tank and a minimum 750 gpm pump is in excess of $200,000.

The Fire Department has made inquiries to the Tulare County Fire Department and they currently have no equipment that they plan to surplus any time in the near future.

6.15 **Funding of Code Enforcement Officer thru Measure “H” Funds**: At the budget study session held on May 30, 2007, a question was posed as to whether Measure ‘H’ funds may be used to fund an additional code enforcement officer. The City Attorney’s office has reviewed City Ordinance No. 1684, which established the one-half cent sales and use tax for public safety, police and fire protection. Attached is a memo from the City Attorney expressing their opinion on the subject and a recommendation for the City Council’s consideration.
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### CITY OF PORTERVILLE
### BUDGET WORKSHEETS - LEGISLATIVE
### COMMUNITY PROMOTION
### FISCAL YEAR 2007/08

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<th>FY 2006/07 BUDGET</th>
<th>Y-T-D 31-Jan-07</th>
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May 31, 2007

TO: Maria Bemis, Chief Financial Officer
FROM: Linda Clark, Administrative Analyst
SUBJECT: Update on Singer Parking Lot Project

After the former Singer building was demolished, we finalized our next round of transit grant funding which included the remaining funds programmed for the completion of the parking lot and street improvements. The grant was approved in April and provides for an additional $150,000 in funding (80% of which is grant-funded).

After all expenses related to engineering services of the City, engineering and design services completed by TPG Consulting, Inc., and expenses relating to the demolition, approximately $275,000 will be available to complete the parking lot and street improvements.

Engineering reviewed the final submittal of TPG Consulting and returned a few modifications to them on May 17, 2007. TPG Consulting expects to have a final package to the City during the first week in June, along with a specification package for preparation of the Request for Proposal (RFP) for construction of the project. Engineering will be preparing the RFP and adding the boiler plate provisions required for bidding a Federally-funded project and then submit the item for City Council approval. Since asphalt costs have increased considerably due to the rising cost of fuel, bid alternates will be considered to take full advantage of the available funding.

According to the Public Works Director, the following is the schedule for this project:

- July 10, 2007 Authorization to Advertise
- July 16, 2007 Start Advertisement
- August 9, 2007 Open Bids
- August 21, 2007 Award of Contract
- September 10, 2007 Start of Construction
- November 2, 2007 End of Construction

cc: John Longley, City Manager
John Lollis, Interim Deputy City Manager
Baldo Rodriguez, Public Works Director
MEMORANDUM

DATE:       June 6, 2007
TO:         Maria Bemis, Chief Financial Officer
FROM:       Jim Perrine, Parks & Leisure Services Director
SUBJECT:   Trimming of Shrubs and Trees within Roadway Median Islands

SHRUBS
Shrubs within the roadway median islands are generally slow growing and sized to fit within the planter areas that they occupy. The landscaping along the Olive Avenue and Henderson Avenue medians has been in place a sufficient time to reach maturity. The City retains a landscape maintenance contractor to care for the median island landscaping, with the Parks Superintendent overseeing the work of the contractor. The most common shrubs and plants are Orange Day Lilies (1-2 ft high), Lilies of the Nile (1-3 ft high), Dwarf Oleanders (3-5 ft high), and Indian Hawthorns (3-6 ft high). The only restriction for shrubs at this time is a height restriction of three feet. Shrub varieties to be planted are determined by size, appearance, hardiness, and other characteristics.

These shrubs generally do not require routine shaping or trimming, with the exception of the lilies, which are cut-down annually. General shrub maintenance is specifically addressed at least every other year, based on prior experience with these types of plants. Additionally, at any time a visibility issue is observed or reported, a review is made to determine if further trimming or other action is needed. The contractor is directed to attend to any special work to address safety issues.

All landscaping within Olive Avenue and Henderson Avenue in proximity to the highway overpasses and access ramps is within State right-of-way. CalTrans is responsible for the care and maintenance of the landscaping within their right-of-way. The City does advise CalTrans of complaints relating to these areas. During the summer, CalTrans maintenance in these areas tends to be limited to weeding under bridges.

Specific reference has recently been made to Dwarf Oleanders in median islands along a specific area of Olive Avenue. These Dwarf Oleanders are not the same variety as those planted along freeway medians. The Dwarf Oleanders have been inspected and appear to present no visibility problems. Nevertheless, if the height of these shrubs is of concern, they can be removed and replaced with lower growing groundcover and mulch material. However, groundcover presents less of a deterrent to pedestrian crossing activity outside of intersections, and does not provide as pleasing an aesthetic appearance along the roadway. The cost to have the contractor remove the Dwarf Oleanders and replace with groundcover and mulch material is estimated to be $2,100. The 07/08 proposed budget for median maintenance is $94,088.
TREES
The landscape maintenance contractor also provides general care for trees within the roadway median islands. The contractor performs trimming work only to ensure height clearance for vehicles, or to address limb breakage.

Shaping and pruning of median island trees is a part of general street tree maintenance. There is a desire to have about a three-year cycle for all street tree pruning. Currently, funds are limited for this effort and the proposed 07/08 budget does not contain funding for the contract tree services that we have utilized over the most recent two years. The work program for street trees is proposed to be limited to hazard abatement, with no proactive tree care to be provided.
MEMORANDUM

DATE: June 6, 2007

TO: Maria Bemis, Chief Financial Officer

FROM: Jim Perrine, Parks & Leisure Services Director

SUBJECT: Sports Complex Parking Fees

Current parking fees for the Sports Complex are $2.00 per passenger vehicle at the gate each game/tournament day. Season passes are available for purchase for $1.25 per game/tournament day of any particular league. In a ten game season a parking pass would be $12.50, while a person showing up to the gate without a pass ten times would pay $20.00. Various league seasons are between four and ten weeks in duration, with generally ten games during the season. Post-season weekend games occur after some seasons.

Field use fees are $5.00 per day for each youth organization at each facility. We anticipate the collection of approximately $25,000 of parking fees and $1,500 of field-use fees for the Sports Complex within the fiscal year 07-08 budget.

Recent discussion with various leagues that utilize the Sports Complex revealed a desire to have annual parking passes available in addition to the seasonal league passes. Residents participating in several leagues would find convenience in obtaining an annual pass. In addition, some league teams desire to practice during the same period that other leagues have games scheduled and have been confronted with an unanticipated gate fee.

Some leagues travel to play about half of their games, but use the Sports Complex for practice on a regular basis. Every league is different with respect to how many teams, how much practice, how many players on a team, how many days of use, and over how many weeks their games will occur. The factors in common with each league are they have participants, and on game days generally they have spectators. Therefore, it is not unusual for sport field owners to assess a field-use fee based upon the number of participants. When parking is limited, it is not unusual to assess a fee for parking to encourage car-pooling and to get spectators to pay and thus reduce the cost for participants.

OPTIONS

1. Continue to charge the nominal $5.00 per day field use fee (increases to $10 on June 1, 2008) for each league using the Sports Complex, along with the parking fees. Provide an annual $30.00 parking pass option in addition to league season passes. Revenues will remain unchanged from present budget projections. The current league representatives seem to be supportive of the status quo with the inclusion of an optional annual parking pass.

CITY OF PORTERVILLE
Parks & Leisure
LIBRARY • PARKS • YOUTH
2. Eliminate the parking fees and continue to charge the nominal league field-use fee. Revenues will be reduced by $25,000 from present budget projections. There is every reason to believe that the league representatives will be supportive, but parking passes for the City Fall Youth Soccer League have already been sold.

3. Eliminate the parking fees and the field-use fee, but implement a participant fee of $14.00 per youth and $25.00 per adult for each organization reserving the Sports Complex for practice or games. Revenues will remain unchanged from the present budget projections, but league representatives are anticipated to object because their registration processes are already underway for the fall season.

3a. A modification to Option #3 is to retain the current parking and field-use fees through December 31, 2007 and implement the new participant fees effective January 1, 2008. Again, revenues should remain unchanged, and this provides for completion of fall leagues and notice to all regarding league cost for next year.
MEMORANDUM

DATE:       June 6, 2007
TO:         Maria Bemis, Chief Financial Officer
FROM:       Jim Perrine, Parks & Leisure Services Director
SUBJECT:    Monache Basketball Court Lighting vs. Other Parks & Leisure Project Options

Currently, the recommended draft general fund budget for fiscal year 07-08 includes $175,000 for installation of lighting at the Monache basketball courts. At the May 30th budget study session, it was suggested that other projects should be considered prior to funding the basketball court lighting. Following is an option for such consideration within current budget limits:

- Defer basketball lighting ($175,000)
- Leisure Update & Leisure Programs $20,000
- Driving Range Irrigation** $37,000
- Veteran’s Park Playground Replacement $59,000
- Zalud Park Playground Replacement $59,000
- Net Budget Impact $0

**Based on updated information, the estimated cost of this project has been reduced from $50,000

Below is the list of Parks & Leisure Services items (both Above- and Below-the-Line) in recommended priority order, as suggested by the Parks & Leisure Services Commission. We have also indicated our Department’s recommended priorities.

<table>
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<th>Description</th>
<th>07/08 Cost</th>
<th>Commission Priority Ranking</th>
<th>Department Priority Ranking</th>
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<tr>
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</tr>
<tr>
<td>Veterans' Park Playground Replacement</td>
<td>$59,000</td>
<td>5</td>
<td>17</td>
</tr>
<tr>
<td>New Weekend Parks Maintenance Worker</td>
<td>$80,000</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Leisure Update &amp; New Leisure Programs</td>
<td>$20,000</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Tule River Parkway Phase III (Grant Funds)</td>
<td>$247,000</td>
<td>8</td>
<td>14</td>
</tr>
<tr>
<td>Golf Course Improvements (Driving Range Irrigation)</td>
<td>$37,000</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>Zalud Park Pavilion</td>
<td>$45,000</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Project Description</td>
<td>Cost</td>
<td>Line</td>
<td>Num</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>-------</td>
<td>------</td>
<td>-----</td>
</tr>
<tr>
<td>Sports Complex, 2 Youth Baseball Fields</td>
<td>$135,000</td>
<td>11</td>
<td>20</td>
</tr>
<tr>
<td>Zalud Park Tennis Court Resurfacing</td>
<td>$20,000</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Sports Complex Pavilion</td>
<td>$85,000</td>
<td>13</td>
<td>19</td>
</tr>
<tr>
<td>Grid Tree Trimming Services</td>
<td>$65,000</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>Sports Complex Field Lighting Feasibility Study</td>
<td>$20,000</td>
<td>15</td>
<td>5</td>
</tr>
<tr>
<td>Municipal Ballpark Replacement Field lighted</td>
<td>$600,000</td>
<td>16</td>
<td>7</td>
</tr>
<tr>
<td>City Hall Carpet and Entrance</td>
<td>$50,000</td>
<td>17</td>
<td>6</td>
</tr>
<tr>
<td>Heritage Center Leisure Equipment Storage Bldg.</td>
<td>$200,000</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Main Street Sound System-Phase 2</td>
<td>$50,000</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Facility Security System Upgrade</td>
<td>$50,000</td>
<td>20</td>
<td>11</td>
</tr>
</tbody>
</table>
MEMORANDUM

DATE: June 8, 2007

TO: Maria Bemis, Chief Financial Officer

FROM: Jim Perrine, Parks & Leisure Services Director

SUBJECT: Heritage Center Ballfield Project Status

As requested by City Council at today's capital project budget study session, following is a summary of expenditures, encumbrances, and funding available for the above referenced project:

| HERITAGE CENTER BALLFIELD PROJECT BUDGET SUMMARY |
|----|----|----|
| CAPITAL PROJECT #89-9475 |
| COSTS |
| Salaries/Benefits | $3,104.00 | $0.00 | $3,104.00 |
| Community Work Design Group | $23,558.75 | | $23,558.75 |
| Design Services Encumbrance** | $51,626.25 | | |
| Miscellaneous | $24.89 | $50.80 | $75.69 |
| Subtotal Capital Costs | $75,209.89 | $50.80 | $75,260.69 |
| Total Project Costs | $78,313.89 | $50.80 | $78,364.69 |
| Budget | $624,000.00 | | |
| Available | $545,635.31 | | |
| CDBG Section 108 Funding | $624,000.00 | $0.00 |

**Based on Service Agreement as amended 2/20/07
MEMORANDUM

DATE: June 11, 2007

TO: Maria Bemis, Chief Financial Officer

FROM: Jim Perrine, Parks & Leisure Services Director

SUBJECT: City Building Alarm Contracts

Various city facilities have been equipped with alarms over the years. A part of the difficulty is keeping track of which facility is alarmed and monitored through which of the three alarm companies we presently utilize. There also does not appear to be any standardization for when or what is alarmed. It is believed that most alarms were installed after security issues became problematic. Many of the systems have now existed for a sufficient time that their initial contract terms have expired or will expire soon. The concept has been to package the facilities into one or two unique groupings for the type of alarm systems. The goal would be to upgrade alarm equipment where needed and to obtain a more cost competitive monitoring rate for a group of facilities. The alternative appears to be the expense of specifying and bidding for upgrading each facility alarm from time to time as the present systems are determined to be insufficient. Attached is a listing of the city facilities and the knowledge of the alarms available to Parks & Leisure.
CITY FACILITIES & ALARM SYSTEMS

Heritage Center
- Company: Valley
- Monitoring cost: $99.00 per quarter
- Alarm type: Burglar Alarm and Log In Report
- Contract expiration date: Month to Month/30 Day Notice to Terminate
- Adequacy of system: good
- Fire Alarm: connected to Santa Fe Elementary – monitored through STOP

Sports Complex Snack Bar
- Company: STOP
- Monitoring cost: $96/quarter
- Alarm type: Burglar Alarm
- Contract expiration date: Auto renewal 09/24/05 for 3 years (Term appears to automatically renew on 09/24/08) – 60 day notice to Terminate.
- Adequacy of system: not certain - probably good

Sports Complex Maintenance Shed (OHV Building)
- Company: STOP
- Monitoring cost: $90/quarter
- Alarm type: Burglar Alarm-Monitoring
- Contract expiration date: 4th term of a 3 year term – (Term goes to 04/16/08-auto renewal unless notice to terminate) 60 days notice prior to renewal for termination
- Adequacy of system: fair to good - breaches to security have occurred in shop/storage area

Pool
- Company: Knight Guard
- Monitoring cost: $396 per year
- Alarm type: Burglar Alarm – Monitoring – our equipment*
- Contract expiration date: Lease Ends 04/30/07 – 30 days termination notice (*Equipment has been leased long enough to be considered the City’s per Diane)
- Adequacy of system: poor – breaches to security have occurred in pool deck area, changing area, and office area

Zalud House
- Company: Knight Guard
- Monitoring cost: $384 per year
- Alarm type: Burglar & Fire – Monitoring – our Equipment*
- Contract expiration date: Lease 04/30/07 – 30 days termination notice (*Equipment has been leased long enough to be considered the City’s per Diane)
- Adequacy of system: not certain – probably good
### Golf Course Maintenance

<table>
<thead>
<tr>
<th>Company</th>
<th>Knight Guard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring cost</td>
<td>$270 per year</td>
</tr>
<tr>
<td>Alarm type</td>
<td>Burglar – Monitoring – Our Equipment*</td>
</tr>
<tr>
<td>Contract expiration date</td>
<td>03/07</td>
</tr>
</tbody>
</table>

(*Equipment has been leased long enough to be considered the City’s per Diane)

Adequacy of system: not certain – probably good

### Golf Course Pro Shop

<table>
<thead>
<tr>
<th>Company</th>
<th>STOP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring cost</td>
<td>Head Professional has direct contract with alarm provider</td>
</tr>
<tr>
<td>Alarm type</td>
<td>unknown</td>
</tr>
<tr>
<td>Contract expiration date</td>
<td>unknown</td>
</tr>
<tr>
<td>Adequacy of system</td>
<td>not certain – probably good, breach to security of cart storage area has occurred</td>
</tr>
</tbody>
</table>

### City Hall

<table>
<thead>
<tr>
<th>Company</th>
<th>unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring cost</td>
<td>unknown</td>
</tr>
<tr>
<td>Alarm type</td>
<td>unknown</td>
</tr>
<tr>
<td>Contract expiration date</td>
<td>unknown</td>
</tr>
<tr>
<td>Adequacy of system</td>
<td>unknown</td>
</tr>
</tbody>
</table>

### Library

### Corporation Yard

### Wastewater Treatment Plant

### Police Station

### Fire Station #1

### Fire Station #2

### Airport Offices
MEMORANDUM

DATE: June 13, 2007

TO: Maria Bemis, Chief Financial Officer

FROM: Jim Perrine, Parks & Leisure Services Director

SUBJECT: New Library Preliminary Cost Information

The current main city library is approximately 18,000 square feet in size, which includes an approximate 3,600 square foot community room. It is anticipated that a new main library would be between 20,000 square feet and 30,000 square feet to better accommodate the needs of the community. For the basis of preliminary assumptions, both of these sizes have been analyzed.

<table>
<thead>
<tr>
<th>Cost Item</th>
<th>20,000 SF</th>
<th>30,000 SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>land &amp; improvements @ $20/SF</td>
<td>$ 400,000</td>
<td>$ 600,000</td>
</tr>
<tr>
<td>building construction @ $300/SF</td>
<td>$ 6,000,000</td>
<td>$ 9,000,000</td>
</tr>
<tr>
<td>furnishings @ 10%</td>
<td>$ 600,000</td>
<td>$ 900,000</td>
</tr>
<tr>
<td>design &amp; inspection/testing @ 20%</td>
<td>$ 1,300,000</td>
<td>$ 1,900,000</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$ 8,300,000</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>15% contingency/inflation</td>
<td>$ 1,200,000</td>
<td>$ 1,900,000</td>
</tr>
<tr>
<td>Total Preliminary Estimated Cost</td>
<td>$ 9,500,000</td>
<td>$14,300,000</td>
</tr>
</tbody>
</table>

At 5.0% interest on 25 year financing of $9.5 million, the annual debt service would be approximately $620,000.

The City of Porterville operates an independent library system from the County of Tulare libraries. Although both are a part of the San Joaquin Valley Library System, there is no reason to anticipate that the County of Tulare would participate in funding a Porterville City Library. There is a possibility of future State Library Grant cycles for new library facilities.

The requested expenditure appropriation of $220,000 is a “not to exceed” allocation for specific contracts as determined necessary and as subsequently authorized by the City Council. The suggested initial appropriation reflects roughly a 2% investment to explore the feasibility of a significant community facility enhancement. This level of appropriation is suggested to be a prudent investment before significant exploration of the 98% of the funding needed to implement the project, and ultimately would be supportive of any future funding exploration. Staff suggests that this level of appropriation is key to the support of long-term literacy efforts in Porterville. The library is the fundamental platform for community literacy efforts.
It is expected that the preliminary planning analysis work could include various activities, as listed below, and may extend over several fiscal years.

- Conduction of needs analysis for size, amenities, layout, and preferred service capabilities
- Preliminary financial strategy development, funding source options analysis
- Site alternative analysis, site due-diligence, site option securement
- Design charrette, preliminary architectural concept preparation, environmental assessment, preliminary design cost estimate
- Alternative use strategies of other uses for current building
MEMORANDUM
McCORMICK KABOT JENNER & LEW
A Professional Corporation
1220 West Main Street
Visalia, California 93291
Telephone: (559) 734-6729
Facsimile: (559) 734-8762

June 13, 2007

TO: John Longley
FROM: Richard Bambl
SUBJECT: Funding of Code Enforcement Officer thru Measure "H" Funds

Upon review of the language in Ordinance No. 1684, which authorized a special tax to be implemented for purposes of funding "public safety, police and fire protection services," it is my opinion that those funds may be utilized to hire an additional code enforcement officer.

Ordinance 1684 provides that "...all proceeds of the tax levied...shall be ...designated for use for Public Safety Services Only..." The ordinance also adopts Program Guidelines and a Public Safety Expenditure Plan for such expenditures. According to the ordinance, that plan may be amended by a majority vote of the City Council, as long as the funds are utilized for "public safety, police and fire protection services."

The City’s regulations do require that personnel hired be for police or fire protection purposes. California Health & Safety Code Section 26101 defines a "Code enforcement officer" as a official responsible for "enforcing housing codes and maintaining public safety..." The Code goes on to discuss that fire protection personnel exist to enforce state laws and regulations - again, for the public safety. With that in mind, I am comfortable taking the position that a code enforcement officer will further "Public Safety."

However, I would have the City Council amend its Public Safety Expenditure Plan first, to include a code enforcement officer and, in that same resolution, describe some of that new officer’s duties and responsibilities, which will directly relate to the “Public Safety Services” purpose for which the special tax was initiated.
RESOLUTION NO. ____-2007


WHEREAS, the City Manager, under provisions of the City Charter of the City of Porterville, has presented to the City Council for its consideration, a proposed General Fund Operating and Capital Improvement Budget for the period beginning July 1, 2007, and ending June 30, 2008; and

WHEREAS, the City Council after thorough review, has determined said budgets, as modified and corrected, are in all respects suitable and adequate for the purposes of said budgets and cover the necessary expenses of the General Fund of the City of Porterville for the 2007-2008 Fiscal Year based on the cash reserves balance;

NOW, THEREFORE, BE IT RESOLVED

1. The City of Porterville General Fund Budget for the 2007-2008 fiscal year is adopted in the following amounts:

<table>
<thead>
<tr>
<th>Budget Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Budget</td>
<td>$21,012,982</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>1,731,925</td>
</tr>
<tr>
<td>Debt Service</td>
<td>1,831,296</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$24,576,203</strong></td>
</tr>
</tbody>
</table>

2. Pursuant to Ordinance No. 1684, the Porterville Police, Fire, and Emergency Response 9-1-1 Measure Expenditure Plan, is hereby recertified for the 2007-08 fiscal year and the document, attached as Exhibit “A”, reflects the financial consequences of the receipt, expenditure and allocation of Measure H Sales Tax Revenues for the 2007-2008 fiscal year, including the allocation
of $190,000 and carryover of $30,000 from 2006-2007 fiscal year, for a total of $220,000, in the 2007-2008 fiscal year budget for Facility Planning for the "Library Building Project" as a Literacy Project.

3. Staff will update Council on the condition of the budget and ongoing validity of assumptions utilized to create it during the months of November and January and April of the fiscal year, or at any time information becomes available that would alter the viability of this budget.

4. The City Manager is authorized to transfer General Fund operating budget appropriations between functions as required.

5. Increased service levels that require additional appropriations shall not be implemented without prior City Council approval.

________________________
Cameron Hamilton, Mayor

ATTEST:

________________________
John Longley, City Manager
*RECERTIFICATION FOR 2007-08 FISCAL YEAR

MEASURE H EXPENDITURE PLAN

Proposed Expenditure Plan for the City of Porterville Public Safety Sales Tax Measure Based on ½ Cent Sales Tax availability

The City Council has evaluated Porterville’s safety needs with input from the public in developing the attached Public Safety Expenditure Plan, which shall be amended from time to time, at the projected/estimated costs shown:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Year 2007-08 Additional Sales Tax Revenues (Second full F/Y)</td>
<td>$2,800,000**</td>
</tr>
<tr>
<td>Interest</td>
<td>$ 10,000**</td>
</tr>
<tr>
<td>Increase Police Sworn by 1 additional position to the base</td>
<td>$ 87,000</td>
</tr>
<tr>
<td>Maintain Expanded Patrol Operations</td>
<td>$ 508,000</td>
</tr>
<tr>
<td>Maintain Expanded Gang Suppression and Narcotics Operations</td>
<td>$ 255,250</td>
</tr>
<tr>
<td>Maintain 7 additional Sworn Fire personnel</td>
<td>$ 557,637</td>
</tr>
<tr>
<td>Hire 1 additional Fire Investigator</td>
<td>$ 74,167</td>
</tr>
<tr>
<td>Station and Equipment</td>
<td>$ 20,000</td>
</tr>
<tr>
<td>Maintain Literacy Programs/hours</td>
<td>$ 187,200</td>
</tr>
<tr>
<td>Expand Homework Assistance and Creative Expression Program</td>
<td>$ 38,900**</td>
</tr>
<tr>
<td>Allocate Reserve Funding for New Fire Station</td>
<td>$ 300,000**</td>
</tr>
<tr>
<td>Allocation for Facility Planning for the Library Building Project as a</td>
<td></td>
</tr>
<tr>
<td>Literacy Project</td>
<td>$ 190,000**</td>
</tr>
<tr>
<td>Literacy Carry-Over from 2006-07</td>
<td>$ 30,000**</td>
</tr>
<tr>
<td>Total 2007-08 Fiscal Year Expenditures</td>
<td>$2,800,000**</td>
</tr>
<tr>
<td>Remainder in Reserve Fund for Police and Fire Services</td>
<td>$ 541,846**</td>
</tr>
</tbody>
</table>

* Assumptions consistent with original Ordinance 1684.
** Certification of new amount and revision of Measure H Expenditure Plan.

____________________________
John Longley, City Manager
June 19, 2007
RESOLUTION NO. ___-2007

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE ADOPTING THE
ENTERPRISE, INTERNAL SERVICE AND CAPITAL
BUDGETS FOR FISCAL YEAR 2007-2008

WHEREAS, the City Manager, under provisions of the City Charter of the City of Porterville, has presented to the City Council for its consideration, a proposed Operating and Capital Improvement Budget for the period beginning July 1, 2007, and ending June 30, 2008; and

WHEREAS, the City Council after thorough review, has determined said budget, as modified and corrected, is in all respects suitable and adequate for the purposes of said budget and covers the necessary expenses of the Enterprise and Internal Service Fund of the City of Porterville for the 2007-2008 Fiscal Year:

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Porterville Enterprise and Internal Service Funds budgets for the 2007-2008 fiscal year are adopted in the following amounts:

   Operating Budget $26,737,125
   Capital Projects 35,711,026
   Debt Service        2,356,101
   Total               $64,804,252

2. Increased service levels that require additional appropriations shall not be implemented without prior City Council approval.

_________________________________________
Cameron Hamilton, Mayor

ATTEST:

_________________________________________
John Longley, City Manager
Georgia Hawley

Subject: FW: Opposition to Proposed Measure H Funds for Library Construction

-----Original Message-----
From: Rick McIntire [mailto:mcintire.rick@gmail.com] On Behalf Of Rick McIntire
Sent: Saturday, June 09, 2007 2:08 PM
To: John Longley; cameron hamilton
Subject: Opposition to Proposed Measure H Funds for Library Construction

Hi Cam and John,

John, please include this attachment (WORD Document) with the next council meeting packet so all of the Council Members will have my input on this matter. Thank you,

Rick McIntire

TO: Mayor Cameron Hamilton and Members of the City Council
FROM: Rick McIntire
DATE: June 9, 2007
SUBJECT: Proposed Measure H Funds for Library Construction

Little more than a year after posting campaign signs all over the city that read “Keep Us Safe” and telling the voters that raising their taxes with another new tax would make them all safer, statistics clearly reflect that we are far less safe today than we have been over the past five years. Record murders, more rapes, more robberies, more assaults, more burglaries, more thefts, and more auto thefts along with slower response times to calls from citizens simply underscore the failed policy of increasing taxes to solve problems.

While our citizens are shelling out more of their hard earned income to these new taxes, the crime problem you said would get much better has actually gotten much worse! To add salt to this gaping wound, our City Manager has requested that you amend the new tax spending plan to allow him to divert money that should be used to increase police officers in the field, to building a new library! In my view, this is clearly an outrageous abuse of what the tax payers said they wanted when they barely approved the new taxes. I write to implore you to reject this request, and instead, move those tax dollars into the Police Department budget to give them a fighting chance to get our increasing crime problem under control.

Currently, 15% of the new taxes are being allocated to the library which is the maximum allowed by the language contained in Measure H. Why you would allocate the maximum amount at the inception of the program escapes my sense of logic. With the language stating “up to 15%”, you had the choice of allocating anywhere from nothing to 15%. Logic would indicate that you might allocate perhaps 5% to begin with while the balance was used to “keep Us Safe” by increasing the number of Patrol Officers on the street. If and when the advocates for extending the library hours can prove that their efforts have somehow made us all safer, then by all means, allocate more as indicated by the proven success of these theories. In the meantime, it makes a great deal of sense to apply resources where the problem exists, currently; the problem is increasing crime rates and

increasing response times.

In summary, please follow the wishes of the voters by rejecting the City Manager’s proposal to use measure H tax dollars to fund any facet associated with the building of a library, and, please re-consider the allocation of 15% for library services. While crime is on the rise, I suggest that this amount be scaled back to 5% with the remaining 10% being applied to the Police Department budget for additional Police Officers on the street.

I can be reached at 782-1424, or, I would be happy to meet with any or all of you should you wish to discuss this matter or gain answers to any questions you might have.

I thank you for your anticipated attention to my concerns and my requests.

Rick McIntire
31862 Country Club Drive
Porterville, CA 93257
559-782-1424
PUBLIC HEARING

SUBJECT: VACATION OF A PORTION OF PUBLIC WATER, SEWER AND STORM DRAIN FACILITIES EASEMENT RELATED TO THE DEVELOPMENT OF THE SKILLED NURSING FACILITY (Sierra View District Hospital)

SOURCE: Public Works Department – Engineering Division

COMMENT: This is the time and place set for the hearing on the proposed vacation of a portion of a 60-foot wide, water, sewer and storm drain facilities easement related to the Sierra View District Hospital’s development. This easement is generally located in the former Cleveland Avenue right of way west of Pearson Drive. The easement, which crosses the subject development, is necessary for the maintenance of underground pipelines associated with the Dialysis Center and other Sierra View District Hospital facilities. The District is seeking the vacation for the purpose of constructing a new Skilled Nursing Facility within the existing easement. An Elderberry bush located near the southwest corner of the District’s property has forced the building to be shifted north into the easement. The underground utilities will be rerouted around the new building during construction. A new easement was recorded on June 11, 2007 as Document No. 2007-0054167.

The City has authority to vacate a portion of this easement under Section 8320, Part 3, Division 9, of the Streets and Highways Code of the State of California.

Staff believes that there are no problems with any reversionary rights since this easement is in favor of the City of Porterville. Vacation of a portion of this easement does not affect other agencies or other utility companies.

RECOMMENDATION: 1) Conduct a Public Hearing; and

2) Authorize the City Clerk to execute the vacation of a portion of said easement.

ATTACHMENTS: Vacation Resolution
Easement Document #2007-0054167
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE ORDERING THE VACATION AND CLOSING TO PUBLIC
USE A PORTION OF PUBLIC WATER, SEWER AND STORM DRAIN
FACILITIES EASEMENT RELATED TO THE DEVELOPMENT OF
THE SKILLED NURSING FACILITY (SVDH)

WHEREAS, by Resolution No. 22-2007, passed on April 17, 2007, the Council of
the City of Porterville declared its intention to vacate a portion of a 60-foot wide water,
sewer and storm drain facilities easement related to the Sierra View District Hospital’s
development, which is situated in the Southwest quarter of Section 26, Township 21
South, Range 27 East, Mount Diablo Base and Meridian, hereinafter more particularly
described, and set the hour of 7:00 p.m. on the 19th day of June, 2007, in the Council
Chambers of said City as the time and place for hearing all persons objecting to the
proposed vacation; and

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

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

SECTION 1: The Council hereby finds, from all the evidence submitted, that the
easeament hereinafter described is unnecessary for present or prospective use, and the
City Council hereby makes its order vacating a portion of a 60-foot wide water, sewer
and storm drain facilities easement, which is described in the legal description attached
hereto, marked Exhibit "A" and by reference made a part hereof.

SECTION 2: The City Clerk shall certify to the passage and adoption of this
resolution and it shall thereupon take effect and be in force.

______________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

______________________________
By: Georgia Hawley, Chief Deputy City Clerk
Sierra View District Hospital hereby GRANT(s) to City of Porterville, a Municipal Corporation an EASEMENT for the installation, maintenance, repair and replacement of municipal underground water facilities upon, over, across and within that certain real property in the City of Porterville, County of Tulare, State of California, described as follows:

SEE EXHIBIT "A" & "B" ATTACHED HERETO
IN WITNESS WHEREOF, said corporation has caused its corporate name to be hereunto subscribed and its
corporate seal to be affixed hereto, this 18th day of May, 2007.

By: ____________________________ President

By: ____________________________ Secretary

[CORPORATE SEAL]

STATE OF CALIFORNIA

County of ____________________________

On this the 18th day of May, 2007, before me, ____________________________

Name, Title of Officer E.G., "Jane Doe, Notary Public"

personally appeared ____________________________

Name(s) of Signer(s)

Personally known to me

Accomplished on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
exhibited the instrument.

WITNESS my hand and official seal.

______________________________

(Notary Public’s signature in and for said County and State)

THIS IS TO CERTIFY, That pursuant to the authority conferred by City of Porterville, Ordinance No. 1590,
adopted February 20, 2001, the undersigned, on behalf of the public and City Council of the City of Porterville
consents to the acceptance for public purposes the real property described in the within deed and consents
to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand
this 18th day of May, 2007

______________________________

Michael K. Reed, PLS #7514, City Engineer
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Tulare

On 5-23-07, before me, Vickie Schultz, Notary Public, personally appeared Michael K. Reed.

☑ personally known to me
☐ proved to me on the basis of satisfactory evidence

I declare under penalty of perjury under the laws of the State of California that the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Vickie Schultz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document
Title or Type of Document: Case Management Order - Certification of Acceptance

Document Date: May 18, 2007 Number of Pages: 4

Signer(s) Other Than Named Above: Dennis Coleman

Capacity(ies) Claimed by Signer
☐ Individual
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer Is Representing:

Right Thumbsprint of Signer
Top of thumb here
EXHIBIT "A"

An easement for water main purposes over all that portion of Parcel A of Lot Line Adjustment 11-2005, recorded October 13, 2005 as Document No. 2005-0113890, Official Records of Tulare County, lying in the Southwest quarter of Section 26, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the Northwest corner of the Easement for maintenance of water, sewer and storm drain facilities described in the deed granted to the City of Porterville, recorded April 21, 2006, as Document No. 2006-0042458, Official Records of Tulare County; thence South 86°40'54" East, along the North line of the Easement described in said Document No. 2006-0042458, a distance of 52.69 feet to the TRUE POINT OF BEGINNING of this description; thence North 03°19'06" East, a distance of 3.00 feet; thence North 87°23'38" East, a distance of 38.75 feet; thence South 03°19'06" West, a distance of 7.00 feet to a point on the North line of the Easement described in said Document No. 2006-0042458; thence North 86°40'54" West, along said North line, a distance of 38.55 feet to the TRUE POINT OF BEGINNING.

Containing an area of 193 square feet more or less.
SUBJECT: SECOND READING - ORDINANCE NO. 1722, ZONING ORDINANCE AMENDMENT 1-2007

SOURCE: Administration/City Clerk Division

COMMENT: Ordinance No. 1722, amending Ordinance No. 1198, being the Zoning Ordinance pertaining to the definition of family, R-A uses in the Suburban Residential Zone, bonus density incentives and concessions, was given First Reading on June 5, 2007, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1722, waive further reading, and adopt said ordinance.

Attachment: Ordinance No. 1722
ORDINANCE NO. 1722

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AMENDING ORDINANCE NO. 1198, BEING THE ZONING ORDINANCE
PERTAINING TO THE DEFINITION OF FAMILY, R-A USES IN THE SUBURBAN RESIDENTIAL
ZONE, BONUS DENSITY INCENTIVES AND CONCESSIONS

WHEREAS, on March 16, 2004, the City Council approved City Council Resolution No. 25-2004
adopting the 2003-2008 Housing Element, which included goals to revise the Zoning Ordinance to modify the
definition of family to family-household, to clarify the intended uses allowed in the R-A Suburban Residential
Zone, and to adopt Section 65915-65918 of the California Government Code as the City of Porterville Density
Bonus Ordinance; and

WHEREAS, Goal F.1.a of the Housing Element suggests the current definition of “family” is a
potential constraint upon low-income individuals whose financial circumstances may force them to live in shared
living quarters, and creates a misconception about the authority of this code to enforce family status; and

WHEREAS, it has been deemed unconstitutional to regulate the composition of a “family”; and

WHEREAS, Staff reviewed Zoning Ordinance Section 200 Uses (R-A Zone), in its entirety, and
believes that it would benefit the City to re-evaluate all of the current allowable uses in the R-A zone. This
amendment would allow some flexibility in considering currently allowed uses as well as new uses. Those uses
that have the potential of having a greater impact on the suburban residential district environment would be
subject to review by the City Council under the Conditional Use Permit process. All other existing uses would
remain the same; and

WHEREAS, the 2003-2008 Housing Element states the City will adopt a local ordinance that
provides for density bonuses and other incentives for the development of affordable housing; and

WHEREAS, the City Council has found it to be the most effective approach to adopt the State
standards for density bonuses and incentives; and

WHEREAS, the City Council of the City of Porterville at its regularly scheduled meeting of June 5,
2007, conducted a public hearing to consider Zoning Ordinance Amendment 1-2007 to revise the definition of
family to a more inclusive definition; to consider those uses that would continue to be allowed in the R-A Zone
and those uses that would be allowed in the R-A Zone with a Conditional Use Permit; and to consider adding
Density Bonuses, Childcare Facilities, Incentives and Concessions as mandated in California Government Code
Sections 65915 through 65918.

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Porterville does hereby
amend Appendix A of the Municipal Code, also known as the Zoning Ordinance, as follows:

SECTION 1: Article 33, Section 3302 (38) is hereby amended as follows:

Article 33, Section 3302

38) Family-household: Family:

(1) A single-family or multiple family dwelling unit of permanent character consistent with the
California Health and Safety Code, used by a person(s) for living purposes.
(2) Full time domestic servants of any such persons may reside on the same premises and shall not be counted with respect to the foregoing definition.

SECTION 2: Article 2, Section 200 is hereby amended as follows:

Section 200. (R-A Zone) Suburban Residential Zone

The following regulations set forth in Section 201 through Section 209 shall apply in the R-A Suburban Residential Zone, unless otherwise provided in this ordinance. It is the intent of this zoning classification to allow single-family residences on large suburban parcels with the added benefit of limited agricultural and farming as an incidental use.

SECTION 3: Article 2, Section 201 is hereby amended as follows:

Section 201. Uses

A. In an R-A Zone, the following uses only are permitted:
   1. One-family dwelling or one-family manufactured home of a permanent character, consisting of not more than one (1) such one-family dwelling or manufactured home installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code which complies with Section 2621-C of this Ordinance per lot.
   2. Accessory building or structures, including but not confined to private garages and carports of four (4) car maximum aggregate capacity.
   3. Cultivation of flower and vegetable gardens, agricultural crops, orchards, vineyards and horticultural collections, excluding commercial greenhouses and commercial farming operations, when used as a hobby or a home occupation as allowed in item number 12 of this section and Article 20, Sign Ordinance.
   4. Animals and poultry as follows:
      a. Small domestic, household pets such as cats, dogs, and birds. The keeping of more than five (5) dogs shall be subject to provisions of Section 701(36).
      b. Educationally oriented agricultural projects, similar but not limited to, 4-H and FFA projects, recognized youth organizations and school projects, when conducted in compliance with the public health and animal laws of the City. Subject to the stipulations of Paragraph (c) of this Section.
      c. Grazing of not more than one (1) bovine animal, horse or other equine animal, sheep or goat where the lot area is 20,000 square feet or more and provided that the shelter for such animal shall not be closer than 50 feet to any residence, including that of the owner. The minimum lot area of 20,000 square feet shall be required for each additional adult animal. Any building or shelter housing such animals shall not be closer than ten feet to any property line. The keeping of all animals or poultry mentioned herein shall conform to the other provisions of law governing same.
   5. Green houses, nurseries for producing trees, vines and other horticulture stock but excluding wholesale and retail nurseries for the sale of plants or other products not produced on the premises. Sale of agricultural products produced upon the premises, subject to the provisions of item number (12) of this section and Article 20, Sign Ordinance.
   6. Accessory buildings and structures, including but not confined to stables, barns, pens and sheds or other structures, for the housing of such animals, feed, equipment, and tools customarily maintained in connection with uses permitted by this section.
7. Applications for second units in R-A, R-E, R-1-8, and R-1 shall be approved by the Zoning Administrator as described in Article 30.

8. Storage of petroleum products, liquefied petroleum gases on parcels of five (5) acres or more in area, for the use of the occupants or owners of the premises, but not resale or distribution, subject to the approval of a Conditional Use Permit.

9. Renting rooms and boarding, as follows:
   a. Renting not more than two (2) rooms in a dwelling to not more than a total of four (4) persons.
   b. Providing table board to not more than four (4) boarders.

10. Family home care, day care centers (excluding nursery schools for children), provided that the number of children cared for, excluding members of the resident family, does not exceed a total of eight (8) for a small day care or up to 14 for a large daycare with a permit approved by the zoning administrator, pursuant to Section 1597 of the California Health and Safety Code.

11. Home Occupations which are carried on by an occupant of a dwelling unit for gainful employment, are clearly incidental and subordinate to the use of the structure for dwelling purposes and which do not change the residential character of the primary use provided that a Home Occupation Permit is first approved, subject to the provisions and stipulations of Article 30 of this Ordinance.

   The following uses only may be permitted as home occupations:
   a. Professional Offices
   b. Offices for personal services such as janitorial service, gardening service, office services, etc.
   c. Dressmaking, millinery, and other home sewing work.
   d. Handicrafts such as weaving, leatherwork, and other arts and crafts.
   e. Instructional classes, not exceeding two (2) students at one time.
   f. Mail order or direct sales provided no merchandise is sold on the premises.
   g. Hobby farms.

   The following uses are expressly prohibited as home occupations:
   a. The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, or boats.
   b. Repair, fix-it or plumbing shops.
   c. Uses which entail the harboring, training, raising, or grooming of dogs, cats or other animals.
   d. Uses which entail food handling, processing or packing, other than specialized minor cooking or baking.
   e. Healing arts.
   f. Spiritual advisory service (fortune-telling).

12. Vehicle parking, if used for personal transportation by occupants of the dwelling, and their guests, located on the same lot or building site, but in no case shall a commercial vehicle exceed a net weight of five thousand (5,000) pounds.

13. Public play area, subject to the approval of a Conditional Use Permit and other requirements of Article 21.

14. Model home use for temporary subdivisions sales offices.

15. Swimming pools used solely by persons resident on site and their guests, provided that the waters edge of any swimming pool shall not be located in a required front yard setback or within five (5) feet of the side and rear property lines.
16. Signing, subject to the stipulation of Article 20.
17. Churches, subject to a Conditional Use Permit and other requirements of Article 21.

B. For General Provision and Exceptions, see Article 26.

SECTION 4: Article 2, Section 202 is hereby amended as follows:

Section 202. Height
A. Building height shall not exceed thirty-five (35) feet.
B. For General Provision and Exceptions, see Article 26.

SECTION 5: Article 2, Section 203 is hereby amended as follows:

Section 203. Front Yard
A. Every lot shall have a front yard with a minimum depth of twenty (20) ft.
B. For General Provision and Exceptions, see Article 26.

SECTION 6: Article 2, Section 204 is hereby amended as follows:

Section 204. Side Yard
A. Every interior lot shall have side yards with a minimum width of ten (10) feet on each side of the main building, except that if a lot is less than one hundred (100) feet in width, each side yard shall be a minimum of ten percent (10%) of the lot, or five (5) feet, whichever is greater.
B. Corner lots shall be subject to the same yard requirements as interior lots.
C. Reverse corner lots shall have side yards as follows:
   1. Street side yard width shall be a minimum of twelve (12) feet or the required front yard requirement of the lot in the rear (key lot), whichever is less.
   2. The other (interior) side yard shall be subject to the same yard requirements as interior lots.
   3. No accessory building on a reversed corner lot shall project beyond the extension of the required front yard line of the lot in the rear (key lot).

SECTION 7: Article 2, Section 205 is hereby amended as follows:

Section 205. Rear Yard
A. Every lot shall have a rear yard with a minimum depth of twenty (20) feet.
B. For General Provisions and Exceptions, see Article 26.
SECTION 8: Article 2, Section 206 is hereby amended as follows:

Section 206. Buildable Area

A. The buildable area, or percentage of a lot which may be occupied by any and all buildings, shall not exceed twenty percent (20%).

B. For General Provisions and Exceptions, see Article 26.

SECTION 9: Article 2, Section 207 is hereby amended as follows:

Section 207. Space Between Buildings

A. See Section 2606, Accessory Buildings

SECTION 10: Article 2, Section 208 is hereby amended as follows:

Section 208. Lot Area and Lot Width

A. The minimum area of a lot shall be twenty thousand (20,000) square feet, except as set out in Section 2603, Area.

B. The minimum width of a lot shall be one hundred and twenty (120) feet.

C. For General Provisions and Exceptions, see Article 26.

SECTION 11: Article 2, Section 209 is hereby amended as follows:

Section 209. Off-Street Parking

A. See Article 22, Off-Street Parking.

SECTION 12: Article 2, Section 209.1 is hereby amended as follows:

Section 209.1. Modified Development Standards

A. Modified Development Standards shall be available to owners of parcels developed within the R-A zone in the City of Porterville when it is necessary to preserve and enhance the rural residential characters of segments of the community which are recognized by the Land Use Element of the Porterville General Plan.

B. The sidewalk installation requirements of Section 20-40.1 of the Streets and Sidewalks Code and all public improvement installation requirements of Section 21-34 and 21-49 of the Subdivision Ordinance of the City of Porterville may be waived in cases of lots existing or created at the time this Ordinance became effective subject to the following limitations:

1. Lots under consideration are zoned R-A in conformance with the General Plan of the City of Porterville, and
2. Lots under consideration contain 22 gross acres or more, and have average lot widths of 200 feet or more, and

3. Lot frontages under consideration do not front upon existing or future right-of-ways designated as arterial or collector thoroughfares by the adopted circulation element of the City of Porterville.

4. Domestic water and waste disposal (Septic tanks) house services shall be designed in such a manner to facilitate easy hook-up to future City facilities which will be installed in the street right-of-way.

5. Waiver of requirements for installation of City water or sewerage systems shall be accomplished only when the project under consideration can not be serviced by a sewer and/or water lines which is in the estimation of the City Engineer, capable of servicing the site.

C. Nothing in this Section shall be interpreted to relax street right-of-way dedication requirements set forth by the Subdivision Ordinance or Streets and Sidewalks Code of the City of Porterville.

SECTION 13: Article 2, Section 2627, is hereby amended as follows:

Section 2627. Density Bonus Incentives and Concessions

This regulation, by reference to Section 65915 of the California Government Code, and amendments thereof, pertaining to density bonuses and concessions, is intended to authorize residential housing developments for lower-income housing, very low-income housing, elderly housing and child-care facilities.

Processing of an application for a residential bonus density, incentives or concessions shall be by virtue of detailed written proposal and plans submitted, in accordance with California Government Code Section 65915, to the project review committee and shall require a Conditional Use Permit pursuant to the requirements of Article 21 of the Zoning Ordinance.

SECTION 14: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By

Georgia Hawley, Chief Deputy City Clerk
COUNCIL AGENDA: June 19, 2007

SUBJECT: Presentation of City Flags

SOURCE: Administration

COMMENT: The City flags have been prepared and are available for formal presentation to the City Council. The total cost for the production of the flags was $329.01.

After the presentation, the outdoor flag will be attached to the flag pole in front of City Hall. The ceremonial flag will be stored for use at special events, or as the City Council deems appropriate. A summary of the City flag rules approved by the City Council on April 3, 2007 is attached for reference.

The City Manager will display the flags for Council acceptance.

RECOMMENDATION: None required – Information and presentation only.

ATTACHMENT: City Flag Rules

DD
Appropriated/Funded

CM

Item No. 15
CITY FLAG RULES

- The City flag rules shall be consistent with the U. S. flag rules, only modified to pertain to City regulations or events

- Respect shall be maintained for the City flag

- It shall be flown lower than the California flag

- The Mayor shall be the designee appointed to make decisions for the lowering of the City flag and for making decisions relating to organizations requesting to borrow the City flag for City-related events

- The main City flag will fly outside of City Hall

- The additional flag will be a ceremonial flag for special events
STAFF REPORT

TITLE: DESIGN OVERLAY SITE REVIEW 4-2007

OWNER/APPLICANT: Sierra View District Hospital
456 West Putnam Avenue
Porterville, CA 93257

PROJECT LOCATION: North of Putnam Avenue, west of Pearson Drive, generally north of the Cleveland Avenue alignment.

SPECIFIC REQUEST: The applicant is requesting approval of a Design ("D") Overlay Site Review, in accordance with Article 18 of the Zoning Ordinance, to allow the development of a 21,000± square foot, single-story, 45-bed sub-acute nursing facility to be located generally west of Pearson Drive near the terminus of Cleveland Avenue (now abandoned). The subject site is within the PO (D) (Professional Office - Design Review Overlay) Zone. The proposed structure is the final building identified for this medical complex in the District’s 2005 master plan.

PROJECT DETAILS: The proposed building is rectangular in shape extending north and south along the westerly boundary of the complex. The main entrance into the building would be located on the east side of the building with a porte-cochère and vestibule leading to the lobby. The patient rooms and offices will line the perimeter of the building, creating an open-air courtyard located in the center. Ingress and egress to the parking lot will remain the same as already constructed for the dialysis building and medical office existing in the complex; two driveways extend west of Pearson Drive providing access to the entire medical complex.

The exterior of the building will be compatible with other previously approved and constructed buildings in the complex. The building will be 22 feet tall, and will have a cement plaster finish in earth tone colors with a brown tile roof.

HISTORY: On April 19, 2005, the Porterville City Council approved Resolution 50-2005 for "D" Overlay Site Review 1-2005, which allowed for the development of a 10,311 square foot single story dialysis building and the master plan for the facility. Additionally, the Porterville City Council reviewed the environmental document for the project and found it to be accurate and complete in its analysis. As part of the master plan for the site, the conceptual plan for Phase II indicated that a future proposed 19,029± -square-foot building and additional parking was proposed for the west end of the existing outpatient treatment medical building located to the south of the dialysis site. Since this was conceptual in nature, a condition for future development as shown on the master plan would require an additional "D" Overlay Site Review to be approved by the City Council. Now that the 45-bed facility is being proposed, the future 19,029± square foot building will not be built and parking will be provided in its place.
Sierra View District Hospital was the applicant for “D” Overlay Site Review 1-2005 and was the lead agency pursuant to CEQA for the Master Plan environmental document. Quad Knopf, the applicant’s consultant, prepared the environmental document and routed it to the State Clearinghouse (SCH No. 200411113) for public agency comments. The review period ran from November 29, 2004, to December 28, 2004. The Final Mitigated Negative Declaration and incorporated mitigation measures addressed comments received, including comments from City staff. It should be noted that the Mitigated Negative Declaration took into consideration development of the entire complex site, including the building currently being considered for “D” Overlay Site Review.

On March 29, 2005, the Sierra View Local Health Care District Board of Directors adopted (by Resolution 03-29-05/02) the Mitigated Negative Declaration for the Sierra View District Hospital Master Plan. The Master Plan has been modified to incorporate the proposed 45-bed facility, and the “future 19,029± -square-foot building” originally identified in the Master Plan is no longer a part. Pursuant to CEQA requirements, the District prepared an addendum to the originally prepared Negative Declaration.

GENERAL PLAN DESIGNATION: PO- Professional and Office

EXISTING ZONING: PO (D)- Professional Office with Design Review Overlay

STAFF ANALYSIS: Approval of the D Overlay for the project as proposed will allow the build out of the facility in conformance with the Sierra View District Hospital Master Plan. The proposed project maintains a parking ratio consistent with City standards as identified in Table 1 below. The proposed color and materials palette is consistent with the previously approved buildings already existing onsite.

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<td>Existing medical offices &amp; Dialysis Center (44,431± sq. ft) Required Parking Ratio= 1 per 200 sq.ft.</td>
<td>223</td>
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<td>Proposed 45-bed sub-acute skilled nursing facility Required Parking Ratio= 1 per 2 beds</td>
<td>23</td>
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<td>Required Parking Overall</td>
<td>246</td>
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<td>Parking availability proposed overall</td>
<td>264</td>
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DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING:  May 9, 2007

DATE ACCEPTED AS COMPLETE: June 4, 2007

RECOMMENDATION: That the City Council:

1. Approve the Addendum to the Final Mitigated Negative Declaration for the Sierra View District Hospital Master Plan.
2. Adopt the draft resolution approving “D” Overlay Site Review 4-2007 subject to conditions of approval.

ATTACHMENTS:

1. Site Plan
2. Final Mitigated Negative Declaration (Completed for the Hospital in 2005)
3. Sierra View Local Health Care District Board of Directors Resolution 03-29-05/02 adopting the Mitigated Negative Declaration
4. Sierra View Local Health Care District Board of Directors Resolution 11/28/06-01 adopting an Amended Mitigated Negative Declaration for Sierra View District Hospital Master Plan
FINAL
MITIGATED NEGATIVE DECLARATION

SIERRA VIEW DISTRICT HOSPITAL
MASTER PLAN

State Clearinghouse #200411113

January 2005

Quad Knopf

ATTACHMENT
ITEM NO. 2
FINAL
MITIGATED NEGATIVE DECLARATION
COMMENTS, RESPONSES AND
MITIGATION MONITORING PROGRAM

SIERRA VIEW DISTRICT HOSPITAL
MASTER PLAN

State Clearinghouse #200411113

January 2005

Lead Agency: Sierra View District Hospital
465 West Putnam
Porterville, CA 93257

Contact Person: Bruce Peterson
Director of General Services
Phone: (559) 784-1110
Fax: (559) 784-2574

Consultant: Quad Knopf, Inc.
5110 W. Cypress Avenue
P.O. Box 3699
Visalia, CA 93278

Contact Person: Stephen Peck, AICP
Principal Planner
Phone: (559) 733-0440
Fax: (559) 733-7821
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CHAPTER ONE
INTRODUCTION
CHAPTER ONE - INTRODUCTION

1.1 Purpose

This document is the Initial Study/Mitigated Negative Declaration on the potential environmental effects of buildout of the Sierra View District Hospital Master Plan.

Sierra View District Hospital is the lead agency pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), Section 15050. Consistent with these guidelines, this Initial Study identifies and discusses environmental impacts.

The Initial Study and Mitigated Negative Declaration was circulated for agency and public review for 30 days (November 29, 2004 through December 28, 2004), pursuant to CEQA Guidelines, Section 15073(d).

1.2 Scope and Format

This document includes this Chapter – Introduction, outlining the purpose, scope and format of the Mitigated Negative Declaration. Chapter Two explains the public review process and lists all agencies and individuals who commented on the Mitigated Negative Declaration. Chapter Three consists of the actual letters of comment, reproduced in their entirety. Chapter Four consists of responses to each written comment received on the Mitigated Negative Declaration. These responses are intended to supplement or revise information contained in the Mitigated Negative Declaration, as appropriate, based on the comments and additional research or updated information. Each response follows the associated comment, which is summarized. Each letter of comment has been numbered (e.g., Letter 1, Letter 2). Within each letter, individual comments are assigned an alphanumeric identification. For example, the first comment on Letter 2 is Comment 2A, and the second is Comment 2B. Chapter Five contains the Mitigation Monitoring Program.
CHAPTER TWO

OVERVIEW OF COMMENTS RECEIVED
CHAPTER TWO – OVERVIEW OF COMMENTS RECEIVED

2.1 Public Review and Comment Procedures

CEQA requires public disclosure in a Mitigated Negative Declaration of all project environmental effects and encourages public participation throughout the Mitigated Negative Declaration process. As required by Section 15105 of the CEQA Guidelines, the public review of environmental documents included the following:

1. Publication of a Notice of Availability in the Porterville Recorder and the County Clerk’s office.
2. A copy of the document was made available at Sierra View District Hospital and the Tulare County Clerk’s Office.

A public review period of no less than 30 days is required for a Draft Mitigated Negative Declaration under Section 15105(a) of the CEQA Guidelines. If a State agency is a lead or responsible agency for the project, the public review period shall be at least 30 days. In this case, the State Clearinghouse established a 30-day review period extending from November 29, 2004 to December 28, 2004.

2.2 Agencies and Individuals who Commented on the Draft Mitigated Negative Declaration

The following agencies and individuals commented either directly to the Agency or to the State Clearinghouse:


Letter 3: City of Porterville Community Development Department, Randall Roudy, Associate Planner, dated December 17, 2004.


Letter 5: San Joaquin Valley Air Pollution Control District, Heather Ellison, Air Quality Planner, dated December 27, 2004.

Letter 6: State Clearinghouse, Governor’s Office of Planning and Research, Terry Roberts, Director, dated March 1, 2004.
CHAPTER THREE
COMMENT LETTERS
CHAPTER THREE – COMMENT LETTERS

The following pages contain the comment letters received for the Draft Initial Study/Mitigated Negative Declaration.
December 16, 2004

Bruce Peterson
Director of General Services
Sierra View District Hospital
465 W. Putnam
Porterville, CA 93257

Dear Mr. Peterson:

This is in response to your Sierra View District Hospital Environmental Review, December 2004.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Porterville, dated October 15, 1985, and the current effective Flood Boundary and Floodway Maps (FBBMs), dated October 15, 1985. Please note that the City of Porterville, California, is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in the Code of Federal Regulations #44, Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain (i.e., Flood Zones A, AO, AE, and A1 through A30 as delineated on the FIRM) must be elevated so that the lowest floor is at or above the Base Flood Elevation level for the One Hundred-Year Flood in accordance with the effective Flood Insurance Rate Map. Hospitals are often designated to serve as critical facilities. If this hospital is designated to be a Critical Facility, and any part of the hospital funding is from the Federal government, the hospital must be located outside the Five Hundred Year Flood Plain.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. The term 'development' means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations; and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.
Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRMM revision. In accordance with CFR44, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/mit/tsd/dl_mt-2.htm

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in CFR #44. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Porterville California floodplain manager can be reached by calling Bubba Frasher at 559-782-7520.

If you have any questions or concerns, please do not hesitate to call David Weinstock of my staff at 510-627-7207.

Sincerely,

Michael Shore
Branch Chief
Community Mitigation Programs

cc:
Bubba Frasher, Planner I, City of Porterville, 291 N Main Street, Porterville, CA 93257
Ed Pérez, CA-DWR, 3374 E Shields Ave, Fresno CA 93726
Carmelia Henderson, FEMA
Sandro Amaglio, FEMA
Bruce Peterson, Director of General Services  
Sierra View District Hospital  
465 W. Putnam  
Porterville, CA 93257

RE: Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan.

It has come to the attention of the Tulare County Airport Land Use Commission (ALUC) via document referral of an Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan. The Airport Land Use Commission provides a consistency determination for proposals based on the Tulare County Comprehensive Airport Land Use Plan (CALUP). Local agencies usually submit proposals voluntarily, when required or at the request of the ALUC. Considering the proposed project was distributed to Tulare County by the lead agency for comments, the ALUC provides the following review of the Initial Study/Mitigated Negative Declaration for the Sierra View District Hospital Master Plan.

The project proposed by the Sierra View District Hospital is for the creation of one new 10,311 sq. ft. outpatient dialysis building and a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping and other related improvements. The site is located north of Putnam and east of Villa, Porterville. The site is located outside the radius of review of the Airport Land Use Commission (attachment A). The ALUC doesn’t have authority outside the radius of review.

Further review by the ALUC is not required. Please send any additional documents and final environmental documents only for informational purposes to Attn: John Mendoza, Tulare County Resource Management Agency, 5961 S. Mooney Blvd, Visalia, CA 93277.

For more information please dial (559) 733-6291 ext. 4208.

Sincerely,

John Mendoza  
ALUC Staff
December 17, 2004

Bruce Peterson, Director of General Services
Sierra View District Hospital
Porterville, CA 93257

Re: Initial Study and Mitigated Negative Declaration - Sierra View District Hospital Master Plan.

Dear Mr. Peterson:

Thank you for the opportunity to review and comment on the initial study for the Sierra View District Hospital Master Plan consisting primarily of a dialysis center and surgery center and parking to be located on the west side of Pearson Drive, north of Putnam Avenue.

The City of Porterville offers the following comments:

1) Cleveland Avenue is not designated as a Collector on the Circulation Element of the General Plan. As envisioned prior to the proposed Master Plan, the City of Porterville had expected Cleveland Avenue to be developed as a Local Street, from Pearson Drive to Villa Street on the basis of existing rights-of-way and parcel layouts and to provide additional connectivity within the neighborhood. As proposed, the Hospital Master Plan would require abandonment of existing right-of-way (and acquisition of alternative right-of-way as described below), however, an amendment to the Circulation of the General Plan would not be required.

2) Figures 2-2 and 2-3 are not consistent. The parking area shown on Figure 2-3 to the east of the Dialysis Building is located on two parcels at the northwest corner of Cleveland Avenue and Pearson Drive which are shown as excluded from the Site Vicinity on Figure 2-2. Figure 2-2 appears to accurately show the parcel and street layout in the vicinity of the subject site. Note especially the alley which is parallel to and west of Pearson Drive, connecting to Cleveland Avenue. This existing situation appears to be inaccurately shown on Figure 2-3 as an existing alley connection from Pearson Drive just north of the subject site. Six parcels, all developed with apartments, receive their primary vehicular access from the alley via Cleveland Avenue. If Cleveland Avenue is to be converted to a private driveway serving the Master Plan facilities, it will be necessary to provide an alternative access for the existing apartments on the subject site. Dedication of necessary right-of-way and construction of such an alternative access should be included within the project description.
3) The City of Porterville has no objection to the proposed mitigation measures with regard to the Valley Elderberry Longhorn Beetle, however, it is our recommendation that the District contact the U.S. Fish and Wildlife Service for consultation at the earliest practical time.

4) The traffic study included in the Initial Study appears to fulfill the City's request to consider the potential impact on traffic congestion and connectivity of an anticipated request to abandon existing right-of-way for Cleveland Avenue, west of Pearson Drive.

5) Although not strictly an environmental issue, the District should be aware of a design issue. The drawings submitted for consideration by the Project Review Committee show a twenty-five foot back-up easement for the existing apartments to the north of the proposed parking lot expansion on the east side of Pearson Drive. That easement will be required, and is not clearly shown on the site plans in the environmental document.

Thank you again for the opportunity to comment on the Initial Study for this project. If you have any questions, please call me at (559) 782-7460.

Sincerely,

Randall S. Ronda, AICP, Associate Planner
City of Porterville

cc: Stephen Peck, AICP, Quad Knopf, Inc.
December 27, 2004

Bruce Peterson
Director of General Services
Sierra View District Hospital
465 W. Putnam
Porterville, CA 93257

Re: Initial Study and Mitigated Negative Declaration – Sierra View District Hospital

Dear Mr. Peterson:

This office has reviewed the above referenced matter. Based upon our review, we offer the following conditions with this project:

1. The facility is subject to the California State Hazardous Material Laws. A complete Hazardous Material Business Plan shall be submitted to the TCEHSD within 30 days of the completion of the building.

2. The facility is subject to the California State Medical Waste Laws. Applicant shall contact the Tulare County Environmental Health Services Division for Medical Waste Permit application information.

Sincerely,

Sabine T. Geaney
Environmental Health Specialist
Environmental Health Services
San Joaquin Valley Air Pollution Control District

December 27, 2004

Attn: Mr. Bruce Peterson
Sierra View District Hospital
465 West Putnam
Porterville, California 93257

RE: Sierra View District Hospital Master Plan

Dear Mr. Peterson:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project would contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. Although this project alone would not generate significant air emissions, the increase in emissions from this project and others like it, cumulatively reduce the air quality in the San Joaquin Valley. A concerted effort should be made to reduce project-related emissions as outlined below:

1. A generator of 50-brake hp or more is installed, this project will be subject to the permitting requirements of the District. Any equipment subject to the District’s Permit to Operate requirements must obtain an Authority to Construct (ATC) from the District. Construction of equipment, which requires an ATC, and intimately related appurtenances such as foundations and utility hookups for the equipment, cannot begin until an ATC is obtained. Construction of equipment not requiring a District permit is not subject to this ATC requirement. Depending upon the nature and complexity of the application and staff workload, ATC approval can take several months. For further information, the applicant should contact the District’s Small Business Assistance Office at (661) 326-6969. To avoid unnecessary delays in the project, applications should be submitted to the District as soon as the project developer has determined the scope of the project.

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by

David L. Crow
Executive Director/Air Pollution Control Officer
the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleynair.org/rules/1ruleslist.htm.

**Regulation VIII (Fugitive PM10 Prohibitions)** - Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.

The District’s Governing Board recently approved amendments to Regulation VIII that became effective on October 1, 2004. If a non-residential project is 5.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 8.3.1 of Rule 8021. If a non-residential site is 1.0 to less than 5.0 acres, an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.2). A template of the District’s Dust Control Plan is available at: http://www.valleynair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf

This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District’s Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:

- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.
  - For Structural Soil see [http://www.hort.cornell.edu/uhi/outreach/csc/](http://www.hort.cornell.edu/uhi/outreach/csc/)
  - For Tree Selection see [http://www.ufel.org/](http://www.ufel.org/)
  - For Urban Forestry see [http://wrafre.ucdavis.edu](http://wrafre.ucdavis.edu)
If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.

- Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

- Multi-story parking facilities should be considered instead of parking lots to reduce exposed concrete surface and save green space. Large expanses of exposed concrete in parking lots exacerbate the "heat island" effect as well as widen the distance patrons and employees must cross. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. Heat mitigation should be considered for this project. Parking facilities allow more patrons to park closer to the multiple desired destinations and provide a cool and protected place to park. Space not used by the parking facility can be used to concentrate units as park space or as a 'special attraction' space such as fountains or unique units. While the initial cost of a multi-story parking facility may seem cost prohibitive, investments in smart planning increase safety; increase usable area and decrease land waste by reserving areas not used for parking for future growth or special use.

- As many energy-conserving features as possible should be included in the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
  - See [http://www.energy.ca.gov/title24/](http://www.energy.ca.gov/title24/)
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient windows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See [http://eetd.lbl.gov/coolroof/](http://eetd.lbl.gov/coolroof/)
  - Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone
precursors. See http://www.harc.edu/harc/Projects/CoolHouston/
http://eande.lbl.gov/heatisland/
- Radiant heat barrier. See
http://www.eere.energy.gov/consumerinfo/refbrieves/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See
http://www.energystar.gov/
- Install solar water-heating system(s)
- Install photovoltaic cells
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when
  practicable
- Utilize passive solar cooling and heating designs. (e.g. natural
  convection, thermal flywheels)
  See http://www.eere.energy.gov/RE/solar_passive.html
- Utilize daylighting (natural lighting) systems such as skylights, light
  shelves, interior transom windows etc. See
http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of
  electric landscape maintenance equipment
- Bike parking facilities for patrons and employees in a covered
  secure area. Bicycle parking should provide at least one space for
  every 20 vehicle spaces.
- Employee shower and locker areas for bicycle and pedestrian
  commuters
- On-site employee cafeterias or eating areas
- Pre-wire the building(s) with high speed modem connections/DSL and
  extra phone lines
- Exits to adjoining streets should be designed to reduce time to re-enter
  traffic from the project site

More information can be found at:
http://www.consumerenergycenter.org/index.html
http://www.cwmb.ca.gov/GreenBuilding/

- The applicant/tenant(s) should implement measures to reduce the amount
  of vehicle traffic to and from the project area that further reduce air
  pollution in the valley. This could include such provisions as encouraging
  employees to rideshare or carpool to the project site, preferential parking
  spaces for employees who participate in carpooling or vanpooling,
  incorporating a compressed workweek schedule, or incentives for
  employees who use alternative transportation. Check out the “Spare the
  Air” section of our website www.valleyair.org
Crosswalks should be strategically located and clearly marked to facilitate pedestrian and bicycle traffic. Crosswalks that pass through median strips should be designed to be pedestrian friendly and include (but not limited to): a shade structure, a sitting area, landscaping, and be designed so that pedestrians feel safe if caught on the median before completely crossing the road.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (661) 326-6980.

Sincerely,

Heather Ellison
Air Quality Planner
Southern Region

c: file
December 29, 2004

Bruce Peterson  
Sierra View Local Hospital District  
465 W. Putnam Avenue  
Porterville, CA 93257  

Subject: Sierra View District Hospital Master Plan  
SCH#: 2004111137  

Dear Bruce Peterson:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on December 28, 2004, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

[Signature]

Tony Roberts  
Director, State Clearinghouse
**SCH#**: 200411137  
**Project Title**: Sierra View District Hospital Master Plan  
**Lead Agency**: Sierra View Local Hospital District

**Type**: Neg - Negative Declaration  
**Description**: Build out of the Sierra View District Hospital Master Plan. The project includes the construction of a new 10,311 SF outpatient dialysis building, a future 19,029 SF medical/office building, paved parking lots, sidewalks, landscaping, and related improvements.

**Lead Agency Contact**

- **Name**: Bruce Peterson  
- **Agency**: Sierra View Local Hospital District  
- **Phone**: (559) 784-1110  
- **Email**: Fax  
- **Address**: 455 W. Putnam Avenue  
- **City**: Porterville  
- **State**: CA  
- **Zip**: 93257

**Project Location**

- **County**: Tulare  
- **City**: Porterville  
- **Region**:  
- **Cross Streets**: Pearson Drive / Cleveland Avenue  
- **Parcel No.**: 252-280-074, 071, 081, 044  
- **Township**: 21S  
- **Range**: 27E  
- **Section**: 26  
- **Base**: MDBM

**Proximity to:**

- **Highways**: 190, 65  
- **Airports**: No  
- **Railways**: BNSF  
- **Waterways**: Porter Slough  
- **Schools**:  
- **Land Use**: Professional and Office

**Project Issues**

- Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Flood Plain/Flooding;  
- Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Public Services; Recreation/Parks;  
- Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wildlife

**Reviewing Agencies**

- Resources Agency; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Office of Emergency Services; Department of Fish and Game, Region 4; Department of Conservation; California Highway Patrol; Caltrans, District 6; Caltrans, Division of Aeronautics

**Date Received**: 11/29/2004  
**Start of Review**: 11/29/2004  
**End of Review**: 12/28/2004

*Note: Blanks in data fields result from insufficient information provided by lead agency.*
Project Description:
Build out of the Sierra View District Hospital Master Plan. The Project includes the construction of a new 10,311 sq. ft. outpatient dialysis building, a future 19,029 sq. ft. medical/office building, paved parking lots, sidewalks, landscaping, and related improvements.

State Clearinghouse Contact:
(916) 445-0611

State Review Began: 11.29.2004

SCE COMPLIANCE: 12.28.2004

Project Sent to the following State Agencies:

- Resources
- Boating & Waterways
- Coastal Comm
- Colorado River Bd
- Conservation
- Fish & Game
- Delta Protection Comm
- Forestry & Fire Prot
- Historic Preservation
- Parks & Rec
- Reclamation Board
- Boy Cons & Dev Comm
- DWR
- OBS (Emergency Svcs)
- Bus Tranp Hse
- Agriculture
- Aerial
- Caltrans
- Campus & Dev
- Train Planning
- Housing & Comm Dev
- Food & Agriculture
- Health Services
- State/Consumer Svcs
- General Services
- Cal E&F
- ARB - Airport Projects
- ARB - Transportation Projects
- ARB - Major Industrial Projects
- Integrated Waste Mgmt Bd
- SWRCB: Clean Wtr Prog
- SWRCB: Wtr Quality
- SWRCB: Wtr Rights
- Reg. WtGCB
- Toxic Sub Cmt-CTC
- Yhr/Adfl Corrections
- Corrections
- Independent Comm
- Energy Commission
- NAHC
- Public Utilities Comm
- Santa Monica Mtn
- State Lands Comm
- Tahoe Rgl Plan Agency

Please note State Clearinghouse Number (SC#) on all Comments:
2004111197

Please forward late comments directly to the Lead Agency.

AQMD/ARP 37
CHAPTER FOUR
RESPONSES TO COMMENTS
CHAPTER FOUR – RESPONSES TO COMMENTS

This section summarizes each of the written comments received on the Mitigated Negative Declaration during the public review period. Following each comment is a response intended to either supplement, clarify, or amend information provided in the Mitigated Negative Declaration, or refer the commentor to the appropriate place in the Mitigated Negative Declaration where the requested information is found. Letters of comment are presented verbatim in Chapter Three, and each letter and comment is numbered for reference.

Letter 1  Michael Shore, Branch Chief, Community Mitigation Programs, U.S. Department of Homeland Security, FEMA, Region IX

Comment 1A: Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Porterville, dated October 15, 1985, and the current effective Flood Boundary and Floodway Maps (FBFMs) dated October 15, 1985. Please note that the City of Porterville, California, is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in the Code of Federal Regulations #44, Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level for the One Hundred Year Flood in accordance with the effective Flood Insurance Rate Map. Hospitals are often designated to serve as critical facilities. If this hospital is designated to be a Critical Facility, and any part of the hospital funding is from the Federal government, the hospital must be located outside the Five Hundred Year Flood Plain.

- If any area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic date to FEMA for a FIRM revision. In accordance with CFR44, Section 65.3, as soon as practicable, but not later than six months after
such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA’s Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/mit/tsd/dl_mt-2.htm.

Response 1A: The hospital is not designated as a critical facility and is located outside of the Five Hundred Year Flood Plain. The Hospital District will adhere to all floodplain management requirements as described in the Code of Federal Regulations #44, Sections 59 through 65.

Comment 1B: Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in CFR #44. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Porterville California floodplain manager can be reached by calling Bubba Frasher at 559-782-7520.

Response 1B: The Porterville floodplain manager will be contacted prior to construction of the hospital facility.

Letter 2

John Mendoza, ALUC Staff, Tulare County Resource Management Agency

Comment 2A: The project proposed by the Sierra View District Hospital is for the creation of one new 10,311 sq. ft. outpatient dialysis building and a future 19,029 sq. ft. medical facility/office building, paved parking lots, sidewalks, landscaping and other related improvements. The site is located north of Putnam and east of Villa, Porterville. The site is located outside the radius of review of the Airport Land Use Commission (attachment A). The ALUC doesn’t have authority outside the radius of review.

Further review by the ALUC is not required. Please send any additional documents and final environmental documents only for information purposes to “Attn: John Mendoza, Tulare County Resource Management Agency, 5961 S. Mooney Blvd., Visalia, CA 93277.”

Response 2A: Comment noted.

Letter 3

Randall S. Rouda, AICP, Associate Planner, City of Porterville

Comment 3A: Cleveland Avenue is not designated as a Collector on the Circulation Element of the General Plan. As envisioned prior to the proposed Master Plan, the City of Porterville had expected Cleveland Avenue to be developed as a Local Street, from Pearson Drive to Villa Street on the basis of existing rights-of-way and parcel layouts and to provide additional connectivity within the neighborhood. As proposed, the Hospital Master Plan would require abandonment of existing right-of-way (and

Sierra View District Hospital Master Plan Initial Study/Mitigated Negative Declaration Comments, Responses and Mitigation Monitoring Program
acquisition of alternative right-of-way as described below), however, an amendment to the Circulation of the General Plan would not be required.

Response 3A: Comment noted.

Comment 3B: Figures 2-2 and 2-3 are not consistent. The parking area shown on Figure 2-3 to the east of the Dialysis Building is located on two parcels at the northwest corner of Cleveland Avenue and Pearson Drive which are shown as excluded from the Site Vicinity on Figure 2-2. Figure 2-2 appears to accurately show the parcel and street layout in the vicinity of the subject site. Note especially the alley which is parallel to and west of Pearson Drive, connecting to Cleveland Avenue. This existing situation appears to be inaccurately shown on Figure 2-3 as an existing alley connection from Pearson Drive just north of the subject site. Six parcels, all developed with apartments, receive their primary vehicular access from the alley via Cleveland Avenue. If Cleveland Avenue is to be converted to a private driveway serving the Master Plan facilities, it will be necessary to provide an alternative access for the existing apartments on the subject site. Dedication of necessary right-of-way and construction of such an alternative access should be included within the project description.

Response 3B: The site plan has been revised to show the proposed new dedication off of Pearson Drive to accommodate the existing parking complex. This new dedication will adequately replace the current vehicular access from the alley via Cleveland Avenue.

Comment 3C: The City of Porterville has no objection to the proposed mitigation measures with regard to the Valley Elderberry Longhorn Beetle, however, it is our recommendation that the District contact the U.S. Fish and Wildlife Service for consultation at the earliest practical time.

Response 3C: The U.S. Fish and Wildlife Service has been contacted and the Hospital District will follow the guidelines set forth by the USFWS with regards to the Valley Elderberry Longhorn Beetle.

Comment 3D: The traffic study included in the Initial Study appears to fulfill the City’s request to consider the potential impact on traffic congestion and connectivity of an anticipated request to abandon existing right-of-way for Cleveland Avenue, west of Pearson Drive.

Response 3D: Comment noted.

Comment 3E: Although not strictly an environmental issue, the District should be aware of a design issue. The drawings submitted for consideration by the Project Review Committee show a twenty-five foot back-up easement for the existing apartments to the north of the proposed parking lot expansion on the east side of Pearson Drive. That easement will be required, and is not clearly shown on the site plans in the environmental document.
Response 3E: There is a 12 1/2 foot easement required and will be addressed in the lot-line adjustment package.

Letter 4 Sabine T. Geaney, Environmental Health Specialist, County of Tulare Health & Human Services Agency

Comment 4A: The facility is subject to the California State Hazardous Materials Laws. A complete Hazardous Material Business Plan shall be submitted to the TCEHSD within 30 days of the completion of the building.

Response 4A: The Hospital District will submit a complete Hazardous Material Business Plan to the TCEHSD within 30 days of the completion of the building.

Comment 4B: The facility is subject to the California State Medical Waste Laws. Applicant shall contact the Tulare County Environmental Health Services Division for Medical Waste Permit application information.

Response 4B: The Hospital District will contact the Tulare County Environmental Health Services Division for Medical Waste permit application information.

Letter 5 Heather Ellison, Air Quality Planner, Southern Region, San Joaquin Valley Air Pollution Control District

Comment 5A: The entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). This project would contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. Although this project alone would not generate significant air emissions, the increase in emissions from this project, and others like it, cumulatively reduce the air quality in the San Joaquin Valley. A concerted effort should be made to reduce project-related emissions as outlined below:

If a generator of 50-brake hp or more is installed, this project will be subject to the permitting requirements of the District. Any equipment subject to the District’s Permit to Operate requirements must obtain an Authority to Construct (ATC) from the District. Construction of equipment, which requires an ATC, and intimately related appurtenances such foundations and utility hookups for the equipment, cannot begin until an ATC is obtained. Construction of equipment not requiring a District permit is not subject to this ATC requirement. Depending upon the nature and complexity of the application and staff workload, ATC approval can take several months. For further information, the applicant should contact the District’s Small Business Assistance Office at (661) 326-6969. To avoid unnecessary delays in the project, applications should be submitted to the District as soon as the project developer has determined the scope of the project.
Response 5A: Prior to construction, the Hospital District will consult with ATC regarding all applicable construction equipment.

Comment 5B: Based on the information provided; the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (661) 326-6969. Current District rules can be found at http://www.valleyair.org/rules/1_ruleslist.htm.

Regulation VIII (Fugitive PM10 Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.

The District's Governing Board recently approved amendments to Regulation VIII that became effective on October 1, 2004. If a non-residential project is 5.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. If a non-residential site is 1.0 to less than 5.0 acres, an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.42). A template of the District's Dust Control Plan is available at: http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf

Response 5B: The Hospital District will comply with all measures included in Regulation VIII.

Comment 5C: This project may be subject to additional District Rules not enumerated above. To identify additional rules or regulations that apply to this project, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (661) 326-6969.

The District encourages innovation in measures to reduce air quality impacts. There are a number of measures that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City/County development standards. Any measure selected should be implemented to the fullest extent possible.) The measures listed below should not be considered all-inclusive and remain options that the project proponent should consider:

• Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.

Sierra View District Hospital Master Plan
Initial Study/Mitigated Negative Declaration
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If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.

- Specifically: Bus turnout(s) should be planned near the entrance(s) of the development for school bus loading to accommodate school-age children.

- Multi-story parking facilities should be considered instead of parking lots to reduce exposed concrete surface and save green space. Large expanses of exposed concrete in parking lots exacerbate the "heat island" effect as well as widen the distance patrons and employees must cross. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. Heat mitigation should be considered for this project. Parking facilities allow more patrons to park closer to the multiple desired destinations and provide a cool and protected place to park. Space not used by the parking facility can be used to concentrate units, as park space or as a 'special attraction' space such as fountains or unique units. While the initial cost of a multi-story parking facility may seem cost prohibitive, investments in smart planning increase safety, increase usable area and decrease land waste by reserving areas not used for parking for future growth or special use.

- As many energy-conserving features as possible should be included in the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):
  - Increased energy efficiency (above California Title 24 Requirements)
  - See http://www.energy.ca.gov/title24/
  - Increased wall and ceiling insulation (beyond building code requirements)
  - Energy efficient windows (double pane and/or Low-E)
  - High-albedo (reflecting) roofing material. See http://eedd.lbl.gov/coolroof/
  - Cool Paving. "Heat islands" created by this and similar projects contribute to the reduced air quality in the valley by heating ozone precursors. See http://www.harc.edu/harc/Projects/CoolHouston/
  - Radiant heat barrier.
    See http://www.eere.energy.gov/consumerinfo/refbriefs/bc7.html
- Energy efficient lighting, appliances, heating and cooling systems. See http://www.energystar.gov
- Install solar water-heating system(s)
- Install photovoltaic cells
- Programmable thermostat(s) for all heating and cooling systems
- Awnings or other shading mechanism for windows
- Porch, patio and walkway overhangs
- Ceiling fans, whole house fans
- Orient the unit(s) to maximize passive solar cooling and heating when practicable
- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)
- See http://www.eere.energy.gov/RE/solar_passive.htm
- Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See http://www.advancedbuildings.org
- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment
- Bicycle parking facilities for patrons and employees in a covered secure area. Bicycle parking should provide at least one space for every 20 vehicle spaces
- Employee shower and locker areas for bicycle and pedestrian commuters
- On-site employee cafeterias or eating areas
- Pre-wire the building(s) with high speed modem connections/DSL and extra phone lines
- Exits to adjoining streets should be designed to reduce time to re-enter traffic from the project site

More information can be found at:
http://www.consumerenergycenter.org/index.html
http://wwwv.ciwmv.ca.gov/GreenBuilding/

- The applicant/tenant(s) should implement measures to reduce the amount of vehicle traffic to and from the project area that further reduce air pollution in the valley. This could include such provisions as encouraging employees to rideshare or carpool to the project site, preferential parking spaces for employees who participate in carpooling or vanpooling, incorporating a compressed workweek schedule, or incentives for employees who use alternative transportation. Check out the "Spare the Air" section of our website www.valleyair.org

- Crosswalks should be strategically located and clearly marked to facilitate pedestrian and bicycle traffic. Crosswalks that pass through median strips should be designed to be pedestrian friendly and include (but not limited to); a shade structure, a sitting area, landscaping, and be designed so that pedestrians feel safe if caught on the median before completely crossing the road.

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Initial Study/Mitigated Negative Declaration
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Response 5C: The Hospital District will consult with the Small Business Assistance office and will use every reasonable method as outlined in the Air Districts guidelines to minimize air quality impacts.

**Letter 6  Terry Roberts, Director, State Clearinghouse**

Comment 6A: The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on December 28, 2004, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Response 6A: Comment noted.
CHAPTER FIVE

MITIGATION MONITORING PROGRAM
### CHAPTER FIVE – MITIGATION MONITORING PROGRAM

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<tr>
<td>3.1.1 Aesthetics – new source of light and glare</td>
<td>Security lights will be used throughout the site and will be visible to nearby residents. The Hospital District will consult with a lighting engineer so that the light source itself is not visible outside of the perimeter of the site, and so that any indirect light does not exceed a 0.5-foot candle increase. This mitigation will reduce this impact to less than significant.</td>
<td>Hospital District</td>
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<td>3.1.4 Biological Resources – Elderberry Trees</td>
<td>Sensitive or Special Status Species: A reconnaissance-level biological survey for threatened, endangered, and other special-status plant and animal species of the proposed project site was conducted by a qualified Knopf biologist. The reconnaissance level biological survey conducted for the proposed project site determined that while there was a possibility that 24 Special-status species could occur on the site, only elderberry shrubs were present, a habitat for the federal threatened Valley elderberry longhorn beetle, were present. The only animal species identified is the valley elderberry longhorn beetle.</td>
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<td>A total of nine blue elderberry shrubs with at least one stem 1-inch or greater at ground level were identified in the Project area (see Figure 3, Photographs 7 – 14 of Appendix B). Figure 3-1 indicates the approximate locations of all elderberry shrubs within 100 feet of the Project. Shrubs 3, 4, 5, 6, 7, 8 and 9 would be located within the 100 foot buffer zone established by the USFWS. Prior to construction, these elderberry shrubs will be flagged by a qualified biologist and a 20-foot barrier constructed around the shrubs. Prior to construction of the surgery center and expanded parking lot, Shrubs 1 and 2 would be transplanted and monitored in accordance with USFWS Conservation Guidelines for the Valley Elderberry Beetle (see Appendix B). Consultation with the Fish and Wildlife Services would be requested prior to Phase 2. Shrubs 8 and 9 are within 25 feet of the proposed facility. To prevent the possible disturbance to elderberry shrubs (8 and 9), the District will establish a 20 foot fenced buffer area around the shrubs, and locate...</td>
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<td>the building to provide a five-foot minimum-foot construction area.</td>
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<td>3.1.5 Cultural Resources – disturbance of unknown cultural resources</td>
<td>As recommended by SJV Historic Resources Information Center, potential impacts can be mitigated by ceasing all construction operations within 50 feet of a find during construction so that a qualified professional archaeologist may conduct a field survey to determine the significance of the find. Adherence to this protocol would reduce the impact on cultural resources to a less than significant level.</td>
<td>Hospital District</td>
<td>Hospital District</td>
<td>Less than significant</td>
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| 3.1.11 Noise – temporary construction noise | The Project will result in a short-term construction noise level that could exceed community noise standards. The following measures will be implemented to reduce noise impacts to a less than significant level:  
- Noise producing equipment for construction shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. on weekends. Also, mufflers and fan housings shall be used on all construction equipment. After the proposed mitigation... | Hospital District | Hospital District | Less than significant |
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<td><strong>3.1.15 Transportation Traffic</strong></td>
<td>Design Hazards: Traffic Study recommends that any street parking be restricted to within 50 feet of the Pearson Avenue Plaza entrance and eliminate on-street parking on Pearson if there is a median.</td>
<td>Hospital District</td>
<td>Hospital District</td>
<td>Less than significant.</td>
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Appendix A

List of Preparers
LIST OF PREPARERS

Quad Knopf, Inc.

Stephen Peck, AICP, Principal in Charge
Travis Crawford, Analyst
Vanessa Williams, Administrative Assistant
RESOLUTION NO 03-29-05/02

A RESOLUTION OF THE SIERRA VIEW LOCAL HEALTH CARE DISTRICT BOARD OF DIRECTORS
APPROVING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE SIERRA VIEW DISTRICT HOSPITAL MASTER PLAN

Finding Number 1: WHEREAS, the Sierra View District Hospital (District) has initiated plans for implementing the Hospital Master Plan Project (Project), which consists of a new outpatient dialysis building, a future medical facility/office building, paved parking lots, sidewalks, landscaping, and other related improvements; and,

Finding Number 2: WHEREAS, the California Environmental Quality Act (CEQA) requires that all discretionary projects which may have a significant impact on the environment adopt feasible mitigations to mitigate such impacts; and,

Finding Number 3: WHEREAS, the District initiated the environmental review of the project by preparation of an Initial Study and Mitigated Negative Declaration on November 29, 2004; and,

Finding Number 4: WHEREAS, on November 29, 2004 the District released the Initial Study/ Mitigated Negative Declaration for a 30-day public review period, and submitted the Mitigated Negative Declaration to responsible agencies and interested parties; and,

Finding Number 5: WHEREAS, a Notice of Intention to Adopt a Negative Declaration was published in the Porterville Recorder newspaper on November 29, 2004 which identified the availability of the Mitigated Negative Declaration; and,

Finding Number 6: WHEREAS, the Mitigated Negative Declaration provides a summary of each impact in relation to identified significance threshold levels; and,

Finding Number 7: WHEREAS, impacts to the following resource areas were found to be less than significant and it is concluded that there is no evidence supporting a fair argument that any of the following impacts will have a significant impact:

a. Aesthetics: Effects on scenic vistas and scenic resources.

b. Agricultural Resources: Conversion of prime or unique farmland, conflict with Williamson Act contract, and conversion of farmland to non-agricultural use.

c. Air quality: Operational emissions, exposure of sensitive receptors to pollution concentration, and creation of objectionable odors.

d. Biological Resources: Impacts to wetlands and migratory species and conflict with habitat conservation plans or local policies and ordinances.

e. Cultural Resources: Impacts to historical, archaeological, cultural, or human remains resources.

f. Geology and Soils: Risk associated with the rupture of an earthquake fault, ground shaking, landslides, soil erosion, unstable soil, or expansive soil.
g. Hazards and Hazardous Materials: Risks associated with the transport of hazardous materials, creation of hazardous emissions, location on a hazardous materials site, location within an airport land use plan, conflict with emergency response plans, and wildland fires.

h. Hydrology and Water Quality: Risks associated with the violation of water quality standards, alteration of drainage patterns, creation of additional runoff, flooding, and inundation by seiche, tsunami, or mudflow.

i. Land Use and Planning: Conflict with existing plans and policies, division of established communities, and conflict with habitat conservation plans.

j. Mineral Resources: Loss of available mineral resources and loss of mineral resource recovery sites.

k. Noise: Generation of noise in excess of established standards, generation of ground borne vibrations and location of noise-sensitive uses in the vicinity of an airport.

l. Population and Housing: Inducement of population growth and displacement of housing.

m. Public Services: Exceedance of the capacity of existing fire, police, school, and park services.

n. Recreation: Degradation of existing development of new recreational facilities.

o. Traffic: Impacts to traffic patterns, parking, or emergency access.

p. Utilities and Service Systems: Exceedance of the capacity of wastewater and water treatment, storm drainage, and landfill facilities, and exceedance of the available water supply.

Finding Number 8: WHEREAS, adoption of the Mitigated Negative Declaration reflects the District's independent judgment and analysis.

NOW, THEREFORE BE IT RESOLVED, by the Sierra View Local Health Care District Board of Directors that:

1. The Board approves and adopts the Mitigated Negative Declaration for the Sierra View District Hospital Master Plan (State Clearinghouse Number 200411113).

2. The Board adopts the above findings.

Director [Handwritten Name] offered the motion to this resolution, Director [Handwritten Name] seconded the motion and it carried by the following vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0
ATTEST:

I, [Name], Secretary, certify that the above is a true copy of a Resolution duly passed and adopted at a regular meeting of the Sierra View Local Health Care District Board of Directors on March 29, 2005.
SIERRA VIEW LOCAL HEALTH CARE DISTRICT
BOARD OF DIRECTORS

RESOLUTION 11/28/06-01
AMENDED MITIGATED NEGATIVE DECLARATION FOR SIERRA VIEW
DISTRICT HOSPITAL MASTER PLAN

Whereas, the Sierra View Local Health Care District (District) Board of Directors met on November 28, 2006, and, based upon the information provided to the Board of Directors at that meeting concerning the necessity of providing the City of Porterville an Amended Mitigated Negative Declaration for Sierra View District Hospital Master Plan, specifically, that Addendum to Initial Study Mitigated Negative Declaration for Sierra View District Hospital Master Plan prepared by Quad Knopf on October 26, 2006 pertaining to the Relocation of the Sierra View District Hospital SubAcute Unit on North Pearson Drive;

Therefore, be it resolved that, the Board of Directors hereby makes the decision to resolve to accept the Amended Mitigated Negative Declaration as presented, Resolution 11/28/06-01 as presented to the District Board of Directors on November 28, 2006.

Directors Present:  ✔
Directors Absent:  ✗

The Vote of the Board:  ✔ Yes
               ✔ No

Signed this 28th day of November, 2006 by:

Richard B. Hatfield, Secretary
SVLHCD Board of Directors

(Official Seal)
V. BUSINESS:

A. Presentation and Recommendation for Approval: Resolution – 11-28-06/01 Amended Mitigated Negative Declaration – Expansion Plan; SubAcute Relocation: Due to the change in scope of the project, the City of Porterville required an Amended Mitigated Negative Declaration to approve the plans for the SubAcute Relocation. We are on a dual track with project and the plans were forwarded to OSHPD for review earlier this month. Following City Resolution approval we will be waiting for OSHPD approval of the plans. It was moved by Director ESCOBAR, seconded by Director HETHERINGTON, and voted to approve Resolution 11-28-06/01 – Amended Mitigated Negative Declaration (attached to the file copy of these Minutes). The vote of the Board is as follows:

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B. Presentation and Recommendation for Approval: Third Quarter 2006, Safety Officer’s Report. Mr. Bruce Peterson, Safety Officer, reviewed the report, stating there was nothing outstanding to report. Following a brief discussion, it was moved by Director HATFIELD, seconded by Director HETHERINGTON, and voted to approve the Third Quarter 2006, Safety Officer’s Report (attached to the file copy of these Minutes). The vote of the Board is as follows:

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C. Presentation and Recommendation for Approval: Availability of Group Health and Welfare Benefits to Qualified Board Directors – Mr. Coleman stated that the Board Directors are eligible for the same group health and benefits as the President/CEO and Vice Presidents. Open Enrollment for Benefits will be December 18, 19, 20 and 21st. Directors may choose one, several, or all benefits available to them. Mr. Krase stated a Bylaw Resolution and Governing Board Bylaw amendment to section 4.14 should reflect the eligibility of the directors for group health and benefits. It was moved by Director PEREZ, seconded by Director HATFIELD and voted to approve the Resolution and Bylaw Amendment as recommended by legal counsel. The vote of the Board is as follows:

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<td>PEREZ</td>
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INTRODUCTION

This Addendum to the Initial Study/Mitigated Negative Declaration is prepared to address changes made to the site plan for the Sierra View District Hospital Master Plan. This Addendum, along with the previously issued proposed Initial Study and the Mitigated Negative Declaration (December 2004) on the Sierra View Project, constitute the full Initial Study/Mitigated Negative Declaration (IS/MND).

Pursuant to CEQA Guidelines Section 15164, an addendum to a previously certified EIR or Negative Declaration should be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 which would require preparation of a subsequent or supplemental EIR have occurred.

CEQA Section 15162 requires preparation of a Subsequent or Supplemental EIR or Negative Declaration when one of the following have occurred.

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;

   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
Although minor changes to the project description are proposed within this Addendum, none of the circumstances which require preparation of a subsequent or supplemental IS/MND have occurred. Therefore, an addendum is prepared to the IS/MND dated October 2006.

**TEXT CHANGES**

Any changes to the text of the IS/MND are shown with underlining, and any deleted text is shown with strikeouts (e.g. strikeout).

**IS/MND- Chapter 2.2 Project Description- Page 2-1**

The proposed Project consists of two phases of construction: 1) a new 10,311 sq. ft. outpatient dialysis building, and; 2) a future 19,029 sq.-ft. 21,000 sq. ft. surgery center subacute/skilled nursing facility, paved parking lots, sidewalks, landscaping, and other related improvements (see Figure 2-3 of IS/MND). There is an existing 34,120 sq. ft. building and associated facilities on site. The dialysis center will have no full time physicians, but will have 22 full time employees, with only half (11 employees) at the center each day. The dialysis center will not have any beds, but will have 30 dialysis chairs. The future subacute/skilled nursing facility will be single story and have 45 beds.

**IS/MND- Chapter 3.1. Description of Project - Page 3-1**

The Project consists of the build out of the Sierra View District Hospital Master Plan. The Project includes the construction of a new 10,311 sq. ft. outpatient dialysis building, a future 19,029 sq.-ft. 21,000 sq. ft. outpatient surgery center subacute/skilled nursing facility, paved parking lots, sidewalks, landscaping, and other related improvements.

**IS/MND- Chapter 3.1.4 Biological Resources - Page 3-10**

A total of nine blue elderberry shrubs with at least one stem 1-inch or greater at ground level were identified in the Project area (see Figure 3, Photographs 7 – 14 of Appendix B of IS/MND).

Figure 1-1 (of IS/MND) indicates the approximate locations of all elderberry shrubs within 100 feet of the Project. Shrubs 1, 2, 3, 4, 5, 6, 7, 8 and 9 would be located within the 100 foot buffer zone established by the USFWS. Prior to construction, these elderberry shrubs will be flagged by a qualified biologist and a 20-foot barrier constructed around the shrubs 3, 4, 5, 6, 7, 8 and 9. Prior to construction of the surgery-center and expanded parking lot, Shrubs 1 and 2 would be transplanted and monitored in accordance with USFWS Conservation Guidelines for the Valley Elderberry Beetle (see Appendix B). Consultation with the Fish and Wildlife Services would be requested prior to Phase 2. Shrubs 1 and 2 are within 20 feet of the proposed subacute facility. To prevent possible disturbance to shrubs 1 and 2, the District will establish a 17 foot fenced buffer area around the shrubs with permission given by USFWS (Appendix A to this Addendum). Shrubs 8 and 9 are within 25 feet of the proposed dialysis facility. To prevent the possible disturbance to elderberry shrubs (8 and 9), the District will establish a 20 foot fenced buffer area around the shrubs, and locate the building to provide a five-foot minimum-foot construction area.
Emergency Access/Parking Capacity (e, f): According to the Traffic Impact Study, the Project will not lower the level of service on surrounding circulation routes.

The City of Porterville (City) requires 1 parking stall per 200 square feet of building space for medical office buildings. There are currently 82 parking stalls that serve the existing building. The proposed Project includes an additional 237 parking stalls (totaling 319 parking stalls). At build-out, the approximate square footage of all existing buildings for the Project is estimated to be 63,460 44,431 square feet, which would require 314 223 parking stalls. The subacute facility will require 23 additional spaces based on the City’s zoning regulations of 1 stall per 2 beds. The total parking required is 246 stalls; 268 stalls shall be provided.

SITE PLAN CHANGES

The original master plan (Chapter 2.2 Master Plan- Figure 2-3 of IS/MND) will be replaced by a new site plan (Figure 1 of this Addendum). The total number of parking spaces will be reduced from 314 stalls to 268 stalls. This is 22 more stalls than legally required by the City. The parking lot will be reconfigured to accommodate the new building and parking stalls. The site for the building titled “Future Building” on the original master plan has been moved west approximately 132 ft. and rotated clockwise 90 degrees. This building is now named “Proposed Subacute Center” on the new site plan. The Dialysis Building is now complete. This change is reflected in the new site plan. The elderberry shrub locations are depicted in both plans. The total square footage for all three buildings has changed from 63,460 sq. ft. to 65,431 sq. ft. The total project acreage remains the same at 1.53 acres.

TRAFFIC STUDY CHANGES

The traffic study (Appendix D of IS/MND) was done for the construction of a dialysis center and a future building, now called a subacute facility. Although the square footage for each individual building is different, the total square footage for the project will be less than originally evaluated. The traffic study projected traffic impacts of 33,900 sq. ft. of new medical facilities. In fact, the second phase of the project will only result in 31,311 sq. ft. of new facilities. Therefore, the site plan changes will not increase traffic beyond the level evaluated in the IS/MND.

ANALYSIS

The change in location of the building and small increase in square footage will not add to the impacts already examined by the IS/MND. The original traffic study and biological survey report are still valid under the new project description. The site plan has been updated to reflect the changes and no additional impacts will result. The parking requirement is less than originally proposed and the overall size of the project remains the same.
Mitigation measures regarding the valley elderberry longhorn beetle that were originally found not to be feasible are now feasible under the new project description. Specifically, Shrubs 1 and 2 will no longer need to be transplanted. Instead, a 17 foot buffer shall be constructed in accordance with US Fish and Wildlife Service (USFWS) Conservation Guidelines for the Valley Elderberry Beetle (Appendix B of IS/MND) with permissions granted by USFWS (Appendix A of this Addendum). According to the USFWS, avoidance is preferred to transplantation. In keeping with CEQA Section 15162 (a)(3)(C), a subsequent MND is only necessary if the project proponents decline to adopt the mitigation measure or alternative that is found to be feasible. Mitigation by avoidance of the elderberry bushes will be adopted as part of the new plan so an addendum is sufficient for this IS/MND.

CONCLUSION

The changes as proposed do not create any additional significant impacts, nor do they increase the severity of impacts already addressed. The mitigation measures that were previously discussed and adopted will remain the same except for the elderberry shrubs number 1 and 2. Better mitigation for these shrubs will be adopted.

None of the conditions described in Section 15162 have occurred. Therefore, an Addendum IS/MND is the appropriate document to address the amendments to the project description as proposed.
From: Joseph_Terry@fws.gov  
Sent: Thursday, October 26, 2006 4:12 PM  
To: Kira Stowell  
Subject: Sierra View District Hospital VELB buffer

Dear Kira,

You recently called me regarding a 20-foot buffer around an elderberry bush in a mitigated negative declaration for the Sierra View District Hospital in Porterville, Tulare County, California. You stated that the 20-foot buffer comes to the edge of the building and that workers would not be able to get around it to stucco the building. In this case, the buffer may be reduced by 3-feet to 17-feet in order to provide access to the side of the building. The reduction in the size of the buffer by 3 feet should not effect the valley elderberry longhorn beetle (VELB), since it is currently not flight season for VELB. Any paint or dust that gets on the elderberry bush should be washed off. By this email, your client has permission to reduce the size of the buffer to 17-feet in order to provide access to the side of the building.

Thank you for your interest in protecting listed species.

Sincerely,

Joseph Terry  
Biologist, Sacramento Fish and Wildlife Office
RESOLUTION NO._

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE TO APPROVE “D” OVERLAY SITE REVIEW 4-2007, ALLOWING THE DEVELOPMENT OF A 45 BED SUB-ACUTE NURSING FACILITY IN A PO (D) (PROFESSIONAL OFFICE - DESIGN REVIEW OVERLAY) ZONE

WHEREAS: The City Council of the City of Porterville, at its regularly scheduled meeting of June 19, 2007, reviewed the site plans for a Design (“D”) Overlay Site Review, in accordance with Article 18 of the Zoning Ordinance, to allow the development of a 21,000± square foot, single-story, 45-bed sub-acute nursing facility to be located generally west of Pearson Drive near the terminus of Cleveland Avenue (now abandoned). The subject site is within the PO (D) (Professional Office - Design Review Overlay) Zone; and,

WHEREAS: Pursuant to Article 18 (Supplemental “D” - Design Review Overlay) of the Porterville Zoning Ordinance, the City Council made the following findings:

1. That the General Plan indicates the site is located within an area designated for Professional Office type uses.

2. That the proposed office building is a compatible use in the PO (D) Zone.

3. That the design and architectural features of the subject project are compatible with that of proximately situated developments, and that the project would not limit the opportunity to attain the reasonable use and value of land and improvements, impair desirability of working conditions in the same or adjacent area, or otherwise adversely affect the public welfare and property; and,

WHEREAS: On April 19, 2005, the Porterville City Council approved Resolution 50-2005 for “D” Overlay Site Review 1-2005, which allowed for the development of a 10,311 square foot single story dialysis building and the master plan for the facility. Additionally, the Porterville City Council reviewed the environmental document for the project and found it to be accurate and complete in its analysis. As part of the master plan for the site, the conceptual plan for Phase II indicated that a future proposed 19,029± -square- foot building and additional parking was proposed for the west end of the existing outpatient treatment medical building located to the south of the dialysis center. Since this was conceptual in nature, a condition for future development as shown on the master plan would require an additional “D” Overlay Site Review to be approval by the City Council. Now that the 45-bed facility is being proposed, the future 19,029± square foot building will not be built and parking will be provided in its place; and,

WHEREAS: Sierra View District Hospital was the lead agency pursuant to CEQA for the 2005 Master Plan Mitigated Negative Declaration, which was routed to the State Clearinghouse
(SCH No. 200411113) for public agency comments. The review period ran from November 29, 2004, to December 28, 2004. The Final Mitigated Negative Declaration and incorporated mitigation measures addressed comments received, including comments from City staff. The Mitigated Negative Declaration took into consideration development of the entire complex site, including the building currently being considered for “D” Overlay Site Review; and,

WHEREAS: On March 29, 2005, the Sierra View Local Health Care District Board of Directors adopted (by Resolution 03-29-05/02) the Mitigated Negative Declaration for the Sierra View District Hospital Master Plan. The Master Plan has been modified to incorporate the proposed 45-bed facility, and the “future 19,029±-square-foot building” originally identified in the Master Plan is no longer a part. Pursuant to CEQA requirements, the District prepared an addendum to the originally prepared Negative Declaration; and,

WHEREAS: The Addendum prepared for the project is in compliance with the California Environmental Quality Act indicating that no substantive change has occurred in the environmental circumstances of the project; and

WHEREAS: That the design of the project, or proposed improvements, is consistent with the City of Porterville codes and regulations.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve “D” Overlay Site Review 4-2007 under the Supplemental “D” Overlay Zone regulations subject to the following conditions:

1. All proposed signage shall be architecturally consistent with the buildings to the satisfaction of the Community Development Director.

2. A minimum of 5% of parking lot and driveway areas are to be landscaped with live plant materials. The parking lot and driveway areas are to be shaded with trees planted on the property at a minimum ratio of one tree per 8 parking spaces distributed throughout the paved area.

3. The owner/applicant shall provide an automatic irrigation system for all landscape planting, including trees and right of way planting. All landscaping shall be installed prior to occupancy and be permanently maintained by the owner/applicant in a healthy and vigorous growing condition, and cleanly appearance. Concrete mow strips shall be installed at the base of all fencing adjoining or crossing turfed-landscaping.

4. Designated pedestrian connections with ADA provisions shall be provided between the new facility and the existing facilities within the medical campus. The walkways shall be provided with low-level illumination, unless otherwise fully illuminated by the parking area lighting system.

5. Unless otherwise noted, the developer/applicant shall obey the City Master Plans, Standard

6. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.

7. The developer/applicant shall follow Appendix Chapter 33 of the California Building Code including provision of a grading and drainage plan signed by a licensed civil engineer or architect. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

8. The developer/applicant shall construct and/or repair street, alley, curb, gutter, sidewalk, etc. along the full frontage of the parcel except where they exist and are in good condition in the opinion of the City Engineer (Ord. No. 1306).

9. The developer/applicant shall construct drainage facilities as required to serve the property (Ord. No. 1306).

10. 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).

11. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 and 2211 (Exhibit A) of the Zoning Ordinance.

12. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, before the issuance of a certificate of occupancy (For example, foundations, septic tanks, irrigation pipes, etc.).

13. 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.

14. The developer/applicant shall comply with Ordinance No. 1288 regarding Waste Water Discharge requirements and shall complete and submit the following:

- Wastewater Discharge Permit Application, Part “A”; and
• If monitoring is required, based on the responses to questions in Part “A” of the Wastewater Discharge Permit, then the developer/applicant shall complete and submit the remainder of the application along with the Permit Fee, and provide monitors facilities to allow inspection, sampling, and flow measurement of the flows in the sewer and drainage system.

15. 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.

16. If underground storage tank(s) are to be used for storage of hazardous substances, the developer/applicant shall follow California Health and Safety Code, Division 20, Chapter 6.7, Section 25280 through 25299.6, governing the underground storage of hazardous substances.

17. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance to the on-site water mains.

18. The developer/applicant is hereby notified that the installation of an additional water meter, servicing the irrigation system would be beneficial for monitoring actual water usage. The City will monitor actual water usage for one year and will bill the owner the impact fees based on the actual water usage.

19. The developer/applicant shall comply with the City standard for "backflow" prevention pursuant to Resolution No. 9615.

20. The developer/applicant shall install a refuse container enclosure according to City standards. The enclosure location shall be approved by City staff prior to issuance of building permit. Enclosure should be oriented for direct stab pick up. 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.

21. Staff recommends that the applicant/owner consider provision of bicycle storage lockers within the medical campus to promote use of bicycles by employees for commuting and wellness.
22. As the project is subject to State of California review for hospital code compliance, the Building Department will require only the following additional items:
   - Grading and drainage plan stamped and signed by an architect or engineer. Three (3) copies are required.
   - Signs require a separate permit.
   - Compliance with access laws (both state and federal) is required.
   - School development fees will be paid to the Porterville Unified School District offices.

23. The project must comply with latest applicable codes.

24. For automatic sprinkler systems, underground plans must be submitted and approved prior to submittal of the above ground plans. A hydrant will be required within 50 feet of the Fire Department connection.

25. 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 fire flow.

26. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. All hydrants must be in place and accepted by the Fire Department prior to any combustibles being brought onto the site.

27. 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.

28. Fire hydrant spacing shall be as follows: one hydrant shall be installed at 300-foot intervals.

29. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more than 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

30. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City Standards.

31. Project must meet minimum fire flow requirements per the table in Appendix III-A & III-B of the California Fire Code.

32. Areas identified as “Fire Lanes” must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Section 22500.1.

33. A Knox box will be required. An application may be obtained from the Fire Department.
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By
Georgia Hawley, Chief Deputy City Clerk
EXHIBIT A

SUBACUTE/SKILLED NURSING FACILITY
COUNCIL AGENDA: JUNE 19, 2007

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

SOURCE: PUBLIC WORKS DEPARTMENT

COMMENT: On June 5, 2007, staff brought the Annual Adjustment of Fees before Council for information only. During oral communication, Mr. Robert Keenen of the Home Builders Association (HBA), objected to the process of adjusting City fees without the benefit of a public hearing. Council directed that this matter be revisited at the June 19 Council Meeting.

City Staff endeavors to honor its commitment to HBA by providing 60-days notice prior to the effective date of the annually adjusted fees. The Home Builders Association of Tulare/Kings Counties, Inc. has requested that they be notified of the annual adjustment of the attached fees, which are adjusted annually by application of the ENR Cost Index. Most of the fees in Exhibit “H” Connection Fees were in effect before January 1, 1989 (the effective date of the Mitigation Fee Act) and have only been increased by the Engineering News Record 20 City Construction Cost Index. The fees subject to the Act, that were adopted or increased after its effective date, were adopted or increased in accordance with those regulations. Again this year, City staff is giving notice to the Home Builders Association for the fees covered by the Mitigation Fee Act. The applicable fees are: 1) Hillside Development Trunk Line Sewer Fees; 2) Hillside Development Water Trunk Fees; 3) Transportation Impact Fees; and 4) Parks Impact Fees.

In accordance with prior City Council authorization, staff calculates and adjusts all of the attached fees annually. The policy as of 2003 is to give the Council notice of all of the attached adjustments annually (whether they are subject to the Mitigation Fee Act or not) before the new fees become effective.

The fee adjustments are shown in the attached Exhibit “A” Park Impact Fees and Exhibit “H” Connection Fees and will go into effect on July 15, 2007.

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

ATTACHMENT: Exhibit “A” Park Impact Fees
            Exhibit “H” Connection Fees

Item No. 17
EXHIBIT ‘A’  
Revised 6-12-07

PARK IMPACT FEES ◊

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family (R-1) △</td>
<td>07/01/06</td>
<td>07/15/07*</td>
</tr>
<tr>
<td>2. Multiple Family Per Unit △</td>
<td>$575</td>
<td>$594</td>
</tr>
<tr>
<td>3. Mobile Homes</td>
<td>$446</td>
<td>$461</td>
</tr>
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</table>

Mobile Homes $322 $333

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

Resolution #2-99 (Establishing ENR Annual Adjustment)

* Based on ENR Index = 7942 dated 5/07/07
◊ Fees Covered by the Mitigation Fee Act
### EXHIBIT 'H'

#### CONNECTION FEES

**TRUNK LINE SEWER FEES**

<table>
<thead>
<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (Δ 142-02)◊</td>
<td>$875</td>
<td>$904</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (Δ 94-90)</td>
<td>$1,603</td>
<td>$1,656</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (Δ 94-90)</td>
<td>$3,727</td>
<td>$3,849</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (Δ 94-90)</td>
<td>$8,694</td>
<td>$8,979</td>
</tr>
<tr>
<td>Institutional - per acre**(Δ 94-90)</td>
<td>$604</td>
<td>$624</td>
</tr>
<tr>
<td>Commercial &amp; Professional Office - per acre**(Δ 94-90)</td>
<td>$2,266</td>
<td>$2,340</td>
</tr>
<tr>
<td>Industrial - per acre**(Δ 94-90)</td>
<td>$9,672</td>
<td>$9,989</td>
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</tbody>
</table>

**TREATMENT PLANT FEES**

<table>
<thead>
<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family and Multiple Family - per unit (Δ 67-03)</td>
<td>$2,630</td>
<td>$2,716</td>
</tr>
<tr>
<td>Commercial and Industrial - per sewer connection (Δ 67-03)</td>
<td>$9.40</td>
<td>$9.71</td>
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<tr>
<td></td>
<td>($2,630.00)</td>
<td>($2,716.00)</td>
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**SEWER CONNECTION CHARGES**

<table>
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<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Six Inch or Smaller - per foot</td>
<td>$8.66</td>
<td>$8.94</td>
</tr>
<tr>
<td>Eight Inch - per foot</td>
<td>$11.37</td>
<td>$11.74</td>
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**WATER TRUNK FEES**

<table>
<thead>
<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (Δ 142-02)◊</td>
<td>$1,259</td>
<td>$1,300</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (Δ 93-90)</td>
<td>$2,626</td>
<td>$2,712</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (Δ 93-90)</td>
<td>$6,573</td>
<td>$6,788</td>
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<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (Δ 93-90)</td>
<td>$15,345</td>
<td>$15,848</td>
</tr>
<tr>
<td>Institutional**(Δ 93-90)</td>
<td>$1,714</td>
<td>$1,770</td>
</tr>
<tr>
<td>Commercial and Professional Office - per acre**(Δ 93-90)</td>
<td>$1,973</td>
<td>$2,038</td>
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<tr>
<td>Industrial - per acre**(Δ 93-90)</td>
<td>$15,155</td>
<td>$15,652</td>
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**WATER CONNECTION FEE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connection Charges - per foot</td>
<td>$7.41</td>
<td>$7.65</td>
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**STREET LIGHT FEES**

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<thead>
<tr>
<th>Description</th>
<th>Before 2007</th>
<th>After 2007</th>
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</thead>
<tbody>
<tr>
<td>Multiple Family - per foot</td>
<td>$2.25</td>
<td>$2.32</td>
</tr>
<tr>
<td>Commercial/Industrial - per foot</td>
<td>$2.84</td>
<td>$2.93</td>
</tr>
</tbody>
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*Revised: 6/12/07*
### STORM DRAINAGE FEES

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<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family (R-1) - per acre (incl. Hillside Dev.) (Δ 95-90)</td>
<td>7/1/06</td>
<td>7/15/07*</td>
</tr>
<tr>
<td>2. Duplex (R-2) - per acre (Δ 95-90)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Multiple Family (R-3 &amp; R-4) - per acre (Δ 95-90)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Commercial, Industrial &amp; Institutional - per acre (Δ 95-90)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Single Family - per acre: $4,325 to $4,467
2. Duplex - per acre: $5,769 to $5,958
3. Multiple Family - per acre: $8,654 to $8,938
4. Commercial, Industrial & Institutional - per acre: $11,536 to $11,914

### FIRE HYDRANT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Multiple Family - per foot</td>
<td>7/1/06</td>
<td>7/15/07*</td>
</tr>
<tr>
<td>2. Commercial/Industrial - per foot</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Multiple Family - per foot: $2.94 to $3.04
2. Commercial/Industrial - per foot: $4.36 to $4.50

### TRANSPORTATION IMPACT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family (R-1) per unit (Δ 50-98)</td>
<td>7/1/06</td>
<td>7/15/07*</td>
</tr>
<tr>
<td>2. Multiple Family (per unit) (Δ 50-98)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. General Office/ Institutional (per 1,000 sq ft of gross floor) (Δ 50-98)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Commercial (per 1,000 square feet of gross floor area) (Δ 50-98)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Light Industrial (per 1,000 square feet of gross floor area) (Δ 50-98)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Single Family (R-1) per unit: $925 to $955
2. Multiple Family (per unit): $626 to $647
3. General Office/ Institutional (per 1,000 sq ft of gross floor): $2,381 to $2,459
4. Commercial (per 1,000 square feet of gross floor area): $4,530 to $4,678
5. Light Industrial (per 1,000 square feet of gross floor area): $675 to $697

### FRONTAGE IMPROVEMENT VALUATION

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Frontage Improvements are required when the Building Permit valuation is over ◆ (Beginning 2/19/04 - over a two-year period)</td>
<td>7/1/06</td>
<td>7/15/07*</td>
</tr>
</tbody>
</table>

Frontage Improvements are required when the Building Permit valuation is over $16,445 to $16,984

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Resolution Establishing ENR Annual Adjustment

◆ Ordinance No. 1644 dated 2-19-04 (includes Annual Adjustment by ENR)

◊ Fees Covered by the Mitigation Fee Act

* Based on ENR Index = 7942 dated 5/07/07

** Institutional, Commercial and Industrial water and sewer trunk line fees will be collected based upon the amount stated above, but shall be adjusted after monitoring of actual usage to the following fees:

Water - $157.20 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

Sewer - $133.62 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).

BSR: MKR: vs
SUBJECT: ANNUAL REVIEW OF CITY OF PORTERVILLE/CHAMBER OF COMMERCE AGREEMENT, AND CONSIDERATION OF AMENDMENT TO FUTURE AGREEMENTS

SOURCE: Administrative Services

COMMENT: On August 21, 1990, the City of Porterville entered into an Agreement with the Porterville Chamber of Commerce for the purpose of having the Chamber provide contributing support in conducting and maintaining certain Chamber programs and activities which best achieve the community promotion objectives of the City. Under the terms of the Agreement, the Chamber is compensated by the City for actively promoting civic, social, and cultural events and activities; disseminating information relative to promoting the advantages of Porterville; and, for asserting positive community values.

Section V of the Agreement requires the Agreement to be reviewed annually to determine whether it should be amended to increase or decrease the scope of services contracted for and the base amount allotted and payable to the Chamber under the terms thereof. This provision was intended to prevent an automatic and obligatory annual commitment of municipal funds in times of limited revenues, and to validate charges for services actually provided or expected. Information required to be provided the City by the Chamber prior to the Council's annual review of the Agreement includes: (1) Annual Chamber Activity Report; and, (2) Current Financial Statements. The required Activity Report and Financial Statements were received from the Chamber on June 11, 2007, and are attached hereto for the Council's annual review.

In accordance with the Agreement, the Chamber has officially requested the annual performance allotment of $35,000.00 for FY 2006-07. Unless the Agreement is amended following an annual review, payments of $35,000.00 can be made annually to the Chamber by the City on or before September 1st of each year (in this instance, 09/01/07), but in no event earlier than City Council receipt, and acceptance, of the requisite Chamber Reports.
The Chamber has requested the City Council’s consideration for an amendment to Section I of the Agreement relating to Chamber responsibilities. The Chamber proposes to expand the Centennial Park’s Friday night activities into the Fall in addition to the Spring, in lieu of planning and coordinating the Annual Community Festival at Centennial Park in October.

RECOMMENDATION: That the City Council:

1. Accept the Chamber of Commerce Activity Report and Financial Statements, and authorize payment consistent with the City budget; and

2. Consider the Chamber’s request for amendment to the Agreement for Chamber responsibilities.

ATTACHMENTS: 1. City/Chamber Agreement
                2. Chamber Annual Activity Report
                3. Chamber Annual Financial Statements
                4. Chamber Agreement Amendment Request
AGREEMENT BETWEEN
THE CITY OF PORTERVILLE AND
THE PORTERVILLE CHAMBER OF COMMERCE

This agreement is made and entered into on the 15th day of August, 2006, by and between the CITY OF PORTERVILLE, hereinafter referred to as “City”, and the PORTERVILLE CHAMBER OF COMMERCE, hereinafter referred to as “Chamber,” both of whom understand and agree as follows:

WHEREAS, the City is desirous of maintaining and asserting positive community values, of disseminating information relative to promoting the advantages of Porterville, and of supporting public interest activities; and

WHEREAS, Section 37110 of the Government Code of the State of California authorizes the expenditure of not more than five percent (5%) of monies accruing to the General Fund in any one fiscal year for music and promotional activities, including promotion of sister city and town affiliation programs; and

WHEREAS, the Chamber is actively engaged in promoting civic, social, and cultural events and activities, and is therefore believed to be organized, equipped, and capable of conducting promotional activities on behalf of the City; and

WHEREAS, it is not the intent of the City to fully underwrite, subsidize, or sponsor any particular program or activity, but to provide contributing support towards the maintenance and continuance of certain existing programs and activities of the Chamber, which best achieve the promotional objectives of the City.
NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

I. Chamber Responsibilities. The Chamber shall:

   A. Continue to carry on programs and promotional activities that include:

      1. Mail solicitations, information pool, referral services, and the visitor
         information bureau.

      2. Holiday advertising campaigns, and the design and construction of the
         Porterville booth for the Tulare County Fair.

      3. Printing and distribution of informational pamphlets and brochures.

   B. Assume all duties and responsibilities relating to the following:

      1. Locating, scheduling, coordinating, and programming for Centennial
         Park’s Friday night activities for April, May, and June except for Fair and
         Iris Festival weekends. The City will provide logistical support.

      2. Planning and coordinating the Annual Community Festival, at
         Centennial Park, in October. The City will provide logistical support.

      3. Providing any other assistance as may be mutually agreed upon from
         time to time during the period of this Agreement.

   C. By May 15 of each year, furnish an annual activity report to the City
      covering the prior year’s promotional programs and activities for the
      reporting period from May 1 through April 30, with specific emphasis on
      sufficient relevant information to satisfy the terms and intent of this
      Agreement as heretofore enumerated. The Chamber shall also furnish
      the City with copies of its annual financial reports within thirty (30) days
      after they are prepared.

II. Payment By City. As consideration for the above-mentioned responsibilities, the
    City shall, during the term of this agreement, pay the Chamber the sum of Thirty-Five
    Thousand Dollars ($35,000.00) per year. Such annual payments shall be made on or
    before September 1 of each year, commencing in 2006. However, such annual
payments shall not be made until the City receives and reviews the annual activity report referred to in paragraph I(C) for the proceeding reporting period (May 1 through April 30).

III. Term. This agreement shall be in effect commencing date of execution of this Agreement and shall continue in effect until June 31, 2007, and thereafter on a year-to-year basis, beginning on July 1 of each year, until terminated according to paragraph IV of this Agreement.

IV. Unilateral Termination. This Agreement may be terminated by either party, and for any reason, providing thirty (30) days written notice to the other. This Agreement shall terminate forthwith thirty (30) days following the date such notice is received by the non-terminating party.

V. Annual Review. This Agreement shall be reviewed annually to determine whether it should be amended to increase or decrease the amount of consideration required of either party, including the amount payable to the Chamber. Subject to City budgetary limitations, any increases or decreases shall be based on services provided and expected to be provided during the then current and next fiscal years by the Chamber, and the expected tax revenues to the City from business activities during the then current and next fiscal years.

VI. Amendment. This Agreement may be amended or modified only by a writing signed by both parties. Failure on the part of either party to enforce any provision of this Agreement shall not be construed as a waiver of the right to compel enforcement of such provisions.

VII. Annual Review. This Agreement shall not be assigned by the Chamber without the written consent of the City, and such consent may be withheld for any reason.

VIII. Notices. All notices required by the Agreement shall be in writing and delivered in person or sent by registered mail, postage prepaid.

///
///
///
IX. Relationship of Parties. It is understood that the contractual relationship of the Chamber to the City is that of an independent contractor.

CITY:

[Signature]
Cameron Hamilton, Mayor

ATTEST
John Longley

By:
[Signature]
John Longley, City Clerk

CHAMBER:

[Signature]
Donnette Silva Carter
President/CEO

ATTEST
[Signature]

By:
[Signature]
Mimi Stoneburner, Chair
Chamber Board of Directors

APPROVED AS TO FORM:

[Signature]
Julia Lew, City Attorney
May 23, 2007

The Honorable Cameron “Cam” Hamilton
Mayor, City of Porterville
291 N. Main Street
Porterville, CA 93257

Dear Mayor Hamilton and Members of the Council,

The Porterville Chamber of Commerce enjoyed a successful 2006 Fiscal Year (November 1, 2005 - October, 31, 2006) which included the introduction of new projects and enhancement of existing programs, while effectively serving Porterville businesses and the community. We also enthusiastically embraced the new City contract agreement services added for the final portion of our 2006 Fiscal Year and the planning for that which would take place in Spring 2007.

The Chamber was proud to coordinate another very successful Iris Festival event to celebrate our city’s flower and provide an opportunity for tourism traffic and local family involvement. The 8th Annual event welcomed an estimated over 23,000 attendees and 196 booths - again breaking the existing records. We were pleased to provide this venue which effectively brings visitors and their dollars to our community, while providing a wonderful, collaborative effort for local family entertainment.

Our organization also embarked on a continuation of the gang prevention message, initiated at the All America City Conference, by staffing a community committee which presented three community-based Gang Involvement Prevention Forums. The events, while open to all parents, targeted those of middle school students, a serious risk population. The three forums realized an overall attendance exceeding 350, and engaged the participation of schools, law enforcement entities, the media, local non-profits, and others in the planning process. In 2006, the Chamber presented its third Sierra Business Conference – an educational, informational and motivational venue for business people of southeastern Tulare County. The event took on the focus of community growth, entrepreneurship, and workforce development, and met with outstanding success exceeding the attendance goal. The post-program brought together 20 community stakeholders in a special community branding discovery workshop which was the first phase of the Chamber’s effort to launch a branding initiative. The past fiscal year also included jointly presented employer workshops with the City and other partners to keep our businesses aware of various critical issues, and assist with business retention and expansion. Additionally, the Chamber served as an advocate for business, communicating a pro-business message to state legislators in an effort to combat job killer bills and create an environment for business growth.
Enclosed, please find our 2006 Fiscal Year activity report including City Agreement (and other) activities and our year-end Balance Sheet. Both are for your review and presented in accordance with the “Agreement Between the City of Porterville and the Porterville Chamber of Commerce,” dated August 15, 2006. This letter serves as our official request for the City’s budgeted 2006/2007 allotment to the Porterville Chamber of Commerce of $35,000.

The Chamber sincerely appreciates the partnership support that the City Council and City staff provided in FY2006. We are pleased to continue in this cooperative effort of promoting our community and tourism while working to create a stronger local economy.

Sincerely,

Greg Woodard, Board Chair

Domette Silva Carter, President/CEO
Annual Report
to the Porterville City Council
City of Porterville

2006 Fiscal Year

Porterville Chamber
of Commerce
In compliance with the agreement between the City of Porterville and the Porterville Chamber of Commerce, the Chamber has met and exceeded its obligation to provide tourism promotion, relocation and visitor assistance, community promotion, coordination of the Community Festival, and planning of Centennial Park Friday night activities. These agreement services, and a sampling of other accomplishments for the Chamber’s Fiscal Year 2006, are outlined below:

1. The Chamber sponsored the 8th Annual Iris Festival to provide a spring event for family entertainment, tourism, and the celebration of our city’s official flower, the purple iris. This event was widely advertised locally, regionally and statewide and included in some national publications. The 2006 Iris Festival once again saw the Chamber involved in collaborative efforts with various local groups and area activities held that day including Porterville Celebrates Reading, the Porterville Gleaning Seniors’ Pancake Breakfast, and the Jackass Mail Run. The attendance was at its best with a record crowd estimated at over 23,000. We had another increase in the number of vendor booths and again noted vendors traveling from out of state and utilizing our local lodging and camping facilities.

2. Served as the community’s active visitor information bureau by providing community information on recreational activities, entertainment, special events, lodging, restaurants, etc. to an average of over 300 phone, internet and walk-in contacts per month.

3. Coordinated and promoted the city’s second Porterville Community Festival – an opportunity to celebrate community and showcase the many good works organizations that contribute to Porterville’s ‘Good Life.’

4. Collaborated with the City of Porterville, Porterville Unified School District, Burton School District and local organizations to present three neighborhood community forums on “Preventing Your Children From Becoming Involved in Gangs.” The activity targeted the parents of middle school children. Over 350 people attended the three forums, held in different areas of the community in order to provide better access to residents. Additionally, participated in the coordination of a gang awareness/involvement prevention training for over 75 middle school educators with Porterville Unified School District.

5. Supported the City of Porterville in its economic development efforts by maintaining our collaborative Economic Development Committee and by providing information to City staff on those businesses who contact the Chamber with an interest in locating in Porterville. The Chamber fulfills the requests from interested parties for information about community demographics, real estate availability, the retail industry, community events, and recreational opportunities. Further supported economic development efforts through the Chamber’s staff and director’s representation on the Tulare County Economic Development Corporation.

6. In partnership with the City of Porterville, Tulare County Workforce Investment Board, and Small Business Development Center launched a new business counseling cooperative to meet the needs of start-up and existing businesses in our area.

7. Promoted tourism in Porterville and the surrounding area to gain the economic impact tourism traffic provides to a community. We also expanded our presence in the Discover magazine tourism publication which is distributed county-wide.
8. Provided information and referral (and other requested) support for established and new community projects/events such as; the Porterville Fair, Jackass Mail Run, Veteran’s Day Parade, Sierra Winter Classic, Downtown Porterville Car Show, Pow Wow, City of Hope Spectacular, Cinco de Mayo Celebration, Flag Day Ceremony, Rollin Relics Car Show, Porterville Museum Motorcycle Show, Brewfest, Porterville Community Festival, and Lamb Slam.

9. The Chamber fulfilled requests from individuals researching or planning a relocation to Porterville, and from employers planning recruitment campaigns. On the average, we received 30-45 contacts/requests per month.

10. Constructed Porterville community booths at the Tulare County and Porterville Fairs with the purpose of highlighting the offerings of our businesses and community.

11. Continued the advocacy efforts for expansions of both Highway 65 and Highway 190, and actively supported Measure R which subsequently was successfully voted into place by Tulare County residents.

12. Over 1200 community visitor packets were distributed at special events, professional conferences and club activities. The materials in these packets provide information about our community and promote our local businesses. Some of those events were: Sierra Winter Classic - 150 and the Lamb Slam - 150.

13. Provided representation on the City’s General Plan Update Advisory Committee, Redevelopment Advisory Committee, and Zalud House Committee.

14. Participated with partners, including the City of Porterville, in the development of entrepreneurial incubator opportunities in the greater Porterville area.

15. The Chamber maintained membership in the Sequoia Regional Visitor’s Council which promotes tourism for Tulare County. Our participation in this effort included supporting our President/CEO’s leadership role as newly elected President of this organization.

16. Participated in the International Ag Expo Visitor Center to provide information and referral to visitors from around the world. Materials on Porterville were distributed. Additionally, we saw to the inclusion of Porterville lodging and restaurant sites in the Tulare County brochure and web page prepared for the Expo.

17. Co-sponsored, with the Employment Development Department, City of Porterville, Employment Connection, and the Employer Advisory Council, valuable and low cost employer seminars to keep local businesses up-to-date on important issues which affect their operation i.e. employee retention and expansion, employment laws, etc.

18. Participated in the Sequoia Region Institute for Higher Education’s efforts to advance the availability of baccalaureate degrees in Tulare County.
19. Maintained our partnership and participation in the Tulare County Workforce Investment Board Employment Connection for the promotion of workforce resources for our residents and the providing of services to businesses through the Business Resource Center.

20. Continued the presentation of First Friday Coffee monthly events providing the opportunity for local business/organization highlighting and the presentation of community activities and other items of interest to the business public.

21. Presented the annual Children’s Christmas Parade in cooperation with the Rotary Club of Porterville, Downtown Porterville Association, and the City of Porterville

22. Maintained a world wide web page through which we receive daily requests for information about the community from individuals and businesses. Requests are received from throughout the United States and many foreign countries as well.

23. Facilitated a Business Mission and Tour of China for 126 local representatives. The trip included visits to various factories and economic zones in China, and participation in business networking and trade conferences in Beijing and Shanghai. The Chamber’s Business & Education Committee also coordinated an Educator Tour of China which included the factory site tours as well as visits to Beijing University and a K-12 school site - 205 people participated.

24. Coordinated the “Administrator for a Day” project whereby local business and community leaders were placed into school sites. This project provides a unique opportunity to strengthen the relationship between business and education in our community, create a greater awareness of the educational process in Porterville, and, increase the knowledge of our educators as to the training and education necessary to secure employment in the workforce. It is the hope of the Chamber that the insights gained by both educators and business leaders will be invaluable as schools reshape education to meet the challenges of preparing the future workforce.

25. Maintained an active Government Affairs presence with the goal of advocating on behalf of business in our community. Representatives participated in the California Business Legislative Summit and also provided testimony before hearings in order to advocate for positive business legislation for our local businesses. The Chamber continued it’s membership in the regional Business, Industry & Government group.

22. Supported the efforts of many community organizations by serving as an information center for over 150 social, cultural, business and miscellaneous events.

26. Embarked on a project to generate private and public sector support for a community branding initiative to develop strategies for economic and community development. Held the first stakeholders workshop in Fall 2006.

27. Continued to support the Leadership Porterville program, a valuable project which promotes civic leadership by training and educating emerging community leaders.
28. Co-sponsored, with the Tulare County Office of Education and Porterville Unified School District, Porterville’s third COOL Night South Middle School College & Career Expo. This exciting program provides a local venue for middle school students and their parents to learn about career/vocation options, colleges and financial support, and local high schools and their campus activities. The goal is to provide students with education about and motivation to attend high school as the first step toward workforce preparedness, while also introducing them to careers and college.

29. The Chamber continued its partnership with the Service Corps of Retired Executives (SCORE) program to bring the services to our office to make them more accessible to Porterville area businesses. This entrepreneurial counseling is a valuable business establishment/growth/retention tool and is provided free of charge.

30. Participated in the City of Porterville Partners Network.

31. Continued active support of the community Mural Project Committee. This project contributes to community beautification, downtown redevelopment, and tourism attraction.

32. Presented an expanded and sold-out Business Showcase trade show event to promote business to business marketing in Porterville.

33. Maintained a working relationship with representatives of the Downtown Porterville Association in an effort to promote downtown revitalization.

34. Began the planning process for the implementation of the Centennial Park Spring Concert Series and development of the Music on Main Street concept. Concerts to be presented in Chamber’s FY2007.

35. Presented the third Sierra Business Conference – an informational, educational and motivational event for business people in our area. The conference included speakers sharing information on workforce development through entrepreneurship, business management, Valley economics, legislative issues impacting business, and more.

36. In partnership with the Porterville Police Department, continued the Anti-Graffiti Rewards Program and Graffiti hotline.


38. Hosted numerous local ground breaking and ribbon cutting events in the community.

39. Sponsored six local community blood drives.
Chamber of Commerce of Porterville  
**Balance Sheet**  
As of October 31, 2006

### ASSETS

**Current Assets**
- Checking/Savings  
  - Cash on Hand: 11.30
  - Bank of Sierra - Checking: 45,906.60
  - Bank of Sierra - Savings: 67,384.33

Total Checking/Savings: 113,302.23
- Accounts Receivable
  - Accounts Receivable: 64,907.71

Total Accounts Receivable: 64,907.71
- Other Current Assets
  - Deferred Expenses: 8,330.84
  - Prepaid Postage: 1,254.83
  - Undeposited Funds: 942.64

Total Other Current Assets: 10,528.31

Total Current Assets: 188,738.25

**Fixed Assets**

- FIXED ASSETS
  - Land: 80,000.00
  - Buildings: 412,985.31
  - New Office Building: 14,607.58
  - Leasehold Improvements: 3,433.00
  - Office Equipment: 16,821.00
  - Computer Equipment: 7,623.31
  - Computer Software: 3,752.13

Total FIXED ASSETS: 539,222.33

- Accumulated Depreciation
  - Buildings: -40,457.00
  - Leasehold Improvements: -3,206.00
  - Office Equipment: -19,345.00
  - Computer Equipment & Software: -5,073.00

Total Accumulated Depreciation: -68,081.00

- Investments
  - Building: 35,038.93
  - Unrealized Gain/Loss: -7,550.03

Total Investments: 27,488.90

Total Fixed Assets: 498,590.23

**TOTAL ASSETS**: 687,328.48

### LIABILITIES & EQUITY

**Liabilities**

- Current Liabilities
  - Accounts Payable
    - Accounts Payable: 500.00

Total Accounts Payable: 500.00
- Credit Cards
  - Visa: -15.59

Total Credit Cards: -15.59
- Other Current Liabilities
  - Deferred Income: 13,333.32
  - Accrued Payroll Tax Payable
    - FUI: 18.24
    - SUI: 34.21
    - ETT: 0.65

Total Accrued Payroll Tax Payable: 53.10

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Page 1
# Chamber of Commerce of Porterville
## Balance Sheet
### As of October 31, 2006

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**Accrual Basis**
May 23, 2007

The Honorable Cameron “Cam” Hamilton
Mayor, City of Porterville
291 N. Main Street
Porterville, CA 93257

Dear Mayor Hamilton and Members of the Council:

As the Porterville Chamber presents its Annual Agreement of Services FY2006 Fiscal Report, we also ask the City Council’s consideration for an adjustment of agreed services. Included in the existing agreement is the coordination of the Porterville Community Festival and also Friday night, special activities at Centennial Park. Below is our proposal for changes to these portions only of the agreement:

Music on Main Street - This project has been met with much success. Our agreement with the City was simply to coordinate Friday night activities at Centennial Park for the months of April-May-June 2007. The Chamber has actually taken this project steps further by developing the Music on Main Street program name and including music venues at various downtown restaurants to coincide with the Centennial Park Concerts. We were so committed to the success of this expanded project, that the Chamber invested some of its own funds to ensure success. We were also able to expand the promotion opportunity for the activities by gaining local media sponsorship so that the City’s budgeted funds, through Parks & Leisure Services, could actually stretch three times beyond the amount provided.

The Chamber would like to see this project take place in the Fall, in addition to the Spring. We have received much positive feedback from the performers and feel that it would be possible to highlight the school groups and others in a two-month Centennial Park concert series September to October. It is probable that some lighting may be necessary for the final two to three performances. Additionally, we propose including an option to highlight local non-profits at one Fall and one Spring activity. This would entail a small street closure (Cleveland, Main to the alley). Other growth ideas may comprise: featuring local artisans, enhancing the kids craft area, and a limited number of food/crafts vendors.
Porterville Community Festival - The Chamber’s evaluation of this event has found that resources could better be invested with the expansion of Music on Main Street to include community nights. We also tested an effort to invite qualifying non-profit organizations to participate with information booths, free of charge, in the 2007 Iris Festival. Over a dozen organizations took advantage of this opportunity to create an awareness of their services to a crowd of residents and visitors exceeding 20,000. The Chamber felt that this provided a much more effective venue for the organizations by providing them with an event through which they could reach a significantly larger crowd. Normally, the Chamber would charge for participation in the Iris Festival, but the committee and Board embraced this opportunity to feature good works organizations, forego the income, and incur the cost. Should Council decide to move forward with the featuring of our non-profits at Music on Main Street and the Iris Festival, the Chamber will make a long-term commitment to making the space available to non-profits in lieu of the Porterville Community Festival. We truly believe that the organizations can realize a greater gain of exposure through these options.

The Board of Directors of the Porterville Chamber of Commerce looks forward to City Council’s consideration of these modifications to the existing contract for services. We anticipate a continuance of the $35,000 agreement for services, with budget adjustments shifting funds from the Porterville Community Festival to Music on Main Street. This proposal also includes the potential for savings to the Parks & Leisure Services budget for staff services associated with the Community Festival, and for advertising expense for Music on Main Street. The advertising expense would be covered in the $35,000. The other services in the agreement would continue, as they have, for the past 17 years.

Thank you for the opportunity to continue this effective and worthwhile partnership.

Sincerely,

Greg Woodard, Board Chair

Donnette Silva Carter, President/CEO
SUBJECT: MINOR SERVICE & REPAIR IN GENERAL COMMERCIAL AREAS (C-2 ZONES)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

COMMENT: Staff is seeking direction from Council to consider minor automotive service and repair without the sale of gasoline in areas designated by the General Plan and Land Use Element as General Commercial and Zoned C-2.

Currently service stations are allowed in the C-2 Zone (Section 801 A-17 of the Zoning Ordinance). The Zoning Ordinance has historically been interpreted by Staff to require the sale of gasoline in order to provide other services, including lubrication and minor automotive services. Service Stations are defined as:

For retail sale of gasoline, oil and new automobile accessories, auto lubrication and servicing, as follows:

1. Gasoline sales shall be limited to not more than one pump island;
2. Lubrication shall be limited to one grease rack;
3. Washing, waxing and polishing (not including mechanical car washing or steam cleaning);
4. Tire sales and service (not including balancing or recapping);
5. Battery sales, installation and charging;
6. Minor repairs, adjustments and installation, including fan belts, spark plugs, water hoses, oil filters, windshield wipers, lights and other accessories;
7. All operations, excepting sale of gasoline and oil, shall be conducted in a building enclosed on at least three (3) sides.

Staff has been approached by prospective developers that wish to provide minor automotive services without the sale of gasoline. Specific sites for these proposed facilities have been identified in the C-2 and P-D Zones designated by the General Plan as General Commercial.

Staff is requesting direction from City Council on whether to consider allowing such use. If the Council wishes, Staff can propose guidelines and/or procedures and project requirements to assist in development of such uses.

RECOMMENDATION: Staff Recommends deferring to the Comprehensive Zoning Ordinance Update programmed for next fiscal year.

FINANCES: APPROPRIATED/FUNDED OM J
ITEM NO. 19
SUBJECT: PROPOSED CITY ORDINANCE SECTION 17-11.13

SOURCE: CITY ATTORNEY’S OFFICE

COMMENT: This office was asked to look into the legality of prohibiting, by way of City ordinance, the parking of vehicles on a lawn because of the health and safety risks associated with oil and other toxic substances leaking from such vehicles onto the ground and eventually permeating the water table and drinking water supply.

Such a prohibition falls within the City’s authority to regulate under its police powers. Attached is a draft ordinance prohibiting parking on any lawn, garden or unimproved surface. Given the rationale for the prohibition discussed at the meeting on June 5, as well as potential difficulties in defining a “lawn area” or limiting the applicability of the regulations, any unimproved areas are also included. Driveways composed dirt, gravel or sand are exempt from the regulation, but owners shall take reasonable steps to minimize leakage of oils and other substances.

Our research also revealed that some cities (generally larger cities), who have similar prohibitions (i.e. San Francisco and Sacramento), have seen many react by increasing their driveway size. In some instances others pour cement over the entire lawn in areas where parking comes at a premium. This may not be a big issue in Porterville, except possibly in older downtown areas where people may park on older unimproved spaces.

A sample provision provided from the City of Santa Maria illustrates an alternative way of addressing the issue. This regulation prohibits parking/storage in front and corner side residential yards unless on a driveway or paved area, or behind a solid fence. The regulation also contains paving restrictions with regard to the yard to avoid the problem of over-paving.

RECOMMENDATION: That the City consider the draft provisions. The Council may
1) Approve and give first reading to the Ordinance, OR
2) Provide further direction

ATTACHMENT: 1) Ordinance No. __________, An Ordinance of the City of Porterville Adding Section 17-11.13 to the Porterville Municipal Code, Concerning Certain Prohibitions on Parking

2) Sample regulation (provided by City of Santa Maria)
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADDING
SECTION 17 - 11.13 TO THE PORTERVILLE MUNICIPAL CODE, CONCERNING
CERTAIN PROHIBITIONS ON PARKING

WHEREAS, the City Council of the City of Porterville desires protect the health and
safety of its citizens by minimizing the leakage of dangerous and toxic chemicals into its
drinking-water supply by prohibiting the parking of vehicles on a lawn or unimproved
surfaces;

THE COUNCIL OF THE CITY OF PORTERVILLE DO ORDAIN AS FOLLOWS:

SECTION 1. That Section 11.13 be added to Article XI of Chapter 17 of the
Porterville Municipal Code as follows:

Sec. 17-13. Parking on lawns and Unimproved Surfaces.
It is unlawful for any person to park or store, permit to be parked or stored, or allow
to be parked or stored any vehicle, including any car, truck or motorcycle upon any lawn
or garden or upon any unimproved surface (unimproved surface includes any surface
which is not paved or asphalted). Properties having an established driveway composed
of dirt, gravel or sand prior to the adoption of this Section are exempt from this Section, but
property owners shall take reasonable steps to minimize the potential leakage of oils or
other vehicle fluids on the unimproved surface. A citation may be issued to the registered
owner of any vehicle found to be in violation of this section. This regulation in no way
abrogates or limits any other regulation, building requirement, or design standard of the
City.

SECTION 2. This ordinance shall be in full force and effect thirty (30) days from and
after its publication and passage.

_________________________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By: _____________________________________
   Georgia Hawley, Chief Deputy
SAMPLE REGULATION – CITY OF SANTA MARIA

The following is declared a public nuisance:

A vehicle or vehicles parked or stored in a front or corner side yard, except on a driveway or paved area or behind a solid fence or wall a minimum of six (6) feet in height, on lots in a residentially zoned district. No more than fifty percent (50%) of the front or side yard may be paved. For the purpose of this section, “yard” means any open space other than a court on the same lot with a building or a dwelling group, which space is clear of structures and thus open from ground to sky.
CITY COUNCIL AGENDA ________

June 19, 2007

SUBJECT: Request for Appropriation to Develop a First Phase Business Plan for a Potential Health Careers Academy

SOURCE: City Manager

The City has been working to develop a vocational health careers training program. This effort is based on two important factors:

1. A major issue for Porterville and the San Joaquin Valley is the universal lack of health care workers to address the overall need.

2. The Porterville area historically has been a site for many solutions and innovations to health care problems. In short, health care problem solving may be in the culture.

**Background And Framework**

The relevant background includes the following concepts:

- The City’s research indicates that availability and competition among providers has not worked to resolve the problems. Instead, shortages are reported by hospitals, clinics, state and county agencies not only in the Porterville area, but throughout the San Joaquin Valley.

- Porterville is closely tied to the health care industry. The State of California’s Porterville Developmental Center is a major health provider for the developmentally disabled that serves the entire State of California.

- The existing state facility has available municipal services and facilities. An important facility is the Porterville Municipal Airport (the former Porterville Army Airfield) that is
• a fully functional facility that serves as a base for both federal and state air assets through the United States Forest Service and the California Division of Forestry.

• The City of Porterville, Porterville College, and Porterville Unified School District have joined in a six-year partnership to address the issue. Though new community resources have been deployed, the scope of the need for health care professions has become increasingly critical.

• A resolution group has been assembled and meets. This group is searching for a solution to address the significant outstanding need. The group includes representatives of the city of Porterville, Porterville College, Porterville Unified School District, Sierra View District Hospital, Porterville Chamber of Commerce and other health care providers.

• If this need is to be addressed, additional medically trained personnel will be required. This could be achieved through an expanded training program. Such a program will require clinical space to support the training program. The lack of clinical space has been found to be a significant constraint in expanding health care opportunities.

As indicated above, a compelling solution is the establishment of a vocational health careers institute.

• The establishment through the Receiver of a vocational health careers training academy or institute which will serve up to 500 to 1,000 RNs, LVNs, Psychiatric Technicians, X-Ray Technicians, Pharmacy Technicians, Phlebotomists, Certified Nursing Assistants, Medical Assistants and other vocational health care specialists per year.

• The vocational health care training academy will provide training for health care professionals to enter state service and to provide personnel to support correctional facilities in Delano, Wasco, Tehachapi, Avenal, Coalinga, and Corcoran.

• The vocational health careers training facility’s faculty will serve in addition to instructional duties as members of rapid deployment teams to address health care needs throughout the State of California.

• Through the provision of vocational medical professionals to serve state government, the academy will address the medical service marketplace throughout the San Joaquin Valley, by increasing the supply of trained workers that will directly address the catastrophic stress, which currently exists in this workforce market sector.

• As a matter of readiness and economy facilitating the early launch of a new vocational health careers training academy, the new facility can be supported through Porterville College and the Porterville Unified School District’s Adult School to provide specific classes from their well-developed science and vocational medical training curricula.
The City and schools have met to review the potential for the concept. A key factor is the development of a funding source to support the project. In this regard, the health careers academy may well be initiated through contractual sources. Potentially major in this regard are health care needs for prisons in the central and southern San Joaquin Valley area.

To pursue this opportunity, representatives from the City met with Mr. Robert Sillen, who is the Receiver for the Federal Courts through the California Prison Health Care Receivership Corporation.

At the meeting, Mr. Sillen indicated his willingness to consider the concept, if he is provided with a business plan outlining potential costs and the specific benefits he would be receiving by working through a Porterville program.

**Developing a First Phase Business Plan**

The purpose of this staff report is to request funding to prepare the business plan.

Currently, monies are not allocated in the budget for a proposal of this type. It is suggested, that the 2006/07 Budget be amended by $5,000 and that the City Manager be authorized to retain a consultant to prepare a business plan for a potential health careers academy. Potentially, this academy would be a joint powers agency or a not-for-profit corporation.

The source of the budget amendment could be either from unallocated reserves or the “Rainy Day Reserve”. A summary is provided below of financial factors regarding this decision.

**Financial Factors**

From unallocated reserves, the City has budgeted $100,300 for the following purposes:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Flags</td>
<td>$1,000</td>
</tr>
<tr>
<td>Chamber Branding Program</td>
<td>$10,000</td>
</tr>
<tr>
<td>Cable Franchise Audit</td>
<td>$8,500</td>
</tr>
<tr>
<td>KTAAA</td>
<td>$3,000</td>
</tr>
<tr>
<td>Associations’ dues increase</td>
<td>$18,000</td>
</tr>
<tr>
<td>Chamber of Commerce</td>
<td>$15,000</td>
</tr>
<tr>
<td>Seattle EDA trip</td>
<td>$4,000</td>
</tr>
<tr>
<td>VITA program</td>
<td>$2,500</td>
</tr>
<tr>
<td>Deputy CM Recruitment</td>
<td>$30,000</td>
</tr>
<tr>
<td>Tiny tots program</td>
<td>$1,000</td>
</tr>
<tr>
<td>Senior nutrition program</td>
<td>$2,500</td>
</tr>
<tr>
<td>Senior nutrition program</td>
<td>$2,400</td>
</tr>
<tr>
<td>Mural sponsorship</td>
<td>$2,500</td>
</tr>
</tbody>
</table>
The theory is that because of increases in revenues above estimate for the year, additional unallocated reserve appropriations can be supported. In terms of overall financial factors, it is estimated that during 2006/07 the City's cash flow balance will decline by $1,333,725. This decline was expected, however, because monies reserved for special and capital projects were expended. When the carryover monies and the Success Dam construction account are subtracted, the City will gain $82,020 by a structural accounting.

In terms of budget adjustments to the "Rainy Day Reserve" the following occurred during the 2006/07 Fiscal Year for total appropriations of $336,000.

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Putnam Center Work</td>
<td>$200,000</td>
</tr>
<tr>
<td>Freeze Employment Program</td>
<td>$100,000</td>
</tr>
<tr>
<td>Courthouse Legislative Effort</td>
<td>$36,000</td>
</tr>
</tbody>
</table>

The "Rainy Day Reserve" was funded at $1,500,000. By the appropriations, the amount has been modified to $1,164,000.

**Recommendation**

From either non-appropriated reserve or "Rainy Day Reserve", allocate $5,000 to be used to develop a first phase business plan for a potential health careers academy. Authorize the city manager to retain a consultant to prepare the plan. This should be initiated immediately.
SUBJECT: REQUEST FOR COMMENTARY ON THE TULARE COUNTY DRAFT PUBLIC FACILITIES IMPACT FEE STUDY

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: Tulare County Board of Supervisors is requesting that the City of Porterville provide written comments to the Tulare County Draft Public Facilities Impact Fees Study.

The impact fees discussed in this study are Countywide Public Protection, Fire Protection, Library, Parks & Open Space, Sheriff Patrol and Investigation, General Government, Animal Control, and Storm Drainage. The study does not propose charging all fees for each City if the City is currently supplying the service to the public. Therefore, the fees proposed to be charged for the City of Porterville are Countywide Public Protection, Parks & Open Space, General Government, and Animal Control. The proposed fees are designed to apply to new development occurring in the unincorporated and incorporated areas of Tulare County.

Following are staff’s questions and or concerns upon cursory review of the study:

- In addition to those fees presented, the County is preparing an impact fee study for streets and traffic facilities, which will be presented at a later date.
  - Holding true to this proposal, it is anticipated the fees will be proposed for incorporated as well as unincorporated areas.
- The County is proposing fees in both incorporated and unincorporated areas but would move forward with fees in the unincorporated areas regardless of the Cities’ participation. The City’s participation would require an Implementation Agreement (Joint Powers Agreement).
- If adopted, the Implementation Agreement (Joint Powers Agreement) must be approved by the Board of Supervisors and the affected city’s Council. The cities may also have to amend their existing impact fee ordinances to allow these charges to be made.
- The study states that Cities are only providing services within their own city limits. Currently the City provides substantial services to County residents, including some water, sewer, roads, and parks.
- There is no mention of health services in the study.
- The study shows a charge to permits issued in the City of Porterville for Animal Control
  - The City currently contracts with the City of Lindsay for Animal Control therefore this fee is not appropriate.
• The fees will be automatically escalate annually based on the Engineering News Record Construction Cost Index.
  o *The City Council has no control over an automatic annual increase.*
  o *Why would the City want to allow the County an automatic increase when it’s not allowed in the City?*

• The Study also states that the County will need to conduct more extensive analysis and fee documentation and calculation when significant new data on growth projections and/or facility plans become available.
  o *This potential increase would be in addition to the above annual ENR increase.*
  o *The study does not indicate whether this potential increase would need approval from the incorporated cities.*
  o *Again, there is no control over rate increases*

• Under the plan, fees are not intended to fund planned facilities needed to correct existing deficiencies. However, under Use of Fee Revenues for Countywide Public Protection the immediate need will be a new facility to replace the administrative and vehicle maintenance functions and Visalia fire station currently housed in Station #1, which will be lost to CDF through the transition.
  o *This can readily be argued that it is correcting an existing deficiency.*
  o *City Council has no control on how the revenues are spent*

• The study states that the County should maintain a Capital Improvements Program to plan for future infrastructure needs, and identify fee revenue with specific projects.
  o *The study does not address a requirement for cities to approve the County’s Capital Improvement Program nor the amendments.*
  o *The study states that the County may decide to alter the scope of the planned projects or to substitute new projects and again does not mention receiving input or approval from cities.*
  o *The study also mentions that if the total cost of facilities varies from the total cost used as a basis for the fees, the County should consider revising the fees accordingly and again does not mention receiving approval from cities.*
  o *The Capital Improvement Program should be completed before implementing any impact fees, not only to help determine accuracy of fees but to also identify where facilities will be located. There would need to be some mechanism to ensure that fees generated by development in an area are directed to improvements in the area of origin (such as zones of benefit).*
• The study consistently states that upon the completion of the County’s ongoing facility needs assessment, fees should be updated to reflect new information when it becomes available.
  o The facility needs assessment should be completed before the adoption of any impact fees.
  o Again City Council has no control over increases nor any confidence that the proposed fees are reflective of the actual needs or costs of critical improvements.

• Implementation of County Public Facilities Impact Fees would be in addition to the City’s impact fees and could hinder the City’s need to update fees upon completion of the General Plan Update and keep pace with the actual cost of capital projects implementation.
  o The facility needs assessment should be completed after the County’s General Plan update and before the adoption of any impact fees.
  o Again City Council has no control over increases nor any confidence that the proposed fees are reflective of the actual needs or costs of critical improvements.

• The City receives very little from the County for recovery costs when property is annexed into the City, while the cities are being asked to adopt impact fees for County facilities that equate to more than 10 times the amount generated by unincorporated areas.

• The County is in the middle of updating their General Plan, which is impetus for implementing impact fees; impact fees should not be implemented until the General Plan is complete.

• The study states that Counties provide services, in varying degrees, to both incorporated and unincorporated areas and that impact fees just to unincorporated growth, will yield insufficient revenue to fund the entirety of the facilities needed to serve new development. Consequently, counties must rely on cities to impose fees on the county’s behalf if the full cost of needed county facilities is to be recovered. Following is a summary of the estimated annual Development Impact Fee revenues as per the study:

<table>
<thead>
<tr>
<th>Area Type</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unincorporated Area</td>
<td>$725,727</td>
</tr>
<tr>
<td>Incorporated Area</td>
<td>$7,687,210</td>
</tr>
</tbody>
</table>

Note: County Population 414,600
City Population 262,900
City Percentage of County Population 63% (approximately)
(Study used January 2006 population figures)

Staff surveyed the following Counties in regard to impact fees with the following results:
Kern County – Currently has impact fees for unincorporated areas and does not impose fees on Cities.
Kings County - Currently has impact fees for unincorporated areas and does not impose fees on Cities.
Fresno County – Currently is in the process of completing a study for implementing impact fees did not know if Cities would be included.

Overall, staff feels there are too many unanswered questions in the study and imposing impact fees on cities is premature due to the fact that the General Plan Update, Facility Assessment Study, and Capital Improvement Program are currently being prepared and fees should not be considered until these efforts are completed. In theory, staff is not necessarily opposed to the County imposing appropriate fees on city development for the improvement of essential county infrastructure that realistically serves the community. In this effort, the County should engage the Cities from the very beginning so that Staff understands both the methodology and timing of the fee program and the actual needs of the County for establishing the impact fees.

RECOMMENDATION: That City Council:

1. Authorize staff to prepare a letter to the County of Tulare outlining the above referenced concerns regarding the Tulare County Draft Public Facilities Impact Fees Study.

2. Authorize the Mayor to sign the letter on behalf of the City.

Attachments: County Administrative Office Agenda Item (Report Only) dated May 22, 2007
AGENDA DATE:  May 22, 2007

Public Hearing Required  Yes ☐  No ☐  N/A ☑
Scheduled Public Hearing w/Clerk  Yes ☐  No ☐  N/A ☑
Published Notice Required  Yes ☐  No ☐  N/A ☑
Advertised Published Notice  Yes ☐  No ☐  N/A ☑
Meet & Confer Required  Yes ☐  No ☐  N/A ☑
Electronic file(s) has been sent  Yes ☐  No ☐  N/A ☑
Budget Transfer (Aud 308) attached  Yes ☐  No ☐  N/A ☑
Personnel Resolution attached  Yes ☐  No ☐  N/A ☑
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes ☐  No ☐  N/A ☑

CONTACT PERSON: Michael C. Spata  PHONE: 559-733-6531

SUBJECT:  Consideration of Tulare County Draft Public Facilities Impact Fee Study prepared by MuniFinancial (May 11, 2007)

REQUEST(S):

That the Board of Supervisors:

(1) Review the Tulare County Draft Public Facilities Impact Fee Study prepared by MuniFinancial (May 11, 2007); and

(2) Authorize the distribution of the impact fee study for a period of 45 days for public comment by the cities and other interested parties.

SUMMARY:

Development impact fees, also known as public facilities impact fees, represent a method of financing public facilities based on the equitable premise that new development should pay its fair share of the capital costs associated with growth. Presently, Tulare County does not have a development impact fee program.

Accordingly, to assist in the exploration of this opportunity, a study has been prepared by MuniFinancial to present and calculate public facility impact fees that will enable the county to expand its inventory of public facilities as new development leads to service population increases. The impacts fees discussed in this study are
SUBJECT: Consideration of Draft Public Facilities Impact Fee Study  
DATE: May 22, 2007

designed to apply to new development occurring in the unincorporated and incorporated areas of Tulare County.

The impact fees that are considered in this study are enumerated as follows:

- County public protection (jails, probation, public defender, etc.);
- General government (county government administration);
- Regional parks;
- Libraries (including cities without their own library systems);
- Animal control (including cities without their own animal control);
- Fire protection and law enforcement (for cities without their own departments); and
- County storm drainage facilities.

In connection with impact fees affecting county roads, the Resource Management Agency and its consultants are preparing an impact fee study for streets and traffic facilities, and that study will be conducted in conjunction with a traffic modeling effort that will be presented separately from the impact fees discussed in this study prepared by MuniFinancial.

Table 1, attached, enumerates the impact fees associated with the above-mentioned categories of public facilities applicable to development within unincorporated and incorporated areas.

Table 2, attached, depicts estimated annual development impact fee revenues. A further projected analysis is expected to be provided at the time this study is finalized.

In this case, the primary purpose of the proposed development impact fees is to insure that new development in the unincorporated and incorporated areas pays its fair share of the benefits from the public facilities provided by Tulare County.

However, the primary limitation on local government's exercise of its power to levy impact fees is that there must be a nexus between the need for the public facilities and the purpose, amount and use of the fee. Stated differently, impact fees may not be charged on new development to pay for existing infrastructure deficiencies. Although a complex process, this draft study endeavors to satisfy applicable nexus requirements.

Another limitation is that a county may charge impact fees only within its jurisdiction (i.e., within the unincorporated area), unless the affected city consents to the impact fee to be charged within its jurisdiction through an implementation agreement (i.e., a joint powers agreement).
SUBJECT: Consideration of Draft Public Facilities Impact Fee Study  
DATE: May 22, 2007

Following review of this study, your Board will be asked to authorize the distribution of the impact fee study for a period of 45 days for public comment by the cities and other interested parties.

Based on a review of these comments and cooperative discussions with the cities and other interested parties, an ordinance will be presented to the Board of Supervisors requesting authorization of public facilities impact fees. The impact fees cannot go into effect until 60 days after final adoption of the ordinance.

After adoption of the impact fee ordinance by the county, an implementation agreement (joint powers agreement) must be approved by the Board of Supervisors and the affected cities council. The cities may also have to amend their existing impact fee ordinances to allow these charges to be made.

Background

The changing fiscal landscape in California during the past 30 years has steadily undercut the financial capacity of local governments to fund infrastructure. Three dominant trends stand out:

- The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
- Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses; and
- Steep reductions in federal and state assistance.

These developments have had similar revenue impacts on both city and county governments in California. Faced with these challenging trends, many cities and counties have had to adopt a policy of “growth pays its own way.” In effect, this policy now shifts the burden of funding infrastructure expansion from existing taxpayers onto new development. This funding shift has been accomplished primarily through the imposition of assessments, special taxes, and development impact fees, also known as public facilities fees.

Since cities provide public services only within their borders, all growth within the cities has been subject to impact fees for many years; and as such, cities can fully implement a “growth pays its own way” policy by setting impact fees at a level sufficient to fund the facility needs resulting from new development.

Counties, on the other hand, provide services, in varying degrees, to both incorporated and unincorporated areas. As a practical matter, an impact fee for a public facility that serves a countywide service population, but applied only to unincorporated growth, will yield insufficient revenue to fund the entirety of the facilities needed to serve new development. Consequently, counties must rely on
cities to impose fees on the county’s behalf if this full cost of needed county facilities is to be recovered.

Some examples of the “categories of countywide facilities” that can apply to incorporated and unincorporated development include the following:

- County public protection (jails, probation, public defender, etc.);
- General government (county government administration);
- Regional parks;
- Libraries (including cities without their own library systems);
- Animal control (including cities without their own animal control);
- Fire protection and law enforcement (for cities without their own departments);
- County roads; and
- County storm drainage facilities.

It should be noted that through the forthcoming General Plan Update, the Resource Management Agency and its consultants are preparing an impact fee study for streets and traffic facilities, and that study will be conducted in conjunction with a traffic modeling effort that will be presented separately from the impact fees discussed in the present study before your Board.

See attached Table 1 for an enumeration of the impact fees associated with these categories of public facilities applicable to development within unincorporated and incorporated areas. Although many of these facilities will be used by residents and employees in both incorporated and unincorporated parts of the Tulare County, the “degree of use” of these facilities will vary and may not be equal; and as such, impact fees will vary between incorporated and unincorporated areas so as to reflect differences in service levels.

Accordingly, in keeping with the legally required findings for adopting and implementing an impact fee program, it is necessary that a well-executed “nexus study” be prepared that documents the “fair share responsibility” for facility needs for both incorporated and unincorporated area development. The attached Draft Public Facilities Impact Fee Study prepared by MuniFinancial is intended to support that legally required nexus.

Summary of Contents of Draft Study

Chapter 1 Introduction

Chapter 2 Growth Projections
Chapter 3  Countywide Public Protection
Chapter 4  Fire Protection Facilities
Chapter 5  Library Facilities
Chapter 6  Parks and Open Space Facilities
Chapter 7  Sheriff Patrol and Investigation
Chapter 8  General Government
Chapter 9  Animal Control Facilities
Chapter 10 Storm Drainage Facilities
Chapter 11 Implementation
Chapter 12 Mitigation Fee Act Findings

A representative of MuniFinancial will discuss the contents of this study via a power point presentation.

Next Steps

There are three key steps that need to be taken:

(1) Following review of this report, the Board of Supervisors should authorize the distribution of the Draft Public Facilities Impact Fee Study for a period of 45 days for public comment by the cities and interested parties.

(2) Based on a review of these comments and cooperative discussions with the cities and other interested parties, an ordinance will be presented to the Board of Supervisors for authorization of public facilities impact fees. The impact fees cannot go into effect until 60 days after the second reading of this ordinance.

(3) After adoption of the ordinance, an implementation agreement (joint powers agreement) must be approved by the Board of Supervisors and the affected cities council. The cities may also have to amend their existing impact fee ordinances to address any impact fee changes.

FISCAL IMPACT/FINANCING:

The proposed development impact fee program is intended to offset the costs of public facilities necessitated by growth and new development occurring within the
unincorporated area of the county and within the cities. Although a preliminary estimate, see attached Table 2 depicting estimated annual development impact fee revenues. A further projected analysis is expected to be provided at the time the study is finalized.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Through the levy of impact fees, the “safety and security initiative” of Tulare County’s Strategic Business Plan will be achieved by building public facilities that will allow performance of the judicial, criminal justice and detention functions. In addition, by providing the necessary public facilities through impact fees to accommodate anticipated growth, the county will be promoting the strategic plan’s “economic well-being initiative” by encouraging economic development opportunities and effective growth management. Moreover, by providing the necessary public facilities through impact fees, the plan’s “quality of life initiative” will be achieved by promoting natural resource management and continual improvement of environmental quality.

**ALTERNATIVES:**

Do not distribute and revise the draft impact fee study, or discontinue further study of this matter.

**INVolVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

Resource Management Agency, County Counsel, and other departments and agencies that furnished information to the consultant.

**ADMInISTRATIVE SIGN-OFF:**

C. Brian Haddix  
County Administrative Officer

cc: Auditor/Controller  
    County Counsel  
    County Administrative Office (2)

Attachments
BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF CONSIDERATION
OF TULARE COUNTY DRAFT PUBLIC
FACILITIES IMPACT FEE STUDY
PREPARED BY MUNIFINANCIAL
(MAY 11, 2007)

RESOLUTION NO. __________
AGREEMENT NO. __________

UPON MOTION OF SUPERVISOR _____________, SECONDED BY
SUPERVISOR _____________, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD __________
_____., BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: C. BRIAN HADDIX
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: ______________________
Deputy Clerk

* * * * * * * * * * * * * * * *

1. Reviewed the Tulare County Draft Public Facilities Impact Fee Study prepared
by MuniFinancial (May 11, 2007); and

2. Authorized the distribution of the impact fee study for a period of 45 days for
public comment by the cities and other interested parties.
<table>
<thead>
<tr>
<th>Location/Land Use</th>
<th>Countywide Public Protection</th>
<th>Fire Protection</th>
<th>Library</th>
<th>Parks &amp; Open Space</th>
<th>Sheriff Patrol and Investigation</th>
<th>General Government</th>
<th>Animal Control</th>
<th>Subtotal (all fees except Storm)</th>
<th>Storm Drainage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unincorporated County</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Single Family Unit</td>
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<td></td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Single Family Unit</td>
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<td>$282</td>
<td>13</td>
<td>$3,075</td>
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<td>43</td>
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<tr>
<td>Single Family Unit</td>
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<td>$2,728</td>
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<td>215</td>
<td>10</td>
<td>2,086</td>
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<td><strong>Nonresidential</strong></td>
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<tr>
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<td>$301</td>
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<td>N/A</td>
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Note: All fees include a charge of 2.5% for program administration costs including a standard overhead charge for legal, accounting, and other departmental and citywide administrative support; capital planning, programming, project management costs associated with the share of projects funded by the impact fee; and impact fee program administrative costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analyses. See fee schedule tables for each category for more information.

1 Subtotal includes all fees except storm drainage, which is charged per land size for nonresidential uses and can therefore not be added to the other nonresidential fees.

2 Drainage fee applies only to the unincorporated communities of the County and does not apply to either incorporated cities or rural areas.

Sources: Tables 3.7, 4.7, 5.7, 6.6, 7.7, 8.7, 9.5 and 10.6, MuniFinancial.
# ESTIMATED ANNUAL DEVELOPMENT IMPACT FEE REVENUES

## UNINCORPORATED AREAS

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## INCORPORATED AREAS

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<td><strong>Total</strong></td>
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<td><strong>$7,687,210</strong></td>
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**Grand Total** $7,754,686 $658,251 $8,412,937

## Assumptions:

- Service level remains static and there are no rate adjustments over time.

- This estimate is based on the average of the County's total growth projection over a 24 year period (2006-2030).

- Per the proposed Impact Fees ordinance, the fees will be automatically escalated annually based on the Engineering News Record Construction Cost Index. This estimate does not include any such increases.

## Note:

This estimate does not include any consideration of the County's contemplated Capital Improvement Plan (CIP) that is presently being developed. The CIP could greatly change the amount of the costs and recoverable fees.
SUBJECT: REQUEST FOR CITY COUNCIL STUDY SESSION

SOURCE: Police Department

COMMENT: Staff is requesting that City Council set a study session date to review the City Alarm Fees.

RECOMMENDATION: That the City Council set a date and time for the proposed study session.
CITY COUNCIL AGENDA:  June 19, 2007

SUBJECT:  REQUEST BY COUNCIL MEMBER–CENTENNIAL PLAZA STATUS REPORT

SOURCE:  Administration

COMMENT:  A request has been made by Council Member Pedro Martinez to direct staff to provide a status report on the development and completion of Centennial Plaza. The status report should also include use options.

RECOMMENDATION:  None

Attachment:  None

Item No.  24

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SUBJECT: LEGAL FINDINGS FOR FINANCING THE CONSTRUCTION OF PARKING LOT IMPROVEMENTS IN THE REDEVELOPMENT AREA (EAST SIDE OF HOCKETT STREET BETWEEN MILL AND OAK AVENUES) AND AUTHORIZATION TO ENTER INTO A LOAN AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND THE PORTERVILLE REDEVELOPMENT AGENCY

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: The City is the single largest owner of parking in the Redevelopment Project Area No. 1 (the downtown area). Many of the City lots are in great need of reconstruction. Decades old and overgrown trees in the landscaping have uprooted asphalt and curbs within the lots, making many parking spaces currently unusable or hazardous for pedestrians. An evaluation of parking lots in the downtown area indicates that the parking lot located on the east side of Hockett Street, between Mill and Oak Avenues (Hockett/Mill/Oak Lot) is in the greatest need of reconstruction.

In a continued effort to revitalize the downtown area, the Agency desires to facilitate the reconstruction of the Hockett/Mill/Oak Lot. The Porterville Redevelopment Agency’s draft work program included in the 2007-2008 Annual Budget calls for staff to pursue an agreement between the City of Porterville and the Agency for funding of the reconstruction of the Hockett/Mill/Oak Lot. A cost for the reconstruction of the parking lot is estimated to be $5,500 - $7,500 per parking space. Utilizing the higher figure of $7,500, which provides for the installation of nostalgic lights per the Redevelopment Agency’s Design Guidelines, design services, construction administration, and reconstruction of the fifty-four (54) space lot, the cost is estimated to be $405,000. It should be noted that a cost to preserve the mature trees in the parking lot was unavailable to staff at the time of this report; however, a cost factor has been assumed in the estimate of $7,500 per space. This option will, nonetheless, be explored by obtaining a report from a Certified Arborist.

In 1993, the State legislature passed Redevelopment Reform legislation that changed the areas of Redevelopment Law, including the agency’s requirements for approving expenditures for public improvements or facilities. Section 33445 of the California Health and Safety Code states: “an agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or without the project area, if the legislative body determines the following:

1) That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located.

2) That no other reasonable means of financing the buildings, facilities, structures,
or other improvements, are available to the community.

3) That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area.

A resolution has been prepared making the findings as required by Section 33445 for the improvements to the City-owned parking lot being constructed with the assistance of a loan from the City of Porterville, which will be repaid with future tax increment. The Agency is requesting a loan from the City for the reconstruction of the parking lot with the following conditions:

1. The amount of the loan would be for the actual costs of reconstruction of the parking lot, including design, arborist report, administration, construction management, testing, landscaping, and lighting.
2. The Agency would repay the loan in annual increments over a ten (10) year period. Payments will be repaid on an escalating schedule over the ten (10) year repayment period.
3. Should interest be a part of the agreement between the City and the Agency, it is requested that the interest rate be equivalent to the Local Agency Investment Fund (LAIF) rate as reported at the time of acceptance of the completed parking lot.
4. Annual payments would include any interest accumulated during each year of the loan.

RECOMMENDATION: That the Porterville Redevelopment Agency:

1) Request a loan in the amount of $405,000 with the City of Porterville for the reconstruction of the parking lot located on east side of Hockett Street, between Mill and Oak Avenues; and

2) Approve repayment of said loan on an escalating schedule as provided for in Option 3 of the Hockett Street Parking Lot Repayment Options as shown on Exhibit 2.

That the City Council:

1) Approve the Porterville Redevelopment Agency’s request for assistance in the amount of $405,000 to reconstruct the parking lot located on the east side of Hockett Street, between Mill and Oak Avenues, with payments to be made annually beginning one-year from the time of acceptance of the completed parking lot for a term of ten (10) years. Payments will be made on an escalating schedule, as provided for in Option 3 shown on Exhibit 2, with an interest rate equivalent to the Local Agency Investment Fund rate as reported at the time of acceptance of the completed parking lot. Annual payments are to
include any interest accumulated during each year of the loan; and

2) Adopt the draft resolution making certain findings with respect to the parking lot improvements; and

3) Amend the budget for a loan from the City’s Risk Management fund in the amount of $405,000.

ATTACHMENTS: 1. Draft Resolution
                2. Risk Management Fund Budget
                3. Hockett Street Parking Lot Repayment Options Schedule
                4. Site Map
RESOLUTION ______________

A RESOLUTION OF
THE CITY OF PORTERVILLE AND THE PORTERVILLE REDEVELOPMENT AGENCY
MAKING CERTAIN FINDINGS AND APPROVING A REQUEST TO PROVIDE A LOAN
TO THE PORTERVILLE REDEVELOPMENT AGENCY WITH RESPECT TO PARKING
LOT IMPROVEMENTS

WHEREAS, the Porterville Redevelopment Agency (the "Agency") is a community
redevelopment agency organized and existing under the California Community Redevelopment Law
Health and Safety Code 33000 et seq; and

WHEREAS, the Agency is engaged in activities necessary and appropriate to carry out the
Redevelopment Plan for the Porterville Redevelopment Project Area #1; and

WHEREAS, Section 33445 of the California Community Redevelopment Health and Safety
Code Section 33000, et seq, authorizes a redevelopment agency with the consent of the legislative
body, to pay for all or part of the value of the land for and the cost of the installation and construction
of any building, facility, structure, or other improvement which is publicly owned either within or
without the project area upon certain findings; and

WHEREAS, the Agency proposes to enter into an agreement to fund the cost of parking lot
improvements on property that is owned by the City of Porterville (the "City") and is located on the
east side of Hockett Street, between Mill and Oak Avenues (the "Improvements"); and

WHEREAS, the expenditure of Agency funds for the Improvements is of benefit to Project
Area #1 and the surrounding development, and is necessary to effectuate the purposes of the
redevelopment plan; and

WHEREAS, the Agency has no other reasonable means of financing the cost of the
Improvements, and the City of Porterville has offered to lend the Agency funds in order to expedite
the construction; and

WHEREAS, the installation of the Improvements is in furtherance of the purpose of
redevelopment and will assist in the elimination of one or more blighting conditions inside the
project area, specifically, the reconstruction of an aged and hazardous parking lot inside the project
area.

NOW THEREFORE, THE CITY OF PORTERVILLE DOES RESOLVE AS FOLLOWS:

1. The City Council finds and determines that the Agency's funding of the
   Improvements is of benefit to the Porterville Redevelopment Project Area #1 and the
   surrounding development, and is necessary to effectuate the purposes of the
   redevelopment plan.
2. The City Council finds and determines that no other means of financing the Agency's funding of the Improvements are available to the community.

3. The City Council finds and determines that the payment of funds for the Improvements will assist in the elimination of one or more blighting conditions inside the project area, as the project will facilitate the rehabilitation of a deteriorated and hazardous parking lot.

4. The City Council authorizes a loan agreement between the City and the Agency to reconstruct the parking lot located on the east side of Hockett Street, between Mill and Oak Avenues. The amount of the loan would be for the actual costs of reconstruction of the parking lot, including design, arborist report, administration, construction management, testing, landscaping, and lighting. Payments to satisfy the loan debt are to be made annually beginning one-year from the time of acceptance of the completed parking lot for a term of ten (10) years. Payments will be made on an escalating schedule, with an interest rate equivalent to the Local Agency Investment Fund rate as reported at the time of acceptance of the completed parking lot. Annual payments are to include any interest accumulated during each year of the loan.

5. The Agency is authorized to pay the costs of the Improvements.

________________________________________
Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By ________________________________
Georgia Hawley, Deputy
CITY OF PORTERVILLE
RISK MANAGEMENT FUND
2007-2008

Total Fund balance, beginning of the year $6,172,850

Less: Reserves for Advances:
   Equipment Maintenance Fund - Underground Fuel Tanks 538,645
   Redevelopment Agency - Storm Drain 152,333

   Total Advances 690,978

Unreserved Fund Balance after advances 5,481,872

2007-2008 Budget:
   Revenues 3,621,850
   Expenditures (3,621,850)
   Capital Projects - Airport Hazardous Remediation (607,000)
   Capital Projects - Lion's Park Playground (18,000)
   Loan to Redevelopment Agency - Hockett/Mill/Oak Parking Lot (405,000)

   Total (1,030,000)

Unreserved Fund Balance, end of the year $4,451,872
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**ATTACHMENT**

**ITEM NO. 3**
During the June 5, 2007 Redevelopment Agency meeting, the Agency approved the 2007-2008 Redevelopment Agency Budget which contains the Agency’s proposed work program for the year. Included in the work program is a proposed By-Law amendment to allow the City Manager to appoint the Agency’s Executive Director. The ability of the City Manager to appoint the Agency’s Executive Director will allow for the most effective use of resources when administering the Agency’s day-to-day activities.

The proposed amendment is as follows:

**ARTICLE II**

**SECTION 201. Designation of Officers.**

The Officers of the Agency shall be the Chairman, the Vice-Chairman, the Executive Director, the Secretary, the Finance Director/Treasurer, the General Counsel, and Redevelopment Manager.

The Mayor and the Mayor Pro-Tempore of the City shall serve as the Chairman and Vice-Chairman, respectively, of the Agency.

The City Manager shall serve as Executive Director of the Agency; the City Clerk shall serve as the Secretary of the Agency; the City Finance Director shall serve as the Finance Director/Treasurer of the Agency. The Redevelopment Manager shall be appointed by the Executive Director, upon approval of the Agency, and may be a member of the staff of the City or a consultant retained by the Agency. Any office not provided for immediately above shall be filled by appropriate action on the part of the Agency Members.

*The City Manager shall appoint the Executive Director of the Agency; the City Clerk shall serve as the Secretary of the Agency; the City Chief Financial Officer shall serve as the Finance Director/Treasurer of the Agency. The Redevelopment Manager shall be appointed by the Executive Director and may be a member of the staff of the City or consultant retained by the Agency. Any office not provided*
for immediately above shall be filled consistent with the City of Porterville Rules and procedures.

RECOMMENDATION: That the Porterville Redevelopment Agency adopt the proposed amendment to the Agency's By-Laws.

ATTACHMENTS: Draft Resolution
RESOLUTION NO._______

A RESOLUTION OF
THE PORTERVILLE REDEVELOPMENT AGENCY
AMENDING THE BY-LAWS FOR SAID AGENCY

WHEREAS, the City of Porterville created the Porterville Redevelopment Agency on March 19, 1981, by Ordinance No. 1227 for purposes of considering and pursuing redevelopment activities in the community pursuant to the Community Redevelopment Law, California Health and Safety Code, Sections 33000 et seq.; and

WHEREAS, on April 7, 1981, the Porterville Redevelopment Agency adopted By-Laws to help carry into effect the powers and purposes of the aforesaid Community Redevelopment Law; and

WHEREAS, the Porterville Redevelopment Agency desires to amend said By-Laws to provide for a more effective use of resources when administering to the day-to-day activities of the Agency; and

WHEREAS, Article VII, Section 700 provides for the amendment of the By-Laws of the Porterville Redevelopment Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE PORTERVILLE REDEVELOPMENT AGENCY, that Article II, Section 201, Designation of Officers of the Porterville Redevelopment Agency By-Laws be amended as follows:

ARTICLE II

SECTION 200. OFFICERS OF THE AGENCY

Section 201. Designation of Officers

The Officers of the Agency shall be the Chairman, the Vice-Chairman, the Executive Director, the Secretary, the Finance Director/Treasurer, the General Counsel, and Redevelopment Manager.

The Mayor and the Mayor Pro-Tempore of the City shall serve as the Chairman and Vice-Chairman, respectively, of the Agency.

The City Manager shall appoint the Executive Director of the Agency; the City Clerk shall serve as the Secretary of the Agency; the City Chief
Financial Officer shall serve as the Finance Director/Treasurer of the Agency. The Redevelopment Manager shall be appointed by the Executive Director and may be a member of the staff of the City or a consultant retained by the Agency. Any office not provided for immediately above shall be filled by appropriate action on the part of the Agency Members.

Porterville Redevelopment Agency

By: ____________________________
Cameron Hamilton, Chairperson

ATTEST:

By: ____________________________
John Longley, Executive Secretary
SUBJECT: Consideration of Organizational And Economic Scenarios Regarding the Porterville Hotel

SOURCE: City Manager

The staff has indicated that a report regarding the Porterville Hotel would be on this Agenda. The Community Development staff has prepared a draft of the report, however, the City Manager has asked to work with the staff regarding a full review.

The review is requested because potentially the Hotel project will consume extensive City financial and organizational resources. The City Manager has requested to fully evaluate these impacts on the entire organization with the Community Development staff.

This review should be completed next week. Because the subject is so potentially significant in its impact and because several scenarios will be presented, the City Manager suggests the initial review of the matter be conducted in a closed session scheduled for the week of June 25th.

Recommendation: Schedule a closed session of the Redevelopment Agency to review the project and provide instructions to negotiators. A time proposed for this is 2:30 PM on Friday, June 29th.