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:
   4. Government Code 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – One Case.

**7:00 P.M. RECONVENE OPEN SESSION**

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

Pledge of Allegiance Led by Vice Mayor Pete V. McCracken
Invocation

**PRESENTATIONS**

Employee of the Month – Dan Holloway
SJVAPCD – Resolution of Appreciation

**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. **City Council Minutes of October 21, 2008**
2. **Purchase of Speed Trailer**  
Re: Authorizing an expenditure of approximately $8,000 for the purchase of a speed trailer, and the transfer of funds from the vehicle impound account to P.D.’s capital outlay account for the purchase.

3. **Acceptance of Project – Traffic Signal #10 (Newcomb Street and Westfield Avenue)**  
Re: Accepting project as complete from A-C Electric Company, and authorizing the filing of the Notice of Completion for the project consisting of the installation of a traffic signal, new disabled ramps, signing and striping at Newcomb Street and Westfield Avenue.

4. **Approval of a Resolution Authorizing the Submittal of a Grant Application to the Federal Aviation Administration and Caltrans**  
Re: Authorizing the filing and management of FAA and CalTrans airport improvement grants.

5. **Western Pacific Region Airport Capital Improvement Program Data Sheets**  
Re: Considering approval of the Airport Capital Improvement Program data sheets, and authorizing submission to the FAA and State Division of Aeronautics.

6. **Authorization to Advertise for Statement of Qualifications for Airport Engineering Services**  
Re: Considering authorization to advertise for “Statement of Qualifications” from qualified Engineering firms to provide technical and professional services for the preparation of plans, specifications and “special instructions” for capital improvement projects funded by the FAA.

7. **Approval of a Resolution Defining Terms for the Farming of the Former Kit Fox Preserve and Defining Terms for the Repayment of General Fund Monies Used to Remove the Kit Fox Preserve Designation**  
Re: Considering approval of a resolution defining terms for the farming of the 20 acres of land within the Porterville Municipal Airport boundaries that had been previously designated as the Kit Fox Preserve.

8. **Authorization to Develop a Strategic Plan Based on the Entrepreneurial Training and Business Incubator Development Project**  
Re: Authorizing staff to initiate the preparation of a strategic plan for pursuing and promoting entrepreneurial activities in the community.

9. **Resolution Protesting Sale of Tax-Defaulted Property APN 243-330-031-000**  
Re: Considering the adoption of a resolution objecting to the sale of tax-defaulted property APN 243-330-031-000, and conveying the City’s desire to obtain the parcel of land for public benefit.

10. **Guidelines for Establishing Public Warming and Cooling Centers**  
Re: An informational report advising on the status of preparations, guidelines, and authorities for City response to local extreme cold and hot climatic events.

11. **Award of “Contract – On Call Consultant Services for Preparation of Grant Applications**  
Re: Considering acceptance of committee’s recommendation to award contract to California Consulting, LLC for a single fee of $10,000 for grant application services.

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

12. Appointment to City Selection Committee – San Joaquin Valley Air Pollution Control District
Re: Appointment of a Council Member to serve as member, and one Council Member to serve as alternate, on the Special City Selection Committee for the SJVAPCD.

13. Extend ‘Wall of Fame’ Nomination Period
Re: Considering the extension of the time period for the City Council to submit nominations for “Wall of Fame” honorees, and rescheduling consideration for the meeting of February 3, 2009.

14. Formation of Mosquito Abatement District in Southeastern Tulare County
Re: Receiving reports from representatives of the Mosquito Abatement Study Group and other interested parties, and considering whether to reconsider a previous Council action to not pursue the formation of a mosquito abatement district.

15. City Council Study Session to Review the Latest Developments with the Comprehensive Zoning Ordinance Update and Provide Comment on the Proposed Standards with Specific Attention to the Downtown and Airport Overlay Zones
Re: A continuation of the study session held on December 16, 2008 focusing specifically on the Downtown and Airport Overlay Zones.

ORAL COMMUNICATIONS

OTHER MATTERS

ADJOURNMENT - to the meeting of January 20, 2009 at 6:00 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 Office of City Clerk at (559) 782-7464. 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.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, during normal business hours.
Call to Order at 6:00 p.m.
Roll Call: Vice Mayor McCracken (arrived late), Council Member Pedro Martinez, Council Member Felipe Martinez, Council Member Ward, Mayor Hamilton

ORAL COMMUNICATIONS
None

CLOSED SESSION:
A. Closed Session Pursuant to:
   4- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – One Case.

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

Pledge of Allegiance Led by Council Member Brian Ward
Invocation – a moment of silence was observed.

PROCLAMATIONS
Eliseo Guerrero

PRESENTATIONS
City Manager’s Featured Project
- West Street Industrial Park
Library Board of Trustees’ Semi-Annual Report
Parks & Leisure Services Commission’s Semi-Annual Report
CNG Introductory Report – Mary Beatie/TPG Consulting

The Mayor advised that a request had been made to add an item onto the Agenda. It was
stated that due to an oversight, a Civic Event Application had not been submitted for the approval of the CHMA 2008-09 Herencia Hispana Soccer Tournament scheduled to take place October 25th and November 2nd, and that Council action was required prior to the next regular Council Meeting of November 4th.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Vice Mayor McCracken that the Council add the item, being COMMUNITY CIVIC EVENT – CHMA 2008-09 HERENCIA HISPANA SOCCER TOURNAMENT, onto Consent Calendar as Item 11a. The motion carried unanimously.

Disposition: Item added to agenda.

ORAL COMMUNICATIONS

- Barry Caplan, spoke against the Council’s previous action in support of Prop. 8.
- Dick Eckhoff, 197 North Main Street, requested that he have an opportunity to address the Council during its consideration of Item 21.
- Brock Neeley, spoke against the Council’s support of Proposition 8, and provided the Council with documentation in support of his position.
- Robert Roman, spoke on behalf of the Time Marches On Committee regarding the upcoming dedication of the Buck Shaffer Clock in Centennial Plaza. He thanked the City Council, staff, and Parks & Leisure Services Director Jim Perrine specifically, and invited all to the dedication.
- Dr. Bell, requested that he have an opportunity to address the City Council during its consideration of Item 16.
- Clayton Taylor, came forward on behalf of the merchants on West Mill Avenue, and thanked staff for working with them in delaying the Hockett/Mill Parking Lot Reconstruction Project until after the holiday season. He then spoke of a particular storefront on Main Street that was recently painted red, and inquired as to the remedies available to the City due to its violation of the restrictions imposed with the recently adopted Downtown “D” Overlay. Mayor Hamilton requested that Community Development Director Dunlap meet with Mr. Taylor to advise him of the status of the matter.
- Carol Mills, came forward as a participant in the Senior Nutrition Program at the Santa Fe Depot, and requested that the City Council return to paying for the kitchen laundry costs for the program. City Manager Longley provided Ms. Mills with his business card and requested that she contact him to discuss the matter.
- Tom Moran, 482 North Sunnyside, came forward on behalf of the Board of Directors of “MANA” and spoke of the organization’s plans to possibly develop a 50 bed facility for the homeless. Mr. Moran briefly elaborated on the project, and indicated that his organization was in need of a location, and was seeking confirmation of the City’s general support for the concept prior to continuing with the project.
- Jamie Garza, a Porterville resident, voiced disappointment with the Council’s previous action in support of Proposition 8, and provided the Council with documentation supporting her position on the matter.

CONSENT CALENDAR
Item No. 4 was removed for further discussion.


Recommendation: That the City Council approve the Minutes of July 1, 2008 and September 20, 2008.

Documentation: M.O. 02-102108
Disposition: Approved

2. CLAIM – BRYAN LUCCKETTA

Recommendation: After consideration and investigation, staff recommends that the Council reject said claim; refer the matter to the City’s insurance adjustor; and direct the City Clerk to give the Claimant proper notification.

Documentation: M.O. 03-102108
Disposition: Approved

3. RATIFICATION OF BUDGET ADJUSTMENT FOR RELOCATION PLAN FOR TULARE COUNTY JUNIOR LIVESTOCK AND COMMUNITY FAIR, INC., AND COMISION HONORIFICA MEXICANA AMERICANA, INC.

Recommendation: That the City Council ratify the proposed budget adjustment from unallocated General Fund Reserves, to be replenished from proceeds upon the sale of the property to the State.

Documentation: M.O. 04-102108
Disposition: Approved

5. AWARD OF CONTRACT – TRANSIT MAINTENANCE & CNG FUELING FACILITY PROJECT

Recommendation: That the City Council:

   1. Award the Transit Maintenance & CNG Fueling Facility Project Base Bid and Add Alternates A and B to TTS Construction Corporation in the amount of $2,787,616.00; and
   2. Authorize a 9% contingency to cover unforeseen construction costs.

Documentation: M.O. 05-102108
Disposition: Approved
6. ACCEPTANCE OF PROJECT - HERITAGE CENTER BALL FIELDS, PHASE 1 PARKING LOT & PICNIC AREA

Recommendation: That the City Council:
1. Accept the Heritage Center Ball Fields, Phase One 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.

Documentation: M.O. 06-102108
Disposition: Approved

7. STATUS REPORT – HOCKETT/MILL/OAK PARKING LOT RECONSTRUCTION PROJECT

Recommendation: None – information only.

8. WATER SYSTEM STATUS / PHASE II WATER CONSERVATION

Recommendation: That the City Council set a public hearing for November 4, 2008 to return to Phase I of the Water Conservation Plan.

Documentation: M.O. 07-102108
Disposition: Approved

9. ENFORCEMENT OF COMMERCIAL TRUCK PARKING ON WEST OLIVE AVENUE

Recommendation: None – information only.

10. SHORT RANGE TRANSIT PLAN – FORMAL APPROVAL

Recommendation: That the City Council:
1. Formally adopt the City’s Short Range Transit Plan presented on July 15, 2008; and
2. Authorize staff to file an application for the City of Porterville’s allocation of Proposition 1B funds for use in procuring a CNG transit bus.

Documentation: M.O. 08-102108
Disposition: Approved

11. APPROVAL FOR COMMUNITY CIVIC EVENT – MARIACHI ACADEMY FOUNDATION – FABULOUS MUSIC JAM II

Recommendation: That the City Council approve the Community Civic Event Application and
Agreement from the Mariachi Academy Foundation, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit “A” of the Community Civic Event Application.

Documentation: M.O. 09-102108
Disposition: Approved


Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana Americana, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit “A” of the Community Civic Event Application.

Documentation: M.O. 10-102108
Disposition: Approved

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council member Felipe Martinez that the City Council approve Item Nos. 1 through 3, and 5 through 11a. The motion carried unanimously.

4. REPAIR OF AIR CONDITIONING UNIT AT POLICE FACILITY

Recommendation: That the City Council:
1. Authorize the performance of proposed repairs of the A/C unit at the Police Facility by Air Control Services; and
2. Authorize the use of General Fund carryover funds to make the repairs.

City Manager Longley introduced the item, and the staff report was waived at the Council’s request.

Council Member Ward expressed concern with the age of the service agreement and stated that the local businesses may have the capacity to provide the service.

Staff was directed to provide a memo to Council regarding the terms of the current contract, and information for re-bidding it.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice-Mayor McCracken that the City Council authorize the performance of proposed repairs of the A/C unit at the Police Facility by Air Control Services; and authorize the use of General Fund carryover funds to make the repairs. The motion carried unanimously.

Disposition: Approved
The Council recessed for ten minutes.

Mayor Hamilton requested that Item No. 20 of Scheduled Matters be considered at that time.

**SCHEDULED MATTERS**

20. COUNCIL MEMBER APPOINTMENT TO CHAMBER BRANDING STEWARDSHIP COMMITTEE

Recommendation: That the City Council appoint a member of the Council to represent the City on the Chamber Branding Stewardship Committee.

City Manager Longley introduced the item, and the staff report was waived at the Council’s request.

Council Members Felipe Martinez and Brian Ward both indicated that they were interested in serving on the committee. Council Member Felipe Martinez made a motion to appoint Council Member Ward and himself to the committee. The motion died for lack of a second.

- Donnette Silva Carter, Committee Chair, advised that one representative per investor was the standard.

**COUNCIL ACTION:** MOVED by Council Member Pedro Martinez, SECONDED by Mayor Hamilton that the City Council appoint Council Member Felipe Martinez to represent the City on the Chamber Branding Stewardship Committee and Council Member Ward as the alternate. The motion carried unanimously.

Disposition: Approved

Mayor Hamilton indicated that Item No. 16 would be considered next.

16. REQUEST BY THE BURTON SCHOOL DISTRICT AND PORTERVILLE SIKH CENTER FOR ANNEXATION AND ACCESS TO CITY SERVICES

Recommendation: That the City Council:

1. Approve the requests by the Burton School District and the Sikh Center to pursue annexation and connection to City services; and
2. Require the payment of all requisite annexation and service connection fees.

City Manager Longley introduced the item, and Deputy City Manager Lollis presented the staff report.

Page 6 of 13
City Attorney Lew advised that Council Member Ward had no conflict of interest as he was not financially affected by the decision.

A discussion ensued with regard to prevailing wage triggers, and City Attorney Lew indicated that it was a concern. She then spoke of circumstances with which the Department of Industrial Relations could have an issue. Community Development Director Brad Dunlap then addressed concerns about the creation of islands.

- Dr. Gary Mekeel, Superintendent of Burton School District, spoke in favor and of the need for the annexation.

Community Development Director Brad Dunlap explained the process of amending the Sphere of Influence, Urban Development Boundary, and Urban Area Boundary, which was necessary to create a situation where the school sites met the criteria for annexation. He indicated that the effort is not anticipated to be complete until mid-late 2009. The Sikh site, he noted, already met the criteria for annexation.

- Dr. Gary Mekeel, Superintendent of Burton School District, spoke of time restrictions with regard to the design of the school site.

- Dr. Bell, came forward on behalf of the Sikh Center, commended office staff, and spoke in favor of approval.

City Manager Longley spoke of the risk associated with granting access to the Burton school sites, and Community Development Director Dunlap explained factors associated with the annexation of the Lombardi and Redwood school sites.

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member Felipe Martinez that the City Council consider the three locations separately.

AYES: McCracken, P. Martinez, F. Martinez, Ward
NOES: Hamilton
ABSTAIN: None
ABSENT: None

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member Felipe Martinez that the City Council approve the request by the Sikh to pursue annexation and connection to City services; and require the payment of all requisite annexation and service connection fees. The motion carried unanimously.

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member Ward that the City Council issue a letter of commitment for the Lombardi site, and pursue annexation. The motion carried unanimously.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Council Member Ward
M.O. 16-102108 that the City Council issue a letter of commitment for the Redwood Academy campus, and pursue annexation. The motion carried unanimously.

Disposition: Approved

Mayor Hamilton indicated that the public hearing items would be considered next.

PUBLIC HEARINGS

12. REQUEST TO APPROVE RESOLUTION ESTABLISHING RATES FOR PORTERVILLE AIRPORT HANGAR FACILITIES

Recommendation: That the City Council approve the proposed resolution defining fees for Airport hangars and naming the hangars.

City Manager Longley introduced the item and presented the staff report. He then updated the Council on a recent meeting with airport tenants and indicated that the group requested that the CPI be based on Northern California.

The public hearing opened at 9:02 p.m. When nobody came forward, the Mayor closed the public hearing at 9:03 p.m.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Council Member Felipe Martinez that the City Council approve the proposed resolution defining fees for Airport hangars and naming the hangars. The motion carried unanimously.

Disposition: Approved

13. BUDGET ADJUSTMENT/CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDING

Recommendation: That the City Council:

1. Conduct the public hearing to receive public comment; and
2. Authorize the use of these funds to offset costs for personnel assigned to the department’s Patrol Division, including necessary training, equipment, and overtime costs; and
3. Approve an increase to the Police Department’s 2008-2009 budget, in the amount of $100,000.

City Manager Longley introduced the item, and Captain Eric Kroutil presented the staff report.

The public hearing opened at 9:05 p.m. When nobody came forward, the Mayor closed the public hearing at 9:06 p.m.

COUNCIL ACTION: MOVED by Vice Mayor McCracken, SECONDED by Council Member
Resolution 89-2008 Ward that the City Council authorize the use of these funds to offset costs for personnel assigned to the department’s Patrol Division, including necessary training, equipment, and overtime costs; and approve an increase to the Police Department’s 2008-2009 budget, in the amount of $100,000. The motion carried unanimously.

Disposition: Approved

Mayor Hamilton requested that Item 19 be considered at that time.

**SCHEDULED MATTERS**

19. CONSIDERATION OF LIABILITY INSURANCE REQUIREMENTS FOR COMMUNITY CIVIC EVENT – VETERANS’ HOMECOMING COMMITTEE VETERANS’ DAY PARADE

Recommendation: That the Council provide direction to staff.

City Manager Longley introduced the item, and Deputy City Manager Lollis presented the staff report.

- Don Dowling, Chairman of the Veteran’s Homecoming Committee, requested that no additional insurance be required.

City Manager Longley spoke of the advantages to the City in providing insurance, in that the City would be the first to recover as the insured if an incident were to occur. He suggested that a draft events policy be brought back to address the three historic parades and the air show.

**COUNCIL ACTION:** MOVED by Council Member Ward, SECONDED by Council Member Felipe Martinez that the City Council reduce the required per occurrence coverage amount to $1,000,000, consistent with the required RMA coverage amount.

AYES: Ward, F. Martinez
NOES: Hamilton, McCracken, P. Martinez
ABSTAIN: None
ABSENT: None

**COUNCIL ACTION:** MOVED by Mayor Hamilton, SECONDED by Council Member Pedro Martinez that the City Council maintain the $2,000,000 per occurrence coverage amount and approve the City as a co-sponsor of this year’s Veteran’s Day Parade. The motion carried unanimously.
Staff was directed to bring back a policy for City-supplemented insurance for the Veteran’s Day, Christmas, and Cinco de Mayo parades, and the air show.

Disposition: Approved, and direction given.

Mayor Hamilton requested that Item 18 be considered.

18. PROVISION OF ANIMAL CONTROL SERVICES IN THE COMMUNITY

Recommendation: That the City Council:

1. Authorize the Police Department to begin performing animal control enforcement in Porterville;
2. Authorize the establishment of an Animal Control Officer classification at salary range 142 ($2,706-$3,301).

City Manager Longley introduced the item, and Police Captain Silver Rodriguez presented the staff report.

City Attorney Lew indicated that the facility and staff member could likely be funded by Measure H, and a brief discussion ensued regarding sheltering in the interim. Council Member Pedro Martinez requested a future ordinance to require neutering/spaying if a non-breeders owns more than three animals.

COUNCIL ACTION: MOVED by Mayor Hamilton, SECONDED by Council Member Felipe Martinez that the City Council authorize the Police Department to begin animal control enforcement in Porterville; authorize the establishment of an Animal Control Officer classification at salary range 142 ($2,706-$3,301). The motion carried unanimously.

Disposition: Approved

Mayor Hamilton stated that Item 17 would be considered.

17. CITY OF PORTERVILLE GRANTS PROGRAM

Recommendation: The report is intended, consistent with City Council’s direction, to provide information in the Council’s determination of organizational goals and priorities.

City Manager Longley introduced the item, and he and Deputy City Manager Lollis jointly presented the staff report.

A discussion ensued as to a Council Member request for a comparative analysis of grants sought and obtained by other cities. Council Member Ward recommended that the analysis be broken down by department. The Council went on to discuss the necessity of the analysis and the whether grant activity in other cities was applicable to Porterville.

Disposition: No action required.
The Council recessed for five minutes.

Council Member Pedro Martinez requested that Item 15 be considered at that time.

15. SELECTION OF JAYE STREET/TULE RIVER BRIDGE DESIGN ALTERNATIVE

Recommendation: That the City Council:
1. Review the issues as presented in staff’s report;
2. Accept the consultant’s recommendation to remove and replace the Jaye Street/Tule River Bridge; or
3. Direct staff to communication with the City’s Bridge consultant and inform the Consultant that the City Does not agree with the inflation rate and subsequent Present Value analysis; and
4. Ask staff to direct the Consultant to modify his analysis to reflect a Rehab Widening project as the economically viable solution.

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

COUNCIL ACTION: MOVED by Council Member Felipe Martinez, SECONDED by Vice Mayor McCracken that the City Council accept the consultant’s recommendation to remove and replace the Jaye Street/Tule River Bridge. The motion carried unanimously.

Disposition: Approved

Vice Mayor McCracken selected Item 14 to be considered next.

14. AMENDMENT TO TRAFFIC RESOLUTION 10-2001 – DESIGNATION OF BEVERLY STREET AS A THROUGH STREET

Recommendation: That the City Council approve the proposed amendment to Traffic Resolution No. 10-2001 by designating Beverly Street from Pioneer Avenue to North Grand Avenue to be a “through street”.

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

COUNCIL ACTION: Resolution 90-2008 MOVED by Vice Mayor McCracken, SECONDED by Council Member Felipe Martinez that the City Council approve the proposed amendment to Traffic Resolution No. 10-2001 by designating Beverly Street from Pioneer Avenue to North Grand Avenue to be a “through street”. The motion carried unanimously.

Disposition: Approved
21. CITY COUNCIL REQUEST TO CONSIDER VOLUNTARY DRUG TESTING PROGRAM FOR COUNCIL AND COMMISSION/COMMITTEE MEMBERS

Recommendation: That the City Council consider the draft voluntary drug and alcohol testing policy of Council and Commission/Board Members and provide staff with appropriate direction.

Council Member Pedro Martinez requested that the item be continued.

COUNCIL ACTION: MOVED by Council Member Pedro Martinez, SECONDED by Vice Mayor McCracken that the City Council continue Item 21. The motion carried unanimously.

Disposition: Item continued.

22. COUNCIL MEMBER REQUEST FOR AN AGENDA ITEM – RESOLUTION AND ORDINANCE PROVIDING FOR THE REGULATION OF FOOD ESTABLISHMENTS AND FOOD FACILITIES

Recommendation: None

City Manager Longley introduced the item, and Deputy City Manager Lollis presented the staff report.

City Attorney Lew recommended that the Council schedule a public hearing, and noted various technical issues with the proposed ordinance.

A discussion ensued about Council Member requests to add items to an agenda, and the Council gave direction to revert to the previous policy which would allow Council members to request an item by noon on the Monday prior to agenda distribution. It was also directed that the subject item be added to the next agenda.

Disposition: Direction provided.

ORAL COMMUNICATIONS

- Barry Caplan, voiced concern with the City’s website, specifically as to the archiving of information.
- Nikki Edwards, commended the City Council on its action regarding the City’s Animal Control Program, and spoke of numerous grants available to assist in the neutering and spaying of animals.

OTHER MATTERS

- Council Member Ward announced that he and his wife were having a baby girl.
- Council Member Felipe Martinez:
  1. Spoke favorably of the Heritage Ball Field Parking Lot Project;
  2. Commented on the need for more computers at the Library, noting that
patrons were waiting in line to use them; and
3. Spoke of efforts for the Buck Shaffer clock at Centennial Plaza and of the invitation extended to many public officials for its dedication.

- Council Member Pedro Martinez:
  1. Spoke favorably of the CVS/C Street Project;
  2. Spoke of the Library’s successful Centennial Celebration, and commended the volunteers and staff for their hard work;
  3. Inquired as to the status of, and requested movement on, the agenda item regarding a new position at the Airport; and
  4. Made mention that the Halloween holiday was around the corner.

- Vice Mayor McCracken spoke of his attendance at the recent meeting of the Mosquito Abatement Study Group on which he participates representing the City. He advised of the group’s interest in securing the services of a consultant to conduct a mail ballot survey at a cost of $30,000. He indicated that an item would be placed on the next Council Agenda for discussion.

- Mayor Hamilton spoke favorably of the Emblem Club’s event regarding the placement of the Battlefield Cross in Veteran’s Park, noted the compliments paid to Mr. Perrine by the Emblem Club, and thanked him for his efforts.

**ADJOURNMENT**

The Council adjourned at 10:42 p.m. to the meeting of November 4, 2008 at 6:00 p.m.

SEAL

Luisa Herrera, Deputy City Clerk

Cameron Hamilton, Mayor
SUBJECT: PURCHASE OF SPEED TRAILER

SOURCE: Police Department

COMMENT: In July 1998, the City of Porterville purchased a visual display radar (speed) trailer in support of an Office of Traffic Safety grant. In the past ten years, this trailer has been used extensively throughout the City of Porterville as part of the police department's efforts in increasing traffic safety. In addition, the department has encouraged the use of this trailer by various community groups at community events throughout the years, including Sober Grad and National Night Out. It has even been used to judge a "Fastest K-9" category at a police canine trial event.

The above trailer has ceased to function correctly; the magnetic display is no longer operative. The model has been discontinued and to retrofit the trailer with a new display would be in excess of $5,000. While the initial cost of the trailer was approximately $14,000, advances in technology have reduced the price in new trailers. A new trailer, with updated technology and more functions than the current trailer can be purchased for approximately $7,765.

Based on both the traffic safety and public relations benefits of the speed trailer, the department believes that this is a valuable tool that needs to continue to be utilized. As such, the department is requesting authorization to purchase a new speed trailer. The original trailer was purchased using asset forfeiture funds and as such, could not be depreciated so replacement funds are not already in place as with most equipment of this nature. However, another source of funds are available and the department requests permission to use these funds.

In December 2003, the City of Porterville adopted a resolution to establish a thirty day vehicle impound program with the fees from this program being placed in a specific account to offset the administrative costs of managing this program. The revenue from this program exceeded original expectations. In the first five months of this fiscal year, this program has generated approximately $35,000, and the program revenues over the life of the program have been very high. Over the life of the program, it appears this program has generated approximately $254,000. The department believes that the use of these funds for the purchase of the trailer would be appropriate.
RECOMMENDATION: That the City Council:

1) Authorize the expenditure of approximately $8,000 for the purchase of a speed trailer, and;

2) Authorize the transfer of funds amounting to the cost of the trailer from the Vehicle Impound account to the department's Capital Outlay account.
SUBJECT: PURCHASE OF SPEED TRAILER

SOURCE: Police Department

COMMENT: In July 1998, the City of Porterville purchased a visual display radar (speed) trailer in support of an Office of Traffic Safety grant. In the past ten years, this trailer has been used extensively throughout the City of Porterville as part of the police department’s efforts in increasing traffic safety. In addition, the department has encouraged the use of this trailer by various community groups at community events throughout the years, including Sober Grad and National Night Out. It has even been used to judge a “Fastest K-9” category at a police canine trial event.

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D.D. C.M.

Item No. _____
COUNCIL AGENDA: JANUARY 6, 2009

SUBJECT: ACCEPTANCE OF PROJECT – TRAFFIC SIGNAL #10 (NEWCOMB STREET AND WESTFIELD AVENUE)

SOURCE: Public Works Department - Engineering Division

COMMENT: A-C Electric Company has completed the Traffic Signal #10 (Newcomb Street and Westfield Avenue Project, per plans and specifications. The project included the installation of a traffic signal, loop detectors, new disabled ramps, signing and striping.

City Council authorized an expenditure of $225,280.00 for construction. Final construction cost is $212,595.00. Funding is provided by a CMAQ grant and Local Transportation funds and was approved in the 08/09 Annual Budget.

A-C Electric 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.

3. Authorize the release of all funds upon acceptance of the project, provided no stop notices have been filed.

ATTACHMENT: Locator Map

P:\pub\work\Engineering\Council Items\Acceptance of Project – Traffic Signal #10 - 2009-01-06.doc

SUBJECT: Approval of a Resolution Authorizing the Submittal of a Grant Application to the Federal Aviation Administration and Cal Trans

SOURCE: City Manager’s Office

NARRATIVE: The Porterville Municipal Airport has regularly participated with Airport Improvement Program grants. Most recently, the City provided a slurry improvement to the apron and taxiway areas. The project now under design is for enhancing Airport lighting. This project would include:

- Repairing the Runway end lights
- Lighting the wind socks and repairing the Wind-T
- Installing apron lighting
- Replacing the blue taxi-way lights with LED elements
- Installing an emergency generator

This project is currently under design. The next step for the coming year is to go to bid on the project.

The FAA has advised the City that it does not have sufficient monies in its continuing appropriation to fund the entire project. Instead, it anticipates funding in two steps. The first is due by February 10, 2009 and would be in the amount of $273,694.

A second phase would presumably be due in May of 2009 and would be in the amount of $223,579, for a full grant supported construction estimate of $439,273. In addition, $72,727 of grant monies has and will be spent for project design. The City’s contribution for the project is 5% or $30,000 for design and construction for a full project, including all elements and steps of $600,000.

If Phase B monies do not become available, then the project would be limited to the initial application and, only the most essential elements would be completed. This would be accomplished by a project bid design with a relatively compact basic project and several add alternates which could be incorporated depending upon grant funding.

It is estimated that the City will go to bid in March/April. A relatively long bid review period would be provided to allow for the consideration of the second phase grant by the FAA.

RECOMMENDATION: Approve the resolution authorizing the filing and management of the FAA and potentially the Cal Trans airport improvement grants. The grant application which has been attached will be modified in specific respects prior to submission.
RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF PORTERVILLE CITY COUNCIL, AUTHORIZING THE SUBMITTAL OF AN APPLICATION, ACCEPTANCE OF AN ALLOCATION OF FUNDS, AND EXECUTION OF A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR GRANTS TO SUPPORT A LIGHTING IMPROVEMENT PROJECT AT THE PORTERVILLE MUNICIPAL AIRPORT.

WHEREAS, grant monies have been allocated by the FAA for the improvement of the Porterville Municipal Airport;

WHEREAS, applications may be submitted by February 10, 2009 for Part A applications consisting of approximately 50% of the amount of carryover funding available;

WHEREAS, an application may be due at a later date for Part B monies;

WHEREAS, pursuant to Section 21683.1 of the Public Utilities Code (PUC) the California Transportation Commission (CTC) is authorized to allocate funds for a portion of the local match for AIP grants;

WHEREAS, the California Department of Transportation, acting on the authority of the California Transportation Commission, may provide five (5%) for that portion of the FAA grant which is for airport and aviation purposes;

WHEREAS, the City of Porterville desires to submit an application to the FAA for Part A monies, to the FAA for Part B monies and potentially to the California Department of Transportation for matching monies, if an appropriation of these monies is made in the California Budget;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville, State of California:

1. Authorizes the filing of Part A and B applications with the FAA
2. Authorizes the filing of a matching application with the California Department of Transportation;
3. Authorizes accepting the allocation of funds for the project at the Porterville Municipal Airport;
4. Authorizes the execution of the Grant Agreement, and
BE IT FURTHER RESOLVED that the City Council of the City of Porterville does hereby authorize John D. Lollis, City Manager of Porterville on the date of the grant’s application to the Federal Aviation Administration and to the California Department of Transportation to sign any documents required to apply for and accept these subject funds on behalf of the City of Porterville.

__________________________  Cameron Hamilton, Mayor

ATTEST:

John Longley, City Clerk

By: ________________________
Patrice Hildreth, Chief Deputy
# Application for Federal Assistance

## Applicant Information
- **Legal Name:**
  - City of Porterville

- **Organizational DUNS:**

- **Address:**
  - Street: 291 North Main Street
  - City: Porterville
  - County: Tulare
  - State: California
  - Zip Code: 93257

- **Phone Number (give area code):**
  - 559-782-7540

- **Fax Number (give area code):**
  - 559-788-2554

- **Title:**
  - Airport Improvement Program

- **Areas Affected by Project:**
  - Porterville, CA and Southeastern Tulare County

## Catalog of Federal Domestic Assistance Number:
- **Title (Name of Program):**
  - Construction of Airport Electrical Project

## Congressional Districts of:
- **a. Applicant:**
  - David
  - John

## Estimated Project:
- **Start Date:**
  - 21

## Estimated Funding:
- **a. Federal:**
  - $273,694

- **b. Applicant:**
  - $13,865

- **c. State:**
  - $0

- **d. Local:**
  - $0

- **e. Other:**
  - $0

- **f. Program Income:**
  - $0

- **g. TOTAL:**
  - $287,379

## Application Subject to Review by State Executive Order 12372 Process?
- **a. Yes:**
  - This preapplication/application was made available to the State Executive Order 12372 process for review on [DATE]:

## Application Delinquent on Any Federal Debt?
- **a. Yes:**
  - Yes if "Yes" attach an explanation.

## To the Best of My Knowledge and Belief, All Data in This Application/Preapplication Are True and Correct. The Document Has Been Duly Authorized by the Governing Body of the Applicant and the Applicant Will Comply With the Attached Assurances If the Assistance Is Awarded.
- **a. Authorized Representative:**
  - Prefix:
  - First Name:
  - Middle Name:
  - Last Name:
  - Suffix:

- **b. Title:**
  - City Manager

- **c. Telephone Number (give area code):**
  - 559-782-7486

- **d. Date Signed:**

## Previous Edition Usable
- Authorized for Local Reeducation

---

*Standard Form 424 (Rev.9-2003) Prescribed by OMB Circular A-102*
INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

<table>
<thead>
<tr>
<th>Item</th>
<th>Entry</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Select Type of Submission.</td>
</tr>
<tr>
<td>2.</td>
<td>Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).</td>
</tr>
<tr>
<td>3.</td>
<td>State use only (if applicable).</td>
</tr>
<tr>
<td>4.</td>
<td>Enter Date Received by Federal Agency: Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal identifier number. If for a new project, leave blank.</td>
</tr>
<tr>
<td>5.</td>
<td>Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.</td>
</tr>
<tr>
<td>6.</td>
<td>Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.</td>
</tr>
<tr>
<td>7.</td>
<td>Select the appropriate letter in the space provided. A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) O. Not for Profit Organization</td>
</tr>
<tr>
<td>8.</td>
<td>Select the type from the following list: A. &quot;New&quot; means a new assistance award. B. &quot;Continuation&quot; means an extension for an additional funding/budget period for a project with a projected completion date. C. &quot;Revision&quot; means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration</td>
</tr>
<tr>
<td>9.</td>
<td>Name of Federal agency from which assistance is being requested with this application.</td>
</tr>
<tr>
<td>10.</td>
<td>Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.</td>
</tr>
</tbody>
</table>

11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

12. List only the largest political entities affected (e.g., State, counties, cities).

13. Enter the proposed start date and end date of the project.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as Item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
## PART II
### PROJECT APPROVAL INFORMATION
#### SECTION A

<table>
<thead>
<tr>
<th>Item 1.</th>
<th>Name of Governing Body</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this assistance request require State, local, regional, or other priority rating?</td>
<td></td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 2.</th>
<th>Name of Agency or Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this assistance request require State, local advisory, educational or health clearances?</td>
<td>(Attach Documentation)</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 3.</th>
<th>(Attach Comments)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this assistance request require clearinghouse review in accordance with OMB Circular A-95?</td>
<td></td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 4.</th>
<th>Name of Approving Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this assistance request require State, local, regional, or other planning approval?</td>
<td>Date / /</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 5.</th>
<th>Location of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the proposed project covered by an approved comprehensive plan?</td>
<td>Check One: State □ Local □ Regional □</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 6.</th>
<th>Name of Federal Installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the assistance requested serve a Federal installation?</td>
<td>Federal Population benefiting from Project</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 7.</th>
<th>Name of Federal Installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the assistance requested be on Federal land or installation?</td>
<td>Location of Federal Land</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 8.</th>
<th>See instructions for additional information to be provided.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the assistance requested have an impact or effect on the environment?</td>
<td></td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 9.</th>
<th>Number of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the assistance requested cause the displacement of individuals, families, businesses, or farms?</td>
<td>Individuals</td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
<tr>
<td></td>
<td>Families</td>
</tr>
<tr>
<td></td>
<td>Businesses</td>
</tr>
<tr>
<td></td>
<td>Farms</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item 10.</th>
<th>See instructions for additional information to be provided.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there other related Federal assistance on this project previous, pending, or anticipated?</td>
<td></td>
</tr>
<tr>
<td>□ Yes</td>
<td>☑ No</td>
</tr>
</tbody>
</table>
INSTRUCTIONS
PART II
SECTION A

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. Provide supplementary data for all "Yes" answers in the space provided in accordance with the following instructions.

Item 1. – Provide the name of the governing body establishing the priority system and the priority rating assigned to this project.

Item 2. – Provide the name of the agency or board which issued the clearance and attach the documentation of status or approval.

Item 3. – Attach the clearinghouse comments for the application in accordance with the instructions contained in Office of Management and Budget Circular No. A-95. If comments were submitted previously with a preapplication, do not submit them again but any additional comments received from the clearinghouse should be submitted with this application.

Item 4. – Furnish the name of the approving agency and the approval date.

Item 5. – Show whether the approved comprehensive plan is State, local or regional, or if none of these, explain the scope of the plan. Give the location where the approved plan is available for examination and state whether this project is in conformance with the plan.

Item 6. – Show the Federal population residing or working on the federal installation who will benefit from this project.

Item 7. – Show the percentage of the project work that will be conducted on federally owned or leased land. Give the name of the Federal installation and its location.

Item 8. – Briefly describe the possible beneficial and/or harmful impact on the environment because of the proposed project. If an adverse environmental impact is anticipated, explain what action will be taken to minimize the impact. Federal agencies will provide separate instructions if additional data is needed.

Item 9. – State the number of individuals, families, businesses, or farms this project will displace. Federal agencies will provide separate instructions if additional data is needed.

Item 10. – Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status and amount of each project where there is related previous, pending, or anticipated assistance. Use additional sheets, if needed.

Paperwork Reduction Act Statement: The information collected on this form allows sponsors of public use airports or public agencies to apply for one or more projects in a form prescribed by the Secretary of Transportation.

Title 49, United States Code (U.S.C.), Section 47105, identifies the information required to apply for this program. The forms prescribed to meet this requirement are developed to provide a comprehensive format that allows sponsors to provide the data needed to evaluate the request for funds. The burden for each response is estimated to be 24 hours. Approved applications benefit the sponsor by providing Federal funding to protect the Federal interest in safety, efficiency, and utility of the Nation's airport system. No assurance of confidentiality can be given since these become public records. If you wish to make any comments concerning the accuracy of this burden estimate or any suggestions for reducing this burden, send to Federal Aviation Administration, ARP-10, 800 Independence Ave., SW, Washington, DC 20591. Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number, which is 2120-0589 for this collection. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ABA-20.
PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use. — The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:
   Zoning, height limitations and restrictions as adopted by the City and County Airport Land-Use Commission which is on file with the FAA.

2. Defaults. — The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:
   The sponsor is not in default on any obligation to the United States or any agency of the United States.

3. Possible Disabilities. — There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of Part V of this Application, either by limiting its legal or financial ability or otherwise, except as follows:
   There is not fact or circumstance that should impair the sponsor from carrying out the complete project.

4. Consistency with Local Plans. — The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. Yes - the project is consistent.

5. Consideration of Local Interest. — It has given fair consideration to the interest of communities in or near where the project may be located. Yes

6. Consultation with Users. — In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed. Yes

7. Public Hearings. — In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project. N/A

8. Air and Water Quality Standards. — In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary. N/A
PART II – SECTION C (CONTINUED)

9. Exclusive Rights. – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

There has been no grant of an exclusive right for the conduct of an aeronautical activity, except the City of Porterville operates the fuel enterprise.

10. Land. – (a) The sponsor holds the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit “A”:

There has been no change in property interest since the date of our most recent Airport Layout Plan dated March 12, 2007.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit “A”:

No additional property purchase is required.

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit “A”:

No additional property purchase is required.

*State character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.
### PART III – BUDGET INFORMATION – CONSTRUCTION

### SECTION A – GENERAL

1. Federal Domestic Assistance Catalog No. 20-105
2. Functional or Other Breakout

### SECTION B - CALCULATION OF FEDERAL GRANT

<table>
<thead>
<tr>
<th>COST CLASSIFICATION</th>
<th>Use only for revisions</th>
<th>Total Amount Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Latest Approved amount</td>
<td>Adjustment + or (-)</td>
</tr>
<tr>
<td>1. Administration expense</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>2. Preliminary expense</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Land, structures, right-of-way</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Architectural engineering basic fees</td>
<td>72,727.00</td>
<td>72,727.00</td>
</tr>
<tr>
<td>5. Other architectural engineering fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Project inspection fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Land development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Relocation expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Relocation payments to individuals and businesses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Demolition and removal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Construction and project improvement</td>
<td>497,273.00</td>
<td>497,273.00</td>
</tr>
<tr>
<td>12. Equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Miscellaneous</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Total (Lines 1 through 13)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Estimated Income (if applicable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Net Project Amount (Line 14 minus 15)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. Less: Ineligible Exclusions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18. Add: Contingencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19. Total Project Amt. (Excluding Rehabilitation Grants)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. Federal Share requested of Line 19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. Add Rehabilitation Grants Requested (100 percent)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Total Federal grant requested (Lines 20 &amp; 21)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. Grantee share</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24. Other shares</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25. Total project (Lines 22, 23, &amp; 24)</td>
<td>$570,000.00</td>
<td>$</td>
</tr>
</tbody>
</table>
INSTRUCTIONS
PART III
SECTION A. GENERAL

1. Show the Federal Domestic Assistance Catalog Number from which the assistance is requested. When more than one program or Catalog Number is involved and the amount cannot be distributed to the Federal grant program or catalog number on an over-all percentage basis, prepare a separate set of Part III forms for each program or Catalog Number. However, show the total amounts for all programs in Section B of the basic application form.

2. Show the functional or other categorical breakouts, if required by the Federal grantor agency. Prepare a separate set of Part III forms for each category.

SECTION B. CALCULATION OF FEDERAL GRANT

When applying for a new grant, use the Total Amount Column only. When requesting revisions of previously awarded amounts, use all columns.

Line 1 - Enter amounts needed for administration expenses including such items as travel, legal fees, rental of vehicles and any other expense items expected to be incurred to administer the grant. Include the amount of interest expense when authorized by program legislation and also show this amount under Section E Remarks.

Line 2 - Enter amounts pertaining to the work of locating and designing, making surveys and maps, sinking test holes, and all other work required prior to actual construction.

Line 3 - Enter amounts directly associated with the acquisition of land, existing structures, and related right-of-way.

Line 4 - Enter basic fees for architectural engineering services.

Line 5 - Enter amounts for other architectural engineering services, such as surveys, tests, and borings.

Line 6 - Enter fees for inspection and audit of construction and related programs.

Line 7 - Enter amounts associated with the development of land where the primary purpose of the grant is land improvement. Site work normally associated with major construction should be excluded from this category and shown on line 11.

Line 8 - Enter the dollar amounts needed to provide relocation advisory assistance, and the net amounts for replacement (last resort) housing. Do not include relocation administration expenses on this line; include them on Line 1.

Line 9 - Enter the estimated amount of relocation payments to be made to displaced persons, business concerns, and non-profit organizations for moving expenses and replacement housing.

Line 10 - Enter the gross salaries and wages of employees of the grantee who will be directly engaged in performing demolition or removal of structures from developed land. This line should show also the cost of demolition or removal of improvements on developed land under a third party contract. Reduce the costs on this line by the amount of expected proceeds from the sale of salvage, if so instructed by the Federal grantor agency. Otherwise, show the proceeds on Line 15.

Line 11 - Enter amounts for the actual construction of, addition to, or restoration of a facility. Also, include in this category the amounts of project improvements such as sewers, streets, landscaping, and lighting.

Line 12 - Enter amounts for equipment both fixed and movable exclusive of equipment used in construction. For example, include amounts for permanently attached laboratory tables, built-in audio visual systems, movable desks, chairs, and laboratory equipment.

Line 13 - Enter amounts for items not specifically mentioned above.

Line 14 - Enter the sum of Lines 1-13.

Line 15 - Enter the estimated amount of program income that will be earned during the grant period and applied to the program.

Line 16 - Enter the difference between the amount on Line 14 and the estimated income shown on Line 15.

Line 17 - Enter the amounts for those items which are a part of the project but not subject to Federal participation (See Section C, Line 26g, Column (1)).

Line 18 - Enter the estimated amount for contingencies. Compute this amount as follows. Subtract from the net project amount shown on Line 16 the ineligible project exclusions shown on Line 17 and the amount which is excluded from the contingency provisions shown in Section C, Line 26g, Column (2). Multiply the computed amount by the percentage factor allowed by the grantor agency in accordance with the Federal program guidance. For those grants which provide for a fixed dollar allowance in lieu of a percentage allowance, enter the dollar amount of this allowance.

Line 19 - Show the total amount of Lines 16, 17, and 18. (This is the amount to which the matching share ratio prescribed in program legislation is applied.)

Line 20 - Show the amount of Federal funds requested exclusive of funds for rehabilitation purposes.

Line 21 - Enter the estimated amounts needed for rehabilitation expense if rehabilitation grants to individuals are made for which grantees are reimbursed 100 percent by the Federal grantor agency in accordance with program legislation. If the grantee shares in part of this expense, show the total amount on Line 13 instead of on Line 21 and explain in Section E.

Line 22 - Show the total amount of the Federal grant requested.

Line 23 - Show the amount from Section D, Line 27h.

Line 24 - Show the amount from Section D, Line 28c.

Line 25 - Self-explanatory.
### SECTION C - EXCLUSIONS

<table>
<thead>
<tr>
<th>Classification</th>
<th>Ineligible for Participation (1)</th>
<th>Excluded from Contingency Provision (2)</th>
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</thead>
<tbody>
<tr>
<td>a.</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>b.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g.</td>
<td>Totals $</td>
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### SECTION D - PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

<table>
<thead>
<tr>
<th>Grantee Share</th>
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<tbody>
<tr>
<td>a. Securities</td>
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<td>b. Mortgages</td>
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<td>c. Appropriations (By Applicant)</td>
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<td>d. Bonds</td>
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<tr>
<td>e. Tax Levies</td>
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<tr>
<td>f. Non Cash</td>
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<td>g. Other (Explain)</td>
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<td>h. Total – Grantee Share</td>
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### SECTION E - REMARKS

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<th>Other Shares</th>
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<td>b. Other</td>
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<td>c. Total</td>
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</table>

### PART IV - PROGRAM NARRATIVE (ATTACH – SEE INSTRUCTIONS)
INSTRUCTIONS

PART III

SECTION C. EXCLUSIONS

Line 26 a-g - Identify and list those costs in Column (1) which are part of the project cost but are not subject to Federal participation because of program legislation or Federal grantor agency instructions. The total amount on Line g should agree with the amount shown on Line 17 of Section B. Show in Column (2) those project costs that are subject to Federal participation but are not eligible for inclusion in the amount used to compute contingency amounts as provided in the Federal grantor agency instructions.

SECTION D. PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

Line 27 a-g - Show the source of the grantee’s share. If cash is not immediately available, specify the actions completed to date and those actions remaining to make cash available under Section E Remarks. Indicate also the period of time that will be required after execution of the grant agreement to obtain the funds. If there is a noncash contribution, explain what this contribution will consist of.

Line 27h - Show the total of Lines 27 a-g. This amount must equal the amount shown in Section B, Line 23.

Line 28a - Show the amount that will be contributed by a State or state agency, only if the applicant is not a State or state agency. If there is a noncash contribution, explain what the contribution will consist of under Section E Remarks.

Line 28b - Show the amount that will be contributed from other sources. If there is a noncash contribution, explain what the contribution will consist of under Section E Remarks.

Line 28c - Show the total of Lines 28a and 28b. This amount must be the same as the amount shown in Section B, Line 24.

Line 29 - Enter the totals of Line 27h and 28c.

SECTION E. OTHER REMARKS

Make any remarks pertinent to the project and provide any other information required by these instructions or the grantor agency. Attach additional sheets, if necessary.
**PART IV**

**PROGRAM NARRATIVE**

(Suggested Format)

<table>
<thead>
<tr>
<th>PROJECT:</th>
<th>Airport Lighting Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIRPORT:</td>
<td>Porterville Municipal Airport (PTV)</td>
</tr>
</tbody>
</table>

1. **Objective:**
   The object of the project is to replace and upgrade REIL, apron lighting, taxiway lights, and to install an emergency generator to secure after-hour operations by emergency aircraft.

2. **Benefits Anticipated:**
   The improvement of REIL, apron lighting and taxiway lights are essential to maintain current, deteriorating or inadequate airport facilities. the installation of the emergency generator is to guarantee the safe return of emergency (fire-fighting) aircraft, one hour after sunset. It is not unusual that aircraft return at that time and potential system failure creates an operational safety failure.

3. **Approach:** *(See approved Scope of Work in final Application)*
   The project will be supervised by the Airport Manager and assisted by the Purchasing Department and the Porterville Public Works Director. A consulting engineering will providing consulting services to accomplish inspection. Funding will be achieved through FAA grant applications and local appropriations. Once the project goes to bid, it will be pursued to completion.

4. **Geographic Location:**
   The geographical location is at the Porterville Municipal Airport at 1893 South Newcomb in Porterville, California.

5. **If Applicable, Provide Additional Information:**

6. **Sponsor's Representative:** *(incl. address & tel. no.)*
   John Longley
   1893 So. Newcomb
   Porterville, California  93257
   jlongley@ptv.aero
   559-782-7540
INSTRUCTIONS
PART IV
PROGRAM NARRATIVE

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for supplemental assistance should be responsive to Item 5b only. Requests for continuation or refunding or other changes of an approved project should be responsive to Item 5c only.

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE.
Pinpoint any relevant physical, economic, social, financial, institutional, or other problems requiring a solution.
Demonstrate the need for assistance and state the principal and subordinate objectives of the project. Supporting documentation or other testimonies from concerned interests other than the applicant may be used. Any relevant data based on planning studies should be included or footnoted.

2. RESULTS OR BENEFITS EXPECTED.
Identify results and benefits to be derived. For example, include a description of who will occupy the facility and show how the facility will be used. For land acquisition or development projects, explain how the project will benefit the public.

3. APPROACH
   a. Outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished for each grant program. Cite factors which might accelerate or decelerate the work, and your reason for taking this approach as opposed to others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvements.
   b. Provide each grant program monthly or quarterly quantitative projections of the accomplishments to be achieved, if possible. When accomplishments cannot be quantified, list the activities in chronological order to show the schedule of accomplishments and their target dates.
   c. Identify the kinds of data to be collected and maintained, and discuss the criteria to be used to evaluate the results and success of the project. Explain the methodology that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified in Item 2 are being achieved.
   d. List each organization, cooperator, consultant, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

4. GEOGRAPHIC LOCATION.
Give a precise location of the project and area to be served by the proposed project. Maps or other graphic aids may be attached.

5. IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:
   a. Describe the relationship between this project and other work planned, anticipated, or underway under the Federal Assistance listed under Part II, Section A, Item 10.
   b. Explain the reason for all requests for supplemental assistance and justify the need for additional funding.
   c. Discuss accomplishments to date and list in chronological order a schedule of accomplishments, progress, or milestones anticipated with the new funding request. If there have been significant changes in the project objectives, location, approach or time delays, explain and justify. For other requests for changes or amendments, explain the reason for the change(s). If the scope or objectives have changed or an extension of time is necessary, explain the circumstances and justify. If the total budget has been exceeded or if individual project items have changed more than the prescribed limits contained in Attachment K, Office of Management and Budget Circular No. A-102, explain and justify the change and its effect on the project.
SUBJECT: Western Pacific Region Airport Capital Improvement Program Data Sheets

SOURCE: City Manager’s Office

NARRATIVE: An aspect of FAA and State requirements for grant funding, is submitting the Airport Capital Improvement program for the years 2009/10 through 2013/14. The due date for the FAA submission is January 16, 2009. The proposals have been prepared by City staff and are attached for the Council’s consideration.

In addition, a clarified sheet for 2008/09 is provided. The anticipated projects are

2008 - 2009: The projects are to complete lighting design and move to construction. Also, design the rehabilitation of the main runway. This sheet clarifies last year’s submittal.

2010: For the next Federal fiscal year, the plan is to complete the design for the runway and move to construct the runway. If “stimulus” monies are available for the project, they will be requested. The main issue is that about $120,000 in match will be required for a $2,000,000 + grant, so the Airport may seek a loan of monies to complete the project.

2011: The next year proposes that design should commence on the rehabilitation for the former crosswind runway, for its conversion to a commercial taxiway. The Airport fund may have sufficient funds to cover the cost of design, but the cost of construction may have to be deferred until sufficient monies are available.

2012: Though it will be funding dependent, Federal fiscal year 2012 is scheduled to be the year to reconstruct the runway to a taxiway.

2013: An environmental document for the runway extension will be under consideration. The proposed project is anticipated within the current limits of the Porterville Airport. Consideration of a “displaced threshold” will be a critical factor, and this will be an issue of considerable discussion with the FAA.

2014: The runway extension design project is projected for this 2014.

RECOMMENDATION: Approve the data sheets, authorize the signature and submission to the FAA and State Division of Aeronautics.

Item No. 5
### AWP ACIP DATA SHEET

**Porterville Airport, City of Porterville**  
NPIAS: 06-0190  
**Fiscal Year: 2009**  
**Date: 12-31-2008**

<table>
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<th>Shown On ALP</th>
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<th>Project Description</th>
<th>Federal Share</th>
<th>Local Share</th>
<th>Total</th>
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</table>

* D- Development;  P- Planning;  E- Environmental

---

**PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS**

**Detail Project Description (Square/Lineal Footage or Length/Width)**

Construct: Pole mounted apron area lighting, primary and secondary wind cones, segmented circle, install REILs, emergency generator, replace all taxiway edge lighting.

Design: Complete design for apron area lighting, wind cone lighting, segmented circle, install REILS emergency generator And replacement of all taxiway edge lighting. Commence design to rehabilitate Runway 12-30.

**Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental projects, length of construction or design, planning, or environmental process.**

Lighting design completed March, 2009. The City will be applying for this grant based on the bids received for the Construction project. Initial phase to bid in April and open bids in June with award in July. The entire project will be completed by the end of December, 2009. Design for runway rehabilitation will commence August, 2009//HOWEVER, if special funding is available, preliminaries have been completed and design may commence as early as March, 2009.

**NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval**

Electrical project includes rehabilitation of existing facilities. A CATEX form will be submitted at appropriate time

**Land Title Status & Date of Exhibit “A” Status**

A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007.

**Open AIP Funded Projects**

AIP 07 Design of airfield electrical improvements  
Expected Close-Out Date: February, 2009

**Certification: To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.**

**Name and Title of Authorized Representative (Print or Type)**

Signature   Date   Contact Phone (Print or Type)
AWP ACIP DATA SHEET

<table>
<thead>
<tr>
<th>Airport Name</th>
<th>Porterville Airport, City of Porterville</th>
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<td>Federal Share</td>
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<td>Local Share</td>
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<td></td>
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<td>Total</td>
<td>$2,250,000</td>
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</tbody>
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* D- Development;  P - Planning;  E - Environmental

PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS

Detail Project Description (Square/Lineal Footage or Length/Width) Rehabilitate Runway 12-30 (885,000 sf) Remove existing Porous friction course. Construct variable thickness, grade correcting overlay, followed by a uniform finish course. Apply Pavement markings and runway grooving.

Design Complete design to rehabilitate Runway 12-30

Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental projects, length of construction or design, planning, or environmental process.

Project schedule is entirely funding dependent. Work can be commenced on the completion of design in early calendar year 2009 with all work to be completed within 14 months.

NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval

Runway rehabilitation is a rehabilitation project. A CATEX form will be submitted at the appropriate time

Land Title Status & Date of Exhibit “A” Status Date

A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007

Open AIP Funded Projects Expected Close-Out Date

AIP 07 Design of airfield electrical improvements February, 2009

Certification: To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.

Name and Title of Authorized Representative (Print or Type)

Signature Date Contact Phone (Print or Type)
<table>
<thead>
<tr>
<th>Airport Name</th>
<th>Project Description</th>
<th>Federal Share</th>
<th>Local Share</th>
<th>Total</th>
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<tbody>
<tr>
<td>Porterville</td>
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<td>NPIAS: 06-0190</td>
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<td>$6,500</td>
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<td></td>
<td>As commercial taxiway</td>
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* D - Development;  P - Planning;  E – Environmental

**PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS**

**Detail Project Description (Square/Lineal Footage or Length/Width)**

Rehabilitate Runway 12-30 (885,000 sf) to be completed NLT March, 2010 which is completely funding dependent; Design to rehabilitate former Runway 7-25 as commercial taxiway. Localized pavement remove and reconstruct, followed by a uniform overlay. Install pavement markings. Perform shoulder backing.

**Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental project, length of construction or design, planning, or environmental process.)**

Runway rehabilitation completed by March, 2010; Design for commercial taxiway to be undertaken in October, 2010 and Completed prior to September, 2011.

**NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval**

Projects are existing structures and the work to be performed is exempt. A CATEX form will be submitted at the appropriate time.

**Land Title Status & Date of Exhibit “A” Status**

A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007.

**Open AIP Funded Projects**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Expected Close-Out Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIP 07 Design of airfield electrical improvements</td>
<td>February, 2009</td>
</tr>
</tbody>
</table>

**Certification:** To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.

<table>
<thead>
<tr>
<th>Name and Title of Authorized Representative (Print or Type)</th>
<th>Signature</th>
<th>Date</th>
<th>Contact Phone (Print or Type)</th>
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# AWP ACIP DATA SHEET

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<td>Project Description</td>
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<td>D</td>
<td>Construct: Rehabilitate former Runway 7-25 as commercial Taxiway</td>
<td>$475,000</td>
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</table>

* D- Development;  P - Planning;  E - Environmental

**PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS**

Detail Project Description (Square/Lineal Footage or Length/Width)
Rehabilitation of former Runway 7-25 as commercial taxiway 200,000 sf) through localized removal and reconstruction of failed pavement area, followed by uniform overlay. Install pavement markings and perform shoulder backing.

Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental projects, length of construction or design, planning, or environmental process).
Contract for construction of commercial taxiway will be awarded by January, 2012 with construction completed by August, 2012.

NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval
Runway conversion to commercial taxiway is a rehabilitation project, shown on the approved ALP. A CATEX form will be submitted at the appropriate time.

Land Title Status & Date of Exhibit “A” Status
A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007.

<table>
<thead>
<tr>
<th>Open AIP Funded Projects</th>
<th>Expected Close-Out Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIP 07 Design of airfield electrical improvements</td>
<td>February, 2009</td>
</tr>
</tbody>
</table>

Certification: To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.

Name and Title of Authorized Representative (Print or Type)

Signature __________________________  Date ____________  Contact Phone (Print or Type) __________________________
AWP ACIP DATA SHEET

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<td>E</td>
<td>Runway extension EA</td>
<td>$171,000</td>
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* D - Development;  P - Planning;  E - Environmental

PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS

Detail Project Description (Square/Lineal Footage or Length/Width)

Perform Environmental Assessment for extension of Runway 12-30

Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental projects, length of construction or design, planning, or environmental process.

The schedule for the environmental assessment will include consideration for time-of-year biological inspections and Field surveys. The entire effort will be completed within 18 months.

NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval

An EA will be completed for the extension of Runway 12-30.

Land Title Status & Date of Exhibit “A” Status

A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007.

Open AIP Funded Projects

<table>
<thead>
<tr>
<th>Project Description</th>
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<tbody>
<tr>
<td>AIP 07 Design of airfield electrical improvements</td>
<td>February, 2009</td>
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</table>

Certification: To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.

Name and Title of Authorized Representative (Print or Type)

Signature Date Contact Phone (Print or Type)
# AWP ACIP DATA SHEET

**Porterville Airport, City of Porterville**  
*NPIAS: 06-0190*  
**Fiscal Year:** 2014  
**Date:** 12-31-2008  

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<tbody>
<tr>
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<td>Design: Extension of Runway 12-30 and parallel taxiway.</td>
<td>$190,000</td>
<td>$10,000</td>
<td>$200,000</td>
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* D - Development;  
* P - Planning;  
* E - Environmental

## PROVIDE THE FOLLOWING DETAILED INFORMATION FOR PROJECTS ANTICIPATED WITHIN 1-2 YEARS

### Detail Project Description (Square/Lineal Footage or Length/Width)

Complete design for runway extension within existing Airport property boundaries.

### Project Schedule (Anticipated date for bids or negotiated prices, consultant selection for planning or environmental projects, length of construction, design, planning, or environmental process.)

Design for runway extension will commence by January 2014.

### NEPA Environmental Status (Date of FONSI) or submit CATEX Form for Approval

An EA will be prepared for the project.

### Land Title Status & Date of Exhibit “A” Status

A current Exhibit “A” Property Map exists for this airport and is on file with the FAA, approved March, 2007.

### Open AIP Funded Projects

<table>
<thead>
<tr>
<th>Project Funded</th>
<th>Expected Close-Out Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIP 07 Design of airfield electrical improvements</td>
<td>February, 2009</td>
</tr>
</tbody>
</table>

### Certification:

To the best of my knowledge and belief, all information shown in the ACIP Data Sheet is true and correct and has been duly authorized by the Sponsor.

### Name and Title of Authorized Representative (Print or Type)

Signature  
Date  
Contact Phone (Print or Type)
SUBJECT:  AUTHORIZATION TO ADVERTISE FOR STATEMENT OF QUALIFICATIONS FOR AIRPORT ENGINEERING SERVICES

SOURCE:  Airport/Public Works Department

COMMENT:  The Federal Aviation Administration (FAA) requires Cities to select an "Engineer of Record" for all capital improvement projects funded by the FAA. The selected consultant will provide technical and professional services for the preparation of plans, specifications and "special instructions" for the various capital improvement projects listed in the City's Ten Year Master Plan.

The purpose of this staff report is to seek Council authorization to advertise for "Statement of Qualifications" (SOQ) from qualified Engineering firms.

RECOMMENDATION:  That City Council:

1. Authorize staff to advertise for Statement of Qualifications; and

2. Direct staff to present the results of the SOQ's to the City Council for Council's direction related to the award of a professional services contract.
SUBJECT: Approval of a Resolution Defining Terms for The Farming of the Former Kit Fox Preserve And Defining Terms for The Repayment of General Fund Monies Used to Remove the Kit Fox Preserve Designation

SOURCE: City Manager’s Office

NARRATIVE:

The Community Development Department was successful in having the Kit Fox Preserve designation removed from 20 acres of land within the Porterville Municipal Airport boundaries. This was accomplished by purchasing credits in mitigation banks. With this purchase, the property became available for farming. Two matters should be documented:

1. The farmers agreement for the Airport held by Jeff Sheets should be extended to the area to assure the utilization and maintenance of the site;

2. Because General Fund monies were utilized to purchase the mitigation bank credits, it is recommended that a repayment program be defined to reimburse these monies. The approach defined in the resolution is that all monies from the lands up to $2,500 per year be allocated without interest to pay-down the $80,000 cost. Any monies over $2,500 per year would be split 50% to repay the mitigation bank cost and 50% to the Airport Fund.

RECOMMENDATION: Approve the resolution as presented.
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ESTABLISHING A REPAYMENT SCHEDULE FROM THE FARMING OPERATION TO THE GENERAL FUND FOR COSTS INCURRED IN THE REPLACEMENT OF THE PORTERVILLE MUNICIPAL AIRPORT KIT FOX PRESERVE

Whereas, the City of Porterville (City) adopted the current Porterville Municipal Airport Master Plan (Airport) in April, 1990; and

Whereas, the City was required to establish a San Joaquin Kit Fox Preserve (Preserve) on 20 acres at the southwest corner of the airport; and

Whereas, the City maintained the Kit Fox preserve on Airport property until April 1, 2008; and

Whereas, through the expenditure of $80,000 in the general fund proceeds of the sale of 35 acres of City owned property on which Southern California Edison will construct a service center, the Preserve was removed through the City purchase of Kit Fox conservation credits in two established mitigation banks, Kreyenhagen and Allensworth which were approved by the United States Fish and Wildlife Service; and

Whereas, the previous Preserve is designated as aviation revenue producing and may be used for commercial purposes which supports the Airport Enterprise Fund; and

Whereas, Jeff Sheets currently operates a farming operation on leased Airport land has indicated his desire to farm the area consistent with his current agreement to farm other Airport properties not otherwise leased; and

Now, therefore, be it resolved as follows:

1. Jeff Sheets, or his approved successor, is hereby authorized to farm the area consistent with the terms of his agreement with the City, provided the area is severable and may be used for other Airport or commercial purposes on 90 days notice.

2. Jeff Sheets or his approved successor, shall pay to the Airport monies received from the farming of the area and these monies shall be specifically designated and separated from other payments to the City.

3. The City shall allocate the monies, through the Airport Enterprise Fund to the General fund to repay the debt of removing the kit fox habitat area. All monies received annually up to and including $2,500 shall be paid to the General Fund; and if payment is in excess of $2,500, then 50% of the additional amount shall be
allocated to the repayment of the debt and 50% shall remain with the Airport Enterprise Fund.

4. The General Fund shall not charge any interest for the debt which has been incurred.

5. The City’s Director of Finance shall make an annual accounting of the status of the debt.

This Resolution shall become effective on December 16, 2008.

ADOPTED this 6th day of January, 2009

______________________________
Cameron Hamilton, Mayor

ATTEST:

______________________________
John Longley, City Clerk
CITY COUNCIL AGENDA: JANUARY 6, 2009

SUBJECT: AUTHORIZATION TO DEVELOP A STRATEGIC PLAN BASED ON THE ENTREPRENEURIAL TRAINING AND BUSINESS INCUBATOR DEVELOPMENT PROJECT

SOURCE: COMMUNITY DEVELOPMENT

COMMENT: In June 2007, the City of Porterville received a planning grant from the U.S. Department of Commerce Economic Development Administration for the consideration of a Center for Entrepreneurial Training and Business Incubator Development (the Project) to look at market opportunities that might be captured by a Porterville-based business incubator. The City used the following four-phase approach for implementation.

<table>
<thead>
<tr>
<th>Phase I</th>
<th>Perform an analysis of market and industry trends to identify business clusters that would fit into the three business sectors:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Production/Manufacturing, with an emphasis on aviation-related industries</td>
</tr>
<tr>
<td>2.</td>
<td>Light industrial, manufacturing, and technology-related uses</td>
</tr>
<tr>
<td>3.</td>
<td>Office technology and service-related business</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phase II</th>
<th>Develop the curriculum for entrepreneurial training to identify the viability of one (or more) incubator facilities to foster new business development.</th>
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<tr>
<th>Phase III</th>
<th>Develop a program for a small business start-up revolving loan program.</th>
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</table>

<table>
<thead>
<tr>
<th>Phase IV</th>
<th>Develop a marketing plan and create a web page to be added to the City’s website to market the entrepreneurial program and revolving loan program.</th>
</tr>
</thead>
</table>

**Phase I** – The City entered into a contract with Chabin Concepts to conduct a market study to identify target industries for business attraction and assess the feasibility of the creation, of a business incubator to “grow” business locally. Chabin Concepts subcontracted the business incubator feasibility to Claggett Wolfe Associates due to the company’s expertise in business incubation projects. Jointly, Chabin Concepts and Claggett Wolfe Associates are referred to as the “Project Team”.

The Project Team researched the targeted industry sectors utilizing the current activity for each of the targeted sectors and key factors that limit industry success. The key factors utilized include workforce availability, competitive wages, abundant vocational and technical training, proximity of universities and research institutions, site availability, adequate infrastructure, transportation, incentives, and livability of the community.
The Project Team findings are summarized in the Market and Business Trend Analysis, which has been supplied to Council under separate cover and is available for public review by contacting the Community Development Department.

A review of all of the targeted industries showed that Renewable Energy and Niche Food Processing present the highest opportunities for the City of Porterville’s future business attraction efforts. Although the City was hopeful that the study would indicate a higher opportunity for attraction of aviation-related industry, the information provided in the study proved that focus on this industry would not result in a level of success.

Recommendations made by the Project Team include:

- Continue collaboration with CSU Fresno Lyles Center for Innovation and Entrepreneurship, Porterville College, Porterville Unified School District, and the Tulare County EDC to stimulate creative thinking and innovation that can be translated into entrepreneurial activity. Consider moving the Lyles Center training to the middle-school level to stimulate creative thinking and innovation to improve the entrepreneurial culture in the community.

- Establish an annual event to recognize entrepreneurs in the community. It is worth noting that the Tulare County EDC currently holds an Entrepreneur Recognition event, in which the Porterville community submits local entrepreneurs for recognition.

- Work with Partners to bring back vocational training programs at the local schools and Porterville College focused on building skills to support businesses in the areas identified in the Market Study.

- Work with local developers to identify opportunities for developing smaller flexible office and industrial space to support efforts to encourage start-ups and attract existing small businesses in the targeted industries.

- Continue local efforts to enhance the community’s self-image and to project a positive image outside the area.

- Develop a menu of services that leverage existing programs and resources to assist businesses in the targeted sectors.

**Phase II** – In the initial stages of the project, the City met with representatives from Porterville College, California State University – Fresno Lyles Center for Innovation and Entrepreneurship (Lyles Center), Porterville Chamber of Commerce, and Tulare County Economic
Development Corporation to discuss entrepreneurial training opportunities. It was discovered that Porterville College was planning on offering an “Introduction to Entrepreneurship” class in the Fall 2008 semester. The Introduction to Entrepreneurship class is intended to introduce students to the world of business from the point of view of running a business as an entrepreneur. Enrollment for the first offering of this class was full, with plans for future classes to be held in a larger classroom to accommodate additional student participation.

As part of the project, Tulare County Economic Development Corporation entered into an agreement with the Lyles Center to hold two nine-week entrepreneurial training classes designed for those who are ready to launch a new business or expand an existing business. Porterville Chamber of Commerce and Porterville Employer Advisory Council each provided a scholarship for students to attend this training. The initial class is currently underway, with full enrollment.

Phase II also included a feasibility study for a business incubator in Porterville. Based on the findings in the study, the Project Team found that the levels of start-up businesses that would be attracted to an incubator are insufficient to sustain an effective incubation program. Therefore, the Project Team does not recommend a facility-based incubator. The conclusions and recommendations included in the study do provide the City with tools that can be used to create an entrepreneurial culture within the community – beginning with our youth by incorporating entrepreneurial training and awareness in the middle and high schools. The Project Team also provided insight that the community needs to reflect a more positive self-image to attract entrepreneurs and new business to the area. The City will take this information to the schools, Chamber of Commerce, and other partners in the project to begin implementation of many of the Project Team’s recommendations.

**Phase III** – The City of Porterville has provided business assistance with the use of Community Development Block Grant Funds for a number of years. The types of projects that utilized these funds were typically larger business attraction projects. To assist entrepreneurs with start-up expenses, the City designed the Revolving Loan Fund (RLF). The RLF is capitalized with funds from the repayment of principal and interest from existing loans. The funding originated from the U.S. Department of Housing & Urban Development (HUD) under the Community Development Block Grant (CDBG) Program. Federal requirements therefore apply and become part of any loan agreement.

Working with the Business Finance Center (BFC), a Certified Development Corporation, the City created guidelines for the RLF that would provide the entrepreneur with gap financing and not be competitive
with other financial institutions. The BFC has also indicated that a representative is available for loan review and recommendations when the RLF program is launched. A summary of the RLF is listed below.

- The intent of the RLF is to provide assistance to small businesses, which in turn will create full time jobs while increasing the overall economic base of the community.
- The RLF will only provide the funds necessary to bridge the “financial gap” that allows the business to move forward.
- The RLF is designed to provide no more than one-half of a small business’s total financing requirements.
- RLF assistance is a minimum of $1,000 and a maximum of $50,000 to be directed towards businesses that have the greatest potential for long-term job creation.
- Jobs must be created at a ratio of 1:$35,000 and reported as a condition of RLF assistance.

Phase IV – The programs to promote entrepreneurship in Porterville are in the development stage. As such, a comprehensive marketing plan is premature; however, the following guidelines were developed as a foundation for the project.

<table>
<thead>
<tr>
<th>Entrepreneurship in Porterville</th>
<th>Submit news articles to local media</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Promote classes at Porterville College</td>
</tr>
<tr>
<td></td>
<td>• Print media</td>
</tr>
<tr>
<td></td>
<td>• Local press</td>
</tr>
<tr>
<td></td>
<td>• Electronic media</td>
</tr>
<tr>
<td></td>
<td>Develop an Entrepreneurial page on the City’s website</td>
</tr>
<tr>
<td></td>
<td>Enhance partnership with Tulare County EDC for Entrepreneurship Recognition</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Porterville College – Introduction into Entrepreneurship</th>
<th>Listing in Porterville College on-line schedule of classes.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Paid advertisement in local media.</td>
</tr>
<tr>
<td></td>
<td>Submit news articles to local media</td>
</tr>
<tr>
<td></td>
<td>• Class description and availability</td>
</tr>
<tr>
<td></td>
<td>• Class successes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lyles Center for Entrepreneurship and Innovation at Porterville College</th>
<th>Paid advertisement in local media.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Submit news articles to local media.</td>
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<td></td>
<td>• Class description and availability.</td>
</tr>
<tr>
<td></td>
<td>• Class successes.</td>
</tr>
</tbody>
</table>
| Revolving Loan Program | • Develop print media describing program  
|                        | • Promote program to local lending institutions  
|                        | • Posting on website  |

The City has developed a new Economic Development website, designed for attraction and expansion of local business. The menu of services on the Entrepreneurial page leverage existing programs and resources to assist business, making access to these services easy and transparent. The new website, located at www.chooseporterville.com, provides entrepreneurs with information on hiring, training, financing, incubators, and links for other support agencies.

**Conclusion**

While the study indicated that Porterville is not ready for a business incubator at this time, it does provide a foundation for a strategic plan to ready the community for future entrepreneurial endeavors. An updated strategic plan will include strengthening educational partnerships and enhancing marketing outreach with a focus on renewable energy and niche food processing industries. Of utmost concern to the City is the lack of smaller flexible office and industrial space to encourage start-ups and attract small business in the targeted industries. The City is actively seeking land for development of small industrial space and will be working with the training partners, such as SBDC, SCORE, and the Lyles Center, for development of business assistance programs to help new business gain success.

**Recommendation:** That City Council authorize staff to initiate the preparation of a strategic plan for pursuing and promoting entrepreneurial activities.
SUBJECT: RESOLUTION PROTESTING SALE OF TAX-DEFAULTED PROPERTY APN 243-330-031-000

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The Auditor-Controller/Tax Collector of the County of Tulare has provided notice of intent to sell various tax-defaulted properties at Public Auction. The City has an opportunity to file an objection to the public sale of properties that the City may desire to obtain for public benefit. The attached Resolution will provide notice to the County that the City of Porterville objects to the public sale and wishes to obtain one parcel of land that is on the tax-default list.

The subject parcel is approximately 5 acres in size and is located within the northwest quadrant of the city in an area that is park land deficient. Should the tax-default not be remedied, it would be advantageous for the city to acquire the parcel for park and open space purpose. Funds could be considered for reprogramming from other park related carry-over projects or other alternatives should a purchase agreement need to be pursued at a later time.

RECOMMENDATION: Adopt the Resolution objecting to the sale of tax-defaulted property APN 243-330-031-000.

ATTACHMENTS: Resolution
Locator Map

Director

Appropriated/Funded

City Manager

ITEM NO.: 9
RESOLUTION NO. ___ - 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE OBJECTING TO THE SALE OF TAX-DEFAULTED PROPERTY APN 243-330-031-000

WHEREAS, the City of Porterville ("City") is a charter city organized and existing pursuant to the Constitution of the State of California; and

WHEREAS, in accordance with California Revenue and Taxation Code, the City Council of the City wishes to preserve the ability of the City to purchase the tax-defaulted property for use for public park and open space purposes.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE, hereby objects to the Tax Collector's Public Auction Sale of APN 243-330-031-000 and authorizes the City's Parks and Leisure Services Director to be the point of contact with regard to further consideration or preparation of a purchase agreement.

__________________________
Cameron J. Hamilton, Mayor

ATTEST:

__________________________
Patrice Hildreth, Chief Deputy City Clerk
SUBJECT: GUIDELINES FOR ESTABLISHING PUBLIC WARMING AND COOLING CENTERS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The intent of this report is to advise on the status of preparations, guidelines, and authorities for City response to local extreme cold or hot climatic events. At present, there are no local guidelines in place for the establishment of public warming or cooling centers or a definition of when such centers should be considered.

Current practice has been to announce the normal operating hours that the City buildings are available to the public. City buildings are not available every day of the week and are closed at night. Private organizations occasionally make provision for accommodating some, but their resources are often limited or not certain to be available.

In general, for City facilities, personnel, or services to be utilized beyond normal business practices an emergency must be declared. In such circumstances it is best to utilize Incident Command System procedures for proper management, and so that planning and cost tracking/recovery processes are appropriately conducted. Guidelines should be developed for defining a local climatic cold or heat event and authorities established for City declaration and response. Research has shown that Porterville is not unique in not having such guidelines already established.

Some recent discussions have taken place with Comision Honorifica Mexicana Americana regarding possible use of the Community Center at 466 East Putnam during emergencies. In addition, the Fire Chiefs within Tulare County intend to address the matter with the County Emergency Services Council with a suggestion that a uniform set of guidelines be drafted.

City staff intends to further explore and participate in efforts to better prepare for coordinated responses. In the interim, it would be beneficial for the City Council to specifically delegate authority to the Mayor to declare a state of local climatic emergency event so that appropriate assignments can be made.

RECOMMENDATION: Accept this status report and delegate authority to the Mayor to declare a state of local climatic emergency event for purposes of managing City response.

Director Appropriated/Funded City Manager

ITEM NO.: 10
COUNCIL AGENDA: January 6, 2009

SUBJECT: AWARD OF CONTRACT – ON-CALL CONSULTANT SERVICES FOR PREPARATION OF GRANT APPLICATIONS

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: As part of the process to move forward with On-Call Consulting Services for Preparation of Grant Applications, the City Council approved distributing a Request for Qualifications (RFQ) to consultants for the pursuit of grant-funding opportunities toward the development of ball field development through Proposition 84 funds (please see attachment). On October 17, 2008, a RFQ for “On-Call Services” for On-Call Consulting Services for Preparation of Grant Applications was issued by City staff. On November 5, 2008, staff received eight (8) proposals for providing these services. During the November 18th, 2008 City Council meeting, Council selected Councilmember Ward to serve on the evaluation team, along with the City Manager, Deputy City Manager, Community Development Director, and Parks and Leisure Services Director.

The evaluation team met on December 5, 2008 to review and rate the Statements of Qualifications (SOQ). The team determined the top three (3) individuals and/or firms, and subsequently scheduled interviews on December 22, 2008 to answer additional questions regarding their proposals and qualifications. With a unanimous 4-0 agreement (the City Manager deferring) the interviews with the consultants were rated as follows:

COMPANY

California Consulting, LLC
Fresno

Provost & Prichard Eng. Group
Visalia

Applied Development Economics
Walnut Creek/Sacramento

California Consulting LLC proposes several options for City consideration toward the pursuit of grants:

Option 1:
For a single fee of $10,000, California Consulting proposes to make application for grant monies exclusively for ball field development through Proposition 84, Major League Baseball Tomorrow Fund, and the California State Parks Land and Water Conservation Fund. Most notable is the pursuit
of Prop. 84 monies, with approximately $50 million available for Central Valley projects, of which the Heritage Center softball complex is believed to be an exemplary project.

Option 2:
Monthly fee of $2,500 per month (plus expenses). This is for unlimited grant writing for the City. The flat monthly fee is the most popular option for the 18 cities that the firm currently represents across California. This option also includes all lobbying services needed at no additional expense, Sacramento trips, troubleshooting with State Agencies, etc.

Option 3:
Monthly fee of $1,000 per month (plus expenses) and 10% of proceeds of all grants that are written and awarded. Lobbying services included at no additional cost.

Option 4:
The company is open to other options the City and the Council wish to propose. They customize their approach to each City and services are unique and custom to each client. This fourth option would be up to the City to propose.

It is the recommendation of staff to pursue “Option 1” as presented by California Consulting, initially focusing efforts in securing funding for the development of the Heritage Center softball complex. Funding to support contract services with California Consulting would be budgeted from unallocated General Fund reserves. With success in securing funds for the development of this project, staff would review with the Council the consideration of broadening the scope of services with California Consulting in pursuing additional grant opportunities.

Due to previously scheduled commitments, a member of the Council is unable to attend this evening’s meeting. Accordingly, if the Council is not of a consensus to proceed with a recommendation for grant-writing services, then the Council may determine to carry over this item for consideration to the next regular meeting on January 20, 2009.

RECOMMENDATION:

That City Council:

1. Authorize staff to negotiate a contract with the number one (1) rated consultant (California Consulting) and if a contract cannot be negotiated, then allow staff to negotiate a contract with the second ranked consultant;
2. Authorize the Mayor to sign said contract for “on call” consulting services for preparation of grant applications; and
3. Authorize staff to make payments, upon satisfactory completion of the contracted work, up to 100%.

ATTACHMENT: City of Porterville - Request for Qualifications for an On-Call Consultant for Preparation of Grant Applications
CITY OF PORTERVILLE

REQUEST FOR QUALIFICATIONS FOR AN
ON-CALL CONSULTANT
FOR PREPARATION OF GRANT APPLICATIONS

The City of Porterville is seeking “Statement of Qualifications” from consultants/consulting firms for preparation of grant applications for various projects. The first project is anticipated to be the preparation of a grant application for ball field development through Proposition 84 funding.

Other services typically rendered by the selected consultant/firm may also be utilized from time to time. The selected consultant/firm must have a substantial working knowledge of grant writing, must possess strong writing and communication skills and have a flexible schedule that will allow for attendance at meetings as necessary. Although the Community Development Director or an assigned Project Manager will review the consultant/firm’s work, the above referenced skills are essential to meeting the objectives of this program.

SCOPE OF CONSULTANT SERVICES:

The consultant/firm will respond directly to the Community Development Director or his designee on a particular project. It may be appropriate that a portion of the work be performed at City Hall in order to coordinate with various City departments, access City records, and to obtain other information via the Internet and telephone.

To assist the consultant/firm in determining his/her level of interest, the consultant/firm should be aware that the following tasks will be required as a minimum:

1. Preparation of a grant application for Proposition 84 funding for the development of ball fields.
2. Preparation of additional grant applications for other projects as funding becomes available.

Other Requirements:

a) The selected consultant/firm will be required to carry and provide certificates of insurance for, general and automobile liability insurance as follows:

- General Liability $1,000,000 minimum per occurrence
- Automobile Liability $1,000,000 minimum per occurrence
- Errors and Omissions $1,000,000 minimum per occurrence
- Workers Compensation Statutory Limits

The General Liability is to contain or be endorsed to name the City, its officers, officials, employees and agents as Additional Insured as respects liability arising out of the activities performed in connection with this contract. The coverage shall be primary and shall apply separately to each insured against whom claim is made or
suit is brought, except with respect to the limits of the insurer’s liability. Original endorsemants, signed by a person authorized to bind coverage on its behalf, shall be furnished to the City by the successful consultant/firm.

b) The selected consultant/firm shall indemnify and hold harmless the City, its officers, employees and agents from and against all claims, damages, losses and expenses caused in whole or in part by any negligent act or omission of the consultant/firm, its consultants, subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, except where caused by the active negligence, or willful misconduct by the City.

c) Labor and material proposals submitted on this form shall be subject to the provisions of Section 1700, California Labor Code, as specified by Section 3700, California Labor Code, which requires Worker’s Compensation insurance to be provided by the selected consultant/firm.

d) Worker’s Compensation policy(ies) are to be endorsed to include a waiver of subrogation against the City, its officers, officials, employees and agents.

e) The consultant/firm and its employees are independent contractors and not employees of the City of Porterville. The consultant/firm and/or its insurers are responsible for payment of any liability arising out of worker’s compensation, unemployment, or employee benefits offered to its employees.

f) Insurance is to be placed with insurers with a current A.M. Best’s rating of no less than A: VII, unless otherwise acceptable to the City.

g) Endorsements are to be received and approved by the City before work commences.

h) The successful consultant/firm shall obtain a City of Porterville business license. Fee is based on gross receipts for all business transactions in the City of Porterville. For information, contact the Business License clerk at (559) 782-7457.

i) The City will provide a service contract, to the selected consultant/firm.

j) All work performed by the consultant/firm under this contract shall be under the ownership of the City of Porterville.

k) All work performed under this contract shall be researched, prepared and executed in a professional and competent manner for which the consultant/firm will be responsible.

l) In accordance with City of Porterville and Caltrans policy, disadvantaged business enterprises (DBE), including qualified small minority and woman-owned firms, are encouraged to submit a proposal or otherwise participate in the completion of the
work covered by this request. No DBE participation goals have been established for this project.

m) The employee(s) identified in the proposal as performing the duties under this contract shall not be replaced without the prior written approval of the Community Development Director of the City of Porterville.

Note: Consultant/firms that cannot comply with the City’s insurance requirements, as described above, should not submit a response. These requirements are not negotiable.

DESIABLE QUALIFICATIONS OF THE CONSULTANT

The City is seeking a qualified consultant/firm to provide on-call preparation of grant applications. The desired consultant/firm shall have the following qualifications:

1) Extensive experience in the preparation of a variety of grant applications.

2) The Consultant/firm’s proven ability to expeditiously and accurately produce the required product in a concise and useable format.

3) The Consultant/firm’s proven success in obtaining grant funding.

4) The consultant/firm must possess strong writing skills and be proficient using Microsoft Word and other standard software programs.

CONTENTS OF STATEMENTS OF QUALIFICATIONS TO BE SUBMITTED TO CITY

Consultants/Consulting firms wishing to be considered for selection to provide the services to the City described herein should submit Statements of Qualifications in their proposals containing the following information:

1) A description, including background, size and orientation of the consultant/firm.

2) A summary of the qualifications of the consultant/firm to perform the services described herein, including, but not necessarily limited to:
   a. The consultant/firm’s previous experience in preparing grant applications and a listing of grants obtained over the past three years, including the type and dollar amount of said grants; and
   b. The consultant/firm’s previous experience in performing similar services for other agencies; and
   c. The consultant/firm’s previous experience with the City of Porterville and familiarity with the community; and
   d. The consultant/firm’s ability to produce the required product in a timely fashion and ability to present such reports to elected officials and the general public, if requested.
3) Prospective consultants/firms shall describe the qualifications of all professional personnel to be assigned to this project, including a summary of similar work or studies each member has performed and a resume of each professional involved with this contract.

4) Prospective consultants/firms shall designate by name the project planner/manager to be employed in this effort. The selected consultant/firm shall not substitute the project planner/manager without prior approval by the Community Development Director of the City of Porterville.

The Statement of Qualifications shall contain the detailed information regarding the billing structure for services and the fees proposed to be charged for the services provided. For example, fees may be in the form of hourly rates which consider all billable expenses such as mileage, materials, insurance, phones, etc., or may be in the form of a percentage of the grant funds secured. In addition to the On-Call Contract, a Service Agreement will be prepared for each project outlining the scope of services, timeframe, costs, etc.

Four (4) copies of the “Statement of Qualifications” shall be submitted by not later than 5:00 P.M., November 5, 2008 to:

City of Porterville
Community Development Department
Attn: Bradley D. Dunlap, AICP, Community Development Director
291 North Main Street
Porterville, CA 93257

The “Statement of Qualifications” must be submitted in an envelope clearly marked with the proposer’s name and “On-Call Consultant”. The City will not consider late or incomplete proposals.

SELECTION PROCEDURE

Based on the “Statement of Qualifications”, City staff may select up to three (3) consultants/firms to meet with City staff to discuss the requirements in greater detail. Selection of the successful consultant/firm shall be generally based on the information provided by the Consultant/firm in response to the RFQ and any subsequent interviews that may be conducted. An evaluation committee made up of City staff will base the selection on a review of the submitted proposals. The committee will:

1. Evaluate the qualifications, including the experience of the consultant/firm’s team and subcontractors;
2. Evaluate the appropriateness of the team’s experience;
3. Verify and interview references provided.

Note: During the initial review process, staff may schedule meetings with each consultant/firm under consideration to help clarify and discuss submissions.
The City of Porterville reserves the right to reject any and all proposals submitted and to request additional information of any applicant.

AWARD OF CONTRACT

The selected consultant/firm shall be required to enter into a written contract with the City of Porterville as provided in Exhibit A – SAMPLE CONTRACT. Any executed contract for services or agreements by and between the City and the Consultant shall be subject to formal City Council approval and/or ratification. This RFQ and the selected consultant’s “Statement of Qualifications”, or any part thereof, may be incorporated into and made a part of the final contract.

In any event, the City reserves the right to further negotiate the terms and conditions of the contract with the selected consultant.

INQUIRIES REGARDING THIS RFQ:

Any inquiries regarding this RFQ or the project described herein should be directed to Linda Wammack, Development Associate, by calling (559) 782-7460.
RESPONSE TO REQUEST FOR PROPOSALS FOR ON-CALL GRANT WRITING SERVICES

TO: City of Porterville

FROM: 
Name/Company
Address
City, State, Zip Code

Telephone No. Fax No.

Proposal Amount: Hourly Rate Availability/hours per week
Project Manager/Principal 
Project Staff 
Clerical (If applicable) 

OR
Percentage of grant funding award 

Notice prior to commencing work on particular project ________ hours/days.

(Summary of qualifications, references and relevant experience must be attached.)

Signature Date

Name and Title (Printed)
EXHIBIT A
SAMPLE CONTRACT
DRAFT

DATE: [Date]

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and [Insert Consultants Name], hereinafter referred to as "CONSULTANT".

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

Project Name: On-Call-Consulting Services

Description of Project: Preparation of grant applications as directed by City staff.

AGREEMENTS:

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

SECTION 1. CONTRACT SERVICES: CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described in Exhibit "A", Scope of Services, in connection with the above described project.

SECTION 2. PAYMENT: In consideration for said services and materials,
CITY shall pay CONSULTANT on a time and materials basis.

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

SECTION 3. COMPLETION DATE: The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all "work directives" shall be completed by [Enter Work Completion Date].

The parties agree that time is of the essence under this contract. Inasmuch as it would be difficult to ascertain the actual amount of damages sustained by delay in performance of said contract, the amount of $ [Enter Per Calendar Day Amount] per calendar day shall be deducted from the contract price for liquidated damages for each calendar day beyond the completion date listed above. Said deduction will not be made if CONSULTANT submits proof in writing that delay in completion was due to a cause beyond its control.

SECTION 4. FAMILIARITY WITH PROJECT: CONSULTANT certifies and agrees that it is fully familiar with all of the details of the project required to perform its services. CONSULTANT agrees it will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information.

SECTION 5. INDEPENDENT CONTRACTOR: It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor
and not as an employee of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

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

(ii) Bodily injury and property damage insurance in the amount not less than One Million Dollars ($1,000,000) per occurrence; and

(iii) Errors and Omissions insurance of One Million Dollars ($1,000,000) minimum per occurrence, if deductible for Errors and Omissions Insurance is Fifty Thousand Dollars ($50,000) or more, the City may require a Surety Bond for the deductible; and

(iv) Automotive liability in the amount not less than One Million Dollars ($1,000,000) per occurrence; fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any injuries to third parties, including employees of CITY and CONSULTANT. CONSULTANT agrees to indemnify, defend (at CITY'S election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any damages, liabilities for personal injury or death or for loss or damage to property, or any of them arising out of negligence of CONSULTANT or any of its employees or agents.
SECTION 6. WORKMANSHIP AND MATERIALS: Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

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

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

SECTION 9. CONFLICT OF INTEREST CODE: CONSULTANT agrees to comply with the regulations of CITY’S “Conflict of Interest Code”. Said code is in accordance with the requirements of the Political Reform Act of 1974. CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.
SECTION 10. TERMINATION: Either party for just cause may terminate this contract by giving a thirty (30) day written notice to the other party. CITY may cancel contract upon five (5) day written notice in the event of nonperformance by CONSULTANT. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed including profit and overhead. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed, except CITY can withhold damages incurred as a result of the termination.

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

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

CITY OF PORTERVILLE                        CONSULTANT

By______________________________________    By______________________________________

Cameron Hamilton, Mayor

Date__________________________            Date__________________________
SUBJECT: APPOINTMENT TO CITY SELECTION COMMITTEE – SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

SOURCE: Administrative Services/City Clerk Division

COMMENT: On September 30, 2008, Governor Schwarzenegger signed SB 1548 (Florez) which lays the groundwork for selecting new members of the San Joaquin Valley Air Pollution Control District ("SJVAPCD") Board. The bill establishes a selection committee comprised of city council members from the various cities within the air district. The selection committee is then tasked with choosing five council members to serve as city representatives on the District’s governing board.

The SJVAPCD has requested that one member and one alternate be appointed to represent each city on the Special City Selection Committee and to forward evidence of said appointment to them no later than January 15, 2009. The first Special City Selection Committee Meeting is scheduled to take place at 6:00 p.m. on Thursday, January 29, 2009. Committee members can attend via video-teleconference at either the Fresno or Bakersfield District office.

RECOMMENDATION: That the City Council:
1. Appoint one Council Member to serve as member, and one Council Member to serve as alternate, on the Special City Selection Committee for the San Joaquin Valley Air Pollution Control District Board; and
2. Direct the City Clerk to forward evidence of said appointments to the District no later than January 15, 2009.

ATTACHMENTS: Correspondence from SJVAPCD
November 25, 2008

CITY CLERK
CITY COUNCIL
291 N MAIN
PORTERVILLE, CA 93257-

RE: Appointment to the Special City Selection Committee

The purpose of this letter is to ask that your city council appoint one of your Council-members to a newly created valley-wide Special City Selection Committee.

On September 30, 2008 Governor Schwarzenegger signed SB 1548 (Florez) which creates Section 40600.5 of the Health and Safety Code (H&SC) establishing a valley-wide Special City Selection Committee which is charged with making appointments of city representatives to the San Joaquin Valley Air Pollution Control District’s (District’s) Governing Board. The Special City Selection Committee consists of one member selected by a majority vote of the council of each city located within the District. An alternate can be selected to attend if the primary member is unable to attend a meeting.

The District Governing Board consists of 15 members with five of those members being elected city council representatives. Three of the city seats are currently vacant with a fourth seat being vacated at the end of the year. Previously, appointments of city representatives to the District Governing Board were made by the California League of Cities.

H&SC Section 40600.5 takes effect on January 1, 2009. With four city vacancies, the District would like to schedule the first meeting of the Special City Selection Committee at 6:00 p.m. on January 29, 2009. Committee-members can attend the meeting at any of the District’s offices in Fresno, Bakersfield, or Modesto via video-teleconference. The agenda for the first meeting will have a Chair and Vice-Chair, establishing rules and procedure for the process, and potentially adopting a rotation schedule for city A formal agenda will be mailed to all members and all interested one week prior to the meeting.
In order to establish the committee, we are asking each city within the District to take the following actions:

1) At your first council meeting after January 1, 2009, appoint a member of your city council, and an alternate, to represent your city on the Special City Selection Committee

2) No later than January 15, 2009, forward a minute order, resolution, or other evidence of the appointment and the appropriate contact information for your representative(s) to;

    Seyed Sadredin
    Executive Director/APCO
    San Joaquin Valley Air Pollution Control District
    1990 E. Gettysburg Ave.
    Fresno, CA 93726

I thank you for your prompt attention to this matter, and I look forward to filling the city vacancies on the District Governing Board. If you have any questions please feel free to contact me at (559)230-6036.

Sincerely,

    Seyed Sadredin
    Executive Director/APCO
SUBJECT: EXTEND ‘WALL OF FAME’ NOMINATION PERIOD

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Annually at the first regular meeting in January, the City Council is to receive and review nominations for ‘Wall of Fame’ honorees. The ‘Wall of Fame’ is along the southerly wall of the main hallway within the Heritage Community Center, 256 East Orange Ave. Nominations must be submitted by members of the City Council and are to identify a sponsor that is to be responsible for providing the photograph, picture frame and name plate for placement on the wall. The honorees approved by the City Council retain the designation and display honor for a period of 5 years. Frank “Buck” Shaffer, Carmen Martínez Eoff, and Edward B. “Ted” Cornell currently are on the Wall of Fame.

No nominations were filed with the City Clerk’s Office during calendar year 2008. The nomination procedure specifies that the Wall of Fame is for posthumous honors.

RECOMMENDATION: Extend the time period for the City Council to submit nominations and reschedule consideration for the first regular meeting of February 2009.

ATTACHMENTS: Nomination Procedures and Form

ITEM NO.: 13
HERITAGE COMMUNITY CENTER “WALL OF FAME”
PLACEMENT PROCEDURE

The “Wall of Fame” is a portion of the hallway wall within the Porterville Heritage Center, located at 256 E. Orange Avenue. Those who are honored on the “Wall of Fame” are posthumously recognized for their significant efforts and service to the Porterville community. The City Council will determine the appropriateness of each nomination for placement on the “Wall of Fame”. Recognition shall consist of a framed five by seven inch portrait and bronze engraved name plate of common and similar style to the “Mayor’s Wall of Honor” within City Hall.

Only the Mayor and members of the City Council may submit nominations for this honor. The nomination shall be in writing to the City Clerk stating the type and duration of services the nominated individual provided to the Porterville community prior to their passing. A nomination shall identify a sponsoring contact person willing to assume responsibility for supplying the framed portrait and nameplate, and who shall be responsible for all cost of such. All nominations will be retained by the City Clerk and placed on the agenda for consideration by the City Council at their first regular meeting held in each calendar year.

The City Council shall make the sole determination regarding the worthiness of the nominated individual’s service to the heritage of the community in regards to the honor of being included for placement on the “Wall of Fame”. The honor of recognition on the “Wall of Fame” shall be for a period of five (5) years, at which time the portrait will be returned to the sponsoring contact person. The City Council may at its discretion, consider at any time the removal of the honor and return of the portrait to the sponsor.
HERITAGE COMMUNITY CENTER “WALL OF FAME”
NOMINATION/PLACEMENT REQUEST

Based on a history of service to the Community and in recognition of significant efforts on behalf of the residents of Porterville, we request the Porterville City Council posthumously honor the person listed below with inclusion on the City’s Wall of Fame located at the Heritage Community Center.

All nominations will be considered and Wall of Fame placements made in accordance with the Placement Procedure stated on the reverse.

Name of Nominee: ___________________________

Description of Nominee’s Community Involvement/Service Activities:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Sponsor’s Name(s): ___________________________

Telephone: _________________________________

Address: ___________________________________

City/State/Zip: _______________________________

Relationship to Nominee: _____________________

Nomination Submitted by:

________________________________________________________________________

Mayor/City Council Member Signature   ________________________________ Date
SUBJECT: Formation of Mosquito Abatement District in Southeastern Tulare County

SOURCE: Administration

COMMENT: At its regular meeting on November 4, 2008, the City Council received a report from staff in providing a summary of meetings of a Mosquito Abatement Study Group that was formed at the request of the County to consider the establishment of a Mosquito Abatement District in the Southeastern Tulare County region. Before the Council that evening, at the request of the Study Group, was the consideration of whether the City Council would support (both politically and financially) a mail survey which would attempt to gauge constituent interest and assessment thresholds in the potential formation of a special district. Due to a perceived lack of information relative to the magnitude and necessity of abatement services, as well as lack of definition as to the precise scope of services, it was the unanimous vote of the Council on November 4th not to pursue any further the formation of a mosquito abatement district in the Porterville area at this time.

Subsequent to the Council’s meeting and action on November 4th, the Study Group has met a couple of times, with continued discussions relative to the potential formation of a special district. During these discussions, a couple of determinations have been made: 1) the Delta Vector Control District has deferred to the Tulare Abatement District for potential services due to “geographic preference”; and 2) in addition to Porterville, it has been reported that the communities of Springville and Three Rivers are not interested in joining a district at this time should one be formed (the types of mosquito that carry the West Nile Virus apparently do not survive at higher elevations, and in addition, no significant discussion has involved nuisance abatement of mosquito that could benefit these areas in a district). Also subsequent to the Council’s November 4th meeting, the Delta Vector Control District provided the City information concerning the surveillance of mosquito samples from the Porterville area for West Nile Virus contamination (please see report dated November 18, 2008), as well as the Tulare Mosquito Abatement District provided an Analysis of Cost and Scope of Services for annexation (please see report dated November 11, 2008).
Several participants of the Mosquito Abatement Study Group have requested the opportunity to address the Council concerning the formation of a special district, including Tulare County Supervisors Mike Ennis and Allen Ishida, Mr. George Finney (Executive Director, LAFCO), and Mr. Marshall Norgaard (Manager, Tulare Mosquito Abatement District). Should the Council permit, it is anticipated these participants would report on the discussions of the Study Group and speak to the interest of conducting a mail survey.

This item is before the Council at the request of Vice Mayor Pete McCracken, who was appointed by the Council as the City of Porterville representative to the Study Group. Due to the Council having previously acted unanimously to not pursue any further the formation of a mosquito abatement district in the Porterville area at this time, the Council would need to vote in a majority to consider whether to support (politically and/or financially) the distribution of a mail survey to gauge constituent interest in forming a district.

RECOMMENDATION: That the Council:

1) Receive reports from representatives of the Mosquito Abatement Study Group and other interested parties; and
2) Consider whether to reconsider the previous Council action to the extent of endorsing a survey of area residents. Any support should not imply any financial commitment by the City to conduct the survey.

ATTACHMENTS: 1) Report from Delta Vector Control District
2) Report from Tulare Mosquito Abatement District
November 18, 2008

To: Pete McCracken, Councilman, City of Porterville
From: Michael Alburn, Manager, Delta Vector Control District

Pete, per our conversation yesterday at the East County Abatement Steering Committee meeting, I am responding to your request for a summary of the surveillance information presented relative to the 2008 season. I am also providing you with additional background that you might find useful in your effort to generate interest by the council for a study session regarding vector control services.

The Delta Vector Control District conducted surveillance in collaboration with the Tulare County Health and Human Services Agency. Specifically the adult mosquito population was evaluated for West Nile virus by setting two types of traps over the course of seven nights in the Porterville area. CO2 traps which host seeking female mosquitoes and Gravid traps that collect blooded female mosquitoes were used. The total number of adult mosquitoes collected within the City of Porterville over the seven nights was 1247, or 178 per night. From these collections, 31 samples (consisting of a range between 12 – 50 mosquitoes per sample) were submitted to the UC Davis Center for Vector-Borne Disease. Five of the thirty-one samples confirmed positive for West Nile virus on three of the trap nights. The District’s analysis of the five positive samples indicated that the Minimum Infection Rate (MIR) was 19 / 1000 on July 14, 13 / 1000 on July 29, and, 8 / 1000 on August 4. The State of California Mosquito-Borne Virus Surveillance and Response Plan considers MIR’s at 5 / 1000 and above to be in the epidemic range. It should be noted that this is but one of several factors considered in determining the appropriate response level and does not necessarily indicate that the conditions were at epidemic levels. However, the Delta Vector Control District by comparison had a MIR of 2.77 / 1000 out of 709 samples submitted from over 52,000 mosquitoes in 2008. The principal objective of a vector control program is to suppress the population of adult mosquitoes so that a targeted control effort can be undertaken avoiding an area wide infection rate that continues to amplify creating epidemic conditions.

Further comparative analysis shows that in 2007 in Kern County there were 140 human cases of West Nile virus, during that season the MIR for the area was 7.89 / 1000. In 2005, in Sacramento County there were 177 human cases of West Nile virus with a MIR of 7.3 / 1000. It is clear that the surveillance conducted in the Porterville area shows infection rates in the mosquito population at similar levels.

The Delta Vector Control District provides comprehensive mosquito and vector control services. The program is scientific in approach with a heavy emphasis in disease control. This is not to say nuisance species are left unaddressed, to the contrary, we are a full service vector control program. I would love to have the opportunity to explain the details of what we can offer your constituents at any time in any forum.
I am attaching a paper one of my staff Biologists will be presenting at the Mosquito and Vector Control Association of California’s annual conference concerning public education efforts in place by the District as but one example of our complete approach to vector control. In addition, I have included the most recent statewide statistics for your review and a scientific paper done on the cost of WNV in Louisiana. If you have any questions at all or if I can help you in any way I am certainly available.

DELTA VECTOR CONTROL DISTRICT

Michael W. Alburn
General Manager
Humans

Twelve new human cases of West Nile virus (WNV) illness were reported this week from four counties: Los Angeles (5), Orange (2), Tehama (3), and Tulare (2). A total of 392 human WNV cases have been identified in the following 25 counties: Alameda (1), Butte (5), Calaveras (1), Colusa (1), Contra Costa (4), El Dorado (1), Fresno (3), Kern (1), Kings (1), Los Angeles (144, including 2 from Long Beach and 2 from Pasadena), Merced (1), Orange (65), Placer (6), Riverside (58), Sacramento (13), San Bernardino (24), San Diego (22), San Joaquin (12), Santa Clara (1), Shasta (1), Solano (1), Stanislaus (17), Tehama (4), Tulare (4) and Yolo (1) counties. Of the 392 individuals, 253 (65%) developed neuroinvasive symptoms. The median age of the 380 individuals is 55 years (range: 3-94 years), and 245 (63%) are male. Twelve WNV-related fatalities have been reported in Fresno (1), Los Angeles (5), Orange (2), Riverside (3) and San Bernardino (1) counties. A total of 69 WNV-positive blood donation samples have been reported this year; 21 of the individuals reported symptoms and were reclassified as cases.

Horses

One new equine WNV case was reported this week from San Bernardino County. In 2008, 32 horses from 14 counties have tested positive for WNV; 17 died or were euthanized as a result of their infection.

Dead Birds & Tree Squirrels**

Thirteen WNV-positive dead birds were reported this week from six counties: Contra Costa (1), Del Norte (1), Los Angeles (2), Orange (5), San Bernardino (3), and San Diego (1). This is the first indication of WNV activity in Del Norte County this year. In 2008, 2,501 WNV-positive dead birds have been detected in 46 counties.

There were no positive tree squirrels reported this week. In 2008, 32 tree squirrels have tested positive for WNV from seven counties.

**Dead bird/squirrel testing has been suspended until spring 2009.

Mosquito Pools

Three WNV-positive mosquito pools were reported this week from Los Angeles (1) and San Bernardino (2) counties. In 2008, 1,956 WNV-positive mosquito pools have been detected in 26 counties.

Sentinel Chickens

Twelve new WNV seroconversions were reported this week from Los Angeles (11) and Riverside (1) counties. In 2008, 576 WNV seroconversions have been detected in chickens from 24 counties.

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<th>Horses</th>
<th>Dead Birds</th>
<th>Mosquito Pools</th>
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<td>Sonoma</td>
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<tr>
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<td>Yuba</td>
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<td><strong>Total</strong></td>
<td>302</td>
<td>332</td>
<td>2504</td>
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### 2007/2008 YTD West Nile Virus Comparisons

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<th>2008</th>
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<td>Total # Dead Bird Reports</td>
<td>30,810</td>
<td>32,240</td>
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<tr>
<td># Positive Samples</td>
<td>1,260</td>
<td>1,495</td>
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<tr>
<td># Human Cases/ # Tested</td>
<td>375 / 1,195</td>
<td>392 / 1,137</td>
</tr>
<tr>
<td># Horse Cases/ # Tested</td>
<td>198 / 392</td>
<td>273 / 304</td>
</tr>
<tr>
<td># Positive Dead Birds/ # Tested</td>
<td>1,373 / 5,497</td>
<td>2,501 / 5,852</td>
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<tr>
<td># Positive Mosquito Pools/ # Tested</td>
<td>1004 / 227,253</td>
<td>4156 / 130,5123</td>
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<tr>
<td># Positive Chicken Sera/ # Tested</td>
<td>510 / 28,027</td>
<td>576 / 28,774</td>
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<tr>
<td># Positive Wild Birds/ # Tested</td>
<td>216 / 28,027</td>
<td>327 / 28,774</td>
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### 2008 Test Summaries

#### Human & Horse Cases

<table>
<thead>
<tr>
<th></th>
<th>Number Tested</th>
<th>WNV</th>
<th>WEE</th>
<th>SLEV</th>
<th>Other</th>
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<tr>
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<td>Imported</td>
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<td><strong>Humans Tested</strong></td>
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<td><strong>Horses Tested</strong></td>
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</tr>
<tr>
<td>Week</td>
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<td>1</td>
<td>0</td>
<td>0</td>
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<tr>
<td>YTD</td>
<td>304</td>
<td>0</td>
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#### Dead Birds & Tree Squirrels

<table>
<thead>
<tr>
<th></th>
<th>Number Tested</th>
<th>WNV</th>
<th>Positive</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dead Birds</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Week</td>
<td>57</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>YTD</td>
<td>5,852</td>
<td>2,501</td>
<td></td>
</tr>
<tr>
<td><strong>Tree Squirrels</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Week</td>
<td>1</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>YTD</td>
<td>298</td>
<td>32</td>
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#### Sentinel Chickens & Mosquito Pools

<table>
<thead>
<tr>
<th></th>
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<th>WNV</th>
<th>Positive</th>
<th>WEE</th>
<th>Positive</th>
<th>SLEV</th>
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<td><strong>Chicken Serum</strong></td>
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<td>Week</td>
<td>501</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>YTD</td>
<td>28,774</td>
<td>576</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Week</td>
<td>0</td>
<td>0</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>YTD</td>
<td>2,811</td>
<td>357</td>
<td>N/A</td>
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California Arbovirus Surveillance Bulletin # 39
Week 46 Friday, November 14, 2008

POSITIVES: 11/10/08 – 11/14/08

**Humans**

<table>
<thead>
<tr>
<th>County</th>
<th>Age</th>
<th>Sex</th>
<th>Disease</th>
<th>Onset Date</th>
<th>WNV</th>
<th>Fatality?</th>
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<tr>
<td>LOS ANGELES</td>
<td>94</td>
<td>F</td>
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<td>n/a</td>
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<tr>
<td>LOS ANGELES</td>
<td>63</td>
<td>M</td>
<td>WNF</td>
<td>09/02/08</td>
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<tr>
<td>LOS ANGELES</td>
<td>73</td>
<td>M</td>
<td>WNND</td>
<td>09/10/08</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>LOS ANGELES</td>
<td>73</td>
<td>M</td>
<td>WNND</td>
<td>09/13/08</td>
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<tr>
<td>LOS ANGELES</td>
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<td>M</td>
<td>WNND</td>
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<tr>
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<td>Week 35</td>
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<td>M</td>
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<td>Week 32</td>
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<tr>
<td>TULARE</td>
<td>31</td>
<td>M</td>
<td>WNND</td>
<td>09/13/08</td>
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<tr>
<td>TULARE</td>
<td>73</td>
<td>F</td>
<td>WNND</td>
<td>10/13/08</td>
<td>NO</td>
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**Dead Birds and Tree Squirrels**

<table>
<thead>
<tr>
<th>County</th>
<th>City</th>
<th>Zip</th>
<th>Species</th>
<th>#Reported</th>
<th>Tested</th>
<th>Result</th>
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<tbody>
<tr>
<td>Contra Costa</td>
<td>Walnut Creek</td>
<td>94598</td>
<td>Western Scrub-Jay</td>
<td>11/5/08</td>
<td>11/6/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Del Norte</td>
<td>Crescent City</td>
<td>96531</td>
<td>Pine Streak</td>
<td>10/27/08</td>
<td>11/10/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>Los Angeles</td>
<td>90019</td>
<td>American Crow</td>
<td>10/22/08</td>
<td>11/10/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>Torrance</td>
<td>90505</td>
<td>American Crow</td>
<td>10/30/08</td>
<td>11/10/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Orange</td>
<td>Costa Mesa</td>
<td>92628</td>
<td>American Crow</td>
<td>10/27/08</td>
<td>10/30/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Orange</td>
<td>Huntington Beach</td>
<td>92683</td>
<td>American Crow</td>
<td>10/23/08</td>
<td>10/30/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Orange</td>
<td>Huntington Beach</td>
<td>92687</td>
<td>Western Bluebird</td>
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<td>11/2/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Orange</td>
<td>Irvine</td>
<td>92620</td>
<td>American Crow</td>
<td>11/3/08</td>
<td>11/6/08</td>
<td>WNV</td>
</tr>
<tr>
<td>Orange</td>
<td>Mission Viejo</td>
<td>92692</td>
<td>American Crow</td>
<td>11/3/08</td>
<td>11/6/08</td>
<td>WNV</td>
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<tr>
<td>San Bernardino</td>
<td>Redlands</td>
<td>92373</td>
<td>American Crow</td>
<td>10/10/08</td>
<td>10/15/08</td>
<td>WNV</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>Yucaipa</td>
<td>92399</td>
<td>American Crow</td>
<td>10/1/08</td>
<td>10/2/08</td>
<td>WNV</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>Yucaipa</td>
<td>92399</td>
<td>American Crow</td>
<td>10/2/08</td>
<td>10/2/08</td>
<td>WNV</td>
</tr>
<tr>
<td>San Diego</td>
<td>San Diego</td>
<td>92130</td>
<td>American Crow</td>
<td>11/5/08</td>
<td>11/6/08</td>
<td>WNV</td>
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**Mosquito Pools**

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<th>Pool #</th>
<th>Species</th>
<th>#InPool</th>
<th>Collected</th>
<th>Tested</th>
<th>City</th>
<th>Result</th>
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<tbody>
<tr>
<td>Los Angeles</td>
<td>GRLA2035</td>
<td>6162</td>
<td>Cx quinquefasciatus</td>
<td>50</td>
<td>11/7/2008</td>
<td>11/14/2008</td>
<td>Van Nuys</td>
<td>WNV</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>SANB0011</td>
<td>650</td>
<td>Cx tarsalis</td>
<td>32</td>
<td>10/2/2008</td>
<td>11/13/2008</td>
<td>Rialto</td>
<td>WNV</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>SANB0008</td>
<td>681</td>
<td>Cx quinquefasciatus</td>
<td>30</td>
<td>9/11/2008</td>
<td>11/13/2008</td>
<td>Upland</td>
<td>WNV</td>
</tr>
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</table>
NATIONAL COMMENTS

As of November 4, 2008, 1,200 human cases had been reported nationwide this year in the following 42 states: Alabama (20), Arizona (97), Arkansas (8), California (329), Colorado (77), Connecticut (8), Delaware (1), Florida (2), Georgia (7), Idaho (32), Illinois (19), Indiana (3), Iowa (9), Kansas (31), Kentucky (3), Louisiana (36), Maryland (13), Michigan (17), Minnesota (21), Mississippi (98), Missouri (16), Montana (5), Nebraska (37), Nevada (15), New Jersey (7), New Mexico (8), New York (41), North Dakota (43), Ohio (19), Oklahoma (7), Oregon (4), Pennsylvania (13), Rhode Island (1), South Dakota (39), Tennessee (12), Texas (58), Utah (25), Virginia (1), Washington (2), West Virginia (1), Wisconsin (7), and Wyoming (8). Of the 1,200 individuals, 550 (46%) had neuroinvasive illness. As of November 7, 27 fatalities had been reported in Arizona (4), California (7), Iowa (1), Illinois (1), Mississippi (3), Missouri (1), New Jersey (1), New York (6), Ohio (1), Texas (1), and Wisconsin (1). At this time last year, 3,265 human cases had been reported nationwide.
TEST PROTOCOLS

Humans:
Specimens are tested by local laboratories with an IgM or IgG immunofluorescent assay (IFA) and/ or an IgM enzyme immunoassay (EIA). Specimens with inconclusive results are forwarded to the California Department of Public Health Viral and Rickettsial Disease Laboratory (VRDL) for further testing or confirmation by plaque reduction neutralization test (PRNT).

*Human denominator data only includes specimens tested at VRDL and does not include additional negative specimens that are tested by local agencies only.

Horses:
Serum or brain tissue specimens from horses displaying neurological symptoms are submitted to the California Animal Health and Safety Laboratory (CAHFS) and tested by EIA and PRNT.

Dead Birds and Tree Squirrels:
All bird and tree squirrel species from all zip codes are currently being accepted for testing unless otherwise requested by a local agency. Additionally, doves, pigeons, and chickens are no longer be accepted for testing. Corvids that test positive via RAMP or VecTest are no longer confirmed. Dead birds and squirrels are necropsied at CAHFS laboratory at University of California, Davis. Oral swabs from American Crows and kidney tissue from all other dead birds and squirrels are forwarded to the UC Davis Center for Vectorborne Diseases (CVEC) for WNV testing using the singleplex RT-PCR Taqman assay and confirmed with a second primer set. The WNV Dead Bird Surveillance Coordinator, Erin Parker, can be reached directly at (510) 412-6254.

Sentinel Chickens:
Dried blood spot specimens from sentinel chickens are submitted to VBDS Laboratory and tested for the presence of antibodies to West Nile virus (WNV), western equine encephalomyelitis (WEE), and St. Louis encephalitis (SLE) viruses by EIA and IFA. Positive samples are confirmed by western-blot or PRNT.

Mosquito Pools:
Mosquito pools are submitted to CVEC and screened for WEE, SLE, and WNV viral RNA using a Taqman multiplex RT-PCR. CVEC will cease confirmation testing on PCR-positive pools of Cx. tarsalis and Cx. quinquefasciatus but will continue to confirm multiplex PCR-positive results for other mosquito species using singleplex RT-PCR.

Prepared by the Vector-Borne Disease Section (Infectious Diseases Branch), California Department of Public Health, 850 Marina Bay Parkway, Richmond, CA 94804. Questions concerning this bulletin should be addressed to Tina Feisal by phone (510) 412-6298, FAX (510) 412-6283, or email: tina.feisal@cdph.ca.gov
November 11, 2008

TO: Tulare County LAFCO / East County Abatement District Steering Committee

ANALYSIS OF COST FOR TULARE MOSQUITO ABATEMENT DISTRICT TO EXTEND OUR DISTRICT BOUNDARY EAST TO PROVIDE MOSQUITO CONTROL IN THE UNSERVICED AREA OF TULARE COUNTY

Service provided to the area would follow guidelines in the California Mosquito-Vector Borne Virus Surveillance Response Plan (Attachment 1). These guidelines are used in the present operation of our District. The District operational facility is located at Mefford, Field Tulare.

Our present operational capability has recently been reviewed through a Municipal Services Review (MSR) provided to the Tulare County Local Agency Formation Commission (LAFCO). The East County Abatement District Steering Committee has reviewed this report to ascertain our District’s capability and interest to provide mosquito control service beyond the Eastern boundary of our District.

It is our understanding from working with the East County Abatement Steering Committee mosquito control in this area can be funded best through a Benefit Assessment. A consultant has briefed the Steering Committee on this source of funding and we understand the consulting firm has been contacted by Tulare County LAFCO to initiate a survey to gather information in this regard. Researching the number of parcels to be considered in the area to be serviced is also paramount to any real commitment to arrive at a cost for expansion of mosquito control service to the area.

A broad analysis of mosquito control service cost in the South San Joaquin Region is shown in (Attachment 2). The data regarding revenue and income per Sq Mile for each District’s area is extracted from the Mosquito and Vector Control Association of California (MVCAC) Yearbook for 2008. Obviously Districts vary from more urban to rural areas and this affects the amount of revenue needed. However it does offer a comparison for our District’s area of control in the San Joaquin Valley. The average income per Sq Mile is $1,819. The same comparison of revenue per Sq Mile for the Tulare Mosquito Abatement District is included in (Attachment 3). This cost per Sq Mile is based on revenue projected to be received from Tulare County for the fiscal year 08/09 and is $1,851.
The anticipated cost for personnel, material and equipment to cover the expansion East by our District is included in (Attachment 4). The amount of Sq Miles on the valley floor on our Eastern boundary in our SOI (Sphere of Influence Lindsay Porterville) is 193. This is used to make an analysis of the revenue stream needed to adequately provide mosquito control service to the 193 Sq Mile area. The maps included with the Attachment shows the area of the valley floor included in the expansion from Avenue 32 to Avenue 256.

This information is provided for coordination with the Steering Committee, Tulare County LAFCO and the consultant to help determine some starting point for assigning a benefit assessment per parcel when the number of parcels in the area is determined. We also understand this may be needed for the consultant’s initial survey.

The willingness of constituents in the area of concern for service with some hard cost to be determined is where we understand the Steering Committee is at this point in it’s deliberations.

If our District can provide any further information to Tulare County LAFCO or members of the East County Abatement District Steering Committee please contact Marshall Norgaard, Manager Tulare Mosquito District (559) 686 6628 or email address TMAD@Lightspeed.net.

Marshall Norgaard
Manager TMAD
South San Joaquin Region
Mosquito Abatement Districts

Revenue compared to District Area in Sq miles

<table>
<thead>
<tr>
<th>District</th>
<th>District Office Location</th>
<th>Revenue</th>
<th>Sq Miles In the District</th>
<th>Income Per Sq Mile</th>
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<tr>
<td>Consolidated MAD</td>
<td>Selma</td>
<td>2,835,000</td>
<td>1,058</td>
<td>2,680</td>
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<td>1,563</td>
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<td>1,626,135</td>
<td>712</td>
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<td>Bakersfield</td>
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</tr>
<tr>
<td>Madera County MVCD</td>
<td>Madera</td>
<td>1,078,173</td>
<td>720</td>
<td>1,497</td>
</tr>
<tr>
<td>Tulare MAD</td>
<td>Tulare</td>
<td>1,096,360</td>
<td>562</td>
<td>1,951</td>
</tr>
<tr>
<td>West Side MVCD</td>
<td>Taft</td>
<td>1,581,833</td>
<td>1,500</td>
<td>1,055</td>
</tr>
</tbody>
</table>

Average Per SQ Mi

16,011,798

8,801

1,819

Note: Data from Mosquito and Vector Control Association of California 2008 Yearbook
Revenue Per Sq Mile

Revenue Projected for Fiscal Year 08/09 (Tulare County Auditor)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Current Secured</td>
<td>1,001,087</td>
</tr>
<tr>
<td>Unsecured Tax</td>
<td>49,259</td>
</tr>
<tr>
<td>Homeowner Tax</td>
<td>13,309</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>1,040,084</strong></td>
</tr>
</tbody>
</table>

Tulare County Administrative Charges  
(23,571)

Note: ERAF Shift 905,846

TMAD Income per square Mile (562 sq miles in District)  
1,851
Tulare Mosquito Abatement District

**Annual Operational cost to expand District on Eastern Border**

Area of Expansion 193 Sq Miles our Sphere of Influence (SOI) (See attached Map Lindsay Port)

Expansion Cost

<table>
<thead>
<tr>
<th>Personnel</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Full Time Inspector Operators</td>
<td>135,288.00</td>
</tr>
<tr>
<td>(2) Seasonal Operators</td>
<td>33,680.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Equipment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) 1/2 ton Trucks equipped for inspection and use as spray vehicles</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Depreciated over 8 years (80,000 / 8 )</td>
<td></td>
</tr>
<tr>
<td>Operating cost for trucks @ .54 per mile (40,000 Miles)</td>
<td>21,600.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surveillance Cost</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosquito Trapping, Sample Testing for virus by California Vectorborne</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Disease Section</td>
<td></td>
</tr>
<tr>
<td>Pesticide cost for treatment of mosquito breeding sources</td>
<td>76,235.00</td>
</tr>
</tbody>
</table>

**Total annual Cost** 281,803.00

Projected annual cost Per Sq Mile (193) Sq Mile 1,460.12
Services provided by TMAD:

- Monitoring of immature & adult mosquito populations
  - The staffing of Zone Operators to cover the new area
  - This would include our more experienced technicians

- Collecting & submitting mosquito pools to CVEC for virus detection
  - This would include utilizing New Jersey Traps strategically placed throughout the city(s) for weekly monitoring of adult mosquito populations
  - CO2 Trapping for the submission of pools to the State for testing

- Maintaining Sentinel Chicken Flock(s) along with blood sampling to VRDL

- Picking up & shipping dead birds for WNV testing

- Routine control of immature mosquitoes
  - Including monthly treatment of all city catch basins
  - Providing mosquito fish to residents and in city ponding basins when needed

- Conducting control of adult mosquitoes when necessary
  - 2 Beecomist Pro-Mist ULV Ground Foggers
  - 1 Piper 235 Pawnee fully equipped for aerial applications

- Public education on mosquito avoidance & source reduction
  - We currently have a PowerPoint Presentation, which we regularly update with current information & statistics regarding West Nile, available to present to community organizations
  - The contacting of individuals responsible for various mosquito breeding sources as they are discovered and possible solutions to remedy the problem

- Coordinating with local emergency personnel
  - Including the local CDC coordinator
  - And Tulare County Health & Human Services

- The resource of an Agricultural Aircraft
  - Equipped for aerial spraying including ULV applications for adult mosquito control
  - 3 fully qualified licensed Journeyman Pilots on staff
  - The ability to implement necessary applications without any delays
SUBJECT: CITY COUNCIL STUDY SESSION TO REVIEW THE LATEST DEVELOPMENTS WITH THE COMPREHENSIVE ZONING ORDINANCE UPDATE AND PROVIDE COMMENT ON THE PROPOSED STANDARDS WITH SPECIFIC ATTENTION TO THE DOWNTOWN AND AIRPORT OVERLAY ZONES

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

COMMENT: Staff has been moving forward on the creation of a comprehensive zoning and subdivision ordinance for the City of Porterville to implement the Porterville 2030 General Plan that was adopted in March 2008.

Dyett and Bhatia Urban and Regional Planners prepared the General Plan and are now working with staff to prepare the Zoning Ordinance. So far they have provided staff with a series of documents (including "Modules") containing important policy decisions and proposals for the organization of the ordinance and the development standards contained therein.

During the past several months, a Zoning Ordinance Update Committee, made up of the General Plan Update Advisory Committee has been meeting with staff and reviewing these modules in order to provide our consultant with needed direction and comments. Additionally, a Zoning Ordinance Technical Committee has been meeting with staff for the same purpose to obtain technical feedback. Many good ideas have come from these meetings.

Staff is presenting the ideas developed so far to the Council for further direction and feedback. Because the amount of information is significant and couldn't be completely covered in one meeting, staff is making a significant effort to summarize the information and focus only on major policy issues.

The presentation that will be made avoids significant attention to commonly agreed upon direction and focuses instead on issues where there may be a wide range of, or differing, opinions among staff and the committees. Also included are policy changes that are considered to be very significant in the way that they will effect the community and need to be brought into the spotlight early to avoid surprises later.

This Study Session is a continuation of the study session held on December 16, 2008 and will focus specifically on the Downtown and Airport Overlay Zones.

RECOMMENDATION: For information purposes only

ATTACHMENTS: 1. Copies of the presentation slides that will be used during the Study Session

DD 50  Acting

Appropriated/Funded  CM  Item No. 15
City of Porterville

Zoning and Subdivision Ordinance Update
City Council Study Session
December 16, 2008

Partner Firms

- Zoning Ordinance and
  Downtown Overlay Zone

- Airport Overlay Zone

DYETT & BHATIA
Urban and Regional Planners

Zoning Ordinance Update Committee

- Greg Woodard
- Dave Henna
- Henry Dong
- Kepy Speegle
- Dennis Coleman
- Tony Velezquez
- John Nearfy
- Diane New-Carter
- Keith Hauser
- Nick Melodie
- Jodie Wied
- Dan Ferris
- Eric Berde
- John Ely
- Gilbert Vasquez

Woodard Homes
Yule Nino-Eazo Development Corp.
Tulare County RMA
Speegle's Outdoor Power
Sierra View District Hospital
Rita Ad Coop.
Porterville Unified School District
Church of Commence
Living Wood
Global Drug Testing
Fruit Growers Supply
Rossa Farms
Cal Roan
Porterville Area McMahon Association
Member at Large

Zoning Ordinance Technical Committee

- Jim Winton
- Mark Hillman
- Donna Sharley
- Dennis Townsend
- Chris Sanders

Winton and Associates
Hillman Building Design
Roberts Engineering
Townsend Architectural Group
CMS Construction Services Consultant

Meetings and Workshops

- 05/08/08 – Committee – Kickoff
- 06/12/08 – Committee – Interim Ordinance
- 07/07/08 – Tech Committee – Kickoff
- 07/10/08 – Committee – Issues and Options
- 08/07/08 – Committee – Issues and Options
- 08/14/08 – Consultant – Downtown Survey
- 08/28/08 – Committee – Module 1
- 09/04/08 – Committee – Module 3
- 09/04/08 – Tech Committee – Module 1
- 09/18/08 – Committee – Module 2
- 09/18/08 – Tech Committee – Module 3
- 09/25/08 – Tech Committee – Module 2

Meetings and Workshops Cont.

- 10/02/08 – Committee – Module 4
- 10/07/08 – Staff – Module 2
- 10/16/08 – Tech Committee – Module 4
- 10/21/08 – Staff – Module 3
- 10/22/08 – Staff – Module 4
- 10/22/08 – Tech Committee – Module 5
- 10/23/08 – Committee – Module 5
- 10/27/08 – Staff – Module 5
- 10/28 - 10/31/08 – Consultant – Working Session in S.F.
- 11/10/08 – Committee – Downtown
- 11/12/08 – Tech Committee – Downtown
- 12/11/08 – Staff – Downtown

ATTACHMENT ITEM NO. 1
Important Milestones in Process

- Stakeholder Interviews
- Issues and Options Document
- Table of Contents
- Module 1 - Land Uses
- Module 2 - Standards
- Module 3 - Subdivisions
- Module 4 - Additional Standards
- Module 5 - Administration
- Council Study Session
- Delivery Comments
- Administrative Draft
- Hearing Draft
- Public Hearing
- Adoption of Final Draft

Conducted by Consultant
Reviewed by Staff and Committees
Reviewed by Staff and Committees
Reviewed by Staff and Committees
Reviewed by Staff and Committees
In Process
In Process
Anticipated in February 2009
Anticipated in April 2009
Anticipated in June 2009

Purpose of Ordinance Update

- Implement the Policies of the General Plan
- Improve the Organization of the Ordinance:
  - Effort to minimize dramatic changes
  - Effort to use existing ordinance where feasible
  - Effort to re-name uses to reflect modern terminology
  - Emphasis is on consolidating and streamlining standards
  - New Standards where needed
- Final produce will have illustrations

Proposed Zoning Districts

- AC - Agriculture & Conservation
- RR - Rural Residential
- PS - Public & Semi Public
- RBC - Commercial Recreation
- PK - Parks and Public Recreational Facilities
- FP - Floodplain Overlay

- DR-2 - Downtown Retail
- DR-3 - Downtown Residential
- DR-1 - Downtown Commercial
- DR-2 - Downtown Mixed Use
- DR-3 - Downtown Professional Office
- DR-4 - Downtown Industrial
- DR-5 - Downtown Public

- DR-1 - Downtown Light Industrial
- DR-2 - Downtown Heavy Industrial
- DR-3 - Downtown Light Manufacturing
- DR-4 - Downtown Storage

- RS1 - Very Low Density Residential
- RS2 - Low Density Residential
- RM1 - Low-Med Density Residential
- RM2 - Medium Density Residential
- RM3 - High Density Residential
- RN - Residential Neighborhood
- NC - Neighborhood Commercial
- RC - Retail Centers
- GC - General and Service Commercial
- CMX - Commercial Mixed Use
- PO - Professional Office
- JP - Industrial Park
- IG - General Industrial

New Zoning Tables

<table>
<thead>
<tr>
<th>Table 1: Zoning District Requirements (A sample of the larger table included in the Ordinance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Residential (R)</td>
</tr>
<tr>
<td>Commercial (C)</td>
</tr>
</tbody>
</table>

Table Footnotes

<table>
<thead>
<tr>
<th>Table 2: Zoning District Requirements (A sample of the larger table included in the Ordinance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Residential (R)</td>
</tr>
<tr>
<td>Commercial (C)</td>
</tr>
</tbody>
</table>

Special Use Permits:
1. Special Use Permits are permitted as an accessory use in a primary use and shall not be located on the ground floor.
2. Limitations on use to not exceed 10% of the overall floor area of the building
3. Special Use Permits are subject to review and approval by the Planning Commission.
4. Special Use Permits shall be subject to the terms and conditions of the approval.
5. Special Use Permits shall be issued for a period of not more than five years.
6. Special Use Permits shall be issued for a period of not more than five years.
7. Special Use Permits shall be issued for a period of not more than five years.
8. Special Use Permits shall be issued for a period of not more than five years.
9. Special Use Permits shall be issued for a period of not more than five years.
10. Special Use Permits shall be issued for a period of not more than five years.
**Example of Use Grouping:**

**Automobile Sales and Service**

(A sample of the larger table included in the Ordinance)

<table>
<thead>
<tr>
<th>Automobile/Vehicle Sales and Service</th>
<th>Are included in the Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile/Truck Repair, Major</td>
<td>Y</td>
</tr>
<tr>
<td>Automobile/Truck Repair, Minor</td>
<td>Y</td>
</tr>
<tr>
<td>Large Vehicle and Equipment Sales and Service</td>
<td>Y</td>
</tr>
<tr>
<td>Service Center</td>
<td>Y</td>
</tr>
</tbody>
</table>

**Existing vs. Proposed**

(A sample of the larger table included in the Ordinance)

<table>
<thead>
<tr>
<th>Commercial Entertainment and Recreation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billiard &amp; Pool Hall, Amusement parks, etc.</td>
</tr>
<tr>
<td>Commercial recreation, including bowling centers, etc.</td>
</tr>
</tbody>
</table>

**Additional Supplemental Regulations**

- Accessory Uses and Structures
- Adult Oriented Businesses
- Alcoholic Beverage Sales
- Animal Keeping
- Automobile/Vehicle Service and Repair, Major and Minor
- Automobile Service Stations and Car Washing
- Family Day Care, Large
- Hazardous Waste Management Facilities
- Home Occupations
- Manufactured Homes
- Mobile Home Parks

**Organization of Regulations**

- Each zoning district chapter will contain a table containing essential development standards

**Organization of Regulations Cont.**

- Each table will have additional provisions that expand on summary provisions listed in the table.

(A sample of the larger table included in the Ordinance)
Organization of Regulations Cont.

- Include a section titled "General Site Regulations" for supplemental city-wide standards
  - Includes fences
  - Includes projections into setbacks
  - Includes screening
  - Includes trash enclosures

Agricultural/Rural/Conservation District

- Preserve ag and resource conservation areas while allowing limited residential uses.
  - Larger lot areas
  - Deeper setbacks (to prevent suburban-style housing)
- Habitat Conservation
  - Require a biologic report for habitat conservation projects
  - Mitigation measures
  - Setback requirements from conservation areas
  - Prohibit land divisions unless setbacks are met

Residential Districts

- Combine single- and multi-family districts into one chapter
- Add small lot residential development
- If four (4) or fewer lots in development, small lots allowed with CUP
- If five (5) or more lots in development, small lots allowed with CUP if special street, site and building design elements are provided

Some of These Design Requirements Include:

- Horticulture improvements
  - Marigolds
  - Hosta
  - Cacti
  - All maintained by HOA or similar Organization
- Build at least 15% greater than minimum standard
- Special parking material for parking areas
- Variable lot sizes
- Variety of lot shapes
- Variable garage options
- Front and rear
- All allowed parking
- Roofed or covered porches
- Room with a view
- Architectural diversity

SFR Design Standards

- Limitations on garage doors to 50% or less of home façade
- 3-door garages only on lots 85 feet wide or larger
- Window trim or recess
- Quality in exterior materials, including siding, roofing, and energy conservation
- Minimum spacing of windows to prevent large blank walls on street-facing facades

MFR Design Standards

- Limitation on amount of parking facing streets
- Units along ROW to have primary entrance facing ROW
- Projected or recessed building entrances
- Menu of options for architectural variation
  - Façade articulation
  - Variable roof form
  - Façade detailing and materials
  - Use of balconies, bay windows or other projections
Commercial Districts

- Introduction of minimum lot widths and sizes
- Introduction of minimum heights of 28 feet in mixed use zones and downtown (as opposed to only maximum heights previously)
- Transition to adjacent residential zones with height and setbacks
- Introduction of “Build to” lines
- Residences behind or above commercial uses in mixed use and neighborhood commercial zones

Commercial Districts

- Supplemental regulations are proposed for centers that contain 80,000 square feet or more of floor area.
  - Entry plazas
  - Pedestrian walkways
  - Open space
  - Parking setbacks
  - Loading areas
  - Design criteria
  - Findings for approval

Employment Districts

- Introduction of minimum lot area, width, or depth:
  - 6,000 square feet for PO District
  - 20,000 square feet for IP District
  - 10,000 square feet for the IG District
  - Allowance for smaller sizes with CUP

Employment Districts

- Reduce height limit in IG district from 100 feet to 50 feet (with exception to certain projections)
- Include appropriate setbacks in IP zone when adjacent to arterial road.
- Include appropriate setbacks for all Employment Districts when adjacent to residential.

Employment Districts

- Include regulations on parking setback and screening requirements:
  - On all streets in PO District
  - On arterials and collectors only in IP and IG Districts.

General Site Regulations

- Building projections into pads
- Development on substandard lots
- Fences and freestanding walls
- Green building standards
- Height and height exceptions
- Intersection visibility
- Lighting and illumination
- Outdoor storage
- Pedestrian orientation
- Screening
- Swimming pools
- Trash and refuse collection areas
- Truck docks, loading, and service areas
- Underground utilities
<table>
<thead>
<tr>
<th>Affordable Housing Density Bonus and Other Incentives</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Brings ordinance into compliance with State Law.</td>
</tr>
<tr>
<td>■ We could consider additional incentives for three</td>
</tr>
<tr>
<td>or more bedroom units if we'd like.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Exemption to landscape requirements proposed for</td>
</tr>
<tr>
<td>projects that are an expansion of 10% or less of</td>
</tr>
<tr>
<td>and existing structure.</td>
</tr>
<tr>
<td>■ Alternative Landscape Plan for sites with unique</td>
</tr>
<tr>
<td>characteristics.</td>
</tr>
<tr>
<td>■ Focus on minimizing watering use.</td>
</tr>
<tr>
<td>■ Further detail irrigation specifications.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Focus is on providing additional flexibility.</td>
</tr>
<tr>
<td>■ Update to correspond with new land use classes.</td>
</tr>
<tr>
<td>■ Parking reductions for certain situations.</td>
</tr>
<tr>
<td>■ Suggestion to modify downtown parking districts</td>
</tr>
<tr>
<td>to correspond with proposed Downtown Overlay.</td>
</tr>
<tr>
<td>■ Bicycle parking standards added.</td>
</tr>
<tr>
<td>■ Adjustments to loading areas.</td>
</tr>
<tr>
<td>■ Revise and expand the parking area design and</td>
</tr>
<tr>
<td>development standards.</td>
</tr>
<tr>
<td>■ Reduction in parking space length to 19'. Or</td>
</tr>
<tr>
<td>perhaps 18'?</td>
</tr>
<tr>
<td>■ Increase parking lot landscaping requirements.</td>
</tr>
<tr>
<td>■ RV parking regulations included.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Effort to clarify and strengthen the existing</td>
</tr>
<tr>
<td>code to ensure appropriate signage by regulating</td>
</tr>
<tr>
<td>the number of signs, sign area, placement, use of</td>
</tr>
<tr>
<td>illumination and electronic messages, as well as</td>
</tr>
<tr>
<td>maintenance and restrictions on temporary signage.</td>
</tr>
<tr>
<td>■ Standards incorporated into a table for clarity.</td>
</tr>
<tr>
<td>■ Provisions of Master Sign Program are included.</td>
</tr>
<tr>
<td>■ Allowances for some flexibility.</td>
</tr>
<tr>
<td>■ List of exempted signs expanded, clarified and</td>
</tr>
<tr>
<td>standardized.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telecommunication Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Retain bulk of existing regulations.</td>
</tr>
<tr>
<td>■ Regulations re-organized for ease of use.</td>
</tr>
<tr>
<td>■ Effort to prevent visual blight.</td>
</tr>
<tr>
<td>■ Standards to govern the location and size</td>
</tr>
<tr>
<td>of amateur antennas.</td>
</tr>
<tr>
<td>■ Camouflaged facilities allowed in all</td>
</tr>
<tr>
<td>districts, except for within 300 feet of</td>
</tr>
<tr>
<td>an R district.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The Subdivision Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>■ Subdivision Ordinance was substantially revised effective May 31, 2007, but further changes are needed to implement the 2030 General Plan.</td>
</tr>
<tr>
<td>■ More detailed information on duties of the Council and staff are laid out.</td>
</tr>
</tbody>
</table>
Major and Minor Subdivisions

- Preliminary review is optional rather than required.
- City’s ability to require additional information.
- Revised department review process to include public agencies and utilities.

Dedications, Reservations and Improvements

- Tie commencement of action to approval of Environmental Document.
- New findings for approval.
- Provision for the filing of multiple maps.

Non Conforming Uses and Structures

- Increase flexibility in handling these situations.
- Introduction of “benign” uses and structures.
- Clarification of continuance of Adult Businesses
- Alterations and expansions to SFD’s, non-conforming parking, and lot coverage allowed.
- Class I and Class II regulations.
- Bring ordinance into compliance with State Law.
- Allows the re-establishment of non-conforming use, with a CUP, if certain findings can be made.

Administration

- The purpose of this part of the zoning ordinance update is to clearly convey who is responsible for making decisions on zoning applications and to explain the process for securing approvals.

Planning Agency

- City Council
- Zoning Administrator

Zoning Conformance Review

- Zoning Administrator or Staff Reviews applications for:
  - Business Licenses
  - Building Permits
  - Other Entitlements
  - Issuance of a Zoning Certificate
  - Zoning Certificate could replace need for Home Occupation Permit
Site Plan Review

- Required for projects based on specified criteria:
  - Number of Residential Units
  - Size of Building Space
  - Location

(End of Module for Specific Thresholds Proposed)

Conditional Use Permits

- Expands on the provisions included in the existing ordinance.
- Requires findings to be made by the City Council to reinforce the decisions being made.

Temporary Use Permits

- Standards for temporary uses, proposed in Module 1, address operational issues such as:
  - Location
  - Time Limits
  - Duration
  - Permits would be issued "Over the Counter" by the Zoning Administrator

Variance

- Expansion of provisions to be consistent with State Law.
- Description of authority to grant variances and circumstances under which variances are prohibited.
- Combines requirements for procedures with CUP's where they overlap.
- Includes text that Use Variances are not allowed.

Adjustments

- Alternate means of granting relief from ordinance requirements.
- Allows Zoning Administrator ability to grant minor exceptions to dimensional requirements when consistent with the purpose of the ordinance and General Plan, of to 10% of the requirement.
- Requests for adjustments that would exceed 10% would be referred to the City Council.
- Requires findings to be made.

Appeals

- Specifies who may file appeal
- Establishes time limits for appeals
- Establishes procedures for filing appeals
Development Agreements

- Streamlined Procedures
- Council Determination prior to Zoning Administrator enters into agreement

General Plan and Zoning Map and Text

- Emphasizes supremacy of General Plan as the basis for all land use decisions
- Basic requirements for citizen participation
- Referral to other public agencies
- Basic requirements for amending the zoning ordinance and zoning map.

Enforcement

- Additional procedures for nuisance abatement
- More specific definitions
- Additional remedies for non-compliance

Summary of City Council Duties

- General Plan Amendments
- Zoning Map and Text Amendments
- Conditional Use Permits
- Variances
- Major Subdivisions
- Site Plan Review for Larger Projects
- Appeals of the Zoning Administrator Decisions
- Appeals of the Parcel Map Committee Decisions
- Development Agreements
- Schedule of Fees
- Revoke Use Permits
- Decide on Developer Incentives

Summary of Zoning Administrator Duties

- Professional Recommendations to the Council
- Site Plan Review for Smaller Projects
- Temporary Use Permits
- Adjustments
- Determine Zoning Conformance
- Negotiate provisions of Development Agreements
- Administrative Regulations
- Administratively approve or deny use when ordinance allows.

DOWNTOWN
**Downtown Goals**
- Support thriving, vital downtown
- Diversified economic base
- Vibrant mixed-use community
  - More housing
  - Convenient community services
  - Outdoor living space
  - Less dependency on auto transportation
- Pedestrian friendly downtown

**Pedestrian Amenities in the Public Right of Way for new buildings or major additions**
- Sidewalks
- Street Trees
- Landscaping
- Benches and Trash Receptacles
- Street Lights

**Downtown Retail- North of Olive Avenue (DR-N)**
- Pedestrian-oriented environment
- Shops and restaurants lining Main Street
- Residential or office uses on upper floors
- Buildings line the street
- Parking on streets and in lots located off Main
- Sidewalk shaded with trees, awnings, etc
- Outdoor Cafe areas permitted along the sidewalk
- Continuous rows of street trees

**Building Form – DR-N**

**Historic Building Façade Renovations**
Ground Floor Windows and Design

Main Street – DR-N

Downtown Retail – South of Olive Avenue (DR-S)
- Welcoming gateway to Downtown
- Continuous row of street trees line the street
- Buildings line the street
- Parking on the streets and on the side/road
- 16 ft landscaping buffer sidewalk from parking
- Trees, awnings & projections shade sidewalks
- New 16 ft landscaped median on Main Street
- Provide pedestrian amenities
- Minimum curb cuts on Main Street
- Extend existing landscaped median on Orange

Building Form – DR-S

Main Street – DR-S

Orange Street – DR-S
**Downtown Mixed Use (D-MX)**
- Attracts businesses and residents Downtown
- Provides transition between commercial sets and residential neighborhoods
- Mix includes commercial, service, office, and residential uses
- Attractive streetscape with landscaping and trees
- Buildings line the street

**Downtown Professional Office (D-PO)**
- Adaptive re-use of existing buildings
- Interm of new office buildings
- 1-2 story buildings, up to 50' or 40' with OD
- Building form typical of 1920s commercial
- Buildings and entrances face the street
- Continuum row of street trees
- 30 foot landscaped front pad
- Parking on street, garage, or on side/rear
- Planter strips should be maintained

**Building Form – D-PO (new construction)**
- Building form
- parking
- landscaping
- streetscape
- pedestrian
- sidewalk

**Building Form – D-PO (renovations)**
- Existing building
- parking
- landscaping
- streetscape
- pedestrian
- sidewalk

**Putnam Street – D-PO**
- Street
- Parking
- Landscape
- Buildings
- Sidewalk

**Cleveland and Thurman – D-PO**
- Street
- Parking
- Landscape
- Buildings
- Sidewalk
**Downtown Retail – D Street (DR-D)**

- Mix of medium-scale retail and service uses
- 15-20 ft landscaped front yard
- Parking on the streets or at side/rear
- 10 ft landscaping buffer sidewalks from parking
- New 13' wide landscaped median with rain basin on D St between Olive & Pumam
- Double row of trees to shade sidewalks
- Parking areas visible from the street may not exceed 50% of the lot footage
- CLPs for stews with a gross floor area of 50,000 square feet or greater

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**Building Form – DR-D**

- [Diagram of building form]

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**D Street – DR-D**

- Minimum 10' landscaped sidewalk with one row of trees
- Connect to rear deck with tree canopy 50% to 70% of building footprint
- Trees to shade sidewalks between Washington Ave and Main Ave
- [Diagram of street layout]

---

**Downtown General Commercial (D-GC)**

- Retail, service, and heavy commercial uses
- Meets local and regional demand
- Complements adjacent Downtown pedestrian-oriented environment

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**Downtown Public and Semi-Public (D-PS)**

- Provides for larger-scale public facilities, integrated into the Downtown
- Incorporates pedestrian walkways and/or view corridors that connect to Downtown
- Incorporates attractive landscaping consistent with local character

---

[Diagram of downtown general commercial and semi-public areas]
Downtown High Density Residential (DRM-3)
- Attached homes, two-to-four-plexes, and apartment or condominium buildings
- Maximum density of 24 units per gross acre
- Convenient access to community services
- Outdoor living space on balconies and in common areas
- Buildings front the street
- Landscaped front yards
- Continuous rows of street trees

Downtown Medium Density Residential (DRM-2)
- Variety of housing types
- Small-lot single-family homes
- Detached zero lot line developments
- Duplexes
- Townhouses
- Garden apartments
- Maximum density of 12 units per gross acre
- Close proximity to community services and small establishments
- Buildings front the street
- Landscaped front yards
- Continuous rows of street trees

Limits on Blank Walls
- Upper floors are also subject to limits on blank walls
- Minimum 20% horizontal openings
- Walks must have opening at least every 30 feet on Main Street, and every 20 feet on other streets. Openings shall have transparent glazing and provide views into adjacent spaces.

Ground Floor Articulation
(commercial uses)

Residential Building Design: Façade Articulation
- Street-facing façades shall have at least one projection or recess at least 4 feet in depth, or two projections or recesses at least 2.5 feet in depth, for every 25 linear feet of wall.

Building Projections

14
Shade

Commercial Building Design:
Ground Floor Windows

Commercial Building Design:
Limits on Blank Walls

Quality Building Materials

Inappropriate Building Materials and Colors

Awnings and Canopies
Zoning Regulations

- Land Use Regulations
- Development Standards
- Supplemental Regulations

Relationship to Design Guidelines
- Zoning governs as the legally binding document
- Establish legal requirements that are complimented by Design Guidelines
- Zoning includes quantitative development standards
- Design Guidelines illustrate development standards and show how the more qualitative development standards can be met
Zoning Regulations

- Development Standards
- Lot, Density, and Block Standards
- Building Form, Location, and Street Design
- Parking
- Open Space and Landscaping

Zoning Regulations

- Supplemental Regulations
- Block Standards
- Public Improvements
- Building Projections
- Building Design
- Mechanical Equipment and Utilities
- Building Security
- Awnings and Canopies
- Parking
- Open Space
- Pedestrian Walkways

Parking Location

Parking Frontage Limitations

- Parking frontage can not exceed 30 percent of the frontage
- Parking frontage can not exceed 30 percent of the frontage

Downtown Districts

- Current ordinance has maximum height of 50 feet. This is being proposed to remain the same with transitional heights and yards when adjacent to:
  - RS-1
  - RS-2
  - RM-1 Districts

Downtown Districts

- Introduction of "Build-to" Lines
  - 70% of building at setback or property line in Downtown Retail Zone.
  - 40% of building at setback or property line in Downtown Mixed Use Zone.
Downtown Districts

- Proposed mixed-use standards include limiting residential uses at the rear and/or above commercial uses.
- Includes addressing building entry.
- Includes requiring 150 square feet of usable open space per unit.
- Includes setback requirements for residential units.

Airport Overlay Zone

Purpose

- Protect adjacent land uses from potential airport hazards.
- Identify compatible uses to accident hazard and noise exposure potential.
- Prohibit incompatible uses from being established.
- Require noise-attenuated construction around airport.
- Comply with Federal Aviation Administration Requirements.

Example of Airport Impact Map - Noise

Example of Compatibility Tracking

Airport Safety Zones Map
Example of Development Standards

<table>
<thead>
<tr>
<th>TABLE 14.2: DEVELOPMENT STANDARDS; AIRPORT SAFETY ZONES</th>
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<tbody>
<tr>
<td>Area Type</td>
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<td>Required Site Coverage (ft wide)</td>
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<tr>
<td>Required Elevation Change (ft)</td>
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</table>

Additional Regulations

- Height limitations
- FAA Notification
- Aviation Easement Dedication
- Overflight Notification
- Nonconforming Uses