Call to Order
Roll Call

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

JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA
and 1441 W. BRIAN LANE, PORTERVILLE, CA

Roll Call: Agency Members/Chairperson

ORAL COMMUNICATIONS
This is the opportunity to address the City Council and/or Successor Agency on any matter scheduled for Closed Session. Unless additional time is authorized by the Council/Agency, all commentary shall be limited to three minutes.

SUCCESSOR AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   2- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

Adjourn to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   3- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.

6:30 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
PROCLAMATIONS
Recreation & Parks Month – July 2012
Day of the Cowboy – July 28, 2012

PRESENTATIONS
Employee of the Month – Howard Mizuki

AB 1234 REPORTS
This is the time for all AB 1234 reports required pursuant to Government Code § 53232.3.

2. Tulare County Association of Governments (TCAG) – July 16, 2012

REPORTS
This is the time for all committee/commission/board reports; subcommittee reports; and staff informational items.

I. City Commission and Committee Meetings:

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. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CONSENT CALENDAR
All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar.


2. Authorization to Advertise for Bids – Fire Station #2 Training Facility Mezzanine & Stairs Project
   Re: Considering approval of staff’s Plans and Project Manual for the project consisting of the furnishing and fabrication of all the supporting structures, decking, guardrails, handrails, stairs and all necessary items for the “Sea-Train” Fire training facility mezzanine and stairs.

3. Award of Contract - Transit Operations and Management Services Contract
   Re: Considering awarding a five-year contract in the amount of $5,139,786.51 to Sierra Management for transit operations and management services.

4. Authorization to Issue a Request for Proposal for the Transit System Signage Design and Installation
   Re: Considering authorization to issue a request for proposals for the design and installation of transit system signage for the purpose of communicating information to transit passengers.
5. **Approval of Measure ‘R’ Supplemental Agreements - CMAQ Shoulder Stabilization Projects**  
Re: Considering approval of resolutions affirming the City’s support of the Indiana Street, Matthew Street, Morton Avenue, Newcomb Street, and Westwood Street Shoulder Stabilization Projects; and authorizing execution of Supplement Agreements for the design and construction of said projects.

6. **Authorization to Receive Three Vehicles Transferred from the City of Lindsay for Use on the Porterville Transit System**  
Re: Considering approval of a resolution authorizing the transfer of three vehicles from the City of Lindsay to the City of Porterville for transit system use.

7. **Authorization to Submit a Letter of No Prejudice (LONP) to Caltrans for Transit Projects**  
Re: Considering approval of a resolution authorizing the submittal of a Letter of No Prejudice from the City of Porterville to Caltrans for bus stop improvements and the purchase of a CNG transit bus.

8. **Asphalt Overlay Program for 2012/2013**  
Re: Considering approval of the 2012/2013 Asphalt Overlay Program and authorizing an expenditure of $267,418.00.

9. **Martin and Rocky Hill Reservoir Projects – Correction to Financial Report**  
Re: Considering authorization to re-open Project Account No. 89-9742 and make payment to Dee Jaspar & Associates and AECOM & Associates for consultant services rendered in the amount of $37,007.00.

10. **Consideration of a Sharps Disposal Program**  
Re: Consideration of a program for the disposal of home-use medical syringes (sharps).

11. **General Plan Referral – Vacation of Agnes Street**  
Re: Consideration of a determination regarding the proposed vacation of Agnes Street between Boyles Drive and Road 234.

12. **Renewal of Agreement for Animal Shelter Services with the City of Woodlake**  
Re: Consideration of a three-year agreement between the City and the City of Woodlake for animal control services.

13. **Adoption of Annual Appropriation Limit**  
Re: Consideration of a resolution adopting an appropriation limit of $52,226,842.00 for the 2012/2013 Fiscal Year.

14. **Authorization to Roll Weed Abatement Balances and Delinquent Development Fee Payment Plan Agreements to the Property Tax Rolls**  
Re: Considering approval of a resolution authorizing the County Auditor to place these items on the property tax rolls for collection.

15. **Proposed Change in the Table of Organization Within the Finance Department**  
Re: Considering adoption of a resolution authorizing a change in the Table of Organization in the IT Division of the Finance Department.
15a. Consideration of Street Closure for Porterville “Step-Up” Neighborhood Outreach Event
Re: Considering approval of the temporary closure of Oak Avenue and Doree Street on July 21, 2012, in support of the neighborhood “Step-Up” outreach event.

16. Review of Local Emergency Status
Re: Reviewing the City’s status of local emergency pursuant to Article 14, Section 8690 of the California Emergency Services Act.

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

PUBLIC HEARINGS
17. Landscape & Lighting Districts Annual Assessments
Re: Public Hearing regarding the levy and collection of landscape and lighting maintenance district assessments for Fiscal Year 2012/2013.

18. Initiation of Preliminary Proceedings and Resolutions of Application for North Main Street and Annexation No. 475
Re: Consideration of a resolution authorizing the initiation of preliminary proceedings and filing of the necessary application with LAFCO for the proposed incorporation of 125.1± acres of land generally (but not entirely) located north of Henderson Avenue, south of Pioneer Avenue, east of Villa Street, and west of Main Street.

Re: Consideration of resolutions and an ordinance approving the proposed “Focused Rezone Program” which would rezone approximately 180 acres of land to High Density Residential.

SCHEDULED MATTERS
20. Ratification of Fiscal Year 2012-2013 Budget
Re: Consideration of the ratification of the adopted 2012-2013 Fiscal Year Budget.

21. Consideration of Appointment to the Parks & Leisure Services Commission
Re: Consideration of the appointment of an individual to fill the seat vacated by Mr. Case Lok with a term scheduled to expire in October 2013.

22. AB 1234 Expense Reimbursement Requirements for Elected Officials
Re: Consideration of requirements under AB 1234, and specifically the reimbursement of expenses for elected officials.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION
Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of July 31, 2012.
Pursuant to Ordinance No. 1766, the Council Meeting shall adjourn no later than 9:45 p.m., unless otherwise approved by a majority of the Council Members present.

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 during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, and on the City’s website at www.ci.porterville.ca.us.
Called to Order at 5:30 p.m.
Roll Call: Council Member Ward (arrived immediately after roll call), Council Member Shelton, Council Member McCracken, Vice Mayor Hamilton (attended via teleconference), Mayor Irish

ORAL COMMUNICATIONS
None

CITY COUNCIL CLOSED SESSION:
A. Closed Session Pursuant to:
   5- Government Code Section 54956.9(b)(1) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
No reportable action.

Pledge of Allegiance Led by Police Chief Chuck McMillan
Invocation – a moment of silence was observed.

PRESENTATIONS
Sequoia Valley Enterprise Zone

Mayor Irish acknowledged City Council Candidates Wendi Taylor, Shawn Cable, and John...
Simonich who were present in the audience, as well as Incumbents Brian Ward and Cameron Hamilton. It was also noted that Vice Mayor Hamilton was attending the meeting via teleconference.

REPORTS

I. City Council Committee and Commission Meetings:
      Vice Mayor Hamilton advised that he had been unable to attend the meeting.
   b. Tulare County Association of Governments (TCAG) – March 19, 2012.
      Mayor Irish reported that the issue of abandoned vehicle abatement was discussed at
      the recent meeting, and that TCAG’s legal counsel was looking into the matter.

II. City Commission and Committee Meetings:
   a. Community Development Block Grant Advisory and Housing Committee – March
      12, 2012. Community Development Director Brad Dunlap provided a brief summary
      of the recent meeting.
   b. Parks & Leisure Services Commission – March 13, 2012. No report was provided.
   c. Library and Literacy Committee – March 13, 2012. No report was provided.
   d. Youth Commission – March 19, 2012. No report was provided.

Council Member Shelton began to report on community events he recently attended. Mayor Irish advised that the time to report on such activities was during the Other Matters segment at the end of the meeting.

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member
Ward that the Council follow the Agenda as noticed.

M.O. 01-032012

AYES: Ward, Shelton
NOES: Hamilton, McCracken, Irish
ABSTAIN: None
ABSENT: None

Disposition: Denied.

ORAL COMMUNICATIONS

• Betty Luna, came forward on behalf of Central California Family Crisis Center and
  the CAP (Child Abuse Prevention) Council and invited everyone to visit The Lisa
  Project, a multi-sensory exhibit to bring awareness to and prevent child abuse, taking
  place in Visalia.

• An unidentified individual spoke in favor of the use of alternative fuels, inquired
  whether the City had any such program, and provided information to the Council.
  Mayor Irish requested that City Manager Lollis follow up with the gentleman.

• Augie Gonzalez, Chair of the 2012 Iris Festival Committee, spoke of the upcoming
  event, and requested the Council’s approval of Item 10.

• Daren Griswold, came forward on behalf of the Chamber of Commerce, lauded the
  Economic Development Strategic Plan, and voiced support for moving forward as
proposed in Item 17.

CONSENT CALENDAR
Item Nos. 2 and 6 were removed for further discussion.

1. CITY COUNCIL MINUTES OF MARCH 13, 2012

Recommendation: That the City Council approve the minutes of March 13, 2012.

Documentation: M.O. 02-032012
Disposition: Approved.

2a. AUTHORIZE STAFF TO ACT ON BEHALF OF THE CITY OF PORTERVILLE FOR THE PURPOSE OF ISSUING A REQUEST FOR PROPOSAL FOR THE TRANSIT OPERATIONS AND MANAGEMENT CONTRACT

Recommendation: That the City Council:
1. Authorize staff to issue a request for proposals for professional services to operate and manage the transit services.

Documentation: M.O. 03-032012
Disposition: Approved.

2b. AUTHORIZE STAFF TO ACT ON BEHALF OF THE CITY OF PORTERVILLE FOR THE PURPOSE OF ISSUING A REQUEST FOR PROPOSAL FOR THE TRANSIT ADMINISTRATION PROFESSIONAL SERVICES CONTRACT

Recommendation: That the City Council:
1. Authorize staff to issue a request for proposals for professional services to administrate the transit program.

Documentation: M.O. 04-032012
Disposition: Approved.

3. INTENT TO SET A PUBLIC HEARING FOR REIMBURSEMENT AGREEMENTS FOR CONCRETE IMPROVEMENT CONSTRUCTION BY THE CITY – JAYE STREET IMPROVEMENTS PROJECT, EASTERLY EXTENSION OF BROWN AVENUE TO GIBBONS AVENUE

Recommendation: That the City Council:
1. Set a Public Hearing for April 17, 2012, according to the Mitigation Fee Act, for the establishment of the concrete reimbursement fee; and

2. Authorize staff to notify all affected property owners of the Public Hearing, via certified mail, including the concrete reimbursement amount.
4. AUTHORIZE TRANSIT STAFF TO APPLY FOR TRANSIT SECURITY GRANT PROGRAM FUNDING

Recommendation: That the City Council authorize City staff to apply for the Transit Security Grant funds for fiscal years 11/12.

Documentation: Resolution 28-2012
Disposition: Approved.

5. AUTHORIZE TRANSIT STAFF TO APPLY FOR TWO TRANSIT BUS AND BUS FACILITIES PROGRAM FUNDS

Recommendation: That the City Council authorize staff to apply for both initiatives under Bus and Bus Facilities Capital program for Fiscal Year 2012, and authorize the Mayor to sign the attached governing body resolution.

Documentation: Resolution 29-2012
Disposition: Approved.

7. REVISED SCHEDULE FOR REVIEW OF DEVELOPMENT ORDINANCE REVISIONS

Recommendation: That the City Council accept the revised schedule for the Development Ordinance update.

Documentation: M.O. 06-032012
Disposition: Approved.

8. AIRPORT LEASE RENEWAL – LOT 46B

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

Documentation: M.O. 07-032012
Disposition: Approved.

9. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE BREAKFAST ROTARY CANCER RUN, MAY 5, 2012

Recommendation: That the City Council approve the Community Civic Event Application and
Agreement from the Porterville Breakfast Rotary, subject to the Restrictions and Requirements contained in application, agreement, Exhibit ‘A’ and Exhibit ‘B.’

Documentation: M.O. 08-032012
Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE CHAMBER OF COMMERCE – IRIS FESTIVAL, APRIL 28, 2012

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in Application, Agreement, Exhibit ‘B’ of the Community Civic Event forms.

Documentation: M.O. 09-032012
Disposition: Approved.

11. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Documentation: M.O. 10-032012
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council approve Item Nos. 1, 2a, 2b, 3 through 5, and 7 through 11. The motion carried unanimously.

2. AWARD CONTRACT – WROUGHT IRON FENCING MATERIALS

Recommendation: That the City Council award the contract for wrought iron fencing materials for Murry Park to Harris Steel Fence Co., Inc., of Los Angeles, CA, in the amount of $6,765.57. Further, that Council authorize payment upon satisfactory acceptance of the materials.

City Manager Lollis introduced the item and the staff report was waived at the Council’s request. Council Member Shelton, who had pulled the item, praised staff for “thinking outside the box.”

COUNCIL ACTION: MOVED by Council Member Shelton, SECONDED by Council Member
M.O. 11-032012 Ward that the City Council award the contract for wrought iron fencing materials for Murry Park to Harris Steel Fence Co., Inc., of Los Angeles, CA, in the amount of $6,765.57. Further, that Council authorize payment upon satisfactory acceptance of the materials. The motion carried unanimously.

Disposition: Approved.

6. AUTHORIZE STAFF TO APPROVE THE PURCHASE OF ROUTEMATCH TRANSPORTATION MANAGEMENT SYSTEM

Recommendation: That the City Council:
1. Authorize staff to begin negotiations for the purchase of RouteMatch Software; and
2. Authorize payment upon satisfactory delivery of the equipment.

City Manager Lollis introduced the item, and the staff report was waived at the Council’s request. Council Member Shelton expressed concern with non competitive bids. Transit Manager Rich Tree spoke of the benefits of sole sourcing. City Attorney Lew requested time to verify the public bidding requirements in this particular instance. Without objection the item was continued, and staff was directed to look at whether a bid process was required.

Disposition: Item continued, and direction given.

PUBLIC HEARINGS

12. FIRST READING – ORDINANCE CREATING GENERAL FUND RESERVE POLICY AND AUTHORIZING THE ESTABLISHMENT OF “BUDGET STABILIZATION,” “CATASTROPIC/EMERGENCY,” “CAPITAL MAINTENANCE,” “CAPITAL CONSTRUCTION/IMPROVEMENT,” “INFRASTRUCTURE MAINTENANCE/IMPROVEMENT,” AND “SPECIAL PURPOSES” DEDICATED RESERVE FUNDS

Recommendation: That the City Council:
1. Hold the scheduled public hearing and consider all public testimony; and
2. Approve and give first reading to the proposed ordinance.

The City Manager introduced the item and presented the staff report. Following the report, Council Members lauded the Audit Committee for their efforts.

The public hearing was opened at 7:03 p.m. Seeing no one, the Mayor closed the public hearing at 7:04 p.m.

COUNCIL ACTION: MOVE by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council approve and give first reading to the proposed ordinance, being AN ORDINANCE OF THE CITY COUNCIL

The City Manager read the ordinance by title only.

Disposition: Approved.

SECOND READINGS

Recommendation: That the City Council give Second Reading to Ordinance No. 1785, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council give Second Reading to Ordinance No. 1785, waive further reading, and adopt said Ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF PORTERVILLE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM. The motion carried unanimously.

The ordinance was read by title only.

Disposition: Approved.

14. SECOND READING – ORDINANCE NO. 1786, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE DEVELOPMENT ORDINANCE TO ALLOW COMMERCIAL CROP CULTIVATION ON AN INTERIM BASIS IN CERTAIN ZONE DISTRICTS
Recommendation: That the City Council give Second Reading to Ordinance No. 1786, waive further reading, and adopt said Ordinance.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council give Second Reading to Ordinance No. 1785, waive further reading, and adopt said Ordinance, being AN

Ordinance 1786

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE DEVELOPMENT ORDINANCE TO ALLOW COMMERCIAL CROP CULTIVATION ON AN INTERIM BASIS IN CERTAIN ZONE DISTRICTS WITH A CONDITIONAL USE PERMIT. The motion carried unanimously.

The ordinance was read by title only.

Disposition: Approved.

At staff’s request, the Mayor called for Item 17 to be presented next.

SCHEDULED MATTERS
17. APPROVAL OF ECONOMIC DEVELOPMENT STRATEGIC PLAN

Recommendation: That the City Council approve the Economic Development Strategic Plan prepared by Chabin Concepts and authorize staff to begin implementation of the strategies listed within the report.

City Manager Lollis introduced the item, and a brief staff report was presented by Community Development Director Brad Dunlap. A presentation was then given by Audrey Taylor and Vickie Dahl of Chabin Concepts.

A discussion ensued following the presentation with regard to the implementation of strategies identified within the report. Council Member Shelton expressed concern with the cost of the report, and the Council’s ability to effect change in certain areas. Council Member Ward, Vice Mayor Hamilton and Mayor Irish spoke of the value of the information when acted upon.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Ward that the City Council approve the Economic Development Strategic Plan prepared by Chabin Concepts and authorize staff to begin implementation of the strategies listed within the report. The motion carried unanimously.

AYES: Ward, McCracken, Hamilton, Irish
15. HOUSING-RELATED PARKS PROGRAM

Recommendation: That the City Council:

1. Approve funding of projects for Housing-Related Parks Programs per the priority list from the Parks and Leisure Services Commission;
2. Authorize the application submittal to the Department of Housing and Community Development for the Housing-Related Parks Program;
3. Approve the draft resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure a Housing-Related Parks Program from the State of California; and
4. Authorize the Mayor to sign the application, the Standard Agreement and all other participation documents and the Community Development Director to sign all drawdown request and other administrative documents required for the Housing-Related Parks Program.

City Manager Lollis introduced the item, and the staff report was presented by Community Development Director Brad Dunlap.

Council Member Shelton spoke in support of allotting a larger portion of the funds to the Henry Street property. Staff noted that should the Murry Park Master Plan be amended to include the Henry Street property, there would be potential for future CDBG funding that other parks were not eligible for; and elaborated on the environmental process. Council Member Ward questioned the need for a playground shade structure at Veterans and Zalud Parks. Discussion followed regarding the intent of the Parks and Leisure Services Commission and costs associated with improvements to the Henry Street property.

Council Member Shelton moved that the City Council approve staff’s recommendation as amended to utilize $90,000 on Murry Park and $20,000 to each of the other three parks. The motion died for lack of a second.

Vice Mayor Hamilton then moved that the City Council approved staff’s recommendation, and direct that the majority of the $60,000 for Murry Park be utilized on the Henry Street property. Following a recommendation by the City Attorney, Council Member Shelton offered and amendment which would utilize an amount not to exceed $75,000 on the Henry Street property, and $25,000 each for playground shade structures at the three parks. The amendment was accepted by the Vice Mayor.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member
Resolution 30-2012 McCracken that the City Council approve funding of projects for Housing-Related Parks Programs per the priority list from the Parks and Leisure Services Commission, as amended not to exceed $75,000 – based on actual bids – to Henry St. portion of Murry Park, and $25,000 each for playground shade structures at Veterans, Zalud and Sports Complex as proposed; authorize the application submittal to the Department of Housing and Community Development for the Housing-Related Parks Program; approve the draft resolution authorizing the execution of the Standard Agreement and any other documents necessary to secure a Housing-Related Parks Program from the State of California; and authorize the Mayor to sign the application, the Standard Agreement and all other participation documents and the Community Development Director to sign all drawdown request and other administrative documents required for the Housing-Related Parks Program.

AYES: Ward, Shelton, McCracken, Hamilton
NOES: Irish
ABSTAIN: None
ABSENT: None

Disposition: Approved, as amended.

16. ENVIRONMENTAL REVIEW OF THE OHV PARK ENHANCEMENT PROJECT

Recommendation: That the City Council adopt draft resolution approving the Mitigated Negative Declaration for the OHV Enhancement Project.

City Manager Lollis introduced the item, and the staff report was presented by Community Development Director Dunlap. A brief discussion ensued as to the use of remaining funds.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Shelton that the City Council adopt draft resolution approving the Mitigated Negative Declaration for the OHV Enhancement Project. The motion carried unanimously.

Disposition: Approved.

18. AUTHORIZATION OF A TEN-YEAR DEVELOPMENT FEE PAYMENT PLAN

Recommendation: That the City Council provide direction to staff.

The City Manager introduced the item, and the staff report was presented by the Community Development Director Dunlap. Following the staff report, and at the request of the Council, Mr. Dunlap indicated that staff recommended Option two of the four options identified in the staff report.
A discussion ensued regarding types of liens and encumbrances, and monetary risks. Council Members expressed concern and suggested payment incentives. Staff was directed to research if liens would encumber property and language to allow ability to charge a late fee if in default. Without objection, the item was continued.

Disposition: Item continued; and direction given.

19. CONSIDERATION OF AMENDING ORDER OF BUSINESS TO BE FOLLOWED AT REGULAR CITY COUNCIL MEETINGS

Recommendation: That the City Council provide direction to staff.

The City Manager introduced the item and presented the staff report. Following the staff the Council discussed the “Reports” section of the agenda, the criteria for what constituted a report per the City Council Handbook, and what qualified as an AB1234 report.

City Attorney Lew recommended that there be a section on the agenda specifically for AB1234 reports for the purpose of clarity. Council Member McCracken then spoke of his intent when he proposed the addition of “Reports” to the Agenda, which was approved by the Council at the previous meeting; and noted that reporting of council member activities had always taken place during Other Matters. A lengthy discussion ensued about the importance of expediting the meeting for the benefit of those in attendance. Council Member Shelton spoke in favor of the ability for Council Members to report on their activities at the beginning of the meetings.

The Council recessed for ten minutes.

Following the recess, staff was directed to draft a resolution for inclusion in the next consent calendar separating AB1234 reports from other reports, and adding “staff” before “information and reports” under the Reports section.

Disposition: Direction given.

ORAL COMMUNICATIONS
• Brock Neeley, lauded the addition of new shutters in the Council Chambers.
OTHER MATTERS

- Council Member Ward spoke of the recent micro Step-Up event at Date Street, noting it was well-attended; commented on his daughter’s third birthday; and thanked staff for their hard work.
- Vice Mayor Hamilton made mention of the large earthquake in Mexico.
- Council Member McCracken commented that the Chamber Auction on March 17th appeared to be successful and well-attended.
- City Manager Lollis advised that approximately 150 educators from around the state were in Porterville to learn about the Pathways Program; and updated the Council on staff’s presentation to the Indian Gaming Local Community Benefit Committee for grant funding.

ADJOURNMENT

The Council Meeting adjourned at 9:30 p.m. to the meeting of April 3, 2012.

SEAL

Luisa Herrera, Deputy City Clerk

Cameron Hamilton, Vice Mayor
Call to Order at 5:30 p.m.
Roll Call: Vice Mayor Hamilton, Council Member McCracken, Mayor Irish, Council Member Ward (attended from 6:10 p.m. to 6:25 p.m. in Closed Session only), Council Member Shelton (attended Closed Session only)

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

JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY MINUTES
291 N. MAIN STREET, PORTERVILLE, CA

Roll Call: Vice Chairman Hamilton, Member McCracken, Chairman Irish, Member Ward (attended from 6:10 p.m. to 6:25 p.m. in Closed Session only), Member Shelton (attended Closed Session only)

ORAL COMMUNICATIONS
None

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:
A. Closed Session Pursuant to:
   2- Government Code Section 54956.9(b) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case concerning the County of Tulare’s Challenge to the Adoption of the Porterville Redevelopment Project No. 1 Amendment.
   3- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

During Closed Session, the Joint Meeting adjourned to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:
B. Closed Session Pursuant to:
   1- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property:
and Price.
4- Government Code Section 54956.9(c) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

6:30 P.M. RECONVENE OPEN SESSION
REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION
City Attorney Julia Lew reported on the following action:

B3: On a MOTION made by Council Member McCracken, SECONDED by Mayor Irish, the Council, by a 3/0 vote with Vice Mayor Hamilton and Council Member Ward absent, rejected the amended claim submitted on June 7, 2012 on behalf of Zakary Jobe, a minor, in an amount exceeding $500,000; referred the matter to the City’s claims adjustor, and directed the City Clerk to give the claimant proper notice.

Documentation: M.O. 01-061912
Disposition: Approved.

Pledge of Allegiance Led Mr. Jack Irish
Invocation – one individual participated.

PROCLAMATIONS
Bank of the Sierra

PRESENTATIONS
Outstanding Business
Employee Service Awards

AB 1234 REPORTS
The following reports required pursuant to Government Code § 53232.3 were presented:
1. Local Agency Formation Commission (LAFCO) – June 6, 2012: Vice Mayor Hamilton advised that the Commission had discussed the Municipal Service Review of Dinuba.
2. Tulare County Association of Governments (TCAG) – June 19, 2012: Vice Mayor Hamilton indicated that the Board elected a new Chair, Supervisor Worthley, and a new Vice Chair, Council Member Rudy Mendoza.

REPORTS
The following verbal reports were presented:
I. City Commission and Committee Meetings:
   1. Transaction and Use Tax (“Measure H”) Oversight Committee – June 4, 2012: No report was provided.
2. Parks & Leisure Services Commission – June 7, 2012: No report was provided.

**ORAL COMMUNICATIONS**

- Donnette Silva Carter, Leadership Porterville Facilitator, advised that class members from the Leadership Porterville Class of 2012 were in attendance as a part of the program and requested they come forward to introduce themselves.
- Cameron Anderson, Family Healthcare Network employee and LP 2012 class member, introduced himself and voiced appreciation for the program.
- David Shimer, Burton School District administrator and LP 2012 class member came forward and introduced himself.
- Rhoda Hunter, Tule River Tribal Council Member and LP 2012 Class Member, introduced herself.
- Jessica Buchanan, S.T.O.P. Alarm employee and LP 2012 class member, came forward and introduced herself.
- Alex Reed-Krase, attorney with Law Offices of Robert Krase and LP 2012 class member, introduced himself and spoke of the class’ proposed fundraising event, a mud run, and the community services project which is proposed to consist of improvements at the Porterville Women’s Shelter.
- Tillie Tagarino, came forward on behalf of the Porterville City Employees Association (PCEA) and spoke in opposition to Item 18, alleging that staff had misrepresented the association’s position, and making reference to an approximate $3 million increase in revenues as referenced in the City’s most recent CAFR.
- Brock Neeley, requested that he be afforded the opportunity to address the Council during its consideration of Item 19.
- Barry Caplan, 1) requested that the Council continue the proposed consideration of the budget due to the absences of Council Members Ward and Shelton; and 2) spoke of the City of Visalia’s recent recognition of Lesbian, Gay, Bisexual, and Transgender (LGBT) month.
- Donnette Silva Carter, Chamber of Commerce, spoke of the Virtual Incubator Program and of the partnerships formed to bring it to fruition.

**CONSENT CALENDAR**

1. **AUTHORIZATION TO ADVERTISE FOR BIDS – NEWCOMB STREET AND BEVERLY STREET SHOULDER STABILIZATION PROJECT**

Recommendation: That the City Council:

1. Approve staff’s recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 02-061912

Disposition: Approved.

2. **AUTHORIZATION TO ADVERTISE FOR BIDS – RAILS TO TRAILS CLASS I TRAIL EXTENSION PROJECT (CMAQ PORTION) (OLIVE AVENUE TO HERITAGE CENTER)**
Recommendation: That the City Council:
1. Approve staff’s recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids on the project.

Documentation: M.O. 03-061912
Disposition: Approved.

3. AWARD OF CONTRACT – W. NORTH GRAND AVENUE RECONSTRUCTION PROJECT – HIGHWAY 65 TO RAILROAD

Recommendation: That the City Council:
1. Award the W. North Grand Avenue Reconstruction Project to Central Valley Asphalt in the amount of $253,710.20;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 10% contingency to cover unforeseen construction costs and $25,000 for construction management, quality control and inspection.

Documentation: M.O. 04-061912
Disposition: Approved.

4. ACCEPTANCE OF IMPROVEMENTS – RANCH VICTORIA, PHASES 2, 3 AND 4 (GARY SMEE – SMEE BUILDERS, INC.)

Recommendation: That the City Council:
1. Accept the public improvements, including those related to the Landscape & Lighting District of Ranch Victoria, Phases 2, 3 & 4 Subdivision for maintenance;
2. Authorize the filing of the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Documentation: M.O. 05-061912
Disposition: Approved.

5. CITY EASEMENT CONVEYANCE TO SOUTHERN CALIFORNIA EDISON

Recommendation: That the City Council:
1. Accept SCE’s request to have the City convey an easement for the installation and maintenance of underground electrical facilities;
2. Accept SCE’s $6,000 easement compensation;
3. Authorize the Mayor to sign the Grant of Easement and Offer to Purchase acceptance letter; and
4. Authorize the City Clerk to mail the signed Grant of Easement to SCE for recordation.
6. PROGRAM SUPPLEMENT TO THE LOCAL AGENCY-STATE MASTER AGREEMENT – RAILS TO TRAILS (OLIVE AVENUE TO HERITAGE CENTER) CLASS I TRAIL EXTENSION PROJECT

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

7. APPROVAL TO PURCHASE SURVEYING EQUIPMENT UTILIZING THE CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT

Recommendation: That the City Council:
1. Authorize the purchase of the Trimble S-3 Robotic Surveying equipment as quoted by California Surveying and Drafting Supply; and
2. Authorize payment upon satisfactory delivery of the equipment.

8. RELINQUISH LEASE ON PROPERTY LOCATED AT APN 261-070-004, OWNER – POPLAR IRRIGATION COMPANY, A CORPORATION

Recommendation: That the City Council:
1. Adopt the Draft Resolution Relinquishing the Lease of the portion the City purchased;
2. Authorized the Mayor to sign all necessary documents; and
3. Authorize staff to record all documents with the County Recorder.

9. REQUEST FOR APPROVAL TO PURCHASE SPECIALIZED EQUIPMENT

Recommendation: That the City Council:
1. Approve the $9,552.50 purchase from JWC Environmental for:
   a. Auger Rotor Assembly; and
   b. Weldment, Transport Segment
10. **AFFIRM RESOLUTION OF SUPPORT FOR NEW CIEDB FUNDED PROJECTS – WELL NO. 32 AND TWO (2) BOOSTER PUMPS AT VETERAN’S PARK**

Recommendation: That the City Council:
1. Direct the Public Works Director to complete and transmit the “new projects” application form to the California Infrastructure and Economic Development Bank;
2. Authorize the Mayor to sign the proposed “Resolution of Support” affirming Council’s decision to fund the design and construction of a new well site and two new booster pumps using the remaining CIEDB funds from Loan Agreement CIEDB-08-092;
3. Authorize the City Engineer to negotiate and amend the existing Well Design contract with Dee Jaspar & Associates for consultant services to design Well #32 and two new booster pumps; and
4. Authorize the Mayor to execute the amended design services contract with Dee Jaspar & Associates.

Documentation: Resolution 58-2012
Disposition: Approved.

11. **THIS ITEM HAS BEEN REMOVED.**

12. **PRELIMINARY ANNUAL ENGINEER’S REPORT OF ASSESSMENTS FOR LIGHTING AND LANDSCAPE MAINTENANCE DISTRICTS AND SETTING A PUBLIC HEARING**

Recommendation: That the City Council:
1. Adopt Resolutions:
   a. Ordering the preparation of an Engineer’s Report for the Landscape and Lighting Maintenance Districts for the Fiscal Year 2012-2013;
   b. Giving preliminary approve to the Engineer’s Report for the Landscape and Lighting Maintenance Districts for Fiscal Year 2012-2013; and
   c. Declaring the intent to levy and collect assessments for Fiscal Year 2012-2013, and offering a time and place for hearing objections thereto.
2. Further, that the City Council set a public hearing for 6:30 PM on July 3, 2012, regarding the Engineer’s Report and proposed assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2012-2013.

Documentation: Resolution 59-2012; 60-2012; and 61-2012
Disposition: Approved.
13. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN – PORTERVILLE CITY FIREFIGHTERS ASSOCIATION

Recommendation: That the City Council approve the draft resolution amending the Employee Pay and Benefit Plan.

Documentation: Resolution 62-2012
Disposition: Approved.


Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Porterville Leadership Class of 2012, subject to the stated requirements contained in Exhibit ‘A.’

Documentation: M.O. 08-061912
Disposition: Approved.

15. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Documentation: M.O. 09-061912
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the City Council approve Item Nos. 1 through 15.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

PUBLIC HEARINGS

16. ADOPTION OF FISCAL YEAR 2012-2013 BUDGET

Recommendation: The City Manager recommends that the City Council consider adoption of the proposed 2012-2013 Fiscal Year Budget, including any modifications and for the time period designed by Council, subject to the ratification of a newly-seated City Council at the July 3, 2012, meeting.
City Manager Lollis introduced the item and presented the staff report. Mr. Lollis advised of uncertainty with regard to the State Budget’s impact, and spoke of the State’s diversion of OHV funds, future departmental reorganizations, and a forecasted increase in personnel costs.

The public hearing was opened at 7:19 p.m. Seeing no one, the Mayor closed the public hearing at 7:20 p.m.

Council Member McCracken clarified that pursuant to the City’s Charter, the Council must pass the budget prior to June 30th.

Mayor Irish spoke briefly about the current economic situation and lauded staff for being prudent with tax payer dollars.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council adopt the proposed 2012-2013 Fiscal Year Budget, as amended to remove $50,000 allocated for a sounds system at Centennial Park, subject to ratification of a newly seated City Council at the July 3, 2012 meeting.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved.

The Council recessed for ten minutes at 7:20 p.m.

17. CONDITIONAL USE PERMIT PRC-2012-4-C – PROPOSED RETAIL SALE OF ALCOHOLIC BEVERAGES UNDER AN OFF-SALE LICENSE AT THE DOLLAR GENERAL STORE LOCATED AT 1316 W. OLIVE AVENUE

Recommendation: That the City Council:
1. Adopt the draft resolution approving Conditional Use Permit PRC-2012-04-C subject to the conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

City Manager Lollis introduced the item, and Associate Planner Jose Ortiz presented the staff report.

The public hearing was opened at 7:36 p.m.

- Brock Neeley, spoke against the sale due to too many already in census tract.
- Steve Rawlings, Rawlings Company, applicant, gave a brief presentation about Dollar
General.

- Barry Caplan, indicated that he was impressed with the presentation by Mr. Rawlings, and requested that the Council inquire whether benefits are paid to LGBT employees.

The public hearing was closed at 7:45 p.m.

Vice Mayor Hamilton requested that the Council consider re-evaluating the ordinance regarding alcohol sales. As a result, staff was directed to bring back options to amend the ordinance regulating alcoholic beverage sales.

**COUNCIL ACTION:** MOVED by Vice Mayor Hamilton, SECONDED by Council Member McCracken that the City Council adopt the draft resolution approving Conditional Use Permit PRC-2012-04-C subject to the conditions of approval; and authorize the Mayor to sign the Letter of Public Convenience or Necessity.

AYES: McCracken, Hamilton, Irish

NOES: None

ABSTAIN: None

ABSENT: Ward, Shelton

Disposition: Approved; and direction given.

**SCHEDULED MATTERS**

18. CONSIDERATION OF UNILATERAL IMPLEMENTATION OF THE CITY’S LAST, BEST AND FINAL OFFER TO PORTERVILLE CITY EMPLOYEES ASSOCIATION

Recommendation: That the City Council approve the draft resolution authorizing the unilateral implementation of the City’s last, best and final offer of a three percent (3%) salary reduction, effective July 1, 2012.

Deputy City Attorney Steve Kabot introduced the item and presented the staff report.

- Tillie Tagarino, on behalf of the Porterville City Employees Association (PCEA), alleged that Mr. Kabot threatened layoffs.

Vice Mayor Hamilton responded to comments made regarding the Comprehensive Annual Financial Report, the use of General Fund Reserves, and the negotiation process.

**COUNCIL ACTION:** MOVED by Mayor Irish, SECONDED by Vice Mayor Hamilton that the City Council approve the draft resolution authorizing the unilateral implementation of the City’s last, best and final offer of a three percent (3%) salary reduction, effective July 1, 2012.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved.

19. CONSIDERATION OF FINANCIAL SUPPORT FOR THE “MARCHING THROUGH TIME” MURAL PROJECT

Recommendation: That the City Council:
1. Consider the request of the Porterville Mural Committee to financially support the “Marching Through Time” mural project; and
2. If approved, please authorize appropriate budget adjustment.

City Manager Lollis stated that the item had been removed at the request of the applicant.

Disposition: None.

The Council Meeting adjourned at 8:01p.m. to a meeting of the Porterville Housing Authority.

PORTERVILLE HOUSING AUTHORITY MINUTES
JUNE 19, 2012

Roll Call: Vice Chairman Hamilton, Member McCracken, Chairman Irish
Absent: Member Ward, Member Shelton

WRITTEN COMMUNICATIONS
None

ORAL COMMUNICATIONS
None

SCHEDULED MATTER
HA-01. APPROVAL OF FIRST AMENDMENT TO SUBORDINATION AND INTERCREDITOR AGREEMENT WITH RURAL DEVELOPMENT, U.S. DEPARTMENT OF AGRICULTURE (USDA) FOR VILLA SIENA APARTMENT COMPLEX

Recommendation: That the Housing Authority Board:
1. Approve the First Amendment to Subordination and Intercreditor Agreement between the Housing Authority (acting as successor housing agency to the Porterville Redevelopment Agency) and Rural Development, U.S. Department of Agriculture, in substantially the form referred to as Attachment No. 1; and
2. Authorize the Chair of the Housing Authority to sign the First Amendment to Subordination and Intercreditor Agreement on behalf of the Housing Authority, and authorize the Chair, City Manager and City Attorney to make minor and non-substantial modifications to such amendment as they deem necessary and appropriate.

City Manager Lollis introduced the item, and Community Development Director Brad Dunlap presented the staff report.

BOARD ACTION: MOVED by Member McCracken, SECONDED by Vice Chair Hamilton that the Housing Authority Board approve the First Amendment to Subordination and Intercreditor Agreement between the Housing Authority (acting as successor housing agency to the Porterville Redevelopment Agency) and Rural Development, U.S. Department of Agriculture, in substantially the form referred to as Attachment No. 1; and authorize the Chair of the Housing Authority to sign the First Amendment to Subordination and Intercreditor Agreement on behalf of the Housing Authority, and authorize the Chair, City Manager and City Attorney to make minor and non-substantial modifications to such amendment as they deem necessary and appropriate.

AYES: McCracken, Hamilton, Irish
NOES: None
ABSTAIN: None
ABSENT: Ward, Shelton

Disposition: Approved.

The Porterville Housing Authority Meeting adjourned at 8:04 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS
- Mary McClure, inquired as to how many federally-subsidized low income housing units were in the City, and spoke of the difficulty she has had in obtaining this information. Mayor Irish requested that staff provide information to Ms. McClure.
- Brock Neeley, commented on the smooth running of the Council Meeting that evening.

OTHER MATTERS
- Mayor Irish, thanked his family for their support, acknowledged staff for their hard work, professionalism, and dedicated service to the City, and thanked everyone for the opportunity to serve the community. Mayor Irish then clarified for the record that he had not received nor given away any tickets, and commented that the duty of Council Members was to serve, not be served.
- Vice Mayor Hamilton thanked Mayor Irish for his service; voiced appreciation for
the opportunity to serve with him; and clarified for the record relative to “Ticketgate” that he too had not received any free tickets nor had he given away any tickets.

- Council Member McCracken thanked Mayor Irish for his service and job well done as Mayor; and stated for the record that he had also not received any free tickets from the race promoters nor had he given any tickets away.

- City Manager Lollis informed everyone of a grand opening at the Fire Department’s Training Facility scheduled for Friday, June 22\textsuperscript{nd} at 11:30 a.m.; and introduced summer interns Tiffany Camat and Dalton Rogers.

**ADJOURNMENT**

The Council adjourned at 8:13 p.m. to the meeting of July 3, 2012.
Called to Order at 6:00 p.m.
Roll Call: Council Member Ward, Council Member McCracken, Council Member Shelton, Vice Mayor Hamilton, Mayor Irish

Pledge of Allegiance Led by Vice Mayor Cameron Hamilton
Invocation – one individual participated.

ORAL COMMUNICATIONS
- An unidentified individual spoke against Municipal Code Section 17-3.8A which grants authority to the police department to remove a vehicle parked on a street for more than 72 hours, commented that this was too short of time, and requested that the Code be amended.
- Brock Neeley, requested that the Council Members indicate whether they had received any complimentary tickets to the Freedom Fest event.

CONSENT CALENDAR
1. AWARD OF CONTRACT – 2012/2013 FISCAL YEAR MICRO-SURFACING PROJECT
   Recommendation: That the City Council:
   1. Award the 2012/2013 Fiscal Year Micro-Surfacing Project Base Bid to Bowman Asphalt, Inc. in the amount of $669,776.79;
   2. Authorize progress payments up to 90% of the contract amount; and
   3. Authorize a 5% contingency to cover unforeseen construction costs and 5% for construction management, quality control and inspection.
   Documentation: M.O. 01-070312
   Disposition: Approved.

2. MOU AGREEMENT FOR THE EQUAL ACCESS OF PORTERVILLE UNIFIED SCHOOL DISTRICT MATERIALS AT THE MARGARET J. SLATTERY LIBRARY
   Recommendation: That the City Council:
   1. Approve the agreement with the Porterville Unified School District; and
   2. Authorize the Mayor to sign the agreement.
   Documentation: M.O. 02-070312
   Disposition: Approved.

3. REQUEST FOR SPECIAL MEETING TO CONSIDER A COMPREHENSIVE TEXT AMENDMENT PERTAINING TO THE PORTERVILLE DEVELOPMENT ORDINANCE
Recommendation: That the City Council schedule a special meeting on July 31, 2012 to consider text amendments to the Porterville Development Code.

Documentation: M.O. 03-070312
Disposition: Approved.

4. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN – PUBLIC SAFETY SUPPORT UNIT

Recommendation: That the City Council approve the draft resolution amending the Employee Pay and Benefit Plan.

Documentation: Resolution 67-2012
Disposition: Approved.

5. REVIEW OF LOCAL EMERGENCY STATUS

Recommendation: That the City Council:
1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

Documentation: M.O. 04-070312
Disposition: Approved.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the Council approve Item Nos. 1 through 5. The motion carried unanimously.

PUBLIC HEARINGS

6. LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS ANNUAL ASSESSMENTS

Recommendation: That the City Council open the public hearing and continue it to the meeting of July 17, 2012.

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

The public hearing was opened at 6:09 p.m. and continued to the meeting of July 17, 2012, when nobody came forward.

Disposition: Public hearing continued to July 17, 2012.
SCHEDULED MATTERS

7. ACCEPTANCE OF OFFICIAL CANVASS OF VOTES – ELECTION OF JUNE 5, 2012

Recommendation: That the Council approve the draft resolution accepting the official canvass.

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

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton, that the Council approve the draft resolution accepting the official canvass. The motion carried unanimously.

Disposition: Approved.

8. PRESENTATION OF SERVICE AWARD TO DEPARTING COUNCIL MEMBER

City Manager John Lollis presented the item.

Vice Mayor Hamilton, on behalf of the City Council, presented Mayor Irish with a shadow box containing the gavel Mayor Irish used during his service as Mayor, and thanked him for his service and dedication to the Porterville community.

Stephania Amaral, Field Representative for State Assemblywoman Connie Conway, then came forward and presented Mayor Irish with a Proclamation on behalf of Assemblywoman Conway honoring Mayor Irish for his service to the community.

Johnny Amaral, Chief of Staff for U.S. Congressman Devin Nunes, came forward next and presented Mayor Irish with a Proclamation on behalf of Congressman Nunes, lauded the Mayor’s professional advocacy on behalf of Porterville, and thanked him for his service.

Mayor Irish voiced his appreciation for the acknowledgements, thanked everyone, and exited the dais.

9. ADMINISTRATION OF OATH AND PRESENTATION OF CERTIFICATES OF ELECTION TO NEW COUNCIL MEMBERS BY JUDGE ELISABETH KRANT; AND SEATING OF NEW CITY COUNCIL

City Manager John Lollis presented the item.

Tulare County Superior Court Judge Elisabeth Krant administered the Oath of Office to Council Member Cameron Hamilton, Council Member Brian Ward and Council Member-Elect Virginia Gurrola. The newly sworn-in Council Members then took their seats on the dais.

10. REORGANIZATION OF THE CITY COUNCIL

City Manager John Lollis presented the item.
COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Hamilton that the Council nominate all Council Members for consideration as Mayor, and that the Council utilized the ballot method to appoint the Mayor and Vice Mayor. The motion carried unanimously.

Utilizing a written ballot, the Council Members cast their votes for Mayor which were tallied and read by Administrative Services Manager Hildreth as follows:

- Council Member Ward: Ward
- Council Member Hamilton: Gurrola
- Council Member Gurrola: Gurrola
- Council Member Shelton: Ward
- Council Member McCracken: McCracken

With no Council Member receiving the required three affirmative votes to become Mayor, the Council Members proceeded to cast their votes again for Mayor. Said votes were tallied and read as follows:

- Council Member Ward: Ward
- Council Member Hamilton: Gurrola
- Council Member Gurrola: Gurrola
- Council Member Shelton: Ward
- Council Member McCracken: Gurrola

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Council Member Shelton that the Council appoint Council Member Virginia Gurrola to serve as Mayor. The motion carried unanimously.

Utilizing a written ballot, the Council Members then cast their votes for Vice Mayor which were tallied and read by Administrative Services Manager Hildreth as follows:

- Council Member Ward: McCracken
- Council Member Hamilton: McCracken
- Council Member Gurrola: McCracken
- Council Member Shelton: Ward
- Council Member McCracken: Hamilton

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Shelton, that the Council appoint Council Member Pete V. McCracken to serve as Vice Mayor. The motion carried unanimously.

Disposition: Virginia Gurrola appointed as Mayor; Pete V. McCracken appointed as Vice Mayor.

11. COUNCIL MEMBER APPOINTMENTS ON BOARDS AND COMMITTEES

City Manager John Lollis presented the item and staff report.
COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Ward that the Council appoint Mayor Gurrola to serve as Member, and re-appoint Vice Mayor Hamilton to serve as Alternate, on the Tulare County Association of Governments/Transportation Planning Agency. The motion carried unanimously.

It was noted that the appointment to the Tulare County Local Agency Formation Commission (“LAFCO”) was not made by the Council.

M.O. 09-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council appoint Mayor Gurrola to serve as Member on the Tulare County Economic Development Corporation and the Business Incentive Zone Council. The motion carried unanimously.

M.O. 10-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Ward that the Council re-appoint Council Member Hamilton to serve as the Member on the Tule River Improvement Joint Powers Authority. The motion carried unanimously.

After a brief discussion, the Council consensus was to maintain status quo and therefore no formal action was taken on the following committees/boards:

Consolidated Waste Management Authority:
  Member – Vice Mayor McCracken
Porterville Airport Area Development Corporation:
  Member – Council Member Hamilton
  Alternate – Council Member Shelton
Indian Gaming Local Community Benefit Committee
  Member – Council Member Hamilton

M.O. 11-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council appoint Mayor Gurrola, and re-appoint Council Member Ward, to serve as Members on the Joint City/School Committee. The motion carried unanimously.

After a brief discussion, it was determined that no action was required by the Council with regard to appointments to the PDC Advisory Board and the Tulare County City Selection Committee. The Council further elected to maintain the status quo on the Internal City Audit Committee, with Vice Mayor McCracken serving as Member.

M.O. 12-070312 MOVED by Council Member Hamilton, SECONDED by Vice Mayor McCracken, that the Council appoint Mayor Gurrola, and re-appoint Council Member McCracken to serve as Members on the Council of Cities. The motion carried unanimously.
M.O. 13-070312 MOVED by Council Member Ward, SECONDED by Vice Mayor McCracken, that the Council direct staff to remove the Mosquito Abatement Study Group from the list of Committees and Boards. The motion carried unanimously.

A brief discussion ensued with regard to the Public Safety Building Committee, after which the Council decided to maintain the status quo with Council Member Shelton serving as Member.

M.O. 14-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Shelton, that the Council direct staff to remove the Library Facility Planning Committee from the list of Committees and Boards. The motion carried unanimously.

After a brief discussion as to the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) committee meetings, the Council decided to maintain the status quo on the following committees/boards:

SJVAPCD Special City Selection Committee:
- Member – Council Member Shelton
- Alternate – Council Member Ward
SJVAPCD Citizens Advisory Committee:
- Member – Council Member Shelton
- Alternate – (City of Industry)

M.O. 15-070312 MOVED by Vice Mayor McCracken, SECONDED by Council Member Hamilton that the Council reappoint Council Members Ward and Vice Mayor Hamilton to serve as Members on the Ad Hoc Committee for the Provision of Local Water Services; and direct staff to remove the Ad Hoc Committee for Commercial Truck Parking from the list of Committees and Boards. The motion carried unanimously.

ORAL COMMUNICATIONS

- Former Mayor Ron Irish, congratulated Mayor Gurrola and voiced his appreciation in serving with the Council Members.
- Felipe Martinez, congratulated Mayor Gurrola, and requested that the Council reinstate the City’s membership with the League of California Cities, noting its benefits to the City.
- Russell Fletcher, aka Bones and Buck, thanked the Council for the new seats in the Council Chambers.

OTHER MATTERS

- Mayor Gurrola thanked former Mayor Ron Irish for serving the City so well; thanked her supporters and family, and voiced her commitment and dedication to serving the residents of Porterville.
- Council Member Shelton lauded the Freedom Fest event, noting it was well-attended, and thanked staff for their hard work in making it a success.
- Council Member Hamilton lauded the Freedom Fest event, and thanked staff, the Tule River Indian Tribe, and the Chamber of Commerce for their efforts.
• Council Member Ward lauded the Freedom Fest event, noting the City’s patriotism, and thanked those who supported him in his campaign.
• City Manager Lollis advised everyone that Caltrans had authorized the construction and funding of the Plano Street Bridge.

ADJOURNMENT
The Council meeting adjourned at 6:49 p.m. to the meeting of July 5, 2012.

_________________________________
Patrice Hildreth, Chief Deputy City Clerk

SEAL

_________________________________
Virginia R. Gurrola, Mayor
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS – FIRE STATION #2 TRAINING FACILITY MEZZANINE & STAIRS PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: The Plans and Project Manual have been prepared for the Porterville Fire Station No. 2 Training Facility Mezzanine & Stairs Project. The project consists of the furnishing and fabrication of all the supporting structures, decking, guardrails, handrails, stairs, and all other necessary items for the “Sea-Train” Fire training facility mezzanine and stairs.

The Plans and Project Manual have been completed and are available in the La Barca Conference Room for Council’s review.

The Engineer’s Estimate of Probable Cost for the Base Bid is $60,553. An additional $6,055 is necessary for construction contingency (10%); an additional $4,239 for construction management, quality control and inspection services (7%). Total estimated cost associated with the Base Bid is $70,847.

The Estimate of Probable Cost for Add Alternate “A” (Provide light gauge steel siding and insulation on western face of “Sea-Train” structure) is $5,715 with $572 required for construction contingency (10%). An additional $400 is required for construction management, quality control and inspection services (7%), equating to a total construction cost of $77,534 (Base Bid + Add Alternate “A”).

Funding for this project is re-appropriated General Fund Reserve and was approved in the 2012/2013 Annual Budget.

RECOMMENDATION: That City Council:

1. Approve Staff’s recommended Plans and Project Manual; and

2. Authorize staff to advertise for bids on the project.

ATTACHMENTS: Locator Map
Engineer’s Estimate
## BASE BID

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<th>ITEM</th>
<th>EST. QTY.</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
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<td>Light duty Welded Steel Grating as manufactured by Ohio Gratings (eq. or btr.) (Pattern: 16-W-4) with 1-1/4&quot; x 3/16&quot; Supporting Bars and Serrated Surface for skid resistance (48&quot; x 48&quot; panels)</td>
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<td>1,060</td>
<td>LF</td>
<td>1/2&quot; thick Steel Plate (A36)</td>
<td>$32.50</td>
<td>$34,140.00</td>
</tr>
<tr>
<td>6</td>
<td>32</td>
<td>SF</td>
<td>2-1/2 x 2-1/4&quot; Steel Angle (A-36) frame for panelized decking</td>
<td>$6.00</td>
<td>$19,240.00</td>
</tr>
<tr>
<td>7</td>
<td>20</td>
<td>LF</td>
<td>1-1/4&quot; Steel Angle (A36)</td>
<td>$2.75</td>
<td>$55.00</td>
</tr>
<tr>
<td>8</td>
<td>20</td>
<td>LF</td>
<td>3/16&quot; x 1-1/2&quot; Hot Rolled Steel Flat Bar</td>
<td>$0.75</td>
<td>$15.00</td>
</tr>
<tr>
<td>10</td>
<td>32</td>
<td>EA</td>
<td>Light duty Welded Steel Stair Treads as manufactured by Ohio Gratings (eq. or btr.) (Pattern: 19-W-4) with 1-1/2&quot; x 3/16&quot; Supporting Bars with Serrated Surface and &quot;Slip-Not&quot; Nosing for skid resistance (48&quot; width)</td>
<td>$135.00</td>
<td>$4,320.00</td>
</tr>
<tr>
<td>11</td>
<td>40</td>
<td>LF</td>
<td>10&quot; CEE (3/16&quot; walls) Stair Stringers</td>
<td>$20.00</td>
<td>$800.00</td>
</tr>
<tr>
<td>12</td>
<td>1</td>
<td>LS</td>
<td>Fabrication/Labor (25%)</td>
<td>$12,500.00</td>
<td>$12,500.00</td>
</tr>
</tbody>
</table>

**TOTAL:ENGINEERING ESTIMATE (BASE BID):** $60,553.25

10% Construction Contingency | $6,055.32

7% Staff & Testing Costs (Construction Engineering) | $4,239.00

**TOTAL CONSTRUCTION (BASE BID) ESTIMATE:** $70,847.57

## ADD ALTERNATE BID

<table>
<thead>
<tr>
<th>ITEM</th>
<th>EST. QTY.</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>1,270</td>
<td>SF</td>
<td>Western Face of Training Facility to Furred (hat-track typ. or btr.), and Skinned with Metal Siding to Match Existing Classarcom Bldg. Rigid Fold-Faced Insulation with R-13 Rating (2&quot; thick, min.) to be placed behind siding for thermal break. Unit cost includes all flashing/weatherproofing to make structure Weather-tight.</td>
<td>$4.50</td>
<td>$5,715.00</td>
</tr>
</tbody>
</table>

**TOTAL:ENGINEERING ESTIMATE (ADD ALT. BID):** $5,715.00

10% Construction Contingency | $571.50

7% Staff & Testing Costs (Construction Engineering) | $400.00

**TOTAL CONSTRUCTION (ADD ALT) ESTIMATE:** $6,656.50

**TOTAL CONSTRUCTION (BASE + ADD ALT) ESTIMATE:** $77,504.07

---

Jason Biagio, Project Manager  
[Signature]  
7/6/12

Michael K Reed, City Engineer  
[Signature]  
7/6/12

Baldemero Rodriguez, PWD  
[Signature]  
7/3/12

John D. Lott, City Manager  
[Signature]  
2/14/12

City of Porterville  
California
SUBJECT: AWARD OF CONTRACT - TRANSIT OPERATIONS AND MANAGEMENT SERVICES CONTRACT

SOURCE: Public Works Department - Transit

COMMENT: On March 20, 2012, the City Council authorized advertisement for Transit Operations and Management (O & M) services. The purpose of the operations and management contract is to provide day-to-day operational management of the transit services. On May 10, 2012, the City received proposals from MV Transportation, Ride Right Transportation and Sierra Management. All three proposals were outstanding in content and purpose and accurately reflected the City's Transit O & M needs.

MV Transportation and Sierra Management were selected as the top two firms and were invited for oral interviews held on June 20, 2012. At the conclusion of the oral interviews, Sierra Management was unanimously selected as the top rated firm. The ratings and five year service costs are as follows:

<table>
<thead>
<tr>
<th>FIRM</th>
<th>AVG. RATING</th>
<th>5 Year Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sierra Management</td>
<td>88</td>
<td>$5,139,786.51</td>
</tr>
<tr>
<td>MV Transportation</td>
<td>86</td>
<td>$5,211,983.25</td>
</tr>
</tbody>
</table>

The 34-page "Service Agreement" and the 31-page "Scope of Services" is available in the City Manager's office for Council's review.

RECOMMENDATION: That the City Council:

1. Authorize the Mayor to execute the Transit Operations and Management (O & M) Services contract with Sierra Management in the amount of $5,139,786.51 beginning July 18, 2012, and terminating July 17, 2017; and

2. Authorize and direct the Public Works Director to approve all purchases, reimbursement requests, professional services and bid contracts, etc.
SUBJECT: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR THE TRANSIT SYSTEM SIGNAGE DESIGN AND INSTALLATION

SOURCE: Public Works Department - Transit

COMMENT: Transit signs and symbols are important elements in the operation of our transit system because of the role they play in conveying vital information needed by riders to successfully use the system. The design, content, and placement of transit signage critically affect the passenger’s ability to use our transit system successfully.

The Porterville Transit system has one hundred and forty-six (146) bus stops throughout its service area, plus the Transit Center. The existing transit system signage does not meet the Americans with Disabilities Act (ADA) requirements and is in need of updating.

With the consistent use of transit signage and placement in standard locations, passengers and passengers with disabilities, particularly those with cognitive and sensory disabilities, can effectively use the transit information system.

The goal of this project is to communicate consistent transit information to riders at the Transit Center and bus stops. Staff is seeking a high quality "graphic brand" across all the transit system in order to create identity and cohesiveness, and a comprehensible system of directional, informational, regulatory and identification messages.

For the transit system signage design and installation, staff has estimated this project to cost approximately $125,000, and it is expected to take four months to complete.

This project is funded in part by FTA Section 5307 funds ($100,000) with a 20% local match ($25,000).

RECOMMENDATION: That the City Council:

1. Authorize staff to issue a request for proposals for the Transit System Signage Design and Installation.
COUNCIL AGENDA: JULY 17, 2012

SUBJECT: APPROVAL OF MEASURE 'R' SUPPLEMENTAL AGREEMENTS –
CMAQ SHOULDER STABILIZATION PROJECTS

SOURCE: Public Works Department - Engineering Division

COMMENT: The Tulare County Association of Governments, acting as the Local
Transportation Authority (“Authority”) is requesting that the City of
Porterville approve and submit Supplemental Agreements (SA) for our
Congestion Mitigation and Air Quality (CMAQ) Shoulder Stabilization
Projects. These shoulder stabilization projects are designed to reduce fine
dust particles (PM10) emissions by constructing shoulder stabilization
infrastructure, such as, pavement shoulder, or as in the case of the City,
curbs, gutters, sidewalks, and connecting pavement to roadways that lack
these improvements. One significant benefit to the City is that these
improvements will create a safe walking area for the community where
none existed before.

A CMAQ grant will fund 88.53% of the construction costs and the
remaining 11.47% will be funded by the City’s share of the Measure ‘R’
Alternate Transportation Funds. Each of the following projects will provide
beneficial pedestrian linkage to essential services and assist with traffic
circulation within the City:

<table>
<thead>
<tr>
<th>CITY OF PORTERVILLE STREET</th>
<th>GENERAL PROJECT LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana Street</td>
<td>Tule River to between Roby Avenue and Devon Avenue</td>
</tr>
<tr>
<td>Mathew Street</td>
<td>Olive Avenue to between Garden Lane and Tomah Avenue</td>
</tr>
<tr>
<td>Morton Avenue</td>
<td>Westwood Street to State Route 65</td>
</tr>
<tr>
<td>Newcomb Street</td>
<td>Olive Avenue to between Roby Avenue and Forest Lane</td>
</tr>
<tr>
<td>Westwood Street</td>
<td>Henderson Avenue to Westfield Avenue</td>
</tr>
</tbody>
</table>

Locator maps identifying the limits of each project are included in the
Council’s packet. The “Authority” requires the processing of SA’s for the
purpose of reimbursing 100% of the design, construction management
and 11.47% of the construction costs. Non-participating construction
outside the scope of the CMAQ grant will also be funded by Measure ‘R’
Alternate Transportation Funds.

Dir Approved/Funded | CM |

Item No. 5
As stated above, the Supplemental Agreements, Resolutions and Exhibits must be received by the "Authority" before the City can seek reimbursement for design, non-participating construction and construction management costs. The project title, project scope, and estimate of probable cost for the construction of each of the shoulder stabilization projects are shown in each individual Exhibit 'A' for each project.

RECOMMENDATION: That the City Council:

1. Approve the attached Resolutions affirming the City Council's support of the Indiana Street, Mathew Street, Morton Avenue, Newcomb Street, and Westwood Street Shoulder Stabilization Projects;

2. Authorize the Mayor and City Manager to execute the Indiana Street, Mathew Street, Morton Avenue, Newcomb Street, and Westwood Street Shoulder Stabilization Supplemental Agreements for the design and construction of each project; and

3. Direct the City Clerk to transmit the executed Supplemental Agreements and resolutions to Tulare County Transportation Authority.

ATTACHMENTS: Locator Maps
Supplemental Agreements
Resolutions
Exhibits

P:\pubworks\General\Council\Approval of Measure R Supplemental Agreement - CMAQ Shoulder Stabilization Funded Projects - 2012-07-17.doc
MEASURE ‘R’ PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

This Program Supplement is made and entered into on July 17, 2012, by and between the City of Porterville ("Sponsor") and the TULARE COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Local Transportation Authority ("Authority").

This Program Supplement hereby incorporates the "Measure ‘R’ Cooperative Agreement" for Measure ‘R’ expenditures, which was entered into between the Sponsor and the Authority on May 29, 2007, and is subject to all terms and conditions thereof. This Program Supplement is executed under authority of Resolution No. ___-2012, approved by the Sponsor on July 17, 2012 (see copy attached).

Project scope and costs are incorporated herein as Exhibit "A" and agreed upon by Sponsor and Authority.

Covenants of Sponsor

1.1. SPONSOR agrees that it will only proceed with work authorized for specific phase(s) with a written "Authorization to Proceed" or AUTHORITY action and will not proceed with future phase(s) of this project(s) prior to receiving a written "Authorization to Proceed" or AUTHORITY action.

1.2. The SPONSOR will advertise, award, and administer the project(s) in accordance with SPONSOR standards.

1.3. Award information shall be submitted by the SPONSOR to the AUTHORITY within 60 days after the project contract award.

1.4. Failure to submit award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the construction phase.

1.5. If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for each phase a written explanation of the absence of project(s) activity along with target billing date and billing amount.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

COUNTY OF TULARE
TRANSPORTATION AUTHORITY

By: __________________________

Authority Director

CITY OF PORTERVILLE

By: __________________________

Virginia R. Gurrola, Mayor

Attest:

By: __________________________

John D. Lollis, City Clerk
RESOLUTION NO. _______ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE SUPPORT OF THE CITY COUNCIL FOR THE
INDIANA STREET SHOULDER STABILIZATION PROJECT

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to receive 100% reimbursement for the design, non-participating construction outside the scope of the CMAQ grant, construction management and quality control costs and 11.47% reimbursement for the construction costs associated with the Indiana Street Shoulder Stabilization Project, which meets the Measure ‘R’ guidelines and City General Plan for alternate modes of travel; and

WHEREAS, the Tulare County Association of Governments is requesting that the City of Porterville approve and submit a Supplemental Agreement that will allow the City to receive reimbursement for all design costs incurred in Fiscal Year 2012/2013 and all non-participating construction and construction management costs incurred in Fiscal Year 2013/2014;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve support of the Indiana Street Shoulder Stabilization Project and authorizes the Mayor and City Clerk to execute the Program Supplement and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 17th day of July, 2012.

ATTEST:  
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

Virginia R. Gurrola, Mayor
EXHIBIT “A”

Indiana Street Shoulder Stabilization Project

Project Scope

The City of Porterville has secured CMAQ funding for construction of public improvements for approximately a quarter (1/4) mile collector street segment that lacks City standard shoulder improvements. Indiana Street is missing several sections of curbs, gutters, sidewalks and pavement along a collector/arterial street that bisects the center portion of the City from Union Avenue to Westfield Avenue. Project limits are Indiana Street from the Tule River to a point about midway between Roby Avenue and Devon Avenue. This street segment is narrow and at times motorists are forced to drive on the unimproved shoulders. The purpose of the project is to eliminate dust created by motorists traveling along or on the unimproved shoulder and encourage motorists to walk to their destinations. This street and connecting streets connect to retail and commercially zoned properties along Olive Avenue and if the proper facilities are in place, some of the motorized traffic will convert to pedestrian traffic.

The project shall include curb, gutter, sidewalk, grading, base rock import, compaction, and asphalt concrete paving. Once completed these street segments will be at the ultimate planned width and relatively dust-free, greatly reducing emissions of particulate matter.

Staff has reviewed right of way needs prior to this application and determined that acquisitions are not necessary.

Project Costs

<table>
<thead>
<tr>
<th>Indiana Street Shoulder Stabilization Tasks</th>
<th>Engineer’s Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$224,000.00</td>
</tr>
<tr>
<td>Construction Management and Quality Control</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Right of Way</td>
<td>$0.00</td>
</tr>
<tr>
<td>Preparation of Plans, Specifications and Estimate, Environmental Documentation and Caltrans Project Approval</td>
<td>$11,200.00</td>
</tr>
<tr>
<td><strong>Total Estimated Costs</strong></td>
<td><strong>$250,200.00</strong></td>
</tr>
</tbody>
</table>
Current Funding Sources

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CMAQ 88.53% of Construction Only</td>
<td>$198,300.00</td>
</tr>
<tr>
<td>Measure 'R' Alt. Transportation Construction Match (11.47%)</td>
<td>$25,700.00</td>
</tr>
<tr>
<td>Measure 'R' Alt. Transportation Preliminary Engineering, Non-Participating Construction and Construction Management</td>
<td>$26,200.00</td>
</tr>
<tr>
<td><strong>Total Funding Available</strong></td>
<td><strong>$250,200.00</strong></td>
</tr>
</tbody>
</table>

Project Schedule

<table>
<thead>
<tr>
<th>Indiana Street Shoulder Stabilization Schedule</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental (PA/ED) complete</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>Design (PS&amp;E) complete</td>
<td>03/01/2013</td>
</tr>
<tr>
<td>Authorization to Advertise Project</td>
<td>05/07/2013</td>
</tr>
<tr>
<td>Award Construction Project</td>
<td>07/02/2013</td>
</tr>
<tr>
<td>Begin Construction</td>
<td>08/05/2013</td>
</tr>
<tr>
<td>End Construction</td>
<td>09/27/2013</td>
</tr>
</tbody>
</table>
MEASURE 'R' PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT

This Program Supplement is made and entered into on July 17, 2012, by and between
the City of Porterville ("Sponsor") and the TULARE COUNTY ASSOCIATION OF
GOVERNMENTS, acting as the Local Transportation Authority ("Authority").

This Program Supplement hereby incorporates the "Measure 'R' Cooperative Agreement" for
Measure 'R' expenditures, which was entered into between the Sponsor and the Authority on
May 29, 2007, and is subject to all terms and conditions thereof. This Program Supplement is
executed under authority of Resolution No. ___-2012, approved by the Sponsor on July 17,
2012 (see copy attached).

Project scope and costs are incorporated herein as Exhibit "A" and agreed upon by Sponsor
and Authority.

Covenants of Sponsor

1.1 SPONSOR agrees that it will only proceed with work authorized for specific phase(s)
with a written "Authorization to Proceed" or AUTHORITY action and will not proceed with
future phase(s) of this project(s) prior to receiving a written "Authorization to Proceed" or
AUTHORITY action.

1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with
SPONSOR standards.

1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY within 60
days after the project contract award.

1.4 Failure to submit award information in accordance with section 1.3 will cause a delay
(without interest or penalties) in AUTHORITY processing invoices for the construction
phase.

1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for
each phase a written explanation of the absence of project(s) activity along with target
billing date and billing amount.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day
and year first written above.

COUNTY OF TULARE
TRANSPORTATION AUTHORITY CITY OF PORTERVILLE

By: ___________________________ By: ___________________________
Authority Director Virginia R. Gurrola, Mayor

Attest:

By: ___________________________
John D. Lollis, City Clerk
RESOLUTION NO. _______ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE SUPPORT OF THE CITY COUNCIL FOR THE
MATHEW STREET SHOULDER STABILIZATION PROJECT

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to
receive 100% reimbursement for the design, non-participating construction outside the
scope of the CMAQ grant, construction management and quality control costs and
11.47% reimbursement for the construction costs associated with the Mathew Street
Shoulder Stabilization Project, which meets the Measure ‘R’ guidelines and City
General Plan for alternate modes of travel; and

WHEREAS, the Tulare County Association of Governments is requesting that the
City of Porterville approve and submit a Supplemental Agreement that will allow the City
to receive reimbursement for all design costs incurred in Fiscal Year 2012/2013 and all
non-participating construction and construction management costs incurred in Fiscal
Year 2013/2014;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of
Porterville does hereby affirm and approve support of the Mathew Street Shoulder
Stabilization Project and authorizes the Mayor and City Clerk to execute the Program
Supplement and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 17th day of July, 2012.

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

Virginia R. Gurrola, Mayor
EXHIBIT “A”

Mathew Street Shoulder Stabilization Project

Project Scope

The City of Porterville has secured CMAQ funding for construction of public improvements for approximately a tenth (0.10) of a mile arterial street segment that lacks City standard shoulder improvements. Mathew Street is missing several sections of curbs, gutters, sidewalks and pavement along a collector/arterial street that bisects the western portion of the City from Orange Avenue to Castle Avenue. Project limits are Mathew Street from Olive Avenue to a point about midway between Garden Lane and Tomah Avenue. This street segment is extremely narrow and at times northbound motorists are forced to drive on the unimproved shoulders. The purpose of the project is to eliminate dust created by motorists traveling along or on the unimproved shoulder and encourage motorists to walk to their destinations. This street connects to small commercially zoned properties, existing multi-family residences, proposed multi-family residences, a church and a school and if the proper facilities are in place, some of the motorized traffic will convert to pedestrian traffic.

The project shall include curb, gutter, sidewalk, grading, base rock import, compaction, and asphalt concrete paving. Once completed this street segment will be at the ultimate planned width and relatively dust-free, greatly reduce emissions of particulate matter.

Staff has reviewed right of way needs prior to this application and determined that acquisitions are not necessary.

Project Costs

<table>
<thead>
<tr>
<th>Mathew Street Shoulder Stabilization Tasks</th>
<th>Engineer’s Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$131,000.00</td>
</tr>
<tr>
<td>Construction Management and Quality Control</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Right of Way</td>
<td>$0.00</td>
</tr>
<tr>
<td>Preparation of Plans, Specifications and Estimate, Environmental Documentation and Caltrans Project Approval</td>
<td>$6,500.00</td>
</tr>
<tr>
<td><strong>Total Estimated Costs</strong></td>
<td><strong>$147,500.00</strong></td>
</tr>
</tbody>
</table>
## Current Funding Sources

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CMAQ 88.53% of Construction Only</td>
<td>$38,100.00</td>
</tr>
<tr>
<td>Measure “R” Alt. Transportation Construction Match (11.47%)</td>
<td>$4,900.00</td>
</tr>
<tr>
<td>Measure “R” Alt. Transportation Preliminary Engineering, Non-Participating Construction and Construction Management</td>
<td>$104,500.00</td>
</tr>
<tr>
<td><strong>Total Funding Available</strong></td>
<td><strong>$147,500.00</strong></td>
</tr>
</tbody>
</table>

## Project Schedule

### Mathew Street Shoulder Stabilization Schedule

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental (PA/ED) complete</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>Design (PS&amp;E) complete</td>
<td>03/01/2013</td>
</tr>
<tr>
<td>Authorization to Advertise Project</td>
<td>05/07/2013</td>
</tr>
<tr>
<td>Award Construction Project</td>
<td>07/02/2013</td>
</tr>
<tr>
<td>Begin Construction</td>
<td>08/05/2013</td>
</tr>
<tr>
<td>End Construction</td>
<td>09/27/2013</td>
</tr>
</tbody>
</table>
MEASURE ‘R’ PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT

This Program Supplement is made and entered into on July 17, 2012, by and between the City of Porterville ("Sponsor") and the TULARE COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Local Transportation Authority ("Authority").

This Program Supplement hereby incorporates the “Measure ‘R’ Cooperative Agreement” for Measure ‘R’ expenditures, which was entered into between the Sponsor and the Authority on May 29, 2007, and is subject to all terms and conditions thereof. This Program Supplement is executed under authority of Resolution No. ___-2012, approved by the Sponsor on July 17, 2012 (see copy attached).

Project scope and costs are incorporated herein as Exhibit “A” and agreed upon by Sponsor and Authority.

Covenants of Sponsor

2.1 SPONSOR agrees that it will only proceed with work authorized for specific phase(s) with a written “Authorization to Proceed” or AUTHORITY action and will not proceed with future phase(s) of this project(s) prior to receiving a written “Authorization to Proceed” or AUTHORITY action.

1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with SPONSOR standards.

1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY within 60 days after the project contract award.

1.4 Failure to submit award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the construction phase.

1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for each phase a written explanation of the absence of project(s) activity along with target billing date and billing amount.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

COUNTY OF TULARE
TRANSPORTATION AUTHORITY

By: ____________________________
Authority Director

CITY OF PORTERVILLE

By: ____________________________
Virginia R. Gurrola, Mayor

Attest:

By: ____________________________
John D. Lollis, City Clerk
RESOLUTION NO. ________ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE 
AFFIRMING AND APPROVING THE SUPPORT OF THE CITY COUNCIL FOR THE 
MORTON AVENUE SHOULDER STABILIZATION PROJECT

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to 
receive 100% reimbursement for the design, non-participating construction outside the 
scope of the CMAQ grant, construction management and quality control costs and 
11.47% reimbursement for the construction costs associated with the Morton Avenue 
Shoulder Stabilization Project, which meets the Measure ‘R’ guidelines and City 
General Plan for alternate modes of travel; and

WHEREAS, the Tulare County Association of Governments is requesting that the 
City of Porterville approve and submit a Supplemental Agreement that will allow the City 
to receive reimbursement for all design costs incurred in Fiscal Year 2012/2013 and all 
non-participating construction and construction management costs incurred in Fiscal 
Year 2013/2014;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of 
Porterville does hereby affirm and approve support of the Morton Avenue Shoulder 
Stabilization Project and authorizes the Mayor and City Clerk to execute the Program 
Supplement and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 17th day of July, 2012.

ATTEST: 
John D. Lollis, City Clerk

Virgini R. Gurrola, Mayor

By: Patrice Hildreth, Chief Deputy City Clerk
EXHIBIT “A”

Morton Avenue Shoulder Stabilization Project

Project Scope

The City of Porterville has secured CMAQ funding for construction of public improvements for approximately 1.75 mile arterial street segment that lacks City standard shoulder improvements. Morton Avenue is missing several sections of curbs, gutters, sidewalks and pavement along an arterial street that bisects the center of Porterville from Westwood Street to Conner Street. Project limits are Morton Avenue from Westwood Street to State Route 65. Most of the project consists of sidewalk construction behind existing curbs and gutters. However, there are several sections near State Route 65 that lack curbs, gutters, sidewalks and pavement. The purpose of the project is to eliminate dust created by motorists traveling along or on the unimproved shoulder and encourage motorists to walk to their destinations. This street connects to schools, neighborhood commercially zoned properties and public parks and if the proper facilities are in place, some of the motorized traffic will convert to pedestrian traffic.

The project shall include the installation of curbs, gutters, sidewalks and pavement where missing. Once completed this street will then have pedestrian sidewalks from Westwood Street to State Route 65 and be relatively dust-free, greatly reducing emissions of particulate matter. It is also worth noting that this segment of Morton Avenue has been designated a bike route by the City’s adopted Circulation Element and currently Class 2 bicycle lanes are in place along this major street corridor.

Project Costs

<table>
<thead>
<tr>
<th>Morton Avenue Shoulder Stabilization Tasks</th>
<th>Engineer’s Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$292,000.00</td>
</tr>
<tr>
<td>Construction Management and Quality Control</td>
<td>$20,000.00</td>
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<tr>
<td>Right of Way</td>
<td>$20,000.00</td>
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<tr>
<td>Preparation Plans, Specifications and Estimate, Environmental Documentation and Caltrans Project Approval</td>
<td>$20,000.00</td>
</tr>
<tr>
<td><strong>Total Estimated Costs</strong></td>
<td><strong>$352,000.00</strong></td>
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### Current Funding Sources

<table>
<thead>
<tr>
<th>Source</th>
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<tr>
<td>CMAQ 88.53% of Construction Only</td>
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<tr>
<td>Measure &quot;R&quot; Alt. Transportation Construction Match (11.47%)</td>
<td>$33,500.00</td>
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<td>Measure &quot;R&quot; Alt. Transportation Preliminary Engineering, Non-Participating Construction and Construction Management</td>
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<tr>
<td><strong>Total Funding Available</strong></td>
<td><strong>$352,000.00</strong></td>
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### Project Schedule

<table>
<thead>
<tr>
<th>Morton Avenue Shoulder Stabilization Schedule</th>
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<tbody>
<tr>
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<td>02/01/2013</td>
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<tr>
<td>Design (PS&amp;E) complete</td>
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<td>08/05/2013</td>
</tr>
<tr>
<td>End Construction</td>
<td>10/25/2013</td>
</tr>
</tbody>
</table>
MEASURE ‘R’ PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT

This Program Supplement is made and entered into on July 17, 2012, by and between
the City of Porterville ("Sponsor") and the TULARE COUNTY ASSOCIATION OF
GOVERNMENTS, acting as the Local Transportation Authority ("Authority").

This Program Supplement hereby incorporates the “Measure ‘R’ Cooperative Agreement” for
Measure ‘R’ expenditures, which was entered into between the Sponsor and the Authority on
May 29, 2007, and is subject to all terms and conditions thereof. This Program Supplement is
executed under authority of Resolution No. ___-2012, approved by the Sponsor on July 17,
2012 (see copy attached).

Project scope and costs are incorporated herein as Exhibit “A” and agreed upon by Sponsor
and Authority.

Covenants of Sponsor

3.1 SPONSOR agrees that it will only proceed with work authorized for specific phase(s)
with a written "Authorization to Proceed" or AUTHORITY action and will not proceed with
future phase(s) of this project(s) prior to receiving a written "Authorization to Proceed" or
AUTHORITY action.

1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with
SPONSOR standards.

1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY within 60
days after the project contract award.

1.4 Failure to submit award information in accordance with section 1.3 will cause a delay
(without interest or penalties) in AUTHORITY processing invoices for the construction
phase.

1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for
each phase a written explanation of the absence of project(s) activity along with target
billing date and billing amount.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day
and year first written above.

COUNTY OF TULARE
TRANSPORTATION AUTHORITY                     CITY OF PORTERVILLE

By: _______________________________                       By: _______________________________
Authority Director                                           Virginia R. Gurrola, Mayor

Attest:

By: _______________________________
John D. Lollis, City Clerk
RESOLUTION NO. ________ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE SUPPORT OF THE CITY COUNCIL FOR THE
NEWCOMB STREET SHOULDER STABILIZATION PROJECT

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to
receive 100% reimbursement for the design, non-participating construction outside the
scope of the CMAQ grant, construction management and quality control costs and
11.47% reimbursement for the construction costs associated with the Newcomb Street
Shoulder Stabilization Project, which meets the Measure ‘R’ guidelines and City
General Plan for alternate modes of travel; and

WHEREAS, the Tulare County Association of Governments is requesting that the
City of Porterville approve and submit a Supplemental Agreement that will allow the City
to receive reimbursement for all design costs incurred in Fiscal Years 2012/2013
through 2013/2014 and all non-participating construction and construction management
costs incurred in Fiscal Year 2014/2015;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of
Porterville does hereby affirm and approve support of the Newcomb Street Shoulder
Stabilization Project and authorizes the Mayor and City Clerk to execute the Program
Supplement and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 17th day of July, 2012.

ATTEST:
John D. Lollis, City Clerk

Virginia R. Gurrola, Mayor

By: Patrice Hildreth, Chief Deputy City Clerk
EXHIBIT “A”

Newcomb Street Shoulder Stabilization Project

Project Scope

The City of Porterville has secured CMAQ funding for construction of public street improvements including sidewalks for approximately a quarter (1/4) mile of an arterial street segment that lacks City Standard shoulder improvements. Newcomb Street is missing several sections of curbs, gutters, sidewalks and pavement along an arterial street that bisects the western portion of the City from the Tule River to State Route 65. Project limits are Newcomb Street from Olive Avenue to a point about midway between Roby Avenue and Forest Lane. This street segment is extremely narrow and at times southbound motorists are forced to drive on the unimproved shoulders. The purpose of the project is to eliminate dust created by motorists traveling along or on the unimproved shoulder and encourage motorists to walk to their destinations. These streets connect to retail and commercially zoned properties along Olive Avenue and if the proper facilities are in place, some of the motorized traffic will convert to pedestrian traffic.

A CMAQ funded shoulder stabilization project was constructed along Newcomb Street between Morton Avenue and Olive Avenue. Staff has recently completed the design of a CMAQ funded shoulder stabilization project for Newcomb Street south of the segment defined in this application. Successful implementation of this application would provide pedestrian access from the City proposed Tule River Parkway to Veterans Park located northeast of Morton Avenue and Newcomb Street.

The project shall include curb, gutter, sidewalk, grading, base rock import, compaction, and asphalt concrete paving. The project also includes the piping of the Hubbs Minor Ditch. Once completed this street segment will be at the ultimate planned width and relatively dust-free, greatly reducing emissions of particulate matter.

Project Costs

<table>
<thead>
<tr>
<th>Newcomb Street Shoulder Stabilization Tasks</th>
<th>Engineer’s Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
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<tr>
<td>Construction Management and Quality Control</td>
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<td>Right of Way</td>
<td>$60,000.00</td>
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<td><strong>Total Estimated Costs</strong></td>
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## Current Funding Sources

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<td>Measure “R” Alt. Transportation Construction Match (11.47%)</td>
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<td>Measure “R” Alt. Transportation Preliminary Engineering, Right of Way, Non-Participating Construction and Construction Management</td>
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<td><strong>Total Funding Available</strong></td>
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## Project Schedule

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<tr>
<th>Newcomb Street Shoulder Stabilization Schedule</th>
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<tr>
<td>Environmental (PA/ED) complete</td>
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<td>Design (PS&amp;E) complete</td>
<td>02/07/2014</td>
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<td>Authorization to Advertise Project</td>
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<td>Award Construction Project</td>
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<td>Begin Construction</td>
<td>07/07/2014</td>
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<tr>
<td>End Construction</td>
<td>09/26/2014</td>
</tr>
</tbody>
</table>
MEASURE ‘R’ PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

This Program Supplement is made and entered into on July 17, 2012, by and between the City of Porterville ("Sponsor") and the TULARE COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Local Transportation Authority ("Authority").

This Program Supplement hereby incorporates the “Measure ‘R’ Cooperative Agreement” for Measure ‘R’ expenditures, which was entered into between the Sponsor and the Authority on May 29, 2007, and is subject to all terms and conditions thereof. This Program Supplement is executed under authority of Resolution No. ____-2012, approved by the Sponsor on July 17, 2012 (see copy attached).

Project scope and costs are incorporated herein as Exhibit "A" and agreed upon by Sponsor and Authority.

Covenants of Sponsor

4.1 SPONSOR agrees that it will only proceed with work authorized for specific phase(s) with a written "Authorization to Proceed" or AUTHORITY action and will not proceed with future phase(s) of this project(s) prior to receiving a written "Authorization to Proceed" or AUTHORITY action.

1.2 The SPONSOR will advertise, award, and administer the project(s) in accordance with SPONSOR standards.

1.3 Award information shall be submitted by the SPONSOR to the AUTHORITY within 60 days after the project contract award.

1.4 Failure to submit award information in accordance with section 1.3 will cause a delay (without interest or penalties) in AUTHORITY processing invoices for the construction phase.

1.5 If no costs have been invoiced for a six-month period, SPONSOR agrees to submit for each phase a written explanation of the absence of project(s) activity along with target billing date and billing amount.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

COUNTY OF TULARE TRANSPORTATION AUTHORITY CITY OF PORTERVILLE

By: ___________________________ By: ___________________________
Authority Director Virginia R. Gurrola, Mayor

Attest:

By: ___________________________ By: ___________________________
John D. Lollis, City Clerk
RESOLUTION NO. _______ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE SUPPORT OF THE CITY COUNCIL FOR THE
WESTWOOD STREET SHOULDER STABILIZATION PROJECT

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to
receive 100% reimbursement for the design, non-participating construction outside the
scope of the CMAQ grant, construction management and quality control costs and
11.47% reimbursement for the construction costs associated with the Westwood Street
Shoulder Stabilization Project, which meets the Measure 'R' guidelines and City
General Plan for alternate modes of travel; and

WHEREAS, the Tulare County Association of Governments is requesting that the
City of Porterville approve and submit a Supplemental Agreement that will allow the City
to receive reimbursement for all design costs incurred in Fiscal Years 2012/2013
through 2013/2014 and all non-participating construction and construction management
costs incurred in Fiscal Year 2014/2015;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of
Porterville does hereby affirm and approve support of the Westwood Street Shoulder
Stabilization Project and authorizes the Mayor and City Clerk to execute the Program
Supplement and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 17th day of July, 2012.

ATTEST:
John D. Lollis, City Clerk

Virginia R. Gurrola, Mayor

By: Patrice Hildreth, Chief Deputy City Clerk
EXHIBIT “A”

Westwood Street Shoulder Stabilization Project

Project Scope

The City of Porterville has secured CMAQ funding for construction of public improvements for approximately a 0.39 mile arterial street segment that lacks City standard shoulder improvements. Westwood Street is missing several sections of curbs, gutters, sidewalks and pavement along an arterial street that bisects the western portion of the City from Scranton Avenue to State Route 65. Project limits are Westwood Street from Henderson Avenue to Westfield Avenue. This street segment is extremely narrow and at times northbound motorists are forced to drive on the unimproved shoulders. The purpose of the project is to eliminate dust created by motorists/pedestrians traveling along or on the unimproved shoulder and encourage motorists to walk to their destinations. Westfield Avenue and Westwood Street has significant pedestrian traffic that traverse from newer and older residential subdivisions to the Burton Middle School and William R. Buckley School, both of which are located at the intersection of Elderwood Street and Westfield Avenue. A new school is under construction and will be located on Lombardi Street, north of Westfield Avenue. A number of children access those schools from a development known as Williams Ranch, which is located in the southeast quadrant of Westwood Street and Westfield Avenue, and would greatly benefit from the proposed connectivity. The Williams Ranch subdivision has fully improved street points of connection to Westwood Street and to Westfield Avenue. Pedestrian traffic currently using the dirt shoulder on the east side of Westwood Street will have access via sidewalks to the herein stated schools, once fully improved with curbs, gutters and sidewalks.

The project shall include curb, gutter, sidewalk, grading, base rock import, compaction, and asphalt concrete paving. Once completed this street segment will be at the ultimate planned width and relatively dust-free, greatly reducing emissions of particulate matter.

Project Costs

<table>
<thead>
<tr>
<th>Westwood Street Shoulder Stabilization Tasks</th>
<th>Engineer’s Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>$1,044,000.00</td>
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<tr>
<td>Construction Management and Quality Control</td>
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<td>Right of Way</td>
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<td>Preparation Plans, Specifications and Estimate, Environmental Documentation and Caltrans Project Approval</td>
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<td><strong>Total Estimated Costs</strong></td>
<td><strong>$1,371,500.00</strong></td>
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## Current Funding Sources

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<tr>
<td>CMAQ 88.53% of Construction Only</td>
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<td>Measure 'R' Alt. Transportation Preliminary Engineering, Right of way, Construction Management and Quality Control</td>
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<td>City Certificate of Participation fund - Environmental and Construction of Porter Slough Bridge and related street infrastructure north and south of the crossing.</td>
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<td>City Local Transportation Funds - remaining street infrastructure</td>
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<td>City Water fund - new water infrastructure beneath widen roadway segment</td>
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<tr>
<td>City Storm Drain fund - storm drain infrastructure beneath widen roadway segment</td>
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<td><strong>Total Funding Available</strong></td>
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## Project Schedule

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<thead>
<tr>
<th>Westwood Street Shoulder Stabilization Schedule</th>
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<tbody>
<tr>
<td>Environmental (PA/ED) complete</td>
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<td>Design (PS&amp;E) complete</td>
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<td>Authorization to Advertise Project</td>
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<tr>
<td>Award Construction Project</td>
<td>06/03/2014</td>
</tr>
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<td>Begin Construction</td>
<td>07/07/2014</td>
</tr>
<tr>
<td>End Construction</td>
<td>09/26/2014</td>
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COUNCIL AGENDA: JULY 17, 2012

SUBJECT: AUTHORIZATION TO RECEIVE THREE VEHICLES TRANSFERRED FROM THE CITY OF LINDSAY FOR USE ON THE PORTERVILLE TRANSIT SYSTEM

SOURCE: Public Works Department - Transit

COMMENT: On May 1, 2012, Council approved the transfer of three vehicles from the City of Lindsay to the City of Porterville for use on its Transit system. The three vehicles are identified as one (1) 2009 Starcraft Allstar Type 3 Paratransit Bus and two (2) 2009 Ford Econoline E350 vans.

Caltrans is requesting a formal resolution between the cities to acknowledge the transfer of the vehicles and titles. Caltrans is also requesting clarification that with the remaining eight (8) years of useful life that the vehicles identified above will be used exclusively for enhancing transit of the general public. Lastly, Caltrans is requesting clarification that there is no formal exchange of funds, services or goods in the transfer of the vehicles and the City of Lindsay is transferring the vehicles to the City of Porterville without expectation of anything in exchange.

Staff’s recommendation is to use these vehicles exclusively for the Transit system for the remainder of their useful life. Staff is recommending that these vehicles be used for the Dial-A-COLT service and a general public vanpool program.

RECOMMENDATION: That the City Council:

1. Approve the attached Resolution approving the transfer of three vehicles from the City of Lindsay to the City of Porterville.

ATTACHMENT: Resolution

p\pubwork\general\council\transit - authorization to receive three vehicles from the city of lindsay 2012-07-17.doc

DD  Appropriated/Funded  CM  Item No. 60
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING THE TRANSFER OF THREE VEHICLES FROM THE CITY OF LINDSAY
FOR USE ON THE PORTERVILLE TRANSIT SYSTEM

WHEREAS, the City of Lindsay is requesting to transfer three vehicles to the City
of Porterville for use on its Porterville Transit system; and

WHEREAS, these vehicles were purchased using California Prop 1B funds and
the Tulare County Association of Governments is supporting this transfer as the City of
Lindsay is no longer pursuing its own transit system; and

WHEREAS, this Resolution between the Cities of Lindsay and Porterville
acknowledges the transfer of the vehicles and titles; and

WHEREAS, the vehicles in question are recognized as a 2009 Starcraft Allstar
Type 3 Paratransit bus and two (2) 2009 Ford Econoline E350 Vans; and

WHEREAS, with the remaining eight (8) years of useful life these vehicles will be
used exclusively for enhancing transit for the general public; and

WHEREAS, there will be no exchange of funds, services or goods for the vehicle
transfers; the City of Lindsay is transferring the vehicles to the City of Porterville without
expectation of anything in exchange;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of
Porterville approves the transfer of titles of the three identified vehicles to the City of
Porterville for use on the Porterville Transit System.

PASSED, ADOPTED AND APPROVED this 17th day of July, 2012.

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk
SUBJECT: AUTHORIZATION TO SUBMIT A LETTER OF NO PREJUDICE (LONP) TO CALTRANS FOR TRANSIT PROJECTS

SOURCE: Public Works Department - Transit

COMMENT: On June 5, 2012, Council authorized staff to submit a Letter of No Prejudice (LONP) to Caltrans for two transit projects. The first project is for bus stop improvements and the second is for the purchase of a CNG transit bus. Staff was also authorized to submit a Letter of Advance to TCAG to advance Measure R transit funds to start the projects ahead of the State bond sale.

Before submitting the LONP and Letter of Advance, Staff determined that the City's PTMISEA Expenditure Plan for Fiscal Years 2010 to 2013 had not been programmed to account for the City's three-year total allocation of $1,073,723. Both TCAG and Transit Staff determined that an additional $344,723 was allocated to the City and needed to be programmed during this final year of the three-year cycle or it would be given to another transit agency in the County.

Staff determined that the additional funding would be better utilized if applied to the same two projects identified above. By utilizing the additional funds for these projects, Staff has estimated it would save over $250,000 in LTF funds that had been previously allocated to complete these projects.

Several benefits can be realized by utilizing the full allocation of the City's PTMISEA three-year allocation. First and foremost, the City is using its full allocation for the three-year period and will not lose out on any funding. Second, the City is starting their projects ahead of the upcoming bond sale, which will put the City on the priority list of projects to fund first. And lastly, both Caltrans and TCAG has informed Staff that they will be contacted first if any additional funds become available to complete the numerous transit projects the City has planned and is in need of funding to complete. This is particularly exciting for Staff because the City is rarely contacted about the availability of additional funds.

Staff is requesting authorization to submit an updated Letter of No Prejudice for both the FY 2011/12 Bus Stop Amenities and Improvement project, with the updated amount of $365,723 and the FY 2012/13 CNG Replacement Bus project, with the updated amount of $465,000, for a total amount of $830,723.

Dir Approved/Funded CM Item No.
Staff is also requesting authorization to advance additional Measure R funds to complete the two projects prior to actual allocation of Proposition 1B funds. The Measure R Transit advance will be repaid throughout the upcoming fiscal years with Prop 1B funds and the City's annual Measure R transit allocation.

RECOMMENDATION: That the City Council:

1. Approve the attached Resolution approving a Letter of No Prejudice from the City of Porterville;

2. Authorize staff to submit a Letter of No Prejudice (LONP) to Caltrans; and

3. Authorize Staff to submit a Letter of Advance – Measure R Transit Funds to TCAG.

ATTACHMENTS:

- Resolution
- Letter of No Prejudice
- Letter of Measure R Advance
RESOLUTION NO. _______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING A LETTER OF NO PREJUDICE FOR THE CITY OF PORTERVILLE FOR
THE BUS STOP IMPROVEMENT AND CNG TRANSIT BUS REPLACEMENT
PROJECTS

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security
bond act of 2006, approved by the voters as Proposition 1B on November 7, 2006,
authorized the issuance of $19.925 billion in State general obligation bonds for specific
transportation programs intended to relieve congestion, facilitate goods movement,
 improve air quality, and enhance the safety of the State's transportation system; and

WHEREAS, the State's current economic condition has placed these programs
at risk due to the difficulty in selling bonds; and

WHEREAS, the authority and scope for a Letter of No Prejudice comes from
Government Code Section 8879.501, added by Chapter 463 (Assembly Bill 672) of the
Statutes of 2009. The Bill establishes guidelines for approval of Letters of No Prejudice
(LONP) for projects or project components approved for funding from the Public
Transportation Modernization, Improvement and Service Enhancement Account
(PTMISEA); and

WHEREAS, a project sponsored under PTMISEA may apply to Caltrans for a
LONP for an approved PTMISEA project; and

WHEREAS, the LONP allows the City of Porterville to expend its own Measure R
funds and incur reimbursable expenses for any component of a program project prior to
actual allocation of Proposition 1B funds; and

WHEREAS, Measure R Transit funds are to be advanced to the City of
Porterville in the amount of $830,723 for the construction of bus stop amenities and
improvements and the purchase of a CNG Replacement Transit Bus; and

WHEREAS, the Measure R Transit advance will be repaid throughout the
upcoming fiscal years with Proposition 1B PTMISEA funds and the City of Porterville's
annual Measure R Transit allocation; and

WHEREAS, it is understood by the City of Porterville that proceeding with the
projects is done so at City of Porterville's own risk, as project expense reimbursement
under the LONP is not guaranteed and depends on the availability of Proposition 1B
bond funds.
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville approves the submittal of a Letter of No Prejudice to Caltrans for approval of the City of Porterville's Bus Stop Amenities and CNG Replacement Bus projects in the amount of $830,723.

PASSED, APPROVED, AND ADOPTED this 17th day of July, 2012.

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk
July 17, 2012

Ms. Wendy King, Branch Chief
California Department of Transportation
Division of Mass Transportation, MS39
PO Box 942874
Sacramento, CA 94274-001

Re: Letter of No Prejudice (LONP) for the City of Porterville, Proposition 1B – PTMISEA Purchase Bus Stop Improvements and the purchase of a CNG Transit vehicle projects

Dear Ms. King,

The City of Porterville, Porterville Transit, requests to enter into a Letter of No Prejudice (LONP) for the purchase of “Bus Stop Improvements” and “CNG Transit Bus” projects. The City of Porterville is the lead agency and TCAG is the project sponsor.

The specifics of this LONP request are presented below:

- The allocation requested under FY 11/12 GC 8879.55(a)(3)/PUC 99314 was $365,723, which is for the construction of bus stop amenities and improvements. The total project cost is estimated at $365,723.
- The allocation requested under FY 12/13 GC 8879.55(a)(3)/PUC 99314 was $465,000, which is for the purchase of one CNG Transit bus. The total project cost is estimated at $465,000.
- Approval of the LONP will allow the projects to process to procurement immediately.
- The alternative funding source that will be substituted for Porterville’s PTMISEA allocation, until the allocation is funded, is the City’s apportionment of Measure R funds.
- Proof of commitment is attached to this letter in the form of the City of Porterville’s Resolution adopted by the Porterville City Council on July 17, 2012.

Thank you for your consideration of this request. Please contact me directly with any questions.

Sincerely,

Richard I. Tree
Transit Manager

cc: Christine Chavez, Regional Planner, TCAG

Attachment
July 17, 2012

Mr. Ted Smalley
Executive Director
Tulare County Association of Governments
210 N. Church St., Suite B
Visalia, CA 93291

Re: Letter of Advance – Measure R Transit Funds

Dear Mr. Smalley,

The City programmed its 2011/12 and 2012/13 Prop 1B PTMISEA allocations for funding of the construction of bus stop improvements and the purchase of a CNG Replacement Transit Bus. However, with the delay in the State selling bonds, Prop 1B funding has not occurred as originally planned.

At its meeting of July 17, 2012, the Porterville City Council authorized City staff to pursue Measure R as a proposed funding source for these projects. This letter shall serve as the City of Porterville’s official “Letter of Advance” requesting advance funds from the Measure R Transit Fund. The specifics of this Measure R Advance request are presented below:

- The allocation requested under FY 10/11 GC 8879.55(a)(3)/PUC 99314 was $365,723, which is for the construction of bus stop improvements. The total project cost is estimated at $365,723.
- The allocation requested under FY 11/12 GC 8879.55(a)(3)/PUC 99314 was $465,000, which is for the purchase of one CNG Transit bus. The total project cost is estimated at $465,000.
- The advance requested is $830,723 (as estimated in the 2009-2017 Expenditure Plan Worksheet)
- Approval of the Measure R advance will allow the projects to process to procurement immediately.

Approval of the advance will allow the projects to proceed as planned. Thank you in advance for considering this request. Please direct any questions to Richard Tree, Transit Manager, (559) 782-7448 or rtree@ci.porterville.ca.us

Sincerely,

John D. Lollis
City Manager
SUBJECT: ASPHALT OVERLAY PROGRAM FOR 2012/2013

SOURCE: Public Works Department – Field Services Division

COMMENT: Staff is requesting the expenditure of $267,418 for the Asphalt Overlay Maintenance Program from the 2012/2013 Annual Budget.

Staff has surveyed and prepared a list of streets that qualify for this year’s program based on their condition. Proposed treatments include traditional curb to curb overlay and blade patching. The streets selected are as follows:

1. E Street from Thurman Avenue to Putnam Avenue
2. Mulberry Avenue from Indiana Street to Shadowood Street
3. Pioneer Avenue from Hwy 65 to Ohio Street
4. Dameron Street from Olive Avenue to Tomah Avenue
5. Waukesha Street from Tomah Avenue to Putnam Avenue
6. Douglas Street from Morton Avenue to Grand Avenue
7. Milo Street from Nancy Avenue to Pioneer Avenue
8. Worth Avenue from Rd. 265 east to city limits
9. Second Street from Morton Avenue to Thurman Avenue
10. Henderson Avenue from Plano Street east to Foster Farms entrance
11. Corona Drive from Park Street to Plano Street
12. Roche Street from Vandalia Avenue to Chase Avenue
13. Newcomb Street from Hope Avenue to Tea Pot Dome Avenue
14. Dixie Avenue from Maurer Street east to end of road
15. Slaughter Avenue from Beverly Street to Lotsa Street

The Surface Transportation Program fund is the funding source for this project as approved in the 2012/2013 Annual Budget.

RECOMMENDATION: That the City Council approve the 2012/2013 Asphalt Overlay Program authorizing expenditure of the budgeted funds.

ATTACHMENT: Locator Map

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Dir Appropriated/Funded  CM  Item No. 8
City of Porterville

Public Works Dept. / Field Services Division
2012/2013 Asphalt Overlay Program

LEGEND

1. E Street from Thurman Ave to Putnam Ave
2. Mulberry Ave from Indiana St to Shadowood St
3. Pioneer Ave from HWY 65 to Ohio St
4. Dameron St from Olive Ave to Tomah Ave
5. Waukesha St from Tomah Ave to Putnam Ave
6. Douglas St from Morton Ave to Grand Ave
7. Milo St from Nancy Ave to Pioneer Ave
8. Worth Ave from Rd 295 east to City Limits
9. Second St from Morton Ave to Thurman Ave
10. Henderson Ave from Plano St east to Foster Farms entrance
11. Corona Dr from Park St to Plano St
12. Roche St from Vandalia Ave to Chase Ave
13. Newcomb St from Hope Ave to Tea Pot Dome Ave
14. Dixie Ave from Maurer St east to end of Road
15. Slaughter Ave From Beverly St to Lotus St
SUBJECT: MARTIN HILL AND ROCKY HILL WATER RESERVOIR PROJECTS – CORRECTION TO FINANCIAL REPORT

SOURCE: Public Works Department - Engineering Division

COMMENT: Specialty Construction, Inc. completed the Martin Hill and Rocky Hill Water Reservoir project and the Council accepted the project as complete on June 5, 2012. Staff reported that the final project cost was $44,617.97 under budget. After the June 5th Council meeting, it was determined that consultant construction management service fees in the amount of $37,007 had not been processed. The corrected consulting fees show that the final project cost is $7,610 under budget, not $44,617 as previously reported.

The additional fees (approximately $34,680) were part of Dee Jaspar & Associates amended contract to assist staff in improving the communication capabilities from the east side water tanks to the city’s data control center. The amended contract also directed Dee Jaspar & Associates to provide design modifications to the Campbell-Moreland Ditch culvert and manage the construction of these modifications. The modifications were necessary to control and minimize surface runoff that carried mud and debris from the Martin Hill tank site to the Campbell-Moreland culvert crossing.

A minor amount (approximately $2,330) is owed AECOM & Associates for their assistance in reviewing “pump to discharge pipe” connection modifications needed during construction of the booster pump.

RECOMMENDATION: That the City Council:

1. Authorize the Finance Director to re-open Project Account No. 89-9742 and make payment to Dee Jaspar & Associates and AECOM & Associates for consultant services rendered in the amount of $37,007 and;

2. Direct the Public Works Director to seek reimbursement for these charges from the California Infrastructure & Economic Development Bank.
SUBJECT: CONSIDERATION OF A SHARPS DISPOSAL PROGRAM

SOURCE: Public Works Department - Field Services Division

COMMENT: The State of California has banned the disposal of used medical syringes (sharps) in landfills, and by extension, into solid waste collection containers. Medical facilities such as doctor’s offices and hospitals properly dispose of their sharps through contract services. In Tulare County, there are very few options for disposal of home-use sharps.

The County of Tulare had a grant-funded sharps disposal program until 2011 that provided red disposal containers to home users and took back the filled containers for proper disposal. That program ended with the grant funding.

With the closure of the County program, the only option available to home users of sharps is to purchase prepaid disposal containers at drug stores, fill them up and mail them back for proper disposal. Due to the cost, there is a very low participation rate in Tulare County.

The Joint Powers Authority (JPA) in San Luis Obispo County adopted a county-wide ordinance requiring drug stores to operate take-back programs for sharps at no cost to the customer (attached). The JPA in Tulare County, Consolidated Waste Management Authority (CWMA), adopted an ordinance of authority in their charter; however, CWMA recommends that a draft model ordinance be considered for adoption by the members of the JPA. They are willing to do this if there is interest by the member elected bodies to adopt such an ordinance.

RECOMMENDATION: That the City Council recommend to the CWMA that an ordinance similar to the form adopted by San Luis Obispo County for a disposal program for sharps be developed for consideration of adoption in Porterville.

ATTACHMENT: San Luis Obispo County Ordinance

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Dir Appropriated/Funded N/A CM Item No. 10
San Luis Obispo County
Integrated Waste Management Authority
ORDINANCE NO. 2008-2

AN ORDINANCE ESTABLISHING A
SHARPS (HYPODERMIC NEEDLES) WASTE
MANAGEMENT PROGRAM

The Board of Directors of the San Luis Obispo County Integrated Waste Management Authority ordains as follows:

Section 1. General Provisions

The San Luis Obispo County Integrated Waste Management Authority (IWMA) finds and declares all of the following:

(a) The purpose of this Ordinance is to have the IWMA, a joint powers agency established pursuant to Government Code Section 6500 and empowered by its member jurisdictions to exercise the members' common powers to achieve the mandates imposed by the Integrated Waste Management Act of 1989 (AB 939) on a regional basis, enact a comprehensive and innovative system for the proper and legal management of home-generated sharps waste (hypodermic needles waste) in San Luis Obispo County in accordance with Section 118286 of the Health and Safety Code.

(b) The purpose of this Ordinance is to enact a law that establishes a program that is convenient for consumers and the public to return and ensure the safe and environmentally sound disposal of home-generated sharps waste, and to provide a "no-cost" system for consumers for the return of home-generated sharps waste.

(c) The purpose of this Ordinance is to assure that the costs associated with the handling and disposal of home-generated sharps waste are the responsibility of the producers and retailers of home-generated sharps waste, and not local governments or their service providers, state or local government, or taxpayers.

(d) The purpose of this Ordinance is to reduce the likelihood of the illegal disposal of home-generated sharps waste, and it is the intent of this Ordinance to ensure that all costs associated with the proper management of home-generated sharps waste are internalized by the producers and consumers of home-generated sharps waste at or before the point of purchase, and not at the point of discard.

(e) The purpose of this Ordinance is to assure that manufacturers and retailers of sharps, while working to achieve the goals and objectives of this Ordinance, should have the flexibility to partner with each other, and with those private and nonprofit business enterprises that currently
provide collection and processing services, to develop and promote a safe and effective home-generated sharps waste management system.

(f) The purpose of this Ordinance is to provide for the safe and convenient collection and disposal of 100 percent of the home-generated sharps waste discarded in the IWMA Region at no cost to the consumer and to comply with the requirements pursuant to State Health and Safety Code prohibiting the disposal of home generated sharps waste in landfills as of September 1, 2008.

Section 2. Definitions

For the purposes of this Ordinance, the following terms have the following meanings, unless the context clearly requires otherwise:

(a) "Consumer" means an individual who has purchased sharps for personal use.

(b) "Home-generated sharps waste" means hypodermic needles, pen needles, intravenous needles, lancets, and other devices that are used to penetrate the skin for the delivery of medications derived from a household, including a multifamily residence or household.

(c) "IWMA Region" means the geographic area that includes the unincorporated area of San Luis Obispo County, California and the seven incorporated cities within San Luis Obispo County.

(d) "Retailer" means any entity, including but not limited to, a person or business, of whatever form of organization, which sells to the general public sharps in the IWMA Region to a consumer, including a manufacturer of sharps who sells sharps directly to a consumer.

(e) "Distributor" means a person who sells sharps to a retailer.

(f) "Sharps" means hypodermic needles, pen needles, intravenous needles, lancets, and other devices that are used to penetrate the skin for the delivery of medications.

Section 3. Sharps management

(a) By September 1, 2008, every retailer of sharps sold in this IWMA Region shall establish within the retail outlet a system for the acceptance and collection of home-generated sharps waste for proper disposal.

(b) Each system established by a retailer for the acceptance and collection of home-generated sharps waste during the retailer's normal hours of operation, for proper disposal shall, at a minimum, include all of the following elements:

(1) A convenient location within the retail establishment for the "take-back" from the consumer of home-generated sharps waste at no cost to that consumer.

(2) Appropriate signage, prominently displayed within 5 feet of any entrance to the retail establishment and easily visible to the consumer, indicating that the retail establishment accepts
and collects home-generated sharps waste from consumers.

(3) An appropriate receptacle or receptacles for the collection of home-generated sharps waste within the retail establishment.

(c) A retailer who is required to accept home-generated sharps waste shall at a minimum provide the following take back services:

(1) The take-back from the consumer of home-generated sharps waste that the retailer sold or previously sold to the consumer, at no cost to that consumer. In that event, the retailer may require proof of purchase of the prior sales. The retailer shall only be required to accept home-generated sharps waste in an amount not to exceed the amount previously sold to the consumer.

(2) The take-back of home-generated sharps waste from a consumer purchasing sharps from the retailer, at no cost to the consumer. In that event, the retailer shall only be required to accept home-generated sharps waste in an amount not to exceed the amount being purchased.

(3) The take-back from the consumer of home-generated sharps waste that the retailer did not sell or previously sell to the consumer, at no cost to that consumer. The retailer shall only be required to accept home-generated sharps waste in an amount not to exceed a 2 quart size sharps containers per week per consumer from any consumer who resides in the IWMA Region.

Section 4. Enforcement

(a) The IWMA may enforce the provisions of this Ordinance through a civil action for civil penalties in the amounts established herein, and any other civil remedy, including prohibitory and mandatory injunctive relief, filed in the Superior Court for the County of San Luis Obispo to compel and enforce the provisions herein against any retailer within San Luis Obispo County who sells sharps in violation of this Ordinance. In addition to any relief available to IWMA to enforce this Ordinance, the IWMA shall also be entitled to recover its reasonable attorneys’ fees and costs incurred in enforcing this Ordinance.

(b) For any violation of this Ordinance, the IWMA may sue to recover civil penalties in the amount of $1,000.00 per day for every day on which a violation exists. For purposes of calculating the civil penalties to be established hereunder, each day on which the retailer fails to comply with the requirements of this Ordinance, after having received a written notice of violation issued by the IWMA, shall constitute a separate offense.

(c) In addition to the civil relief available to the IWMA set forth above, any violation of this Ordinance shall also constitute a misdemeanor punishable under the laws of the State of California. The District Attorney, the County Counsel, or any City Attorney shall be authorized to enforce the provisions of this Ordinance within their respective jurisdictions. In the event of such criminal enforcement, the following criminal penalties apply to violations of this Ordinance:

(1) Violation as Misdemeanor. Violations of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor.

(2) The San Luis Obispo County Sheriff’s Department and/or any other police department or law enforcement agencies located within the IWMA’s jurisdiction may issue a Notice to
Appeal Citation for any misdemeanor pursuant to California Penal Code Section 853.6 for any violation of this Ordinance.

(3) Penalty for Misdemeanor. Any retailer found to be in violation of any provision of this Ordinance, or who fails to comply with any of its requirements, shall upon conviction thereof be punished by imprisonment in the county jail for not more than six months, or be fined not more than one thousand dollars ($1,000.00), or by both. Each day such violation continues shall be considered a separate offense.

(d) To the extent that the County of San Luis Obispo, the incorporated cities, and the districts within said County have adopted code enforcement ordinances applicable to their jurisdictions, this Ordinance shall be enforceable by said governmental entities under said ordinances as land-use or code-enforcement violations consistent with said ordinances.

Section 5. CEQA Findings

The Board of Directors of the IWMA finds that this Ordinance is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines § 15061(b)(3) because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." In addition, the Ordinance is subject to a Class 1 categorical exemption pursuant to CEQA Guidelines § 15301 in that the activities mandated by the ordinance will occur at existing retail establishments and, therefore, consist "of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.... The key consideration is whether the project involves negligible or no expansion of an existing use." The IWMA Manager is directed to prepare and file an appropriate notice of exemption.

Section 6. Severance Clause

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the IWMA hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

Section 7. Effect of Headings in Ordinance.

Title, division, part, chapter, article, and section headings contained herein do not in any manner
affect the scope, meaning, or intent of the provisions of this Ordinance.

This Ordinance was introduced and the title thereof read at the regular meeting of the IWMA Board of Directors on March 12, 2008 and further reading was waived by a majority vote of those Directors present.

This Ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Directors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of San Luis Obispo.

On a motion by Director __________, seconded by Director __________, the foregoing Ordinance was passed and adopted by the Board of Directors of the San Luis Obispo County Integrated Waste Authority, this 5–14–08, by the following vote:

AYES:  Achadjian, Ashton, Beraud, Ehring, Gibson, Hamon, Mulholland, Patterson and Lenthall

NOES:  None

ABSENT: Arnold, Brooks, DeMeritt, and Ovitt

__________________________
Jerry Lenthall, President of the San Luis Obispo County Integrated Waste Management Authority

ATTEST:

__________________________
Carolyn Goodrich, IWMA Board Secretary

ORDINANCE CODE PROVISION APPROVED AS TO FORM AND CODIFICATION:

__________________________
RAYMOND A. BIERING
IWMA Counsel

Date: 5/1/08
CONSENT CALENDAR

SUBJECT: GENERAL PLAN REFERRAL – VACATION OF AGNES STREET

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: Pursuant to Government Code Section 65402, Tulare County has requested General Plan referral to vacate a portion of Agnes Street just north of the city limits of the City of Porterville. The subject area is between Boyles Drive and Road 234, approximately 133 feet in length and 31 feet in width. The petitioners own property adjacent to and in the vicinity of the subject portion of Agnes Street, and the portion of the right of way requested for abandonment is immediately south of Assessor Parcel Number 243-260-021.

The City is required to respond to such request within 40 days or the proposal is deemed to conform to the General Plan. The request was received by the Planning Division on June 28, 2012. On July 11, 2012, the Project Review Committee discussed the matter; no representatives from Tulare County attended the meeting.

Staff’s analysis concludes that the proposed vacation of a portion of Agnes Street is not consistent with the City’s General Plan, specifically as related to circulation standards and fire department access needs. The project area is located in a developed residential area; by coincidence, the subject neighborhood is actively pursuing annexation to the City in an effort to gain City water. Specific concerns presented through the Project Review Committee to the County include:

- The City’s General Plan requires that the local residential street right of way width be 47 feet. The proposed vacation of a portion of designated right of way on Agnes Street would reduce the right of way significantly.
- Vacation of this right of way would restrict future opportunities to improve the street, which in turn would hamper emergency vehicle access to the point that it will not be acceptable by City of Porterville standards. Further, lack of access will only delay City Fire Department’s ability to deploy fire attack lines in the event of a fire.
- Traffic circulation within this existing Tulare County developed subdivision is not in compliance with City Standards and Specifications. Supporting this referral will only hinder potential remedies to a substandard circulation pattern within this existing subdivision and will only create a financial burden should or when the subdivision annexes to the City of Porterville.

RECOMMENDATION: That the City Council:

1. Determine the vacation of a portion of Agnes Street is inconsistent with the General Plan of the City of Porterville.

ATTACHMENT: Complete Staff Report

DD Approp./Funded CM ITEM NO. 1
Acting
GENERAL PLAN REFERRAL – VACATION OF A PORTION OF AGNES STREET

APPLICANT: County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277
ON BEHALF OF:
Private Property Owner, APN 243-260-021

SPECIFIC REQUEST: On June 28, 2012, Tulare County requested a General Plan conformance review of a proposed abandonment of a portion of Agnes Street north of Porterville. The County made the request pursuant to Government Code Section 65402, which requires that a governmental agency consult with a local agency with an adopted General Plan when considering taking action on land within that agency’s jurisdiction. The subject area is between Boyles Drive and Road 234, approximately 133 feet in length and 31 feet in width (Attachment 1). The petitioners own property adjacent to and in the vicinity of the subject portion of Agnes Street, and the portion of the right of way requested for abandonment is immediately south of Assessor Parcel Number 243-260-021.

SIZE OF PROPERTY: 4,123± square feet

GENERAL PLAN CLASSIFICATION: Low Density Residential

ZONING CLASSIFICATION: RS-2 (Low Density Residential)

SURROUNDING ZONING:
North: County zoning R-1 (Single Family Residential); prezoned RS-2 (Low Density Residential)
West: County zoning R-1-217 (Single Family Residential, half acre or larger); prezoned RS-2 (Low Density Residential)
South: County zoning R-1 (Single Family Residential); prezoned RS-2 (Low Density Residential)
East: County zoning R-1 (Single Family Residential); prezoned RS-2 (Low Density Residential)

PROJECT DESCRIPTION: The County is considering the abandonment of the 4,123± square foot area of acquired, unimproved right of way along Agnes Street at the request of an adjacent property owner for the purpose of “making better use of the property”, as stated in the petition (Attachment 2). The matter before the City Council is whether the proposed vacation of right of way is consistent with the City’s General Plan.

ANALYSIS: The City’s General Plan requires that the local residential street right of way width be 47 feet. The proposed vacation of a portion of designated right of way on Agnes Street would reduce the right of way significantly. Additionally, the vacation of this right of way would restrict future opportunities to improve the street, which in turn would hamper emergency vehicle access to the point that it will not be acceptable by City of Porterville standards. Further, lack of access will only delay our ability to deploy fire attack lines in the event of a fire. Additionally, the Public Works Department’s review determined that the traffic circulation within this existing Tulare County...
April 12, 2012

TO: Henry Dong

FROM: Donn Dwyer

SUBJECT: General Plan Referral

The Board of Supervisors has received a petition requesting the vacation of a portion of Agnes Street adjoining APN 243-260-021 in Porterville.

Attached is a copy of the completed petition and a map showing the proposed vacation.

Please review this proposed vacation for conformance with applicable sections of the Government Code and forward your report to me at your earliest convenience.

Thank you.
65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

(b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.
CITY COUNCIL AGENDA: JULY 17, 2012

SUBJECT: RENEWAL OF AGREEMENT FOR ANIMAL SHELTER SERVICES WITH THE CITY OF WOODLAKE

SOURCE: Police Department

COMMENT: On August 1, 2010, the City of Porterville and the City of Woodlake entered into a one-year agreement in which the City of Porterville would provide animal shelter services to the City of Woodlake. The aforementioned agreement expired on June 30, 2011. Since that time, the City of Porterville has been providing shelter services to the City of Woodlake on a month-to-month basis. During the same time period, the City of Porterville entered into a similar agreement with the City of Lindsay. However, the agreement with the City of Lindsay was a five-year agreement, which will expire on June 30, 2015.

The City of Woodlake has expressed interest in renewing the previous agreement with the City of Porterville for animal shelter services. The Porterville Animal Shelter typically handles between 300 and 400 animals a month. During the period between July 1, 2011, and June 30, 2012, the City of Woodlake logged 39 living animals into the shelter and disposed of 49 animal carcasses. The projected impact of continuing to provide shelter services to the City of Woodlake will be minimal at best.

The attached agreement reflects a few minor modifications from the original agreement between the City of Porterville and the City of Woodlake. The modified agreement allows for a three-year agreement, which will coincide with the agreement between the City of Porterville and the City of Lindsay. The days and hours of operation for the shelter have been modified and triage has been added describing the responsibilities of the City of Woodlake regarding required hearings, notifications and dispositions. There were no changes to the fee schedule. The modified agreement has been reviewed by representatives from the City of Woodlake and was found to be acceptable.

RECOMMENDATION: That the City Council:

1. Approve the agreement with the City of Woodlake as presented; and

2. Authorize the Mayor and the City Manager to sign all necessary documents.

ATTACHMENTS: 1. Previous Agreement with the City of Woodlake.

2. Proposed agreement with the City of Woodlake
AGREEMENT FOR
ANIMAL SHELTERING SERVICE

THIS AGREEMENT, made and entered into this 1st day of August, 2019, 17th day of July, 2012, between the City of Porterville hereinafter referred to as “Porterville” and the City of Woodlake, hereinafter referred to as “Woodlake”:

WITNESSETHE

WHEREAS, Porterville is operating an Animal Shelter facility located at 23611 Road 196, Lindsay, CA and is operating said facility for purposes of sheltering animals in accordance with the laws of the State of California; and

WHEREAS, Woodlake has a need for animal sheltering and has determined that it is in the best interest of Woodlake to contract with Porterville for the sheltering of animals picked up in Woodlake; and

WHEREAS, pursuant to Government Code Section 51301, Porterville is authorized to contract with Woodlake and Woodlake is authorized to contract with Porterville for the performance by appropriate Porterville officers and employees of Woodlake functions;

NOW, THEREFORE, IT IS AGREED as follows:

1. ANIMAL SHELTERING SERVICES

   A. Shelter Facility Care: Porterville shall maintain a humane and sanitary animal shelter that complies with all Federal, State and County statutes and regulations. This facility shall be suitable for the safe sheltering and proper care of all dogs, cats and other animals (wild or domestic) which may be impounded, or otherwise come into the custody of Woodlake, pursuant to the provisions of the Woodlake Municipal Code, or other regulation. After receipt of an animal at the shelter facility, animals requiring veterinary observation or treatment may be taken to a veterinary clinic of Porterville’s choice. Animals subject to quarantine away from the owner’s premises shall be sheltered at this facility and held for ten (10) days pursuant to state rabies control statutes and regulations.

   B. Holding Period: Animals impounded by Woodlake shall be held for redemption at the Porterville Shelter for a minimum period of six (6) days;
however, Porterville reserves the right to euthanize any sick or injured animal before the expiration of the minimum holding period upon the recommendation of a veterinarian, or when otherwise authorized by statute. Animals held as evidence in a criminal investigation or prosecution shall be held until released by the investigating officer, prosecutor, or a court order. Time of impoundment for the purpose of this agreement shall begin when an animal arrives at the shelter, or in the case of an animal impounded at a veterinary kennel or other premises, when the circumstances of its impoundment is received by staff at the shelter.

C. **Sick or Injured Animals:** Porterville will not accept or intake any animal that is sick or injured. Prior to delivery of sick or injured animals to the facility, Woodlake shall have the sick or injured animal examined and treated at a veterinary clinic. Thereafter, the animal may be delivered to the staff at the Porterville Shelter for intake. At this time, staff will receive any special instructions for care of the animal. Woodlake will be charged for any additional charges incurred by Porterville for follow-up care with the veterinarian or special medicine or treatment. Any additional charges will be itemized by the veterinarian or shelter staff.

D. **Disposition of Impounded Animals:** Woodlake's right to custody of any animal, impounded for the minimum holding period required by this agreement shall pass to Porterville upon the expiration of the holding period and Woodlake shall thereafter have no responsibility for the care or the costs of sheltering of said animal. After expiration of this period, Porterville may at its sole discretion, hold the animal for a longer period, or may place the animal for adoption, release to a Rescue Group or may dispose of the animal.

E. **Dead Animals:** Porterville shall provide for the safe and sanitary disposal of all dead animals coming into its possession and of all animals destroyed by Porterville pursuant to the terms of this agreement.

F. **Hours of Operation:** Porterville shall provide suitable office hours at the animal shelter facility for the convenience of Woodlake residents seeking
to reclaim their animals. Porterville will staff the facility and receive animals from Woodlake on Sunday through Saturday, between the hours of 8:00 a.m. to 5:00 p.m., excluding holidays. The shelter facility will be open to the public during these days and hours. Monday through Saturday, between the hours of 9:00 a.m. to 5:00 p.m., excluding holidays; however, the days or hours of operation of the shelter are subject to change as Porterville deems necessary. The shelter facility will be open to the public during these days and hours.

G. Other Animal Control Services: This service agreement provides solely for the sheltering of animals picked up in Woodlake, by Woodlake employees. This agreement is not intended for Porterville to provide any animal control/enforcement services to Woodlake. Additionally, Porterville will not provide for the licensing of animals belonging to Woodlake residents, and Porterville will not serve as Hearing Officer for Woodlake on vicious animal complaints and hearings. **Woodlake will be responsible for written notification of hearing dispositions or other actions associated with animals brought into the shelter in order to ensure that animals are held the appropriate amount of time and are not held for excessive amounts of time.** Porterville will work cooperatively with Woodlake staff in an effort to identify the owners of any animal brought into the facility and take action to re-unite an animal with the rightful owner.

2. VETERINARIAN CARE

In providing care for any animal coming into its possession pursuant to this agreement, Porterville’s decision to obtain veterinary services, Porterville’s selection of a veterinarian, and Porterville’s approval of veterinary fees for care and treatment of the animal, shall be final.
3. RECORDS
Porterville shall maintain appropriate records and statistics regarding all services performed under this agreement. Woodlake may inspect and receive copies of such records upon request.

4. HOLD HARMLESS
Porterville shall hold harmless, defend and indemnify Woodlake, its officers, agents, and employees from and against any liability, claims, action, cost, damage, or losses for injury, including death, to any person, or damage to any property arising out of Porterville’s activities pursuant to this agreement. Woodlake shall hold harmless, defend, and indemnify Porterville, its officers, agents, and employees from and against any liability claims, actions, cost, damages or losses for injury, including death, to any person or damage to any property arising out of Woodlake’s activities pursuant to this agreement.

5. TERMS AND TERMINATION
A. This agreement shall become effective on August 1, 2010 August 1, 2012, and shall continue until June 30, 2014 June 30, 2015, at which time it will be reviewed and considered for renewal, unless there is a desire to terminate by either party.
B. Either party may terminate this agreement with or without cause upon proper delivery of a thirty (30) day written notice of termination to the other party.
C. Either party may terminate this agreement for material breach if the other party fails to remedy said breach within thirty (30) days after receiving written notice setting forth in detail the facts constituting said breach.

6. CHARGE FOR SERVICES
As consideration for Porterville carrying out the obligations and responsibilities as specified in this agreement, Woodlake agrees to compensate Porterville pursuant to the following fees:
Animal Shelter Agreement (City of Woodlake)

A. Sheltering Service:

1. Dog or cat $40.00 per animal
   (Dog or cat litters shall be treated and counted as individual animals and charged accordingly).
2. Dog or Cat (Quarantine) $50.00 per animal
3. Evidence fowl $6.00 per day
4. Horse, cow, goat, etc. $10.00 per day
5. Protective custody / evidence hold $8.00 per day
6. Other animal hold $8.00 per day
7. Dead animal disposal $8.00 per animal

(An impounded dog or cat will be held for a minimum of six days. Any requirement to keep the animal longer will be charged an additional $8.00 per day).

B. Veterinary Services: Woodlake shall reimburse Porterville for the cost of all veterinary services rendered for the examination and treatment of animals coming into Porterville's possession from Woodlake and pursuant to the provisions of this agreement, within thirty (30) days of receipt of an itemized bill. Billings for "veterinary services" will only apply to the examination or treatment of animals believed by Porterville to be sick or injured and which cannot be euthanized or which must be held as evidence in a criminal case.

7. NOTICES

Any notice to be given in accordance with the provisions of this Agreement shall be in writing and shall be served either by personal delivery or by first class mail, postage prepaid and addressed as listed below:
Animal Shelter Agreement (City of Woodlake)

City of Porterville
Attn: John Lollis, City Manager
291 North Main Street
Porterville, CA 93257

City of Woodlake
Attn: Bill Lewis, City Administrator
Ramon Lara, City Administrator
350 No. Valencia Street Blvd.
Woodlake, CA 93286

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

FOR CITY OF PORTERVILLE

__________________________  __________________________
Mayor  Virginia R. Gurrola, Mayor  Date

__________________________  __________________________
City-Clerk  John D. Lollis, City Manager  Date

FOR CITY OF WOODLAKE

__________________________  __________________________
Mayor  Raul Gonzalez Jr., Mayor  Date

__________________________  __________________________
City-Clerk  Ramon Lara, City Administrator  Date
AGREEMENT FOR
ANIMAL SHELTERING SERVICE

THIS AGREEMENT, made and entered into this 17th day of July, 2012, between the City of Porterville hereinafter referred to as “Porterville” and the City of Woodlake, hereinafter referred to as “Woodlake”:

WITNESSETH

WHEREAS, Porterville is operating an Animal Shelter facility located at 23611 Road 196, Lindsay, CA and is operating said facility for purposes of sheltering animals in accordance with the laws of the State of California; and

WHEREAS, Woodlake has a need for animal sheltering and has determined that it is in the best interest of Woodlake to contract with Porterville for the sheltering of animals picked up in Woodlake; and

WHEREAS, pursuant to Government Code Section 51301, Porterville is authorized to contract with Woodlake and Woodlake is authorized to contract with Porterville for the performance by appropriate Porterville officers and employees of Woodlake functions;

NOW, THEREFORE, IT IS AGREED as follows:

1. ANIMAL SHELTERING SERVICES

A. Shelter Facility Care: Porterville shall maintain a humane and sanitary animal shelter that complies with all Federal, State and County statutes and regulations. This facility shall be suitable for the safe sheltering and proper care of all dogs, cats and other animals (wild or domestic) which may be impounded, or otherwise come into the custody of Woodlake, pursuant to the provisions of the Woodlake Municipal Code, or other regulation. After receipt of an animal at the shelter facility, animals requiring veterinary observation or treatment may be taken to a veterinary clinic of Porterville’s choice. Animals subject to quarantine away from the owner’s premises shall be sheltered at this facility and held for ten (10) days pursuant to state rabies control statutes and regulations.

B. Holding Period: Animals impounded by Woodlake shall be held for redemption at the Porterville Shelter for a minimum period of six (6) days;
however, Porterville reserves the right to euthanize any sick or injured animal before the expiration of the minimum holding period upon the recommendation of a veterinarian, or when otherwise authorized by statute. Animals held as evidence in a criminal investigation or prosecution shall be held until released by the investigating officer, prosecutor, or a court order. Time of impoundment for the purpose of this agreement shall begin when an animal arrives at the shelter, or in the case of an animal impounded at a veterinary kennel or other premises, when the circumstances of its impoundment is received by staff at the shelter.

C. **Sick or Injured Animals:** Porterville will not accept or intake any animal that is sick or injured. Prior to delivery of sick or injured animals to the facility, Woodlake shall have the sick or injured animal examined and treated at a veterinary clinic. Thereafter, the animal may be delivered to the staff at the Porterville Shelter for intake. At this time, staff will receive any special instructions for care of the animal. Woodlake will be charged for any additional charges incurred by Porterville for follow-up care with the veterinarian or special medicine or treatment. Any additional charges will be itemized by the veterinarian or shelter staff.

D. **Disposition of Impounded Animals:** Woodlake’s right to custody of any animal, impounded for the minimum holding period required by this agreement shall pass to Porterville upon the expiration of the holding period and Woodlake shall thereafter have no responsibility for the care or the costs of sheltering of said animal. After expiration of this period, Porterville may at its sole discretion, hold the animal for a longer period, or may place the animal for adoption, release to a Rescue Group or may dispose of the animal.

E. **Dead Animals:** Porterville shall provide for the safe and sanitary disposal of all dead animals coming into its possession and of all animals destroyed by Porterville pursuant to the terms of this agreement.

F. **Hours of Operation:** Porterville shall provide suitable office hours at the animal shelter facility for the convenience of Woodlake residents seeking
to reclaim their animals. Porterville will staff the facility and receive animals from Woodlake on Monday through Saturday, between the hours of 9:00 a.m. to 5:00 p.m., excluding holidays; however, the days or hours of operation of the shelter are subject to change as Porterville deems necessary. The shelter facility will be open to the public during the same days and hours.

G. Other Animal Control Services: This service agreement provides solely for the sheltering of animals picked up in Woodlake, by Woodlake employees. This agreement is not intended for Porterville to provide any animal control/enforcement services to Woodlake. Additionally, Porterville will not provide for the licensing of animals belonging to Woodlake residents, and Porterville will not serve as Hearing Officer for Woodlake on vicious animal complaints and hearings. Woodlake will be responsible for written notification of hearing dispositions or other actions associated with animals brought into the shelter in order to ensure that animals are held the appropriate amount of time and are not held for excessive amounts of time. Porterville will work cooperatively with Woodlake staff in an effort to identify the owners of any animal brought into the facility and take action to re-unite an animal with the rightful owner.

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5. TERMS AND TERMINATION

A. This agreement shall become effective on August 1, 2012, and shall continue until June 30, 2015, at which time it will be reviewed and considered for renewal, unless there is a desire to terminate by either party.

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Animal Shelter Agreement (City of Woodlake)

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7. NOTICES

Any notice to be given in accordance with the provisions of this Agreement shall be in writing and shall be served either by personal delivery or by first class mail, postage prepaid and addressed as listed below:

City of Porterville
Attn: John Lollis, City Manager
291 North Main Street
Porterville, CA 93257

City of Woodlake
Attn: Ramon Lara, City Administrator
350 No. Valencia Blvd.
Woodlake, CA 93286
Animal Shelter Agreement (City of Woodlake)

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

FOR CITY OF PORTERVILLE

__________________________  ___________________________
Virginia R. Gurrola, Mayor  Date

__________________________  ___________________________
John D. Lollis, City Manager  Date

FOR CITY OF WOODLAKE

__________________________  ___________________________
Raul Gonzalez Jr., Mayor  Date

__________________________  ___________________________
Ramon Lara, City Administrator  Date
COUNCIL AGENDA: July 17, 2012

SUBJECT: ADOPTION OF ANNUAL APPROPRIATION LIMIT

SOURCE: Finance Department

COMMENT: Article XIII – B of the California Constitution requires that each governmental agency must adopt an appropriation limit each fiscal year. This limit represents the maximum amount of tax revenue that can be appropriated during the fiscal year.

The State Department of Finance has provided the percentage change in population for the City of Porterville and the percentage change in per capita personal income for the 2012/2013 fiscal year calculation. Based on this information and the guidelines established by the State, the appropriation limit for 2012/2013 fiscal year is $52,226,842. Budgeted tax proceeds subject to limitation are $21,905,666. The City continues to appropriate well below the maximum limit allowed by law.

RECOMMENDATION: That the City Council approve the attached resolution adopting the appropriation limit of $52,226,842 for the 2012/2013 fiscal year.

ATTACHMENTS: Draft Resolution
Worksheets

D.D. Appropriated/Funded C.M. Item No. 13
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE SETTING THE APPROPRIATION LIMIT FOR THE 2012/2013 FISCAL YEAR

WHEREAS, Article XIII – B of the California Constitution requires that each governmental agency adopt an appropriation limit each fiscal year; and

WHEREAS, the State of California has presented the guidelines for the consumer price index, the per capita personal income, and the population data for local governments to compute the appropriation limit;

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville, the appropriation limit for the 2012/2013 fiscal year is $52,226,842 as computed on the attached worksheet.

Passed, approved and adopted this 17th day of July 2012.

________________________________________
Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

________________________________________
By: Patrice Hildreth, Chief Deputy City Clerk
## CITY OF PORTERVILLE
### APPROPRIATION LIMIT DOCUMENTATION
#### FISCAL YEAR 2012-2013

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### PROCEEDS OF TAXES UNDER APPROPRIATION LIMIT

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### [2] Per State Department of Finance (per capita personal income).

### [3] Per State Department of Finance (population growth of City or County, whichever is greater).
### CITY OF PORTERVILLE

**APPROPRIATION LIMIT DOCUMENTATION**

**FISCAL YEAR 2012-2013**

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### RISK MANAGEMENT

- **Property Taxes**: 260,000
- **Other Taxes**: 6,963,568
- **Franchise Fees**: 1,471,134
- **Other Permits**: 14,848,724
- **Revenue from Agencies**: 395,705
- **Other State/County**: 30,000
- **Federal Grants**: 1,190,000
- **Use of Money & Property Interest**: 4,200
- **Rent**: 250
- **Fines & Forfeitures**: 203,000
- **Charges for Services**: 4,023,816
- **Other Revenues**: 600,150

*Source: City of Porterville 2012-2013 Original Budget adopted by City Council on June 19, 2012.*
SUBJECT: AUTHORIZATION TO ROLL WEED ABATEMENT BALANCES AND DELINQUENT DEVELOPMENT FEE PAYMENT PLAN AGREEMENTS TO THE PROPERTY TAX ROLLS

SOURCE: Finance Department

COMMENT: Staff has prepared a draft Resolution for Council consideration, which will authorize the County Auditor to place uncollected weed abatement charges and delinquent development fee payment plan agreements on the property tax rolls.

City Code Sections 12.3.4 through 12.3.12 provides for weed abatement balances to be rolled to property taxes for collection. The Development Fee Payment Plan Agreements provide that the unpaid balance of principal may be collected in the manner real property taxes are collected.

RECOMMENDATION: That the City Council adopt the attached resolution authorizing the County Auditor to place these items on the property tax rolls for collection.

ATTACHMENT: Draft Resolution
RESOLUTION NO. ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ORDERING THE PLACEMENT OF SPECIAL ASSESSMENT LIENS ON THE TULARE COUNTY TAX ROLLS FOR FISCAL YEAR 2012-2013

WHEREAS, the City of Porterville City Charter Section 12.3.4, Nuisance and Authority to Abate, sets forth the procedure for all weed, nuisance and hazard abatements in the City of Porterville, with Porterville City Code Section 12.3.12, Collection on Tax Roll, thereafter setting forth the procedure for placement of delinquent assessments on the Tulare County Tax Rolls; and

WHEREAS, the Development Fee Payment Plan Agreements provide that the unpaid balance of principal shall become a lien on said real property and may be collected in the manner real property taxes are collected by the City of Porterville; and

WHEREAS, the Porterville City Council, having duly received and considered evidence and documentation concerning the delinquent accounts proposed to be placed on the Fiscal Year 2012/2013 County Tax Rolls concerning the necessity for the placement of the contemplated tax liens;

NOW, THEREFORE, be it resolved by the City Council of the City of Porterville that the public interest and convenience require the submittal of the following liens, attached hereto as Exhibit “A”, to the Tulare County Auditor for placement on the property tax rolls for collection.

PASSED, APPROVED and ADOPTED this 17th day of July 2012.

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By Patrice Hildreth, Chief Deputy City Clerk
## CITY OF PORTERVILLE
### WEED/HAZARD ABATEMENT
#### FY2012-2013 Tax Roll

<table>
<thead>
<tr>
<th>Assessee</th>
<th>Parcel Number Address</th>
<th>Amount Per Parcel</th>
<th>Assessment Amount</th>
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</thead>
<tbody>
<tr>
<td>Doyle and Geral McComb account #01-000755</td>
<td>245-182-009 well &amp; pump side Belleview</td>
<td>$1,874.97</td>
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<td>Hector Garcia account #01-000580</td>
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<tr>
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<td>908.00</td>
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<td>259-132-010 303 S Indiana</td>
<td>3,404.32</td>
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## WEED/HAZARD ABATEMENT
### FY2012-2013 Tax Roll

<table>
<thead>
<tr>
<th>Assessee</th>
<th>Parcel Number Address</th>
<th>Amount Per Parcel</th>
<th>Assessment Amount</th>
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<tbody>
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<td>Rose Marie Elliott</td>
<td>15 259-140-002 Lot S 303 S Indiana</td>
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<td>Jose &amp; Mary Rosalez</td>
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<td>Jesus &amp; Mary Lou Lopez</td>
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<td>Frank Silva</td>
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<td>Billy Sung</td>
<td>19 261-190-007 north side of Corona</td>
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**Total amount of assessments**

$28,642.00

**Total number of assessments**

19

Note: FY2011-2012 A/R balances
<table>
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<tr>
<th>Assessee</th>
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<th>Amount Per Parcel</th>
<th>Assessment Amount</th>
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</table>

Note: FY2011-2012 A/R balances
SUBJECT: PROPOSED CHANGE IN THE TABLE OF ORGANIZATION WITHIN THE FINANCE DEPARTMENT

SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT / HR DIVISION

COMMENT: The Finance Department has proposed a change in the Table of Organization within the Information Technology (IT) Division of the Department by increasing the number of IT Administrative Analysts from one to two.

For the past several years, the IT Division in Finance has experienced an amplified workload to meet the increasing demands associated with supporting information technologies within the various departments of the City. In order to provide the necessary level of support, staff proposes that one additional IT Administrative Analyst I position be added to the IT Division. This change will provide the ability for increased flexibility and capacity to meet the current demands of the Division. As previously discussed with the City Council during budget review, due to the large portion of IT support required by both public safety and transit, it is proposed that the position be funded 50% out of Transit and 50% out of the General Fund utilizing monies that were previously allocated for part-time IT support staff.

To effect this change, the enclosed draft resolution has been prepared for the Council’s consideration.

RECOMMENDATION: That the City Council adopt the draft Resolution authorizing a change in the Table of Organization in the IT Division of the Finance Department.

ATTACHMENTS: Draft Resolution
RESOLUTION NO. ______-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE PROVIDING FOR THE CHANGE
IN THE TABLE OF ORGANIZATION WITHIN
THE FINANCE DEPARTMENT

WHEREAS, the IT Division in the Finance Department has experience increased demands
associated with providing technological support to various departments within the City; and

WHEREAS, a change in staffing allocations of city departments is periodically beneficial to
enhance the economy and efficiency of City operations; and

WHEREAS, the City Manager has considered the current organization and staffing levels of
the Finance Department, and in consultation with the Department Director has defined an
organizational structure that will enhance organizational integration and effectiveness; and

WHEREAS, the structure has been recommended to the City Council for consideration and
adoption to be implemented.

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

Amend the Position Allocation Schedule and Position Pay Plan of the Employee Pay and
Benefit Plan to reflect the addition of one IT Administrative Analyst in the Information Technology
Division of the Finance Department.

BE IT FURTHER RESOLVED that the Mayor of the City of Porterville is hereby authorized
to execute those documents as are necessary to implement the provisions hereof.

APPROVED AND ADOPTED this ______ day of July, 2012.

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By Patrice Hildreth, Chief Deputy City Clerk
SUBJECT: CONSIDERATION OF STREET CLOSURE FOR PORTERVILLE "STEP-UP" NEIGHBORHOOD OUTREACH EVENT

SOURCE: City Manager

COMMENT: Another "Step-Up" neighborhood outreach event has been planned within the community this calendar year for Saturday, July 21, 2012, beginning at 6:30 p.m. in the neighborhood at Oak Avenue and Doree Street, located east of Porterville Golf Course, adjacent to Leggett Street. Due to site considerations and limitations, it is recommended that the City Council approve the temporary closure of Oak Avenue and a portion of Doree Street up to Mohoff Court.

RECOMMENDATION: That the City Council authorize the temporary closure of Oak Avenue and Doree Street on July 21, 2012, in support of the neighborhood "Step-Up" outreach event.

ATTACHMENT: Locator Map
SUBJECT: REVIEW OF LOCAL EMERGENCY STATUS

SOURCE: Administration

COMMENT: In accordance with the City Council's Resolution of Local Emergency adopted on December 21, 2010, and pursuant to Article 14, Section 8690 of the California Emergency Services Act, the Council must review the status of its local emergency at every regularly scheduled meeting and make a determination whether to continue or terminate the local emergency declaration.

Since its last review on July 3, 2012, City staff has continued its coordination with both State and Federal representatives in having made claims for reimbursement for public areas reported as suffering flood damage. An estimated total of $361,750 in damage repair projects were defined and accepted by both State (CEMA) and Federal (FEMA) emergency agencies, which after final FEMA administrative review, a total of approximately $270,000 was approved. Although all repair projects were originally to be completed by no later than July 2012, the City has received a one (1)-year extension to July 2013.

As was previously reported, staff made application for almost $2 million in State Office of Emergency Services (OES) grant funds, which would provide financial assistance for mitigating repetitive flooding conditions. Considering the preliminary flood prevention measures previously presented to the Council, staff evaluated the grant application criteria, and made application for mitigation projects, specifically focusing on Downtown, Murry Park, and Zalu Ded Park projects. Staff is pleased to report that its proposed grant-funded projects successfully passed initial screening, with staff having also attended several days of required training in preparation for administering the grant funds.

RECOMMENDATION: That the Council:
1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8690 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

ATTACHMENT: None
COUNCIL AGENDA: July 17, 2012

PUBLIC HEARING

SUBJECT: LANDSCAPE & LIGHTING DISTRICTS ANNUAL ASSESSMENTS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: The City has created sixty-one Landscape and Lighting Maintenance Districts since 1989. The original District had seventeen annexed areas for new developments in addition to the original area. Since 1996 new Districts have been formed for each new development, representing Districts 2 through 46.

Annually, a process of evaluating maintenance needs and establishing an assessment for each LMD must be followed. At the June 19, 2012, meeting, the City Council preliminarily approved the annual Engineer’s Report, which indicates the proposed assessments for the 2012-2013 Fiscal Year. The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by the County of Tulare. The assessment process must be fully filed with the County by August 10, 2012, in order to be placed upon the tax rolls.

The Engineer’s Report provides the financial detail on each district. Staff proposes a restructuring of many Landscape Maintenance Districts to address many of the deficits that several districts carry, to refine the strategy for reserves and to streamline accounting procedures.

Staff will determine which districts could be combined to facilitate streamlined accounting and maintenance services. It is hoped that this will also result in cost savings for the assessed property owners. Once it is determined which districts could be most efficiently combined, there will need to be an outreach effort to the affected property owners along with preparation of reports detailing the proposed new districts.

[Signatures]

Director  Appropriated/Funded  City Manager  ITEM NO.: 17
RECOMMENDATIONS: That the City Council:

1. Conduct a public hearing on the 2012-2013 assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments; and

2. Adopt the Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer’s Report and Assessments for the 2012-2013 Fiscal Year.

ATTACHMENTS: Resolution
Engineer’s Report
RESOLUTION NO.: 2012


WHEREAS, the City Council of the City of Porterville did on the 19th day of June, 2012 adopt its Resolution of Intention No. 61-2012 to order the therein described work in connection with the continuation of assessment procedures in Landscape and Lighting Maintenance Districts, which Resolution of Intention No. 61-2012 was duly and legally published in the time, form and manner as required by Law, shown by the Affidavit of Publication of said Resolution of Intention on file in the Office of the City Clerk; and

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

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

SECTION 1. IT IS HEREBY RESOLVED by the City Council of the City of Porterville that the public interest and convenience require the continuation of assessment procedures for the districts, and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 61-2012 be done and made; and

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

SECTION 3. BE IT FURTHER RESOLVED that the assessments for fiscal year 2012-2013 and method of assessment in the Engineer’s Report are hereby approved; and

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

APPROVED, PASSED AND ADOPTED this 17th day of July, 2012

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk
SECTION 1. Authority for Report

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

SECTION 2. General Description

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

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

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

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

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

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

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

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

8. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River

9. Annexation No. 9 = Parcel Map No. 4132 located on the corner of Henderson Avenue and Westwood Street

10. Annexation No. 10 = Westview Subdivision located on the corner of Westfield Avenue and Cobb Street
11. Annexation No. 11 = New Horizons Phase One Subdivision and the remainder parcel located along Springville Ave. and Indiana Street

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

13. Annexation 13 WITHDRAWN

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

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

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

17. Annexation 17 NOT FORMED;

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

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

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

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

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

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

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

25. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue

26. District No. 8 = River Breeze located on Newcomb Street between Patsy and Spring Streets

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

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

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

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

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

32. District No. 14 = River Springs, Phase Two Subdivision, located on River Avenue, Beverly Street, Date Avenue and River Springs Drive
33. District No. 15 = Meadowood, Phase One Subdivision, located on Newcomb Street, Cheryl Avenue and York Street

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

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

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

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

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

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

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

41. District No. 23 = Riverview Estates Phase Three Subdivision located on Roby Avenue, Belmore Street, Orange Avenue, Forest Avenue and Parkwest Street

42. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue

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

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

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

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

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

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

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

50. District No. 32 = Sunrise Villa, Phase 1, 2 and 3 Subdivision located along Mulberry Avenue east of Cottage Street. Phases 2 and 3 were annexed on June 16, 2009
51. District No. 33 = New Expressions, Phase 4 Subdivision located on Indiana Street between Springville Avenue and the Tule River

52. District No. 34 = Meadow Breeze, Phase 3 Subdivision located on Matthew Street, Michael Place, Verdugo Place, Lu Arm Place, Belmont Place, Brian Avenue and Castle Avenue

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

54. District No. 36 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue; INCORPORATED INTO DISTRICT 40.

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

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

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

58. District No. 40 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street

59. District No. 41 = Beverly Glenn Subdivision, located between Lotus and Beverly Streets, including Date Avenue

60. District No. 42 = Sierra Estates Subdivision, located east of Leggett Street and including Grand Avenue, South Place, Doree Place and Maurer Street. It also includes stub streets for Belleview and Kanai Streets

61. District No. 43 = Sierra Meadows Phase Two Subdivision located on Jaye Street and Gibbons Avenue and including Stacie, Yates, and Melinda Avenues and Mesa Oak and Pearson Streets

62. District No. 44 = Summit Estates, Phase One Subdivision located along Mathew Street and includes Orange Avenue and Lombardi and Argyle Streets

63. District No. 45 = New Expressions Phase Five Subdivision located along Parkway Drive and Indiana Street and includes Cloverleaf, Wisconsins, Bay Oak and Milo Streets

64. District No. 46 = Moorea Manor Subdivision located along Newcomb and includes San Lucia Lane

SECTION 3. Plans and Specifications

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments. The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.
Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

SECTION 4. Improvements

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

SECTION 5. Estimated Maintenance Costs

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

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

The assessments include costs accumulated to date and estimated costs for the 2012-2013 fiscal year for Landscape and Lighting District No. 1, including Annexations 1 through 19 and District 2 through 46.

SECTION 6. Assessment Diagram

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

SECTION 7. Assessment

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

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.
The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit by unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that affect the assessment.

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

Following are estimated maintenance costs and assessments for each District and Annexation.
District No. 1 - Westwood Estates Subdivision
2012-2013 Fiscal Year
Approved CPI 2000
(Adjusted 2008)
Maximum Assessment $15,625.27

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 13,650 sq. ft. of landscaping area $8,080.98
Project Management, 126 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $7,067.10
Maintenance: 1,024,967 sq. ft. of landscaping area $11,896.06
Project Management, 7 lots at $1000 + $4.00 per lot $1,504.00
Eliminate Deficit Fund Balance over 10 years $0.00
Reserves $2,010.00

Estimated Cost Per Year $15,410.06
Previous Year Assessment $15,115.50
New Assessment $15,115.50

ASSESSMENT
1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. All lots benefit equally from the landscaping and lighting.
4. The benefit to all lots in the annexed area benefit by the uniform maintenance and appearance. All lots benefit equally.
5. The landscaping on Westwood Avenue is oriented away from the units adjacent to the landscaped area.

FORMULA FOR ASSESSMENT:

\[
A = \frac{C}{L} \times \frac{120}{100}
\]

\[
A = \frac{\$15,115.50}{126} = \$119.96 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 126.

Estimated Annual Assessment
\[
A = \$123.18 \text{ per lot}
\]
Annexation No. 1 - Airport Industrial Park
2012-2013 Fiscal Year
Maximum Assessment $3,833.00

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,024,967 sq. ft. of landscaping area $360.51
Project Management, 7 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $36.63
Maintenance: 1,024,967 sq. ft. of landscaping area $2,958.06
Project Management, 7 lots at $1000 + $4.00 per lot $1,028.00
Eliminate Deficit Fund Balance over 10 years $0.00
Reserves $597.91

Estimated Cost Per Year $4,583.97

Previous Year Assessment $3,833.00

New Assessment $3,833.00

ASSESSMENT
1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. The benefit to the lots not adjacent to the landscaped area benefit by the uniform maintenance and appearance. All lots not abutting the landscaped area benefit equally.
4. It is proposed that the assessment be divided among the property owners based on their lot size in the assessment area.
5. The area along the south side of Hope Avenue will be included for maintenance until such time that the adjacent property to the south is developed.
6. The following parcels are exempt from fees since they were sold and/or developed prior to annexation to Maintenance District No. 1.
   a. Parcel 1 on Parcel Map No. 3503
   b. Parcel 1 on Parcel Map No. 3684
   c. Parcel 1 and 4 on Parcel Map 3735

FORMULA FOR ASSESSMENT:

\[
Assessment (A) = \frac{\text{Total Landscape Maintenance Costs}}{\text{Total Net Assessable Square Feet}}
\]

\[
A = \frac{$3,833.00}{1,024,967} = $0.00374 \text{ per sq. ft.}
\]

Assess $0.00374 per sq. ft. annual charge for landscape construction and maintenance for fiscal year.

   Parcel 2 on P.M. No. 3813 = $156.82
   Parcel 1 on P.M. No. 3503 = No Fee
ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 22,100 sq. ft. of landscaping area $5,549.68
Project Management, 22 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $2,830.95
Maintenance: 22,100 sq. ft. of landscaping area $8,201.23
Project Management, 22 lots at $1000 + $4.00 per lot $1,088.00
Reserves $1,393.38

Estimated Cost Per Year $10,682.61

Previous Year Assessment $8,000.00
New Assessment $8,000.00

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

FORMULA FOR ASSESSMENT:
\[
A = \frac{\text{Assessment per lot} = \frac{\text{Total Assessment} - F}{L}}
\]

L = Number of lots
F = Assessment for remainder parcel

The 2012-2013 assessment will be spread based upon the above formula. There are 22 lots in Unit One. The 47.89 acre remainder parcel is included on the final subdivision map and will be assessed 20% of the total estimated cost for landscaping maintenance until it is developed at which time it will be combined with the other completed units and assessed fully.

Estimated Assessment
F = $8,000 x 0.20 = $1,600.00 for remainder
A = \frac{8000 - 1600}{22} = $290.92 per lot in Unit One
Parcel 1 on P.M. No. 3641 = $261.47
Parcel 1 on P.M. No. 3684 = No Fee
Parcels 1 and 4 on P.M. No. 3735 = No Fee
Parcel 2 on P.M. No. 3503 = $162.90
Parcel 1 on P.M. No. 4687 = $464.30

Remaining property owner - COP = $2,787.51

Total = $3,833.00
Annexation No. 3 - Porter Creek
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $27,255.81

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 89,200 sq. ft. of landscaping area, includes slough clean up $10,495.00
Project Management, 177 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $18,388.81
Maintenance: 89,200 sq. ft. of landscaping area, includes slough clean up $25,520.95
Project Management, 177 lots at $1000 + $4.00 per lot $1,708.00
Reserves $4,083.34

Estimated Cost Per Year $31,312.29
Previous Year Assessment $23,643.46
New Assessment $23,643.46

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

FORMULA FOR ASSESSMENT:
Assessment (A) = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
A = \frac{23,643.46}{177} = 133.58 \text{ per lot}

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 177.

Estimated Annual Assessment
A = 133.58 \text{ per lot}
Annexation No. 4 - La Vida Park
2012-2013 Fiscal Year
Maximum Assessment $2,469.42

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 3,790 sq. ft. of landscaping area and lighting: $1,360.80
Project Management, 17 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $1,411.01
Maintenance: 3,790 sq. ft. of landscaping area and lighting: $2,621.50
Project Management, 17 lots at $1,068.00 per lot $1,068.00
Reserves $553.42
Estimated Cost Per Year $4,242.92
Previous Year Assessment $2,469.42
New Assessment $2,469.42

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 17.

Estimated Annual Assessment
A = $145.26 per lot
Annexation No. 5 - Westwood Estates Unit 4, Unit 5 Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2008)
Maximum Assessment $6,697.65

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 14,700 sq. ft. of landscaping area and
Project Management, 47 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

Maintenance: 14,700 sq. ft. of landscaping area
Project Management, 47 lots at $1000 + $4.00 per lot
Eliminate Deficit Fund Balance over 10 years
Reserves

Estimated Cost Per Year
Previous Year Assessment
New Assessment

ASSESSMENT
1. The purpose of the landscaping and lighting is to provide a favorable aesthetic appearance of the area.
2. Properly maintained landscaping and lighting benefits all properties in the development.
3. The lots not adjacent to the landscaped area benefit from the uniform appearance of the landscaping. All lots not adjacent to the landscaped area benefit equally. Trees in the front yard right-of-way are included in the District on White Chapel Avenue.
4. The cost of planting and installing improvements is to be paid by the developer and no assessment is to be made therefore.
5. It is proposed that Lots 1 through 34 be assessed for maintenance of the landscaped area. It has been determined that the relative benefit of developed lots as compared to the reminder parcel is as shown in the formula below.

FORMULA FOR ASSESSMENT:

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

A = $6,600.00 = $140.44 per lot
47

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 47.

Estimated Annual Assessment
A = $140.44 per lot
Annexation No. 6 - Northpointe Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,722.52

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 11 ea. @ 5,800 lumens, 8 ea. @ 9,500 lumens, $623.27
Project Management, 81 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $6,948.15
Maintenance: lighting: 11 ea. @ 5,800 lumens, 8 ea. @ 9,500 lumens, $633.21
Project Management, 81 lots at $400 + $3.00 per lot $643.00
Reserves $191.43
Estimated Cost Per Year $1,467.64
Previous Year Assessment $1,328.91
New Assessment $1,328.91

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{\$1,328.91}{81} = \$16.42 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 81.

Estimated Annual Assessment
\[
A = \$16.42 \text{ per lot}
\]
Annexation No. 7 - Quail Park Phase II
2012-2013 Fiscal Year
Maximum Assessment $410.40

*ESTIMATED ACCUMULATED COSTS 2011-2012*
Maintainence: lighting: 2 ea. @ 5,800 lumens, $107.84
Project Management, 12 lots

*ESTIMATED COSTS 2012-2013*
Projected July 1, 2012 fund balance $675.15
Maintainence: lighting: 2 ea. @ 5,800 lumens $61.45
Project Management, 12 lots at $400 + $3.00 per lot $436.00
Reserves $74.62
Estimated Cost Per Year $572.07

Previous Year Assessment $410.40
New Assessment $410.40

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

**FORMULA FOR ASSESSMENT:**

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 12.

Estimated Annual Assessment
A = $34.20 per lot
Annexation No. 8 - Westwood Park Unit 3 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $2,481.27

*ESTIMATED ACCUMULATED COSTS 2011-2012*

Maintenance: 28,460 sq. ft. of landscaping area and lighting: 5 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. Project Management, 36 lots $402.34

*ESTIMATED COSTS 2012-2013*

Projected July 1, 2012 fund balance $12,721.20

Maintenance: 28,460 sq. ft. of landscaping area and lighting: 5 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $2,320.84

Project Management, 36 lots at $1000 + $4.00 per lot $1,144.00

Reserves $519.73

Estimated Cost Per Year $3,984.57

Previous Year Assessment $2,481.27

New Assessment $2,481.27

*ASSESSMENT*

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

*FORMULA FOR ASSESSMENT:*

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

A = $2,481.27 / 36 = $68.92 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 36.

Estimated Annual Assessment

A = $68.92 per lot
Annexation No. 9 - Parcel Map 4132
2012-2013 Fiscal Year
Maximum Assessment $396.47

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 1 ea. @ 16,000 lumens. $87.65
Project Management, 2 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance $2,322.91

Maintenance: lighting: 1 ea. @ 16,000 lumens. $48.28
Project Management, 2 lots at $400 + $3.00 per lot $406.00
Reserves $68.14
Estimated Cost Per Year $522.42
Previous Year Assessment
New Assessment $396.47

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

**FORMULA FOR ASSESSMENT:**

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

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

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

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

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

Estimated Assessment
\[
P_2 = 253.96
\]
\[
P_1 = 142.52
\]
Annexation No. 10 - Westview Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,824.30

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,307 sq. ft. of landscaping area and lighting: 4 ea. @ 5,800 lumens, Project Management, 16 lots

$1,142.28

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

$5,385.20

Maintenance: 1,307 sq. ft. of landscaping area and lighting: 4 ea. @ 5,800 lumens
Project Management, 16 lots at $1000 + $4.00 per lot
Reserves
Estimated Cost Per Year

$1,550.35
$1,064.00
$392.15
$3,006.50

Previous Year Assessment
New Assessment

$1,824.30
$1,824.30

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 16.

Estimated Annual Assessment
A = $114.02 per lot
Annexation No. 11 - New Horizons Phase 1 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,045.80

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 6 ea. @ 5,800 lumens, 11 ea. @ 9,500 lumens, 2 ea. @ 16,000 lumens.
Project Management, 63 lots

$650.60

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance
Maintenance: lighting: 6 ea. @ 5,800 lumens, 11 ea. @ 9,500 lumens, 2 ea. @ 16,000 lumens.
Project Management, 63 lots at $400 + $3.00 per lot
Reserves

$5,671.41
$686.87
$589.00
$191.38

Estimated Cost Per Year
Previous Year Assessment
New Assessment

$1,467.25
$1,045.80
$1,045.80

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

---

**FORMULA FOR ASSESSMENT:**

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 63.

Estimated Annual Assessment
\[
A = 16.60 \text{ per lot}
\]
Annexation No. 12 - Sunrise Estates Phase 6 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,429.00

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 2,840 sq. ft. of landscaping area and lighting: 7 ea. @ 5,800 lumens, Project Management, 32 lots

$648.90

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

($443.67)

Maintenance: 2,840 sq. ft. of landscaping area and lighting: 7 ea. @ 5,800 lumens
Project Management, 32 lots at $1000 + $4.00 per lot
Eliminate Deficit Fund Balance over 10 years
Reserves

$1,525.59
$1,128.00
$44.36
$398.04

Estimated Cost Per Year
Previous Year Assessment
New Assessment

$3,095.99
$1,429.00
$1,429.00

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

A = $1,429.00 / 32 = $44.66 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 32.

Estimated Annual Assessment
A = $44.66 per lot
Annexation No. 14 - Wisconsin Manor 1 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,824.69

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 3,030 sq. ft. of landscaping area and lighting: 3 ea. @ 5,800 lumens, Project Management, 8 lots $1,014.09

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $(1,561.46)
Maintenance: 3,030 sq. ft. of landscaping area and lighting: 3 ea. @ 5,800 lumens $431.48
Project Management, 8 lots at $1000 + $4.00 per lot $1,032.00
Eliminate Deficit Fund Balance over 10 years $156.14
Reserves $219.52

Estimated Cost Per Year $1,839.14
Previous Year Assessment $1,824.69
New Assessment $1,824.69

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{1,824.69}{8} = 228.08 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 8.

Estimated Annual Assessment
A = $228.08 per lot
Annexation No. 15 - Northpointe Phase II Subdivision
2012-2013 Fiscal Year
Maximum Assessment $2,816.00

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 5 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens, $226.10
Project Management, 59 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance $7,845.16
Maintenance: lighting: 5 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens $190.52
Project Management, 59 lots at $400 + $3.00 per lot $577.00
Reserves $115.12

Estimated Cost Per Year $882.64
Previous Year Assessment $802.56
New Assessment $802.56

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{\$802.56}{59} = \$13.60 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 59.

Estimated Annual Assessment
A = $13.60 per lot
Annexation No. 16 - New Horizons Phase 2 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $1,803.34

**Estimated Accumulated Costs 2011-2012**
Maintenance: lighting: 8 ea. @ 5,800 lumens, 8 ea. @ 9,500 lumens, Project Management, 81 lots $537.23

**Estimated Costs 2012-2013**
Projected July 1, 2012 fund balance $6,485.77

Maintenance: lighting: 8 ea. @ 5,800 lumens, 8 ea. @ 9,500 lumens, $541.04
Project Management, 81 lots at $400 + $3.00 per lot $643.00
Reserves $177.60

Estimated Cost Per Year $1,361.64
Previous Year Assessment $1,233.75
New Assessment $1,233.75

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

**Formula for Assessment:**

\[
A = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}} = \frac{\$1,233.75}{81} = \$15.24 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 81.

Estimated Annual Assessment
\[
A = \$15.24 \text{ per lot}
\]
Annexation No. 18 - Westwood Village Mobile Home Park Phase 1
2012-2013 Fiscal Year
Maximum Assessment $787.35

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 5 ea. @ 16,000 lumens. $236.15
Project Management, 1 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $3,471.44
Maintenance: lighting: 5 ea. @ 16,000 lumens. $241.38
Project Management, 1 lots at $400 + $3.00 per lot $403.00
Reserves $96.66

Estimated Cost Per Year $741.04
Previous Year Assessment $672.37
New Assessment $672.37

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

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

A = $672.37 = $672.38 per lot
1

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 1.

Estimated Annual Assessment
A = $672.38 per lot
Annexation No. 19 - Castle Woods Phase 1 Subdivision
2012-2013 Fiscal Year
Maximum Assessment $919.20

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 9 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $444.54
Project Management, 30 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $3,144.50
Maintenance: lighting: 9 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $324.79
Project Management, 30 lots at $400 + $3.00 per lot $490.00
Reserves $122.22
Estimated Cost Per Year $937.01
Previous Year Assessment $849.83
New Assessment $849.83

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{849.83}{30} = 28.34 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 30.

Estimated Annual Assessment
\[ A = 28.34 \text{ per lot} \]
District No. 2 - North Creek Subdivision
2012-2013 Fiscal Year
Approved CPI 1998
(Adjusted 1998)
Maximum Assessment $17,425.72

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 12,677 sq. ft. of landscaping area $4,090.61
Project Management, 104 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $41,392.76
Maintenance: 12,677 sq. ft. of landscaping area $12,697.47
Project Management, 104 lots at $1000 + $4.00 per lot $1,416.00
Reserves $2,117.02
Estimated Cost Per Year $16,230.49
Previous Year Assessment $12,611.05
New Assessment $12,611.05

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

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

A = \frac{12,611.05}{104} = $121.26 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 104.

Estimated Annual Assessment
A = $121.26 per lot
District No. 3 - New Expressions Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 1998
(Adjusted 1998)
Maximum Assessment $1,329.18

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 10 ea. @ 5,800 lumens, $588.90
Project Management, 56 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance $3,994.72
Maintenance: lighting: 10 ea. @ 5,800 lumens, $313.99
Project Management, 56 lots at $400 + $3.00 per lot $568.00
Reserves $132.29

Estimated Cost Per Year $1,014.28
Previous Year Assessment $913.61
New Assessment $913.61

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{\$913.61}{56} = \$16.32 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 56.

Estimated Annual Assessment
A = $16.32 per lot
District No. 4 - River Springs Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $3,134.58

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 2,100 sq. ft. of landscaping area
Project Management, 51 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance

Maintenance: 2,100 sq. ft. of landscaping area
Project Management, 51 lots at $1000 + $4.00 per lot

Reserves

Estimated Cost Per Year

Previous Year Assessment

New Assessment

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

**FORMULA FOR ASSESSMENT:**

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 51.

Estimated Annual Assessment
\[
A = \$53.32 \text{ per lot}
\]
District No. 5 - Castle Woods Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 2002
(Adjusted 2008)
Maximum Assessment $1,021.48

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,715 sq. ft. of landscaping area and lighting: 8 ea. @ 5,800 lumens, Project Management, 25 lots

$1,192.57

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

($1,527.45)

Maintenance: 1,715 sq. ft. of landscaping area and lighting: 8 ea. @ 5,800 lumens
Project Management, 25 lots at $1000 + $4.00 per lot
Eliminate Deficit Fund Balance over 10 years
Reserves

$1,337.04
$1,100.00
$152.74
$365.55

$2955.33

Estimated Cost Per Year

Previous Year Assessment

$1,004.41

New Assessment

$1,004.41

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{1,004.41}{25} = 40.18 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 25.

Estimated Annual Assessment

\[ A = 40.18 \text{ per lot} \]
District No. 6 - Creekview Subdivision
2012-2013 Fiscal Year
Approved CPI 1999
(Adjusted 2008)
Maximum Assessment $4,869.30

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 23,600 sq. ft. of landscaping area and lighting: 5 ea. @ 5,800 lumens, Project Management, 19 lots

$4,112.31

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance

($20,898.37)

Maintenance: 23,600 sq. ft. of landscaping area and lighting: 5 ea. @ 5,800 lumens

$5,890.47

Project Management, 19 lots at $1000 + $4.00 per lot

$1,076.00

Eliminate Deficit Fund Balance over 10 years

$2,089.83

Reserves

$1,044.97

Estimated Cost Per Year

$10,101.27

Previous Year Assessment

$4,869.30

New Assessment

$4,869.30

**ASSESSMENT**

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

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

3. All lots benefit equally from the landscaping and lighting.

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{\$4,869.30}{19} = \$256.28 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 19.

Estimated Annual Assessment

\[
A = \$256.28 \text{ per lot}
\]
District No. 7 - Ford Estates Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 1999
(Adjusted 1999)
Maximum Assessment $2,857.88

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,365 sq. ft. of landscaping area and lighting: 4 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens, Project Management, 20 lots $665.25

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $8,183.31
Maintenance: 1,365 sq. ft. of landscaping area and lighting: 4 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $675.09
Project Management, 20 lots at $1000 + $4.00 per lot $1,010.00
Reserves $252.76

Estimated Cost Per Year $1,937.85
Previous Year Assessment $2,163.40
New Assessment $1,937.85

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{$1,937.85}{20} = $96.89 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 20.

Estimated Annual Assessment
\[ A = $96.89 \text{ per lot} \]
District No. 8 - River Breeze Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $5,043.35

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,000 sq. ft. of landscaping area, 25,600 sq. ft. of fire break, and lighting: 8 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens.
Project Management, 37 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

Maintenance: 1,000 sq. ft. of landscaping area, 25,600 sq. ft. of fire break, and lighting: 8 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens.
Project Management, 37 lots at $1000 + $4.00 per lot

Reserves

Estimated Cost Per Year

Previous Year Assessment

New Assessment

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 37.

Estimated Annual Assessment
A = $118.24 per lot
District No. 9 - Orchard Ridge Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 1999
(Adjusted 1999)
Maximum Assessment $1,301.23

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 10 ea. @ 5,800 lumens, Project Management, 56 lots
$337.34

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
$5,306.87

Maintenance: lighting: 10 ea. @ 5,800 lumens
$313.99
Project Management, 56 lots at $400 + $3.00 per lot
$568.00

Reserves
$132.29

Estimated Cost Per Year
$1,014.28

Previous Year Assessment
$913.61

New Assessment
$913.61

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

FORMULA FOR ASSESSMENT:

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

A = $913.61 = $16.32 per lot
56

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 56.

Estimated Annual Assessment
A = $16.32 per lot
District No. 10 - Orchard Ridge Phase 4 Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $359.99

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 4 ea. @ 5,800 lumens, $165.26
Project Management, 19 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $428.12
Maintenance: lighting: 4 ea. @ 5,800 lumens $125.59
Project Management, 19 lots at $400 + $3.00 per lot $457.00
Reserves $87.38
Estimated Cost Per Year $669.97
Previous Year Assessment $312.28
New Assessment $312.28

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

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 19.

Estimated Annual Assessment
\[ A = 16.44 \text{ per lot} \]
District No. 11 - Orchard Ridge Phase 5 Subdivision
2012-2013 Fiscal Year
Approved CPI 1999
(Adjusted 1999)
Maximum Assessment $1,591.70

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 14 ea. @ 5,800 lumens, $452.06
Project Management, 76 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $6,347.79
Maintenance: lighting: 14 ea. @ 5,800 lumens $439.59
Project Management, 76 lots at $400 + $3.00 per lot $628.00
Reserves $160.13

Estimated Cost Per Year $1,227.72
Previous Year Assessment $1,103.49
New Assessment $1,103.49

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)/Number of Lots (L)

A = $1,103.49/76 = $14.52 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 76.

Estimated Annual Assessment
A = $14.52 per lot
District No. 12 - Westwood Estates Unit 5, Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 1999
(Adjusted 1999)
Maximum Assessment $9,734.35

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 19,112 sq. ft. of landscaping area and lighting: 12 ea. @ 5,800 lumens, 4 ea. @ 16,000 lumens and Project Management, 34 lots

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance</td>
<td>$3,640.90</td>
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</tbody>
</table>

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Maintenance</td>
<td>$8,472.57</td>
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<tr>
<td>Project Management, 34 lots at $1000 + $4.00 per lot</td>
<td>$1,136.00</td>
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<tr>
<td>Reserves</td>
<td>$1,441.28</td>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Cost Per Year</td>
<td>$11,049.85</td>
</tr>
<tr>
<td>Previous Year Assessment</td>
<td>$7,368.84</td>
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<tr>
<td>New Assessment</td>
<td>$7,368.84</td>
</tr>
</tbody>
</table>

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{$7,368.84}{34} = $216.74 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 34.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Annual Assessment</td>
<td>$216.74 per lot</td>
</tr>
</tbody>
</table>
District No. 13 - River Ranch Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $2,478.95

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,000 sq. ft. of landscaping area and lighting: 7 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens.
Project Management, 35 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
Maintenance: 1,000 sq. ft. of landscaping area and lighting: 7 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens.
Project Management, 35 lots at $1000 + $4.00 per lot
Reserves

Estimated Cost Per Year
Previous Year Assessment
New Assessment

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{2,150.40}{35} = \$61.44 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 35.

Estimated Annual Assessment
A = $61.44 per lot
District No. 14 - River Springs Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $1,199.37

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 11 ea. @ 5,800 lumens
Project Management, 50 lots

$1,632.52

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

$4,094.00

Maintenance: lighting: 11 ea. @ 5,800 lumens
Project Management, 50 lots at $400 + $3.00 per lot
Reserves

$345.39
$550.00
$134.43

$1,029.82

Estimated Cost Per Year

Previous Year Assessment

$926.43

New Assessment

$926.43

ASSESSMENT

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

FORMULA FOR ASSESSMENT:

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

A = $926.43 / 50 = $18.54 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 50.

Estimated Annual Assessment

A = $18.54 per lot
ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 7,723 sq. ft. of landscaping area and lighting: 10 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens, 3 ea. @ 16,000 lumens.
Project Management, 48 lots

$3,905.79

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

$26,608.07

Maintenance: 7,723 sq. ft. of landscaping area and lighting: 10 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens, 3 ea. @ 16,000 lumens.
Project Management, 48 lots at $1000 + $4.00 per lot
Reserves

$6,841.24
$1,192.00
$1,204.98

Estimated Cost Per Year
Previous Year Assessment
New Assessment

$9,238.22
$6,810.24
$6,810.24

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

FORMULA FOR ASSESSMENT:

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 48.

Estimated Annual Assessment
A = $141.88 per lot
District No. 16 - New Expressions Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 2001
(Adjusted 2001)
Maximum Assessment $6,712.19

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 5,800 sq. ft. of landscaping area, playground area 30%, and lighting: 13 ea. @ 5,800 lumens, Project Management, 54 lots
$2,557.97

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
$31,089.39

Maintenance: 5,800 sq. ft. of landscaping area, playground area 30%, and lighting: 13 ea. @ 5,800 lumens
$5,469.40
Project Management, 54 lots at $1000 + $4.00 per lot
$1,216.00
Reserves
$1,002.81
Estimated Cost Per Year
$7,688.21
Previous Year Assessment
$5,580.07
New Assessment
$5,580.07

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

\[ A = \frac{5,580.07}{54} = $103.34 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 54.

Estimated Annual Assessment
A = $103.34 per lot
District No. 17 - Orchard Ridge Phase 6 Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2007)
Maximum Assessment $633.36

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 7 ea. @ 5,800 lumens, $251.30
Project Management, 32 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $825.12
Maintenance: lighting: 7 ea. @ 5,800 lumens, $219.79
Project Management, 32 lots at $400 + $3.00 per lot $496.00
Reserves $107.36

Estimated Cost Per Year $823.15
Previous Year Assessment $617.82
New Assessment $617.82

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $617.82 / 32 = $19.30 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 32.

Estimated Annual Assessment
A = $19.30 per lot
District No. 18 - Ohio North Subdivision  
2012-2013 Fiscal Year  
Approved CPI 2007  
(Adjusted 2008)  
Maximum Assessment $190.26

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 2 ea. @ 5,800 lumens, $107.84  
Project Management, 10 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance ($229.21)

Maintenance: lighting: 2 ea. @ 5,800 lumens $62.80  
Project Management, 10 lots at $400 + $3.00 per lot $430.00  
Eliminate Deficit Fund Balance over 10 years $22.92  
Reserves $73.92

Estimated Cost Per Year $589.64
Previous Year Assessment $190.26
New Assessment $190.26

**ASSESSMENT**

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

**FORMULA FOR ASSESSMENT:**

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

\[ A = \frac{190.26}{10} = 19.04 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 10.

Estimated Annual Assessment  
\[ A = 19.04 \text{ per lot} \]
District No. 19 - Williams Ranch Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 2002
(Adjusted 2008)
Maximum Assessment $7,027.83

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 13,910 sq. ft. of landscaping area and lighting: 11 ea. @ 5,800 lumens, 2 ea. @ 9,500 lumens, Project Management, 41 lots $3,031.13

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance $8,802.46
Maintenance: 13,910 sq. ft. of landscaping area and lighting: 11 ea. @ 5,800 lumens, 2 ea. @ 9,500 lumens $6,423.75
Project Management, 41 lots at $1000 + $4.00 per lot $1,164.00
Reserves $1,138.16

Estimated Cost Per Year $8,725.91
Previous Year Assessment $6,910.35
New Assessment $6,910.35

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{6,910.35}{41} = 168.54 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 41.

Estimated Annual Assessment
\[
A = 168.54 \text{ per lot}
\]
District No. 20 - West View Place Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2007)
Maximum Assessment $280.32

*ESTIMATED ACCUMULATED COSTS 2011-2012*
Maintenance: lighting: 3 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens, $155.55
Project Management, 10 lots

*ESTIMATED COSTS 2012-2013*
Projected July 1, 2012 fund balance $218.49

Maintenance: lighting: 3 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens $131.91
Project Management, 10 lots at $400 + $3.00 per lot $430.00
Reserves $84.28

Estimated Cost Per Year $646.19
Previous Year Assessment $265.74
New Assessment $265.74

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

---

**FORMULA FOR ASSESSMENT:**

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

\[A = \$265.74 = \$26.56 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 10.

Estimated Annual Assessment
\[A = \$26.56 \text{ per lot}\]
District No. 21 - Orchard Ridge Phase 7 Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2008)
Maximum Assessment $1,728.51

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 2,142 sq. ft. of landscaping area (30/74 of 5950 sq. ft.) and
lighting: 6 ea. @ 5,800 lumens, Project Management, 30 lots
$769.30

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
$1,027.54
Maintenance: 2,142 sq. ft. of landscaping area (30/74 of 5950 sq. ft.) and
lighting: 6 ea. @ 5,800 lumens
$1,744.50
Project Management, 30 lots at $1000 + $4.00 per lot
$1,120.00
Reserves
$429.67
Estimated Cost Per Year
$3,294.17
Previous Year Assessment
$1,699.62
New Assessment
$1,699.62

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

\[ A = \frac{1,699.62}{30} = 56.66 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is
30.

Estimated Annual Assessment
\[ A = 56.66 \text{ per lot} \]
ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 4,940 sq. ft. of landscaping area and lighting: 14 ea. @ 5,800
lumens, 3 ea. @ 9,500 lumens, 2 ea. @ 16,000 lumens.
Project Management, 55 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

Maintenance: 4,940 sq. ft. of landscaping area and lighting: 14 ea. @ 5,800
lumens, 3 ea. @ 9,500 lumens, 2 ea. @ 16,000 lumens.
Project Management, 55 lots at $1000 + $4.00 per lot
Reserves

Estimated Cost Per Year

Previous Year Assessment

New Assessment

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{\$4,861.60}{55} = \$88.40 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 55.

Estimated Annual Assessment
\[
A = \$88.40 \text{ per lot}
\]
District No. 23 - River View Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2002
(Adjusted 2002)
Maximum Assessment $840.44

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 11 ea. @ 5,800 lumens, $366.02
Project Management, 36 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $2,670.97
Maintenance: lighting: 11 ea. @ 5,800 lumens
Project Management, 36 lots at $400 + $3.00 per lot $345.39
Reserves $508.00
$128.00

Estimated Cost Per Year $981.39

Previous Year Assessment $713.36

New Assessment $713.36

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{713.36}{36} = \$19.82 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 36.

Estimated Annual Assessment
A = $19.82 per lot
District No. 24 - Orchard Ridge Phase 8 Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2008)
Maximum Assessment $2,607.14

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 3,538 sq. ft. of landscaping area (44/74 of 5950 sq. ft) and lighting: 11 ea. @ 5,800 lumens, Project Management, 44 lots
$2,678.97

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2009 fund balance ($7,728.12)

Maintenance: 3,538 sq. ft. of landscaping area (44/74 of 5950 sq. ft) and lighting: 11 ea. @ 5,800 lumens $2,184.22
Project Management, 44 lots at $1000 + $4.00 per lot $1,176.00
Eliminate Deficit Fund Balance over 10 years $772.81
Reserves $504.03

Estimated Cost Per Year $4,637.06
Previous Year Assessment $2,607.14
New Assessment $2,607.14

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

**FORMULA FOR ASSESSMENT:**
Assessment (A) = Cost (C) / Number of Lots (L)

A = $2,607.14 / 44 = $59.26 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 44.

Estimated Annual Assessment
A = $59.26 per lot
District No. 25 - Casas del Rio Subdivision
2012-2013 Fiscal Year
Approved CPI 2003
(Adjusted 2003)
Maximum Assessment $33,112.96

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 55,950 sq. ft. of landscaping area $15,085.48
Project Management, 118 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $120,209.43
Maintenance: 55,950 sq. ft. of landscaping area $25,965.13
Project Management, 118 lots at $1000 + $4.00 per lot $1,472.00
Reserves $0.00

Estimated Cost Per Year $27,437.13
Previous Year Assessment $28,724.33
New Assessment $27,437.13

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $27,437.13 = $232.50 per lot
118

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 118.

Estimated Annual Assessment
A = $232.51 per lot
District No. 26 - Orchard Ridge Phase 9 Subdivision
2012-2013 Fiscal Year
Approved CPI 2004
(Adjusted 2004)
Maximum Assessment $910.98

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 10 ea. @ 5,800 lumens. $337.34
Project Management, 47 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $2,282.23

Maintenance: lighting: 10 ea. @ 5,800 lumens $313.99
Project Management, 47 lots at $400 + $3.00 per lot $541.00
Reserves $128.24

Estimated Cost Per Year $983.23

Previous Year Assessment $790.62

New Assessment $790.62

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

FORMULA FOR ASSESSMENT:

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

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 47.

Estimated Annual Assessment
A = $16.82 per lot
District No. 27 - New Expressions Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2004
(Adjusted 2004)
Maximum Assessment $2,133.62

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 748 sq. ft. of landscaping area berm, wall, and 30% of
playground, and lighting: 11 ea. @ 5,800 lumens,
Project Management, 50 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

Maintenance: 748 sq. ft. of landscaping area berm, wall, and 30% of
playground, and lighting: 11 ea. @ 5,800 lumens,
Project Management, 50 lots at $1000 + $4.00 per lot
Reserves

Estimated Cost Per Year

Previous Year Assessment

New Assessment

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is
50.

Estimated Annual Assessment
A = $37.20 per lot
District No. 28 - Meadowood Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2004
(Adjusted 2004)
Maximum Assessment $1,808.45

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 17 ea. @ 5,800 lumens, 9 ea. @ 9,500 lumens, $731.06
Project Management, 78 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $4,064.89
Maintenance: lighting: 17 ea. @ 5,800 lumens, 9 ea. @ 9,500 lumens $873.25
Project Management, 78 lots at $400 + $3.00 per lot $634.00
Reserves $226.08

Estimated Cost Per Year $1,733.33
Previous Year Assessment $1,547.89
New Assessment $1,547.89

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $1,547.89
78
= $19.84 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 78.

Estimated Annual Assessment
A = $19.84 per lot
District No. 29 - River Springs Phase 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2007)
Maximum Assessment $751.74

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 9 ea. @ 5,800 lumens, $308.68
Project Management, 36 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $1,541.16
Maintenance: lighting: 9 ea. @ 5,800 lumens $282.59
Project Management, 36 lots at $400 + $3.00 per lot $508.00
Reserves $118.58

Estimated Cost Per Year $909.18
Previous Year Assessment $712.64
New Assessment $712.64

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $712.64 = $19.80 per lot
36

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 36.

Estimated Annual Assessment
A = $19.80 per lot
District No. 30 - Sierra Meadows Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment $16,773.66

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 26,639 sq. ft. of landscaping area, 2739 feet of wall, and lighting: $6,909.70
23 ea. @ 5,800 lumens, 4 ea. @ 9,500 lumens, 5 ea. @ 16,000 lumens.
Project Management, 56 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $36,659.01
Maintenance: 26,639 sq. ft. of landscaping area, 2739 feet of wall, and lighting: $15,278.78
23 ea. @ 5,800 lumens, 4 ea. @ 9,500 lumens, 5 ea. @ 16,000 lumens.
Project Management, 56 lots at $1000 + $4.00 per lot $1,224.00
Reserves $2,475.41

Estimated Cost Per Year $18,978.19
Previous Year Assessment $15,408.17
New Assessment $15,408.17

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

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

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 56.

Estimated Annual Assessment
A = $275.14 per lot
District No. 31 - Williams Ranch Phase 2 & 3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment $2,303.51

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 6,512 sq. ft. of landscaping area, 437 feet of wall, and lighting: $2,962.37
24 ea. @ 5,800 lumens, 2 ea. @ 16,000 lumens.
Project Management, 85 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $(1,412.82)

Maintenance: 6,512 sq. ft. of landscaping area, 437 feet of wall, and lighting: $1,711.34
24 ea. @ 5,800 lumens, 2 ea. @ 16,000 lumens.
Project Management, 85 lots at $1000 + $4.00 per lot $1,340.00
Eliminate Deficit Fund Balance over 10 years $141.28
Reserves $457.70

Estimated Cost Per Year $3,650.32
Previous Year Assessment $2,303.51
New Assessment $2,303.51

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

FORMULA FOR ASSESSMENT:

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

\[ A = \frac{2,303.51}{85} = 27.10 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 85.

Estimated Annual Assessment
A = $27.10 per lot
FE MAO DR. 32 - Sunrde Villa Phases 1-3 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006 (Adjusted 2008)
Maximum Assessment $1,513.54

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 13 ea. @ 5,800 lumens,
Project Management, 54 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
Maintenance: lighting: 13 ea. @ 5,800 lumens,
Project Management, 54 lots at $400 + $3.00 per lot
Eliminate Deficit Fund Balance over 10 years
Reserves

Estimated Cost Per Year
Previous Year Assessment
New Assessment

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

A = $1,513.54 / 54 = $28.02 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 54.

Estimated Annual Assessment
A = $28.02 per lot
District No. 33 - New Expressions Phase 4 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment $1,504.87

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 220 ft. of wall and lighting: 11 ea. @ 5,800 lumens, 2 ea. @ 9,500 lumens, Project Management, 58 lots
$430.31

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance
$4,135.13

Maintenance: 220 ft. of wall and lighting: 11 ea. @ 5,800 lumens, 2 ea. @ 9,500 lumens
$570.94
Project Management, 58 lots at $400 + $3.00 per lot
$574.00
Reserves
$171.74

Estimated Cost Per Year
$1,316.68
Previous Year Assessment
$1,168.07
New Assessment
$1,168.07

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

**FORMULA FOR ASSESSMENT:**

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

A = $1,168.07 / 58 = $20.14 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 58.

Estimated Annual Assessment
A = $20.14 per lot
District No. 34 - Meadow Breeze Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment $1,928.30

*Estimated Accumulated Costs 2011-2012*
Maintenance: lighting: 14 ea. @ 5,800 lumens, 5 ea. @ 9,500 lumens,
Project Management, 78 lots $308.63

*Estimated Costs 2012-2013*
Projected July 1, 2012 fund balance $3,861.72
Maintenance: lighting: 14 ea. @ 5,800 lumens, 5 ea. @ 9,500 lumens $628.18
Project Management, 78 lots at $400 + $3.00 per lot $634.00
Reserves $189.32

Estimated Cost Per Year $1,451.50
Previous Year Assessment $1,300.31
New Assessment $1,300.31

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

**Formula for Assessment:**

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

\[
A = \frac{\$1,300.31}{78} = $16.68 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 78.

Estimated Annual Assessment
A = $16.68 per lot
District No. 35 - Meadow Breeze Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment $1,001.39

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: lighting: 9 ea. @ 5,800 lumens, Project Management, 44 lots $612.83

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance $819.28

Maintenance: lighting: 9 ea. @ 5,800 lumens $295.86
Project Management, 44 lots at $400 + $3.00 per lot $532.00
Reserves $124.17

Estimated Cost Per Year $952.03
Previous Year Assessment $844.08
New Assessment $844.08

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

**FORMULA FOR ASSESSMENT:**

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

\[ A = \frac{844.08}{44} = 19.18 \text{ per lot} \]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 44.

Estimated Annual Assessment
A = $19.18 per lot
District No. 37 - Riverview Estates Phase 4 Subdivision
2012-2013 Fiscal Year
Approved CPI 2006
(Adjusted 2007)
Maximum Assessment $508.84

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 5 ea. @ 5,800 lumens, Project Management, 17 lots $193.88

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $953.66
Maintenance: lighting: 5 ea. @ 5,800 lumens $156.99
Project Management, 17 lots at $400 + $3.00 per lot $451.00
Reserves $91.19

Estimated Cost Per Year $699.18
Previous Year Assessment $496.36
New Assessment $496.36

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C) / Number of Lots (L)

A = $496.36 / 17 = $29.20 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 17.

Estimated Annual Assessment
A = $29.20 per lot
District No. 38 - Ranch Victoria, Phase One Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2008)
Maximum Assessment $529.89

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 2 ea. @ 5,800 lumens, Project Management, 6 lots

$107.84

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance

$1,378.43

Maintenance: lighting: 2 ea. @ 5,800 lumens
Project Management, 6 lots at $400 + $3.00 per lot
Reserves

$62.80
$418.00
$72.12

Estimated Cost Per Year

$552.92
Previous Year Assessment

$516.86
New Assessment

$516.86

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

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

A = \frac{$516.86 \text{ per lot}}{6} = $86.14 \text{ per lot}

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 6.

Estimated Annual Assessment
A = $86.14 \text{ per lot}
District No. 39 - Williams Ranch Phase 4 Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2007)
Maximum Assessment $1,207.85

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 17 ea. @ 5,800 lumens, $538.10
Project Management, 59 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $2,569.85
Maintenance: lighting: 17 ea. @ 5,800 lumens $533.79
Project Management, 59 lots at $400 + $3.00 per lot $577.00
Reserves $166.61

Estimated Cost Per Year $1,277.40
Previous Year Assessment $1,145.10
New Assessment $1,145.10

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

FORMULA FOR ASSESSMENT:
Assessment (A) = Cost (C)
Number of Lots (L)

A = $1,145.10 / 59 = $19.40 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 59.

Estimated Annual Assessment
A = $19.40 per lot
District No. 40 - Amalene Estates Subdivision
2012-2013 Fiscal Year
Approved CPI 2007
(Adjusted 2007)
Maximum Assessment $7,648.22

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 5,445 sq. ft. of landscaping area, 736 ft. of wall, and lighting: 16
ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $2,305.79
Project Management, 26 lots

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $1,418.21

Maintenance: 5,445 sq. ft. of landscaping area, 736 ft. of wall, and lighting: 16
ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens. $1,058.37
Project Management, 26 lots at $1000 + $4.00 per lot $1,104.00
Reserves $324.36

Estimated Cost Per Year $2,486.73
Previous Year Assessment $6,714.72
New Assessment $2,486.73

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

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

\[
A = \frac{$2,486.73}{26} = $95.64 \text{per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 26.

Estimated Annual Assessment
A = $95.62 per lot
ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: lighting: 3 ea. @ 5,800 lumens, Project Management, 19 lots $136.55

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance $1,144.61
Maintenance: lighting: 3 ea. @ 5,800 lumens $94.19
Project Management, 19 lots at $400 + $3.00 per lot $457.00
Reserves $82.67
Estimated Cost Per Year $633.86
Previous Year Assessment $575.01
New Assessment $575.01

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

FORMULA FOR ASSESSMENT:

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

\[
A = \frac{575.01}{19} = 30.26 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 19.

Estimated Annual Assessment
\[
A = 30.26 \text{ per lot}
\]
**District No. 42 - Sierra Estates Subdivision**  
2012-2013 Fiscal Year  
Approved CPI 2008  
(Adjusted 2008)  
Maximum Assessment $24,331.14

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 43,873 sq. ft. of landscaping area, 330 ft. of wall, and lighting:
14 ea. @ 5,800 lumens,  
Project Management, 48 lots  
5,307.55

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance  
$58,659.64

Maintenance: 43,873 sq. ft. of landscaping area, 330 ft. of wall, and lighting:
14 ea. @ 5,800 lumens  
Project Management, 48 lots at $1000 + $4.00 per lot  
Reserves  
$3,379.43

Estimated Cost Per Year  
$25,908.99

Previous Year Assessment  
$23,734.54

New Assessment  
$23,734.54

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{23,734.54}{48} = $494.46 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 48.

Estimated Annual Assessment  
\[
A = $494.46 \text{ per lot}
\]
District No. 43 - Sierra Meadows Phase 2 Subdivision
2012-2013 Fiscal Year
Approved CPI 2008
(Adjusted 2008)
Maximum Assessment $18,564.42

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 27,960 sq. ft. of landscaping area, 2614 ft. of wall, and lighting: 28 ea. @ 5,800 lumens, 8 ea. @ 16,000 lumens. Project Management, 61 lots

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance

Maintenance: 27,960 sq. ft. of landscaping area, 2614 ft. of wall, and lighting: 28 ea. @ 5,800 lumens, 8 ea. @ 16,000 lumens. Project Management, 61 lots at $1000 + $4.00 per lot Reserve

Estimated Cost Per Year

Previous Year Assessment

New Assessment

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{\$18,231.39}{61} = \$298.88 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 61.

Estimated Annual Assessment

\[
A = \$298.88 \text{ per lot}
\]
District No. 44 - Summit Estates Phase 1 Subdivision
2012-2013 Fiscal Year
Approved CPI 2008
(Adjusted 2008)
Maximum Assessment $5,629.48

**ESTIMATED ACCUMULATED COSTS 2011-2012**
Maintenance: 4,300 sq. ft. of landscaping area, 242 ft. of wall, and lighting: 20 ea. @ 5,800 lumens, 3 ea. @ 9,500 lumens, Project Management, 70 lots

$1,885.37

**ESTIMATED COSTS 2012-2013**
Projected July 1, 2012 fund balance

$13,639.78

Maintenance: 4,300 sq. ft. of landscaping area, 242 ft. of wall, and lighting: 20 ea. @ 5,800 lumens, 3 ea. @ 9,500 lumens
Project Management, 70 lots at $1000 + $4.00 per lot
Reserves

$3,655.92
$1,280.00
$740.38

Estimated Cost Per Year

$5,676.30

Previous Year Assessment

$5,491.45

New Assessment

$5,491.45

**ASSESSMENT**

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

**FORMULA FOR ASSESSMENT:**

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

\[
A = \frac{5,491.45 \times 78.44}{70} = 78.44 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 70.

Estimated Annual Assessment

\[
A = 78.44 \text{ per lot}
\]
District No. 45 - New Expressions Phase 5 Subdivision
2012-2013 Fiscal Year
Approved CPI 2008
(Adjusted 2008)
Maximum Assessment $14,396.67

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 15,250 sq. ft. of landscaping area, 880 ft. of wall and berm, and lighting: 22 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens, Project Management, 88 lots
$713.20

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
$30,604.44

Maintenance: 15,250 sq. ft. of landscaping area, 880 ft. of wall and berm, and lighting: 22 ea. @ 5,800 lumens, 1 ea. @ 9,500 lumens
$11,127.16
Project Management, 88 lots at $1000 + $4.00 per lot
$1,352.00
Reserves
$1,871.87

Estimated Cost Per Year
$14,351.03

Previous Year Assessment
$14,043.67

New Assessment
$14,043.67

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

FORMULA FOR ASSESSMENT:
Assessment (A) = \[\text{Cost (C)} / \text{Number of Lots (L)}\]

\[
A = \$14,043.67 / 88 = \$159.58 \text{ per lot}
\]

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 88.

Estimated Annual Assessment
\[A = \$159.58 \text{ per lot}\]
District No. 46 – Moorea Manor Subdivision
2012-2013 Fiscal Year
Approved CPI 2009
(Adjusted 2009)
Maximum Assessment $264.81

ESTIMATED ACCUMULATED COSTS 2011-2012
Maintenance: 1,460 sq. ft. of landscaping area, 286 ft. of wall, and lighting: 4
ea. @ 5,800 lumens
Project Management, 88 lots

$264.81

ESTIMATED COSTS 2012-2013
Projected July 1, 2012 fund balance
Maintenance: 1,460 sq. ft. of landscaping area, 286 ft. of wall, and lighting: 4
eoa. @ 5,800 lumens
Project Management, 16 lots at $1000 + $4.00 per lot
Reserves

$1,898.34
$2,647.14
$1,064.00
$556.67

Estimated Cost Per Year

$4,267.81

Previous Year Assessment

$4,202.28

New Assessment

$4,202.28

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

FORMULA FOR ASSESSMENT:

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

A = $4,202.28 / 16 = $262.64 per lot

The total 2012-2013 assessment will be spread based upon the number of lots. Total lot count is 16.

Estimated Annual Assessment
A = $262.64 per lot

This concludes the 2012-2013 Landscape and Lighting District Engineer’s Report.
Baldomero Rodriguez, RCE 45304
PUBLIC HEARING

SUBJECT: INITIATION OF PRELIMINARY PROCEEDINGS AND RESOLUTIONS OF APPLICATION FOR NORTH MAIN STREET ANNEXATION NO. 475

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

HISTORY: At the meeting of June 5, 2012, the City Council considered the initiation of Annexation 475. The full staff report of that meeting is included herein as Attachment 1.

At that June 5 meeting, the City Council opened the public hearing and heard comments from various interested parties, most of whom reside or own property within the proposed annexation area. One party, representing a church within the annexation area, presented written comments for Council consideration. After receiving comments, Council continued the public hearing to July 17, 2012, and directed Staff to further efforts to reach out to affected property owners. A public informational meeting was scheduled for June 28, 2012, at 6:00 pm in Council Chambers. The meeting was publicly noticed in the Porterville Recorder, and individual notices were sent to each property owner within the affected area. According to sign-in sheets, thirty-eight people attended the meeting. An annexation survey was presented to meeting attendees; of those submitted to date, one (1) person stated no preference, two (2) stated they needed more information to form a preference, and eleven (11) stated they do not want to be annexed. No one stated they do wish to be annexed.

COMMENT: Based on comments received from the public, concerns related to the proposed island annexation primarily focus on two issues: initial expenses to individual property owners and liabilities to the City of Porterville associated with infrastructure needs. An evaluation of fees and assessments from various City departments was completed and presented at the public information meeting (Attachment 2). Developed properties that are currently served by wells and septic systems could remain on those systems until failure; ongoing maintenance would be allowed. Upon failure, developed properties would need to connect to City water and sewer, at estimated costs starting at $2500 and $3500, respectively, for an average single family residence. Those fee estimates are based on the cost to connect to an existing main within the right of way, and may increase depending on the distance from property line to the main line. Most of the properties in the annexation area are currently served with City water, which is part of the former Roland Water Company. A sewer line runs through Area A-1 (from Mulberry to Westfield via Howland) but there are limited hookups to this line, if any. There are no known storm drains in the area.

Collectively, the roads in Area A-1 are in fair to poor condition, and areas that need
improvement would be added to the City's queue of road improvement projects. The roads that service all of the other areas (A-2 through A-5) are currently within City limits and will incur no additional cost to the City if the adjacent areas are annexed. After annexation, maintenance responsibility for the roads in A-1 will transfer from the County to the City. The estimated cost to bring the area up to City standards is $7.5 million. Most of this cost is attributed to Area A-1 due to its size and the inclusion of roadways not currently maintained by the City. These improvements would occur over time as funds become available.

In the event that annexation would be pursued if not for the responsibility and liability of road and other infrastructure improvements, islands A-2, A-3, A-4, and B could be brought in separate from A-1. These four island areas range in size from one to three parcels and are already served by City streets and essential infrastructure with the exception of Area A-2 on North Main Street, which has adjacent sewer but no water. Those improvements would be extended with the North Main Street Improvement Project; however, the existing street is already within the City.

Staff notes the expenses addressed herein are a concern for property owners and merit due consideration. Of equal importance is the consideration for the long term growth and continuance of services for the City of Porterville. The areas proposed in the subject island annexation are surrounded, or in the case of Area A-3, substantially surrounded, by lands within the City. In the future, when projects are proposed in the areas adjacent to these islands, the City would be required to closely coordinate with Tulare County Resource Management Agency staff in order to move forward. The additional coordination could result in increased costs and delays to the City.

RECOMMENDATION: That the City Council:
1. Adopt the draft resolution approving the Negative Declaration for Annexation 475; and
2. Adopt the draft resolution(s) authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo for Annexation 475.

ATTACHMENTS:
1. Staff Report from June 5, 2012, Council meeting
2. Presentation materials from June 28, 2012, public meeting
3. Annexation No. 475 Map
4. Map representing General Plan Designations
5. Map representing proposed Zoning
6. Initial Study supporting Negative Declaration (see Attachment 1)
7. Draft Resolution approving the Negative Declaration for Annexation 475
8. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary application for Annexation 475 (all islands)
PUBLIC HEARING

SUBJECT: INITIATION OF PRELIMINARY PROCEEDINGS AND RESOLUTIONS OF APPLICATION FOR NORTH MAIN STREET ANNEXATION NO. 475

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

HISTORY: The proposed North Main Street Annexation area was identified in a city-wide annexation program initiated in 2005 in an effort to "clean up" the convoluted City limits boundary with numerous county islands. The State of California, County of Tulare, Tulare County Local Agency Formation Commission (LAFCo), and the City of Porterville have all identified the presence of unincorporated territories within the boundaries of an incorporated city (such as the subject annexation areas) as a source of government inefficiency. To rectify this problem, the State of California adopted Government Code Section 56375.3, simplifying the annexation process for islands (or groups of islands) meeting certain requirements by waiving protest hearings. The provision was originally established for a seven-year period, scheduled to sunset in 2007, but was extended to sunset in January 2014.

In 2008, the City received an application for annexation of a smaller area proposed for a tentative subdivision map within a county island adjacent to this annexation area. In 2010, the City Council authorized the smaller 8.5 acre site to proceed with annexation by itself so as to not delay development of a proposed subdivision. Direction was then provided to staff to proceed to annex the larger island. This Project complies with the directive given by Council and is supported by Tulare County LAFCo.

At the meeting of May 15, 2012, the City Council continued the public hearing to June 5, 2012, to allow time for staff to research whether there would be an additional cost if one or more of the five annexation areas were heard separately by the Council to avoid a potential conflict of interest from one Council Member who owns property near Area B. Staff has found that there is no additional cost for approving more than one resolution initiating the annexation provided they are processed together at LAFCo. Each of the five areas has been described independently, but have been incorporated into a single resolution. In the event Council chooses to consider the two areas separately, staff has also provided separate resolutions: one for Areas A-1 through A-4, and one for Area B – the area with a potential conflict of interest.

COMMENT: In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act), as amended, the City Council may authorize filing of the necessary application and proposal for presenting Annexation No. 475 to LAFCo for its review and approval.
Annexation No. 475 proposes the incorporation of 125.1± acres of land into the City of Porterville. The annexation area is generally (but not entirely) located north of Henderson Avenue, south of Pioneer Avenue, east of Villa Street, and west of Main Street (see attached map). The proposed project includes the annexation of five (5) unincorporated islands, four of which are completely surrounded by city limits, and one that is 77% surrounded and is thereby considered an island pursuant to the Act:

<table>
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<tr>
<th>Area</th>
<th># of Parcels</th>
<th>Acres</th>
<th>Location</th>
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<tr>
<td>A-1</td>
<td>167</td>
<td>114±</td>
<td>Majority of Annexation Area</td>
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<tr>
<td>A-2</td>
<td>1</td>
<td>8±</td>
<td>SE Corner Pioneer &amp; Main St.</td>
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<tr>
<td>A-3</td>
<td>2</td>
<td>1±</td>
<td>E of Highland Drive</td>
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<tr>
<td>A-4</td>
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<td>Main Street</td>
</tr>
<tr>
<td>B</td>
<td>3</td>
<td>2±</td>
<td>SW Corner Henderson &amp; G St.</td>
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The annexation area is substantially developed with 125 single-family residences. Additionally, there are a few businesses, and a small percentage of the subject parcels are undeveloped. In all, there are 165 structures in the annexation area. If annexed, any future development must be consistent with the current General Plan, the Porterville Development Ordinance and all other applicable codes.

All of the annexation areas are located within the City’s Urban Area Boundary and Urban Development Boundary. The Porterville General Plan designates these areas for a mix of low-density residential, commercial, and public uses. Upon consummation of the proposed annexation, the subject area will automatically be zoned City RS-2, RM-2 and CG (Low Density Residential, Low Medium Density Residential and General and Service Commercial, respectively) pursuant to Section 200 of the Porterville Development Ordinance and in support of the General Plan. However, some of the land uses will become legal nonconforming uses upon annexation.

Collectively, the roads in Area A-1 are in fair to poor condition, and areas that need improvement would be added to the City’s queue of road improvement projects. The roads that service all of the other areas (A-2 through B) are currently within City limits and will incur no additional cost to the City if the adjacent areas are annexed. After annexation, maintenance responsibility for the roads in A-1 will transfer from the County to the City. Most of the properties are served with City water, which is part of the former Roland Water Company. A sewer line runs through Area A-1 (from Mulberry to Westfield via Howland) but there are limited hookups to this line, if any. There are no known storm drains in the area. The estimated cost to bring the area up to City standards is $7.5 million. Most of this cost is attributed to Area A-1 due to its size and the inclusion of roadways not currently maintained by the City. These improvements would occur over time as funds become available.

The proposed annexation is somewhat unique from other annexations as it includes
an existing petro/chemical storage facility situated between North Main Street and the Union Pacific rail line right-of-way. It is located in an area with deficient water service and poses a concern to the City’s Fire Department. If a significant event were to occur at the facility, the water service at the site is inadequate to meet the required fire flows for fire suppression. Although the site is currently located in the County, regardless of annexation, a significant event could affect both City and County residents. Once annexed to the City, the fire service responsibilities will transfer to the City. Since it is an existing condition, staff wanted to raise the issue to the Council for full disclosure. If so directed, staff can coordinate with the County to determine a reasonable solution to the problem or range of options. Upon annexation, this site will become a legal nonconforming use according to the Zoning Map.

ENVIRONMENTAL:

On April 18, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the North Main Annexation. The Initial Study has been transmitted to interested agencies, groups and individuals for review and comment. The review period ran for 20 days from April 19, 2012, to May 9, 2012. No comments were received on the Initial Study.

RECOMMENDATION:

That the City Council:

1. Adopt the draft resolution approving the Negative Declaration for Annexation 475; and
2. Adopt the draft resolution(s) authorizing initiation of preliminary proceedings and filing of the necessary application with LAFCo for Annexation 475.

ATTACHMENTS:

1. Annexation No. 475 Map
2. Map representing General Plan Designations
3. Map representing proposed Zoning
4. Initial Study supporting Negative Declaration
5. Draft Resolution approving the Negative Declaration for Annexation 475.
6. Draft Resolution authorizing initiation of preliminary proceedings and filing of the necessary application for Annexation 475 (all islands).
Legend
General Plan
- Low Density Residential
- Medium Density Residential
- General Commercial
- Public/Institutional

General Plan Land Use Designation
North Main Annexation Project

ATTACHMENT ITEM NO. 7
North Main Street Area Annexation

Initial Study & Mitigated Negative Declaration

City of Porterville
Community Development Department
Planning Division

April 2012

Prepared by:

Planning Tree Consulting
1 INTRODUCTION

The City of Porterville (City) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the proposed North Main Street Area Annexation (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et.seq. The City is the CEQA lead agency for this Project.

The proposed Project involves the annexation of approximately 125 acres of mostly developed land into the City. These areas are currently County islands, which were developed in the County, and have since been surrounded by the City. No physical modifications are proposed at this time. The annexation would provide more efficient delivery of services and reduce cost for various government services, including improved service times for public safety services such as fire and police. The proposed Project is described in detail in Chapter 2, Project Description.

DOCUMENT FORMAT

This IS/MND contains five chapters, and one technical attachment. Section 1, Introduction, provides an overview of the project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of project objectives and components. Chapter 3, Initial Study Checklist, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, References, provides a list of reference materials used during the preparation of the IS/MND, and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

The CalEEMOD Output File is provided as an appendix at the end of this document.

Environmental impacts are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less Than Significant After Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).
Less Than Significant Impact. This category is identified when the project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
2 PROJECT DESCRIPTION

PROJECT LOCATION

The Project area is a series of islands approximately 125 acres in size and is located in northern Porterville, in southern Tulare County (County), California, 240 miles southeast of Sacramento. The annexation area is generally (but not entirely) located north of Henderson Avenue, south of Pioneer Avenue, east of Villa Street, and west of Main Street (see Figure 1). The Project is located within the Porterville, CA, United States Geological Survey 7.5 minute quadrangle, in Sections 23 and 26, Township 21 South, Range 27 East, MDB&M.

Latitude: N 36° 5’ 344”
Longitude: W 119° 1’ 934”

The Project area includes the following Tulare County Assessor parcel numbers:

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Figure 1
Project Location Map
PROJECT BACKGROUND AND OBJECTIVES

The proposed annexation area was identified in a city-wide island annexation program initiated in 2005, in an effort to “clean up” the City limits. The State of California, County of Tulare, Tulare County LAFCo, and the City of Porterville have all identified the presence of unincorporated territories within the boundaries of an incorporated city (such as the subject annexation area) as a source of government inefficiency. To promote this goal, the State of California adopted Government Code section 56375.3, simplifying the island annexation process for islands (or groups of islands) meeting certain requirements. The provision was originally established for a seven year period, scheduled to sunset in 2007, but was extended to sunset in January 2014.

As development applications which involve an annexation are submitted to the City, staff and the City Council consider whether an annexation reduces the size of an existing island area, and whether or not it is appropriate to annex the entire island. In May 2010, the City Council approved the annexation of approximately 8.5 acres - a portion of a larger island, the remainder of which is the proposed Project. While the City Council did approve that smaller annexation, direction was provided to Staff to proceed in annexation of the larger island. This Project complies with the directive given by Council and echoed by Tulare County LAFCo.

ENVIRONMENTAL SETTING

The Project site is approximately 60 miles east of the Coast Range and approximately 10 miles west of the Sierra Nevada Mountain Range. Topographically, the Project site is at an elevation of approximately 420 feet above mean sea level and generally slopes to the west. The Project area is mostly developed as single family residential, and includes a few parcels developed with multi-family residential uses, commercial uses, industrial uses, and a small number of lots are vacant.

The land uses surrounding the Project site include residential, commercial, and public uses. General Plan Land Use designations and zoning varies throughout the neighboring areas, and is represented on Figures 2 and 3, respectively.

The nearest water bodies to the Project site are the Porter Slough located approximately one mile south. Lake Success is located approximately 8 miles east of the Project site.

PROJECT DESCRIPTION

The proposed Project includes the annexation of five unincorporated islands: Area A consisting of 178 parcels, Area B consisting of 1 parcel, Area C consisting of 3 parcels, Area D consisting of 2 parcels, and Area E consisting of 1 parcel.

Area A is 100% surrounded, and encompasses 91.67 acres. Area B is 100% surrounded, and encompasses 6.91 acres. Area C is 100% surrounded, and encompasses 2.34 acres. Area D is 77% surrounded, and encompasses 1 acre. Area E is 100% surrounded, and encompasses 0.08 acre.
3 INITIAL STUDY CHECKLIST

1. Project title: North Main Street Area Annexation

2. Lead agency: City of Porterville
   291 North Main Street
   Porterville, CA 93257

3. Contact person: Bradley D. Dunlap, AICP
   Community Development Director
   (559) 782-7460

4. Project location: See Chapter 2, Project Description

5. Latitude, Longitude: N 36° 5' 344", W 119° 1' 934"

6. General plan designation: See Chapter 2, Project Description

7. Zoning: See Chapter 2, Project Description

8. Description of project: See Chapter 2, Project Description

9. Surrounding land uses and setting: See Chapter 2, Project Description

10. Other public agencies whose approval is required: Tulare County LAFCo
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

☐ Aesthetics  ☐ Agriculture & Forestry  ☐ Air Quality
☐ Biological Resources  ☐ Cultural Resources  ☐ Geology/Soils
☐ Greenhouse Gas Emissions  ☐ Hazards & Hazardous Materials  ☐ Hydrology/Water Quality
☐ Land Use/Planning  ☐ Mineral Resources  ☐ Noise
☐ Population/Housing  ☐ Public Services  ☐ Recreation
☐ Transportation/Traffic  ☐ Utilities / Service Systems  ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature  Date
Bradley D. Dunlap, AICP  Community Development Dept

Printed name  For

Page 3-2
CITY OF PORTERVILLE  
NORTH MAIN STREET AREA ANNEXATION

Issues:

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<th>No Impact</th>
</tr>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
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<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☐</td>
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<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
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</tbody>
</table>

Responses:

a), b), c), d) No Impact. The project is limited to annexation and re-zoning of primarily developed land, and would not directly change the existing land uses of the subject sites. No scenic vistas would be affected as a result of the project’s implementation. The proposed project may facilitate additional infill development; however, none of the subject areas are in designated scenic vistas, and likewise no physical changes are proposed as a part of the project that would damage scenic resources or degrade the existing visual character of the site.
II. AGRICULTURE & FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
Responses:

a) No Impact. The proposed annexation would incorporate already developed lands into the City of Porterville. With few exceptions of undeveloped, surrounded vacant land, the project would not accommodate conversion of land uses. While most soil types in the region could at some point been deemed farmland conducive, the project area is primarily developed and at this time is considered urban built up land.

b) No Impact. None of the current zoning (County) nor the proposed pre-zoning (City) accommodates agricultural uses, and no Williamson Act contracts are in place for any of the proposed annexation area.

c) No Impact. The project does not infringe upon forest land. There would be no impact.

d) No Impact. Any impact to forest land has been discussed in impact II-c.

e) No Impact. Any impacts to agricultural resources or forest land have been discussed in impact II-a and c.
III. AIR QUALITY
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?
   [ ] Potentially Significant Impact
   [ ] Less than Significant With Mitigation Incorporation
   [ ] Less than Significant Impact
   [x] No Impact

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
   [ ] Potentially Significant Impact
   [ ] Less than Significant With Mitigation Incorporation
   [ ] Less than Significant Impact
   [x] No Impact

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
   [ ] Potentially Significant Impact
   [ ] Less than Significant With Mitigation Incorporation
   [ ] Less than Significant Impact
   [x] No Impact

d) Expose sensitive receptors to substantial pollutant concentrations?
   [ ] Potentially Significant Impact
   [ ] Less than Significant With Mitigation Incorporation
   [ ] Less than Significant Impact
   [x] No Impact

e) Create objectionable odors affecting a substantial number of people?
   [ ] Potentially Significant Impact
   [ ] Less than Significant With Mitigation Incorporation
   [ ] Less than Significant Impact
   [x] No Impact

Response:

a) No Impact. The Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM₂.₅), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Areas are classified under the Federal Clean Air Act as either “attainment” or “non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley (SJV) is designated as a State and Federal non-attainment area for O₃, and PM₂.₅, and a State and Federal attainment area for O₂, SO₂, PM₁₀, NOₓ, and Pb (SJVAPCD, 2012).

The Project would not conflict with or obstruct the implementation of the air quality management standards. Standards set by the SJVAPCD, CARB, and Federal agencies relating to the Project would continue to apply. There would be no impact.

b) No Impact. The San Joaquin Valley is designated as a Federal and State non-attainment area for O₃ and PM₂.₅. The SJVAPCD is the regional agency that regulates air permitting and maintains an extensive air quality monitoring network to measure criteria pollution concentrations throughout the San Joaquin Valley air basin.
However, the proposed project includes no construction element and therefore would not result in generation of criteria pollutants.

c) No Impact. As discussed in Impact III-b, the Project would not result in the generation of criteria pollutants as there is no proposed construction.

d) No Impact. Section 3 of the Guide for Assessing and Mitigating Air Quality Impacts defines a sensitive receptor as a location where human populations, especially children, seniors, and sick persons are present and where there is a reasonable expectation of human exposure to pollutants. Sensitive receptors normally refer to people with heightened sensitivity to localized, rather than regional pollutants. As no criteria pollutants would be generated by the proposed project, there is no impact.

e) No Impact. The Project would not be a source of odors; therefore, there would be no impact.
IV. BIOLOGICAL RESOURCES

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Response:

a) Less Than Significant Impact. The project proposes to annex approximately 125 acres of mostly developed land into the City of Porterville; no physical changes- and in turn no habitat modification- is proposed as part of the project. However, the potential future infill development of un-developed or underdeveloped properties would create physical change within the project area. Infill development in the Project area is consistent with the General Plan. Impacts would be less than significant.

b) No Impact. No riparian communities or other sensitive natural communities exist within or adjacent to the annexation area. There would be no impact.

c) No Impact. No wetland areas exist within or adjacent to the annexation area. There would be no impact.
d) No Impact. No wildlife corridors or wildlife nursery sites are located within or adjacent to the annexation area.

e) No Impact. The Porterville 2030 General Plan (2008) indicates that the City currently does not have a tree preservation ordinance. There is no adopted biological preservation or tree preservation ordinance in Tulare County. There would be no impact.

f) No Impact. No habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan, is in effect for the area of the proposed Project. Therefore, the proposed Project would have no impact.
CITY OF PORTERVILLE
NORTH MAIN STREET AREA ANNEXATION

V. CULTURAL RESOURCES
Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? 
   | Potentially Significant Impact | Less than Significant Impact | Mitigation Incorporation | No Impact
   | □ □ □ □

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
   | □ □ □ □

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
   | □ □ □ □

d) Disturb any human remains, including those interred outside of formal cemeteries?
   | □ □ □ □

Response:

a) No Impact. The project proposes to annex approximately 125 acres of mostly developed land into the City of Porterville; no physical changes- and in turn no adverse changes in the significance of a historical or archaeological resource- is proposed as part of the project. There would be no impact.

b) No Impact. Any impacts to archaeological resources have been discussed in Impact V-a.

c) No Impact. No known paleontological resources exist within the Project area, nor are there any known geologic features in the Project area. No physical changes- and in turn no adverse changes relative to paleontological or geologic resources- is proposed as part of the project. There would be no impact.

d) No Impact. No formal cemeteries or other places of human internment are known to exist within the project area. Further, the project does not include a construction element. As such, potential impacts to human remains would not occur as a result of the Project. There is no impact.
### VI. GEOLOGY AND SOILS

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<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
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<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
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<td>ii) Strong seismic ground shaking?</td>
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<td>iii) Seismic-related ground failure, including liquefaction?</td>
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<td>iv) Landslides?</td>
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<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
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<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
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<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?</td>
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<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
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</table>

**Response:**

a-i) **No Impact.** No substantial faults are known to occupy Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The closest known fault likely to affect the Project site is the Owens Valley Fault located about 40 miles to the northeast in the Sierra Nevada Range.

According to the Five County Seismic Safety Element (FCSSE), Tulare County is located in the V-1 zone, defined as an area "of hard rock alluvium on valley floors". The FCSSE further states that, "The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities. The risk of
the rupture of a known earthquake fault is less than significant; however, in light of the project description (Chapter 2), the annexation project itself would not further expose people or structures to these risks. The subject properties are primarily developed.

a-ii) No Impact. Any impacts regarding strong seismic ground shaking have been discussed in Impact IV-a-i. There would be no impact.

a-iii) No Impact. No subsidence-prone soils or oil or gas production is involved with the Project. There would be no impact.

a-iv) No Impact. No geologic landforms exist on or near the site that would result in a landslide event. There would be no impact.

b) No Impact. The proposed project would not directly lead to development or other activity which may affect current drainage patterns or increase erosion.

c) No Impact. Lacking any proposed construction component, substantial grade change would not occur in the topography to the point where the Project would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. There would be no impact.

d) No Impact. The Soil Survey of Tulare County, Western Part (Soil Survey) indicates that soils in the annexation area are not expansive.

e) No Impact. The Project does not include the use of septic tanks or other alternative waste water disposal system. There would be no impact.
VII. GREENHOUSE GAS EMISSIONS

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
<th>With Mitigation Incorporation</th>
<th>No Impact</th>
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</thead>
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</table>

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

| ☐ | ☐ | ☐ | ☑ |

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

| ☐ | ☐ | ☐ | ☑ |

Response:

a), b) No Impact. While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization’s Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California’s GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the year 2020, and 3) 80% below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state’s Climate Action Team.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. As the proposed project does not include a construction component, there would be no impact.
VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
Response:

a) No Impact. There would be no transport, use or disposal of hazardous materials. There would be no impact.

b) No Impact. The Project would not create a significant hazard to the public or the environment as the Project would not discharge hazardous materials into the environment. There would be no impact.

c) No Impact. The Project involves no construction components, and the annexation would have no effect on hazardous emissions, involve hazardous materials, or create a hazard to adjacent schools in any way. There would be no impact.

d) No Impact. The Project does not involve land that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. There would be no impact.

e) No Impact. The nearest airport, the Porterville Municipal Airport, is approximately seven miles south of the Project area. Due to the project description and the distance to the airport, there would be no impact.

f) No Impact. Any impacts regarding private airstrips have been discussed in Impact VII-e. There would be no impact.

g) No Impact. The Project does propose changes to any publicly accessed routes, and would not interfere with implementation of an emergency response plan or evacuation. There would be no impact.

h) No Impact. The proposed project area is surrounded by developed urban land uses. Therefore, the project would not result in risk of loss, injury, or death involving wildland fires.
## IX. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact With Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
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<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
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<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
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<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
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<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
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<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
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<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
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</table>
IX. HYDROLOGY AND WATER QUALITY

Would the project:

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  

j) Inundation by seiche, tsunami, or mudflow?  

Response:

a) Less Than Significant Impact. The Project is located approximately one mile away from the nearest water body. The Project would not violate any water quality standards and would not impact waste discharge requirements. The impact would be less than significant.

b) Less Than Significant Impact. The Project site is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The Project site is located within the Tule Subbasin portion of the regional area. Groundwater levels have declined an average of 0.75 feet/year on well hydrographs completed by DWR. The Project proposes annexation of approximately 125 acres and approximately 165 developed structures. Many of these residences already receive water service from the City of Porterville, and the additional water demand of the remaining parcels (approximately 400 persons) can be met by existing City facilities and supplies. Over time, those properties annexed as a part of the Project would connect to the City water system. The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. There would be a less than significant impact.

c) Less Than Significant Impact. Drainage patterns would not change as a result of the annexation Project. As infill development occurs, curb and gutter improvements would improve the management of stormwater flows to reduce existing erosion or siltation. No modifications to natural or created channels would occur, as there are none within the project area. As a part of future infill development, implementation of erosion control measures described by the Tulare County Development Standards and mandated in the Stormwater Pollution Prevention Program would minimize any potential impacts to less than significant.

d) Less Than Significant Impact. Any impacts regarding the alteration of drainage patterns to increase runoff water that would potentially induce flooding have been discussed in the impact analysis for Impact VIII-c.

e) Less Than Significant Impact. Any impacts regarding the creation or contribution to runoff water that would potentially exceed the capacity of existing stormwater drainage systems have been discussed in the impact analysis for Impact VIII-c.

f) Less Than Significant Impact. Any impacts to water quality have been discussed in the impact analysis for Impact VIII-a.
g) **No Impact.** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Map Numbers 06107C1634E and 06107C1633E dated June 16, 2009, the entirety of the Project site is located within Zone X, areas determined to be outside the 2% annual chance floodplain. Further, the construction of housing is not a part of the proposed Project. There would be no impact with regard to flood related events.

h) **No Impact.** Any impacts regarding the placement of structures in a 100-year flood hazard area that would impede or redirect flood flows have been discussed in the analysis of Impact VIII-g.

i) **Less Than Significant Impact.** The dam potentially affecting the Project, Success Dam, is approximately 10 miles to the east of the Project site. According to Tulare County's Geographic Information Systems data, the Project area is not located within the 24-hour inundation area of the Success dam in the event of its failure. The impact would be less than significant.

j) **No Impact.** The nearest large body of water is Lake Success, which is located approximately 10 miles to the east of the Project site. Due to the lengthy distance between the lake and the Project site, there would be no potential for seiche or tsunami to occur. There would be no impact.
X. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Response:

a) No Impact. The Project areas are completely or substantially developed and are fully integrated into their surrounding urban neighborhoods.

b) No Impact. All proposed pre-zoning conforms with the adopted City of Porterville General Plan and Development Ordinance.

c) No Impact. No habitat conservation plan or natural community conservation plan has been adopted for the project areas.
XI. MINERAL RESOURCES

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Response:

a) No Impact. The Porterville General Plan (2008) includes Figure 6-3 Soil and Mineral Conservation, which indicates the locations of State-designated Mineral Resource Zones or areas possessing minerals which are of state-wide or regional significance. According to the map, the Project areas are not located in a Mineral Resource Zone. The nearest Mineral Resource Zone is located along the Tule River, approximately one and one-half miles north of the Project site. Therefore, the Project would not result in the loss of an available known mineral resource. There would be no impact.

b) No Impact. The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.
XII. NOISE

Would the project:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
<th>Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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Response:

a), b), c), d) No Impact. The project areas are generally developed, and integrated into their urban neighborhoods. Annexation into the City does not change the noise level generation in the project area. Conversely, annexation into the City of Porterville would subject the project areas to the City’s Noise Ordinance, providing greater enforcement mechanisms to monitor and reduce noise generation.

e) No Impact. The proposed annexation project is located approximately seven miles north of the Porterville Municipal Airport. The Porterville General Plan (2008), indicates in Figure 9-3, Projected Noise Contours 2030, that the Project site is located well outside of the 55 dB CNEL noise contour. There would be no impact.

f) No Impact. There are no private airstrips in the project vicinity. There would be no impact.
XIII. POPULATION AND HOUSING

Would the project:

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<th>Would the project</th>
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<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
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<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
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<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
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Response:

a) No Impact. The proposed Project would annex approximately 125 acres of land into the City of Porterville. The majority of parcels are already developed; for those parcels not yet fully developed (approximately 25 acres), the land holds capacity to develop approximately 125 single family residences. The potential cumulative impact to population growth was considered and addressed in the Final EIR adopted with the General Plan. There would be no impact.

b) No Impact. No housing or people would be displaced by the Project. There would be no impact.

c) No Impact. Any impacts regarding the displacement of people have been discussed in Impact XII-b. There would be no impact.
XIV. PUBLIC SERVICES

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

Response:

a)

Less Than Significant Impact: Fire Protection – The City of Porterville currently shares responsibility for fire services within the project area under a reciprocal aid agreement with Tulare County Fire Department. This agreement would continue after annexation, though the primary responder role would switch from the County to the City. Demand for services would change slowly as the Project areas redevelop. No new public safety buildings are needed as a result of the Project. The impact would be less than significant impact.

Less Than Significant Impact: Police Protection – The City of Porterville currently shares responsibility for police services within the project area under a reciprocal aid agreement with Tulare County Sheriff’s Department. This agreement would continue after annexation, though the primary responder role would switch from the County to the City. Demand for services would change slowly as the Project areas redevelop. No new public safety buildings are needed as a result of the Project. The impact would be less than significant impact.

No Impact: Schools – The Project site is located within the Porterville Unified School District; no schools are located within the project area, but Monte Vista Elementary school is immediately adjacent to the southwesterly part, just west of Villa Street, south of Westfield Avenue. The students within the Project area already attend schools within Porterville Unified School District. The Project would not result in an increase of population that would require additional school facilities. There would be no impact.

No Impact: Parks – As the Project would not induce population growth, the project would not create a need for additional park or recreational services. Residents within the Project area are already able to take advantage of the City’s numerous recreational areas. There would be no impact.
No Impact: Other public facilities – As the Project would not induce population growth, the project would not create additional need for other public facilities. There would be no impact.
XV. RECREATION

Would the project:

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<th>Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Impact</th>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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<th>Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</th>
<th>Potentially Significant Impact</th>
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Response:

a) No Impact. As discussed in Impact XIII-a (Parks), the Project would not increase the demand for recreational facilities nor put a strain on the existing recreational facilities. There would be no impact.

b) No Impact. No existing recreational facilities are proposed to be annexed, and none area currently planned within the Project area. There would be no impact.
XVI. TRANSPORTATION/TRAFFIC

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

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Response:

a), b) No Impact. The Project would annex mostly developed land that is surrounded by existing development. The City's circulation element does not propose additional roadways within the Project area, and existing roads have been identified in current City infrastructure plans. Therefore, annexation would not conflict with the existing plans, ordinances, or policies. Instead, over time as funding becomes available to improve existing roadways, the annexation would assist in implementation of policies related to circulation performance. There would be no impact.
c) No Impact. The Project is located approximately seven miles north of the Porterville Municipal Airport. The annexation of the Project areas would not cause an increase in air traffic levels or cause a change in air traffic location. There would be no impact.

d) No Impact. No roadway design features are associated with this Project and there is no change in the existing land use which would result in an incompatible use. There would be no impact.

e) No Impact. Circulation would not be modified as a result of this Project; therefore, there would be no impact to any emergency access.

f) No Impact. There are no adopted alternative transportation policies, plans, or programs in the Project area. There would be no impact.
XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

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<td>a)</td>
<td>Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<td>b)</td>
<td>Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>c)</td>
<td>Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>d)</td>
<td>Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e)</td>
<td>Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
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<td>f)</td>
<td>Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
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<td>g)</td>
<td>Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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Response:

a) **Less Than Significant Impact.** The subject sites are included within the City of Porterville Sewer, Water, and Storm Drain Master Plans. The capacity of the City of Porterville Wastewater Treatment Plant is currently 8 million gallons per day. Current usage averages 5.2 million gallons per day. At this rate, sufficient capacity is available to handle the proposed increase in population of approximately 750 people. As septic systems currently in place at a given parcel fail, property owners would connect to the Wastewater Treatment Plant. As infill development and redevelopment occurs throughout the annexation areas, the sewer, water, and storm drain systems would be extended as necessary to accommodate new construction. Funding mechanisms are identified in the Master Plans to ensure that system development keeps pace with population growth. The impact would be less than significant.
b) Less Than Significant Impact. Any impacts regarding the need for wastewater treatment facilities have been discussed in Impact XVI-a. The impact would be less than significant.

c) Less Than Significant Impact. Any impacts regarding the need for storm water drainage facilities have been discussed in Impact XVI-a. The impact would be less than significant.

d) Less Than Significant Impact. Approximately half of the project area is currently served by City water, due to acquisition in the past of failed private water companies. Service to the remaining property owners (approximately 400 persons) can be sufficiently met with the City's existing water system. The impact would be less than significant.

e) Less Than Significant Impact. Any impacts regarding wastewater treatment have been discussed in Impact XVI-a. The impact would be less than significant.

f) Less Than Significant Impact. The areas proposed for annexation are currently receiving solid waste services from a private water company through a contract with the County of Tulare. Responsibility for providing that service will transition to the City of Porterville over a five year period following annexation. Both the private and public solid waste services make use of the Teapot Dome Landfill operated by the County of Tulare. Adequate capacity exists in that landfill for potential infill development consistent with the designated zoning. The impact would be less than significant.

g) Less Than Significant Impact. Any impacts regarding solid waste have been discussed in Impact XVI-f. The impact would be less than significant.
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

| ☐                             | ☐                                                             | ☒         | ☐         |

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

| ☐                             | ☐                                                             | ☒         | ☐         |

**Response:**

a) **No Impact.** The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project would have no negative effect on the local natural environment. The Project area is substantially developed and the proposed annexation would not result in loss of native habitat. The potential for impacts to biological and cultural resources from annexation would be less than significant as discussed in the previous impact sections. Accordingly, the Project would involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory. The impact would be less than significant.

b) **Less Than Significant Impact.** As discussed above, the Project would result in less than significant impacts to biological and cultural resources. Compliance with applicable codes, ordinances, laws and other required regulations would assure that potential impacts associated with infill development after annexation remain at a less than significant level.

c) **Less Than Significant Impact.** The Project would not result in substantial adverse effects on human beings, either directly or indirectly. Adverse effects on human beings resulting from implementation of the Project would be less than significant.
4 REFERENCES


California Air Pollution Control Officers Association. CEQA and Climate Change, January 2008.


City of Porterville 2030 General Plan. March 4, 2008.


United States Department of Agriculture, Natural Resources Conservation Service. Soil Survey of Tulare County, Western Part.

5 LIST OF PREPARERS

The following firms, individuals and agency staff contributed to the preparation of this document:

Bradley D. Dunlap, AICP, Community Development Director
William H. Nebeker, City Planner
Jenni Byers, Assistant Planner

291 North Main Street
Porterville, CA 93257

Julie Phillips, AICP

Planning Tree Consulting
4216 S Mooney Blvd
Suite 107
Visalia, CA 93277
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A
NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE
NORTH MAIN STREET ANNEXATION, NO. 475

WHEREAS: On April 18, 2012, the City of Porterville circulated an Initial Study and Notice of Intent to Adopt a Negative Declaration for the North Main Annexation, No. 475; and

WHEREAS: No comments were received from agencies or the public prior to the close of the public comment period; and

WHEREAS: On May 21, 2012, the City Council opened the duly noticed public hearing and directed staff to research whether the annexation could be divided into two (2) parts due to a Council Member's conflict of interest without incurring additional costs, then continued the hearing to June 5, 2012; and

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of June 5, 2012, conducted a public meeting to consider approval of the Negative Declaration which evaluates the environmental impacts of the annexation of 125.1± acres into the City of Porterville; and

WHEREAS: The subject land proposed for annexation is considered “islands,” subject to Section 56375.3, and are entirely or substantially surrounded by land currently within the City.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby make the following findings:

1. That a Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran for twenty (20) days from April 19, 2012, to May 9, 2012.

2. That the proposed project will not create adverse environmental impacts. The approved Negative Declaration was evaluated in light of the prepared environmental initial study. It was determined that no potential impacts are associated with the proposed project.

3. That the City Council is the decision-making body for the project.

NOW, THEREFORE, BE IT FURTHER RESOLVED: That the City Council does hereby approve the Negative Declaration for the North Main Street Annexation No. 475 as described herein.

PASSED, APPROVED AND ADOPTED this _____ day of June 2012.
By: ____________________
    Ronald L. Irish, Mayor

ATTEST:

John D. Lollis, City Clerk

By: ____________________
    Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 475

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:
   A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit "A" and made a part hereof by reference as though set forth herein.

   C. The reasons for this proposal are as follows:
   To provide municipal services including streets, sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in
accordance with the City of Porterville General Plan, LAFCo's Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In compliance with the California Environmental Quality Act (CEQA), on April 18, 2012, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the North Main Annexation. The Initial Study was transmitted to interested agencies, groups and individuals for review and comment. The review period ran for 20 days from April 19, 2012, to May 9, 2012. No comments were received on the Initial Study.

E. The subject site is an inhabited annexation and is not located within an agricultural preserve.

F. That the subject site consists of 125.1± acres substantially developed with a variety of uses including single-family residences, businesses, and a few vacant parcels.

G. The subject site is located within Porterville's Urban Development Boundary and LAFCo's Sphere of Influence Boundary.

H. Porterville's General Plan designates the area for a mix of low density residential, commercial, and industrial uses.

I. Upon consummation of the proposed annexation, the subject site will automatically be zoned City RS-2, RM-1 and CG (Low Density Residential, Low Medium Density Residential, and General and Service Commercial, respectively) zone districts pursuant to Section 200 of the Porterville Development Ordinance and in support of the General Plan.

J. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

Ronald L. Irish, Mayor

ATTEST:

John D. Lollis, City Clerk

By ________________________

Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO.________


WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:
   A description and map of the exterior boundaries of the territory to be annexed is attached hereto, marked Exhibit "A," and made a part hereof by reference as though set forth herein.

   C. The reasons for this proposal are as follows:
   To provide municipal services including streets, sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in

ATTACHMENT
ITEM NO. 7
accordance with the City of Porterville General Plan, LAFCo's Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In compliance with the California Environmental Quality Act (CEQA), on April 18, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the North Main Annexation. The Initial Study was transmitted to interested agencies, groups and individuals for review and comment. The review period ran for 20 days from April 19, 2012, to May 9, 2012. No comments were received on the Initial Study.

E. The subject site is an inhabited annexation and is not located within an agricultural preserve.

F. That the subject site consists of 123.1± acres substantially developed with a variety of uses including single-family residences, businesses, and a few vacant parcels.

G. The subject site is located within Porterville's Urban Development Boundary and LAFCo’s Sphere of Influence Boundary.

H. Porterville's General Plan designates the area for a mix of low-density residential, commercial, and industrial uses.

I. Upon consummation of the proposed annexation, the subject site will automatically be zoned City RS-2, RM-1 and CG (Low Density Residential, Low Medium Density Residential, and General and Service Commercial, respectively) zone districts pursuant to Section 200 of the Porterville Development Ordinance and in support of the General Plan.

J. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

Ronald L. Irish, Mayor

ATTEST:

John D. Lollis, City Clerk

By ____________________________

Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO._______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 475, (AREA B)

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows: A description and map of the exterior boundaries of the territory to be annexed is attached hereto, and marked Exhibit "A," and made a part hereof by reference as though set forth herein.

   C. The reasons for this proposal are as follows: To provide municipal services including streets, sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in
accordance with the City of Porterville General Plan, LAFCo's Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In compliance with the California Environmental Quality Act (CEQA), on April 18, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the North Main Annexation. The Initial Study was transmitted to interested agencies, groups and individuals for review and comment. The review period ran for 20 days from April 19, 2012, to May 9, 2012. No comments were received on the Initial Study.

E. The subject site is an inhabited annexation and is not located within an agricultural preserve.

F. That the subject site consists of 2± acres substantially developed with single-family residences.

G. The subject site is located within Porterville's Urban Development Boundary and LAFCo's Sphere of Influence Boundary.

H. Porterville's General Plan designates the area for a mix of low-density residential, commercial, and industrial uses.

I. Upon consummation of the proposed annexation, the subject site will automatically be zoned City RS-2 (Low Density Residential) zone district pursuant to Section 200 of the Porterville Development Ordinance and in support of the General Plan.

J. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

________________________________________
Ronald L. Irish, Mayor

ATTEST:

John D. Lollis, City Clerk

By

Patrice Hildreth, Chief Deputy City Clerk
City of Porterville
Proposed Annexation
Frequently Asked Questions

How Will Annexation Change My Taxes?
Annexation will not change property taxes or sales tax. The percentage of the tax share between County and City changes, but that does not affect the person paying the tax.

The City does assess a Utility Users Tax: this 6% tax is applied to phone, electric, gas, cable tv, and municipal water bills. It does not apply to cell phones or internet.

The Utility Users tax funds the City’s General Fund to pay for services including Parks, Fire, and the Police Department.

Water and Sewer
All annexed areas will be eligible for sewer and water upon annexation—but you will NOT be required to connect immediately.

Existing development would be required to connect to sewer when your current septic system fails.

Existing development could connect to water as funds become available.

Development that would occur after the annexation would be required to connect at the time of development.

Trash, Recycling and Green Waste
City trash, recycling, and green waste services are available immediately upon annexation— or, residents may continue to use existing providers for up to five years.

City fees are typically less than local private companies.

Standard fee for a single family residence is $17.85 per month.

Have More Questions?
➢ Come to the public information meeting: June 28, 2012 at the Porterville City Hall in Council Chambers, 291 N Main Street.

➢ Look at the City's website on the Community Development/Planning page.

➢ Call us:
   Jose B. Ortiz
   Associate Planner
   (559)782-7460

Annexation Number
475

What About My Animals?
The City of Porterville’s Development Ordinance permits up to three dogs and up to three cats, not to exceed a total of seven household pets.

Livestock and farm animals, if they were legally permitted in the County, can be "grandfathered" in, and allowed after annexation subject to certain conditions.
North Main Street
ANNEXATION

CITY OF PORTERVILLE
PUBLIC INFORMATIONAL MEETING
June 28, 2021

Purpose of Meeting
• Give information about the effects of annexation
• Hear public comments and answer questions

The City Council has asked Staff to gain more input regarding the proposed actions from property owners within the proposed annexation area.

A summary of this meeting, as well as project details and environmental documents will be presented to City Council on July 17 for consideration.

Setting City Boundaries
• State of California - Sets laws governing annexations
• City of Porterville – Initiates annexation, often at the request of property owners
• LAPCO - Approves or denies annexations
• Tulare County - Comments on proposed annexations

History
• Until 1972, Tulare County regularly approved subdivisions just outside the City.
• Annexations and development within Porterville also occurred but population growth was split.
• The City grew around the developed County subdivisions.
• This created substantially surrounded “islands”.

Annexing Islands
• Provide more efficient delivery of services and reduce cost of government.
• Improve response times for Public Safety services; Fire and Police responsibilities should be clear and consistent.
• More efficient use of sewer and water system. More properties will connect to existing or new lines.

Annexing Islands Cont.
• Ensure similar laws apply to adjacent properties
• Set stage for long term neighborhood improvements
  • City may apply for grants
  • City standards for development apply to building and major remodeling
Proposed Annexation

- City, County, State and LAFCO support annexation of nearly all substantially surrounded areas.
- Other factors include:
  - Proximity to planned City streets and parks projects
  - Current use of City services
  - Anticipated use of City services
  - Size and Location

Proposed Annexation Area

Comparison of Taxes

- Property Taxes- No change.
  - The City and County charge the same rate for property tax.
  - Annexation does not cause re-assessment.
  - The City would collect a portion of the tax that is currently paid to the County.
- Sales Taxes- No change.
  - The City and County charge the same rate for sales tax.
  - The City would collect a portion of the tax that is currently paid to the County.

Comparison of Taxes

- Utility Users Tax- City tax: 6%
  - Charged by the City, but not by the County.
  - 6% tax on phone, electric, gas, cable tv, and municipal water bills.
  - Used to support the functions of the City's General Fund, which pays for services including Police, Fire, and Parks.
- Development Impact Fees- Only applies to new development built after annexation.
  - Charged on new development to recover the cost of expanding infrastructure facilities.
  - Fees for impact to sewer, water, storm drainage, streets, parks.
  - Based on actual impact of the type of development.

Sewer and Water Service

- All annexed areas will be eligible for sewer and water service upon annexation.
- There are no current plans to extend utility lines into this currently unserved area. Extensions would be privately funded, cooperatively funded by neighbors, or grant funded if and when funds are available.
- City maps show location of existing sewer and water lines.

Sewer and Water Service

Timelines for connection

<table>
<thead>
<tr>
<th>Sewer</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connection not required immediately.</td>
<td>Connection not required immediately.</td>
</tr>
<tr>
<td>Existing development- upon failure of existing septic system.</td>
<td>Existing development- as funding becomes available. Could be grant funded, privately funded, or City funded.</td>
</tr>
<tr>
<td>New development must connect upon development.</td>
<td>Connection to water mandatory upon new development.</td>
</tr>
</tbody>
</table>
### Sewer and Water Service

**Cost estimates**

**Sewer**
- Typical sewer connection fee for a single family residence is $3900 (plus cost for private plumbing contractor).
- Cost to extend a municipal sewer line is estimated at $65 per linear foot.
- Typical domestic sewer bill is $27 per month.

**Water**
- Typical water connection fee for a single family residence is $3900 (plus cost for a private plumbing contractor).
- Cost to extend a municipal water line is estimated at $65 per linear foot.
- Typical domestic water bill is $35 per month.

### Emergency Services - Fire

- Annexed areas immediately switch to City fire for primary protection.
- The City's Fire Department has a faster response time and better rating than the County Fire Department.
- City of Porterville weed abatement program will apply to annexed areas.
- Within one year of annexation, most businesses will be inspected for compliance with building and fire codes. Life safety inspections will occur annually.
- The County and City have a mutual agreement to provide backup protection when possible.

### Emergency Services - Police

- Annexed areas immediately switch to City Police Department for primary protection.
- The City Police Department has a faster response time than the Tulare County Sheriff.
- City of Porterville graffiti abatement program will apply to annexed areas.
- Within one year of annexation, most businesses will be inspected for compliance with building and fire codes. Life safety inspections will occur annually.
- The County and City have a mutual agreement to provide backup protection when possible.

### Land Use and Zoning

- Zoning will be consistent with the land use element of the 2030 General Plan and recently adopted zoning ordinance.
- Any use which is currently active and is legal in the County is "Grandfathered". Such uses are permitted to continue after annexation. If a use stops for more than one year, it must comply with the City’s regulations to re-start.
- In general, the Development Code (also called the zoning ordinance) permits up to three dogs and up to three cats, not to exceed a total of seven household pets, but no livestock or farm animals (including chickens).

### Streets and Sidewalks

- All annexed areas will be placed on the City of Porterville street maintenance system immediately.
- Streets repaired in priority order based on the volume of traffic and degree of deterioration.
- Funding for street maintenance program varies year to year.
- City crews typically respond to pothole reports within 72 hours.
- Sidewalks will not be required immediately but will be required when new construction valued at more than $18,000 is proposed.
- Street sweeping will begin immediately for areas with developed curb and gutter. Areas with unimproved curb and gutter are swept but do not get as clean.

### Building and Development

- All new development, including additions and remodeling will be required to comply with the City standards.
- Development will require City of Porterville building permits and inspections.
- Within one year of annexation, most businesses will be inspected for compliance with building and fire codes.
- Building permit fees and plan check fees are based on the value of the work proposed.
- In most cases, wherever a building permit is issued for work valued at more than $18,000, compliance with City site development standards is required.
Trash and Recycling

- City trash service is available immediately upon annexation.
- Residents may continue to use existing providers for up to five years.
- City fees are typically less than the fees for local private companies.
- Standard fee for single family residence is $27.85 per month.
- City currently offers curbside trash, recycling, and green waste service.

Business and Business Licenses

- All existing businesses will continue to be permitted, even if they would not be allowed under the current zoning.
- All businesses will be required to secure a City of Porterville business license.
- Businesses run out of private homes will be required to secure a home occupation permit. Typical restrictions on home occupations may not apply, if the business complies with County regulations.
- Business license fees vary by the type of business.

Annexation Procedures

1. Whether the application is privately initiated, or initiated by the City, the procedures are the same.
2. City staff prepares environmental studies and presents the project to City Council at a public hearing.
3. City Council approves or denies resolution of application to LAFCo.
4. Assuming approval, City staff prepares LAFCo application. Substantial information regarding existing and proposed services is required.
5. LAFCo staff prepares a report for Commission consideration.

Questions and Answers

Thank you for attending.
General Plan Land Use Designation
North Main Annexation Project
Attachment 6
Initial Study
(See Attachment 1: June 5, 2012 Staff Report)
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A
NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE
NORTH MAIN STREET ANNEXATION, NO. 475

WHEREAS: On April 18, 2012, the City of Porterville circulated an Initial Study and Notice of Intent to Adopt a Negative Declaration for the North Main Annexation, No. 475; and

WHEREAS: No comments were received from agencies or the public prior to the close of the public comment period; and

WHEREAS: On May 21, 2012, the City Council opened the duly noticed public hearing and directed staff to research whether the annexation could be divided into two (2) parts due to a Council Member’s conflict of interest without incurring additional costs, then continued the hearing to June 5, 2012; and

WHEREAS: On June 5, 2012, the City Council reopened the continued public hearing and directed staff to further efforts to reach out to affected property owners, then continued the hearing to July 17, 2012; and

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 17, 2012, conducted a public meeting to consider approval of the Negative Declaration which evaluates the environmental impacts of the annexation of 125.1± acres into the City of Porterville; and

WHEREAS: The subject land proposed for annexation is considered “islands,” subject to Section 56375.3, and are entirely or substantially surrounded by land currently within the City.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby make the following findings:

1. That a Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran for twenty (20) days from April 19, 2012, to May 9, 2012.

2. That the proposed project will not create adverse environmental impacts. The approved Negative Declaration was evaluated in light of the prepared environmental initial study. It was determined that no potential impacts are associated with the proposed project.

3. That the City Council is the decision-making body for the project.

ATTACHMENT ITEM NO. 7
NOW, THEREFORE, BE IT FURTHER RESOLVED: That the City Council does hereby approve the Negative Declaration for the North Main Street Annexation No. 475 as described herein.

PASSED, APPROVED AND ADOPTED this ____ day of July 2012.

By: __________________________
   Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

By: __________________________
   Patrice Hildreth, Chief Deputy City Clerk
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA
MAKING APPLICATION FOR CHANGE OF ORGANIZATION OF TERRITORY KNOWN AS ANNEXATION NO. 475

WHEREAS, the California State Legislature finds and declares that it is the policy of the State to encourage orderly growth and development which is essential to the social, fiscal, and economic well-being of the State, and recognizes that the logical formation and determination of City boundaries is an important factor in promoting the orderly development of urban areas; and

WHEREAS, the legislature recognizes that population density and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The legislature finds and declares that a single government agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community service priorities; and

WHEREAS, the City Council of the City of Porterville desires to initiate proceedings for a change of organization of the hereinafter described territory.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. Application is hereby made to the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California, as follows:

   A. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 of the State of California.

   B. The nature of the proposal is a change of organization as follows:
   A description of the exterior boundaries of the territory to be annexed is attached hereto and marked Exhibit "A" and made a part hereof by reference as though set forth herein.

   C. The reasons for this proposal are as follows:
   To provide municipal services including streets, sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as so required. To provide proper control, orderly development, and logical growth in

ATTACHMENT
ITEM NO. 8
accordance with the City of Porterville General Plan, LAFCo's Sphere of Influence Boundary, and the Urban Development Boundary as adopted by the County of Tulare and the City of Porterville.

D. In compliance with the California Environmental Quality Act (CEQA), on April 18, 2012, the Environmental Coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the North Main Street Annexation. The Initial Study was transmitted to interested agencies, groups and individuals for review and comment. The review period ran for 20 days from April 19, 2012, to May 9, 2012. No comments were received on the Initial Study.

E. The subject site is an inhabited annexation and is not located within an agricultural preserve.

F. That the subject site consists of 125.1± acres substantially developed with a variety of uses including single-family residences, businesses, and a few vacant parcels.

G. The subject site is located within Porterville's Urban Development Boundary and LAFCo's Sphere of Influence Boundary.

H. Porterville's General Plan designates the area for a mix of low density residential, commercial, and industrial uses.

I. Upon consummation of the proposed annexation, the subject site will automatically be zoned City RS-2, RM-1 and CG (Low Density Residential, Low Medium Density Residential, and General and Service Commercial, respectively) zone districts pursuant to Section 200 of the Porterville Development Ordinance and in support of the General Plan.

J. It is hereby requested that proceedings be taken for the change of organization proposed herein.

2. The City Clerk (or other official) of the City of Porterville is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Local Agency Formation Commission of the County of Tulare, State of California.

NOW, THEREFORE, BE IT FURTHER RESOLVED: That the City Council does hereby approve the initiation of the North Main Street Annexation No. 475 as described herein.

PASSED, APPROVED AND ADOPTED this ____ day of July 2012.

Virginia R. Gurrola, Mayor
ATTEST:

John D. Lollis, City Clerk

By ____________________________
    Patrice Hildreth, Chief Deputy City Clerk
CITY COUNCIL AGENDA: JULY 17, 2012

PUBLIC HEARING

SUBJECT: HOUSING ELEMENT “FOCUSED REZONE PROGRAM” – GENERAL PLAN AMENDMENT 2012-001 & ZONE CHANGE 2012-001

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On April 20, 2010, the City Council adopted Resolution 62-2010 approving the 2009-2014 Housing Element update of the General Plan. After adoption, staff submitted the document to the Department of Housing and Community Development (HCD) for certification. The document brought the City into compliance with State requirements to provide a housing plan that contains goals, policies, and a strategic plan for addressing the most critical housing needs in the community over a five (5) year planning period.

Certification of the City’s Housing Element included a directive from HCD to initiate a Focused Rezone Program within a year of certification and completion prior to the end of the 2014 planning period. The rezone program was included within the Housing Element to meet the City’s Regional Housing Needs Allocation (RHNA) requirements by providing land zoned appropriately to provide for a variety of housing opportunities for all segments of the community. The City’s General Plan Housing Element was certified based in part on a requirement to rezone parcels throughout the city in an effort to meet its RHNA requirements for meeting the City’s obligations for low and very low income housing, as well as all other segments of housing.

By completing the proposed “Focused Rezone Program,” the City would rezone approximately 180 acres of land to High Density Residential, providing capacity to accommodate 3,251± units in the low and very low income categories with several sites distributed throughout the City. The approval of the proposed rezone will eliminate the existing land supply deficiency for very low and low income housing.

The Housing Element’s Focused Rezone Program includes re-zoning approximately fifty-three (53) parcels on fourteen (14) sites throughout the city to the High Density Residential. The parcels proposed for the rezone to a High Density Residential zone have different General Plan Land Use designations; these include Low Density Residential, Medium Density Residential, Retail Center, and Downtown Mixed Use. In order to achieve consistency between the General Plan and zoning map, a General Plan Amendment is needed to change all the sites to High Density Residential.

Although the Regional Housing Needs Allocation (RHNA) indicates that the City needs to provide for approximately 2100 units of very low and
low income housing, Staff has proposed that the City Council rezone additional lands to allow for variability of development. In essence, someone with high density residential property could build anything from high density to very low density developments. By providing additional lands, the City has the ability to approve a development without concurrently having to up-zone property to replace the loss of high density residential land.

The development standards contained in the development ordinance are designed to allow for higher density development to be compatible with lower density residential uses.

RECOMMENDATION: Staff recommends that the City Council:

1. Adopt a resolution approving the Negative Declaration prepared for General Plan Amendment 2012-001 and Zone Change 2012-001;

2. Adopt a draft resolution approving General Plan Amendment 2012-001 pertaining to the Land Use Map of the General Plan to re-designate various areas on the map to High Density Residential land uses;

3. Approve proposed ordinance for Zone Change 2012-001, pertaining to the rezone of parcels throughout the city to High Density Residential zones and identified by the Housing Element Focused Rezone Program, and give first reading to the draft ordinance; and

4. Waive further reading of the draft ordinance approving Zone Change 2012-001, and order to print.

ATTACHMENTS:

1. Complete Staff Report
PUBLIC HEARING

TITLE: HOUSING ELEMENT "FOCUSED REZONE PROGRAM" GENERAL PLAN AMENDMENT 2012-001 AND ZONE CHANGE 2012-001

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

PROJECT LOCATION:

VARIOUS PARCELS THROUGHOUT THE CITY OF PORTERVILLE

SPECIFIC REQUEST:

Staff is requesting that the City Council consider General Plan Amendment 2012-001 and Zone Change 2012-001 to amend the Land Use Element of the General Plan and the Zoning Map of the Development Ordinance for High Density Residential uses and zones.

PROJECT DETAILS:

On April 20, 2010, the City Council adopted Resolution 62-2010 approving the 2009-2014 Housing Element update of the General Plan. After adoption, staff submitted the document to the Department of Housing and Community Development (HCD) for certification. The document brought the City into compliance with State requirements to provide a housing plan that contains goals, policies, and a strategic plan for addressing the most critical housing needs in the community over a five (5) year planning period.

Certification of the City’s Housing Element included a component to initiate a Focused Rezone Program within a year of HCD certification and completion prior to the end of the 2014 planning period. The rezone program was included within the Housing Element to meet the City’s Regional Housing Needs Allocation (RHNA) requirements by providing land zoned appropriately to provide for a variety of housing opportunities for all segments of the community. The Department of Housing and Community Development (HCD) certified the City’s General Plan Housing Element that included a requirement to rezone parcels throughout the city in an effort to meet its RHNA requirements for meeting the City’s obligations for low and very low income housing, as well as all other segments of housing.

The RHNA is distributed by income category. For the 2009-2014 Housing Element update, the City was allocated a RHNA of 5,473 units as follows:
An analysis was completed for the City’s Housing Element using the General Plan and Geographic Information System (GIS) to determine the City’s ability in meeting its RHNA allocation. The analysis indicated that the City was unable to meet its RHNA requirements for very low income housing units. By completing the proposed “Focused Rezone Program,” the City would rezone approximately 180 acres of land to High Density Residential, providing capacity to accommodate 3,251 units in the low and very low income categories with several sites distributed throughout the City. The approval of the proposed rezone will eliminate the existing land supply deficiency for very low and low income housing.

The Housing Element’s Focused Rezone Program includes rezoning approximately fifty-three (53) parcels on fourteen (14) sites throughout the city to the High Density Residential (parcel specifics are identified in Attachment 1- Housing Rezone Map, Attachment 2- Current Zoning Map, and Attachment 3- Housing Rezone Parcel Information Table). The parcels proposed for the rezone to a High Density Residential zone have different General Plan Land Use designations; these include Low Density Residential, Medium Density Residential, Retail Center, and Downtown Mixed Use. In order to achieve consistency between the General Plan and zoning map, a General Plan Amendment is needed to change all the sites to High Density Residential.

While no construction efforts are proposed as a component of this project, approval of the rezoning would entitle development that meets City standards for that zoning.

Staff held two separate public information meetings to discuss the project with property owners and surrounding property owners. Additionally, letters were sent to each affected property owner and owners of properties within 300 feet of the subject properties, and notices were published so that all those potentially affected would have the opportunity for comments, questions and answers to be addressed. The Focused Rezone Program was presented to and discussed by the Council at a number of meetings, including the public hearing meeting of April 20, 2010. Staff held two separate public information meetings to discuss the project with property owners and surrounding property owners, where public comment and feedback was taken. Participants of the public meetings primarily sought clarification on the project. Most understood the need to meet state requirements and providing availability of higher density housing, although there were some participants and callers that were concerned that the potential high density residential zoning would bring with it high crime and overcrowding. Others were concerned that the reason they moved to certain areas in town was because the housing in the area was
less dense. There were some property owners that were also in favor of the project specifically because of the development opportunity it would have for their properties. The public meetings allowed staff to interact with surrounding property owners, answer questions, and also include additional properties that provided higher density housing opportunities.

ZONING AND LAND USES:

The project involves various parcels located throughout the City of Porterville (Attachment 1). These areas vary in surrounding uses from undeveloped to urban and fully developed areas, but all the proposed sites are either vacant and/or underutilized. The majority of subject areas are currently zoned low- or medium-density residential, while one parcel is zoned Retail Center and one is zoned Downtown Mixed-Use (Attachments 2 & 3). Of those parcels that are developed, the majority are developed with single-family homes and accessory structures. Two of the parcels are partially developed with multi-family uses. No commercial buildings developed on the sites are proposed for rezone.

STAFF ANALYSIS:

Although the Regional Housing Needs Allocation (RHNA) indicates that the City needs to provide for approximately 2100 units of very low and low income housing, Staff has proposed that the City Council rezone additional lands to allow for variability of development. In essence, someone with high density residential property could build anything from high density to very low density developments. By providing additional lands, the City has the ability to approve a development without concurrently having to up-zone property to replace the loss of high density residential land.

The development standards contained in the development ordinance are designed to allow for higher density development to be compatible with lower density residential uses.

ENVIRONMENTAL:

On June 11, 2012, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the proposed project. It should be noted that mitigation measures were initially considered, but the project was molded in such a way as to no longer require mitigation beyond the measures defined in the City's General Plan and Development Ordinance. For this reason, while the project was publically noticed as a “Mitigated Negative Declaration”, the document before Council for consideration is a “Negative Declaration”. The Initial Study was transmitted to interested agencies and groups for a thirty (30) day review period from June 11, 2012, to July 12, 2012. As of the writing of this report, no comments were received.
RECOMMENDATION: That the City Council:

1. Adopt a resolution approving the Negative Declaration prepared for General Plan Amendment 2012-001 and Zone Change 2012-001.

2. Adopt a draft resolution approving General Plan Amendment 2012-001 pertaining to the Land Use Map of the General Plan to redesignate various areas on the map to High Density Residential land uses.

3. Approve the proposed ordinance for Zone Change 2012-001, pertaining to the rezone of parcels throughout the city to High Density Residential zones and identified by the Housing Element Focused Rezone Program, and give first reading to the draft ordinance.

4. Waive further reading of the draft ordinance approving Zone Change 2012-001, and order to print.

ATTACHMENTS:

1. Housing Element Focused Rezone Project Map
2. Housing Element Focused Rezone Project Current Zoning Map
3. Parcel Information Table
4. Initial Study
5. Draft Resolution to approve Negative Declaration
6. Draft Resolution to approve General Plan Amendment 2012-001
7. Draft Ordinance to approve Zone Change 2012-001
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<td>11</td>
<td>16.3</td>
<td>293</td>
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<td>RM 3</td>
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<td>246-112-005</td>
<td>14</td>
<td>3</td>
<td>54</td>
<td>Low Density Res.</td>
<td>RS 2</td>
<td>HDR</td>
<td>RM 3</td>
</tr>
</tbody>
</table>

Attachment 3
Focused Rezone Program

Initial Study & Mitigated Negative Declaration

City of Porterville
Community Development Department
Planning Division

June 2012

Prepared by:

Attachment 4
CITY OF PORTERVILLE

ENVIRONMENTAL CHECKLIST

1. Project title: Focused Rezone Program

2. Lead agency: City of Porterville
   291 N. Main Street
   Porterville, CA 93

3. Contact person: Jose Ortiz
   Associate Planner
   (559) 782-7460

4. Project location: Multiple sites throughout the City (Figure 1)

5. Project sponsor’s name and address: City of Porterville
   291 N. Main Street
   Porterville, CA 93257

6. General plan designation: Various Designations (Table 1)

7. Zoning: Various Zoning (Table 1)

8. Description of project:

The City of Porterville (City) is evaluating options to increase the citywide acreage of land available for high density residential housing. The impetus behind the proposed rezone is State Housing Element law requires that a local jurisdiction accommodate a share of the region’s projected housing needs for the planning period. This share, called the Regional Housing Needs Allocation (RHNA), is important because state law mandates that jurisdictions provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community. State law also requires the Housing Element be reviewed and updated every five years.

The RHNA is distributed by income category. For the 2009-2014 Housing Element update, the City was allocated a RHNA of 5,473 units as follows:

- Extremely Low/Very Low Income – 1,224 Units
- Low Income 862 units
- Moderate Income 979 units
- Above Moderate Income – 2,409

An analysis was completed for the City’s Housing Element using the General Plan and Geographic Information System (GIS) database to determine the City’s ability in meeting
its RHNA allocation. The analysis resulted in that the City was unable to meet its RHNA for lower income housing with its original inventory analysis and had a shortfall of 132 lower income units. By completed the proposed “Focused Rezone Program,” the City would rezone approximately 180 acres of land to High Density Residential Zone providing a capacity of 3,251± units in the lower income category with several sites distributed through out the City. Compared to the City’s remaining RHNA shortfall of 132 units, a substantial surplus of overall capacity would result from its rezoning.

HCD accepted a plan to rezone parcels throughout the city in an effort to meet the city’s Regional Housing Needs Assessment (RHNA) units for high density residential housing and certified the updated Housing Element on the basis that the City would proceed with a program to rezone properties to meet its RHNA requirements. The Focused Rezone Program encompasses (53) parcels on fourteen (14) sites and fifty-three throughout the City of Porterville. The majority of the project parcels are vacant but there are fifteen (15) parcels on sites that have structures. Additionally, the parcels proposed for the rezone to a High Density Residential Zone vary on the City’s General Plan and Zoning maps from Low Density Residential, Medium Density Residential, and Retail Center and Commercial Mixed Use, and therefore require a General Plan Amendment to change the parcels General Plan designations to High Density Residential (Table 1). This would make the General Plan and Zoning maps consistent.

While no construction efforts are proposed as a component of this project, approval of the rezoning would entitle development that meets City standards for that zoning. Often, such development could move forward within the limits of standard City of Porterville ministerial actions, and as such would not trigger the need for further evaluation under CEQA. As a result, while no construction activities are directly associated with the project, the environmental checklist has been completed in such a manner as to anticipate development that could occur without further environmental review. The intent of the Rezone and General Plan Amendment is to meet RHNA and HCD requirements to provide sufficient land area to accommodate high density affordable housing.

9. **Surrounding land uses and setting:** The project involves various parcels located throughout the City of Porterville. The areas vary in surrounding uses from undeveloped to urban and fully developed areas but all the proposed sites are either vacant and/or underutilized. As stated previously, there are parcels that are developed but underutilized. A majority of these are single family homes with accessory structures but two parcels have multifamily uses on them. No commercial buildings are present at any of the sites proposed for rezone.

10. **Other public agencies whose approval is required:** NONE
<table>
<thead>
<tr>
<th>Focused Rezone Program</th>
<th>Acreage</th>
<th>Potential Units</th>
<th>Existing GPLU</th>
<th>Existing Zoning</th>
<th>GPLU Upon Rezone</th>
<th>Zoning Upon Rezone</th>
</tr>
</thead>
<tbody>
<tr>
<td>GROUP 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>APN-240-280-021</td>
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<tr>
<td>251-170-014, 251-180-004, 003<em>016</em>015,020<em>021</em>013<em>012,011</em>010,009<em>008</em>007,025</td>
<td>SITE 8</td>
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<td>Retail Center Med.Density Res.</td>
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<td>RM1, RM2</td>
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<td>246-112-005,006,008, 010,014,035</td>
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<td>3</td>
<td>54</td>
<td>Low Den. Res</td>
<td>RS2</td>
<td>HDR</td>
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**TABLE 1**
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

☐ Aesthetics  ☐ Agriculture and Forestry Resources  ☐ Air Quality
☐ Biological Resources  ☐ Cultural Resources  ☐ Geology/Soils
☐ Greenhouse Gas Emissions  ☐ Hazards & Hazardous Materials  ☐ Hydrology/Water Quality
☐ Land Use/Planning  ☐ Mineral Resources  ☐ Noise
☐ Population/Housing  ☐ Public Services  ☐ Recreation
☐ Transportation/Traffic  ☐ Utilities / Service Systems  ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

[Signature]  [6/11/12]
Susan L. Duke  
City of Porterville  
For
Issues:

I. AESTHETICS
Would the project:

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<th>Potential Impact</th>
<th>Mitigation Incorporation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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</table>

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Responses:

a,b,c) **No Impact.** The project areas are found throughout the City of Porterville primarily on undeveloped or underutilized parcels. There are no scenic resources on the sites and none of the project areas are adjacent to a State Scenic Highway. The proposed project would provide for future high density residential development and would be compatible with the existing and future land uses surrounding it, and it would not substantially degrade the existing visual character of the sites. Future development would not obstruct views of the higher foothills and the Sierra Nevada Mountain range further east.

d) **Less Than Significant Impact.** At the time of development, projects would include new street and/or residential lighting within the project areas. This lighting would be required to meet City standards to limit light or glare per the Development Ordinance and would not adversely affect day or night-time views in these areas.
II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? 

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Responses:
a) **Less Than Significant Impact.** None of the project areas are zoned for agricultural uses, although Project Areas 1, 6, 7, & 12 could be dry farmed annually. These operations are located near the outer City limits. While dry farming may in some years be a viable option, recent observations conclude that sites are disced primarily for the purposes of maintenance and weed abatement. No major commercial-ag operations exist within the project areas. While most soil types in the region could at some point have been deemed farmland conducive, the project’s surrounding areas are primarily developed and at this time are considered urban built up land.

b) **No Impact.** None of the current zoning (Low Density Residential, Medium Density Residential, Retail Center, Commercial Mixed use) nor the proposed zoning (High Density Residential) accommodates agricultural uses, and no Williamson Act contracts are in place for any of the proposed project area.

c) **No Impact.** The project does not infringe upon forest land. There would be no impact.

d) **No Impact.** Any impact to forest land has been discussed in impact II-c.

e) **No Impact.** Any impacts to agricultural resources or forest land have been discussed in impact II-a and c.
III. AIR QUALITY

Would the project:

<table>
<thead>
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<th>Less than Significant</th>
<th>Potentially Significant</th>
<th>With Mitigation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

a) Conflict with or obstruct implementation of the applicable air quality plan?  ![ ] ![ ] ![ ] ![ ]

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  ![ ] ![ ] ![ ] ![ ]

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  ![ ] ![ ] ![ ] ![ ]

d) Expose sensitive receptors to substantial pollutant concentrations?  ![ ] ![ ] ![ ] ![ ]

e) Create objectionable odors affecting a substantial number of people?  ![ ] ![ ] ![ ] ![ ]

Response:

a) Less Than Significant Impact. A traffic analysis was prepared (OMNI-MEANS 2012) to identify potential impacts related to re-zoning land use densities in the City of Porterville. The analysis made re-zone adjustments for the proposed changes in density and ran the citywide traffic model to determine average daily traffic (ADT) and level of service (LOS) analysis for roadway segments in the proximity of the proposed re-zone density changes. Based on the results of the ADT analysis, the proposed re-zone densities would result in less than significant impacts at the study roadway segments. Although traffic volumes would increase along the study roadways by approximately 19%, the LOS criteria standard "D" is not exceeded thus resulting in a less than significant impact to transportation/circulation within Porterville as a result of the re-zone project. The impacts associated with traffic and air quality, due to the potential increase in housing units, have been evaluated in the 2030 General Plan.

The Project would not conflict with or obstruct the implementation of the air quality management standards. Standards set by the SJVAPCD, CARB, and Federal agencies relating to the Project would continue to apply. There would be less than significant impact.

b) Less Than Significant Impact. The San Joaquin Valley is designated as a Federal and State non-attainment area for O₃ and PM₂.₅. The SJVAPCD is the regional agency that regulates air permitting and maintains an extensive air quality monitoring network to measure criteria pollution concentrations throughout the San Joaquin Valley air basin.
Although, the proposed project includes no construction element at this time, this document would entitle14 areas of development that could result in a potential impact. Compliance with the SJVAPCD Regulation VII guidelines would mitigate potential impacts to less than significant.

c) **Less Than Significant Impact.** As discussed in Impact III-b, the Project would not result in the generation of criteria pollutants as there is no proposed construction, however, this document would entitle14 areas of development that could result in a potential impact. Compliance with the SJVAPCD Regulation VII guidelines would mitigate potential impacts to less than significant.

d) **Less Than Significant Impact.** Section 3 of the Guide for Assessing and Mitigating Air Quality Impacts defines a sensitive receptor as a location where human populations, especially children, seniors, and sick persons are present and where there is a reasonable expectation of human exposure to pollutants. Sensitive receptors normally refer to people with heightened sensitivity to localized, rather than regional pollutants. As no criteria pollutants would be generated by the proposed project, however, this document would entitle14 areas of development that could result in a potential impact. Compliance with the SJVAPCD Regulation VII guidelines would mitigate potential impacts to less than significant.

e) **No Impact.** The Project would not be a source of odors because future construction of residential uses would be consistent with existing and surrounding uses; therefore, there would be no impact.
**IV. BIOLOGICAL RESOURCES**

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Mitigation Incorporation</td>
<td>Mitigation Incorporation</td>
<td>Mitigation Incorporation</td>
</tr>
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</table>

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**Response:**

a) **Less Than Significant.** The project proposes to re-zone approximately 180 acres of mostly undeveloped or underutilized land within the City of Porterville; no physical changes- and in turn no habitat modification- is proposed as part of the project. However, the potential future infill development
of undeveloped or underdeveloped properties would create physical changes within the project area. The proposed General Plan Amendment would reclassify the landuse designations for General Plan and Zoning consistency. Impacts would be less than significant.

b) **Less Than Significant.** A review of Figure 6-4 of the 2030 General Plan identifies potential riparian communities or other sensitive natural communities may exist within Sites 7, 9, 11 & 13 of the project area.

- Site 7 contains an area of potential habitat for the San Joaquin Kit Fox. The area is disced annually for weed abatement yet still contains undeveloped surrounding land which has been identified as kit fox habitat area.
- Site 9 has been identified as a potential area for the Stiped Adobe Lily. The site is undeveloped but surrounded by urban development which isolates any findings which may occur. Nonetheless maintains a potential for plant habitat.
- Site 11 contains mature native trees (i.e.- Sycamore, Cottonwood, Willow, Oak Trees, etc...) along the Tule River that may be considered riparian habitat.
- Site 13 is within an area that contains the potential habitat for the Calico Monkey flower and Montane Hardwood.

The General Plan provides polices including OSC-I-7, OSC-I-28 and OSC-I-29 which outline protection and biological assessment guidelines for areas such as these. Development Ordinance Section 300.05 “Habitat Conservation” provides provisions for new development within 300 feet of sensitive habitat identified by the General Plan. This section of the Development Ordinance describes requirements for “Site Design” providing an order for protection of sensitive habitat, a Biological Report evaluating the impacts of development on habitat including maximum feasible mitigation measures and conditions of approval recommendations. Approval of development shall not occur if projects within or adjacent to wetlands, riparian corridors, and identified habitats cannot meet the certain “Required findings” in effort to protect sensitive habitat. Additionally, land divisions shall not occur within these sensitive areas designated by the General Plan unless a biological report is completed.

Although there is no proposed construction or development with the project, the implementation of the General Plan policies and Development Ordinance as mitigation measures at the time of development would assure that any potential impacts would be less than significant.

c) **No Impact.** No wetland area exists within the project areas although Project Area 11 is adjacent to the Tule River. There would be no impact.

d) **No Impact.** No wildlife corridors or wildlife nursery sites are located within or adjacent to the rezone areas.

e) **No Impact.** The Porterville 2030 General Plan (2008) indicates that the City currently does not have a tree preservation ordinance. There is no adopted biological preservation or tree preservation ordinance in Tulare County. There would be no impact.

f) **No Impact.** Although the City is working on a Draft Habitat Conservation Plan for the Valley Elderberry Long Horned Beetle (VELB), no habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan, is in effect for the area of the proposed Project. Therefore, the proposed Project would have no impact.
V. CULTURAL RESOURCES
Would the project:

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<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
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<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
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<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
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Response:

a) Less Than Significant Impact. The project proposes to re-zone approximately 180 acres of mostly undeveloped or underutilized land within the City of Porterville; No construction and/or physical changes-and in turn no adverse changes in the significance of a historical or archaeological resource- is proposed as part of the project. However, this document would entitle14 areas of development that could result in a potential impact. As a result of prior uses, (residential uses, discing and farming) the surface of the site has been significantly disturbed. No known historic, archaeological, paleontological or geological resources exist on site. In the event that any as-yet undetected (i.e., buried) cultural resources are encountered on this property at a future time, work shall cease within a 50-foot area of the find, and a qualified archaeologist shall be contacted to evaluate any such discoveries. There would be less than significant impact.

b) Less Than Significant Impact. Any impacts to archaeological resources have been discussed in Impact V-a. There would be less than significant impact.

c) Less Than Significant Impact. No known paleontological resources exist within the Project area, nor are there any known geologic features in the Project areas. No construction and/or physical changes- and in turn no adverse changes relative to paleontological or geologic resources- is proposed as part of the project. However, any impacts to paleontological or geologic resources have been discussed in V-a.

d) Less Than Significant Impact. No formal cemeteries or other places of human interment are known to exist within the project areas. Further, the project does not include a construction element. As such, potential impacts to human remains would not occur as a result of the Project. However, in the event that any as-yet undetected (i.e., buried) cultural resources are encountered on this property at a future time of development, work shall cease within a 50-foot area of the find, and a qualified archaeologist shall be contacted to evaluate any such discoveries. Impacts would be less than significant.
VI. GEOLOGY AND SOILS
Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
   i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
   ii) Strong seismic ground shaking?
   iii) Seismic-related ground failure, including liquefaction?
   iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>With Mitigation Incorporation</th>
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<th>No Impact</th>
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Response:

a-1) No Impact. No substantial faults are known to occupy Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The closest known fault likely to affect the Project site is the Owens Valley Fault located about 40 miles to the northeast in the Sierra Nevada Range.

According to the Five County Seismic Safety Element (FCSSE), Tulare County is located in the V-1 zone, defined as an area "of hard rock alluvium on valley floors". The FCSSE further states that, "The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and
the requirements of the Uniform Building Code Zone II should be adequate for normal facilities. The risk of the rupture of a known earthquake fault is less than significant; however, in light of the project description (Chapter 2), the rezone project itself would not further expose people or structures to these risks.

a-ii) No Impact. Any impacts regarding strong seismic ground shaking have been discussed in Impact IV-a-i. There would be no impact.

a-iii) No Impact. No subsidence-prone soils or oil or gas production is involved with the Project. There would be no impact.

a-iv) No Impact. No geologic landforms exist on or near the site that would result in a landslide event. There would be no impact.

b) No Impact. The project areas are already substantially zoned for residential uses. The proposed project would not directly lead to development or other activity which may already affect current drainage patterns or increase erosion.

c) Less Than Significant Impact. Most of the project areas are flat and any future grading would be minimal. Lacking any proposed construction component, substantial grade change would not occur in the topography to the point where the Project would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. There would be no impact.

d) Less Than Significant. The Soil Survey of Tulare County, indicates that some that soils in the project area may be expansive. The project areas contain a variety of soil types (Tagus loam, Porterville Clay, San Emigdio Loam, Tujunga Sand, & Rock Outcrop) Risks would be mitigated by the developer through soils studies and engineering methods to stabilize the soils. The City Engineer would work with developers to ensure appropriate actions are taken to reduce the potential of impacts to less than significant. At the time of development, the developer would be required to comply with Chapter 7, Article XIII of the City Code and Chapter 18 Appendix J of the California Building Code and provide a Preliminary Soils Report (C.C. Sec. 7-126 & Res. 4997) including results of "R-Value" tests and recommendations regarding construction of public improvements that address City Standard C-13, satisfactory to the City Engineer, prior to the approval of the improvement plans or start of grading, whichever comes first. Additional reporting requirements are; final grading, drainage and soils report, prior to issuance of building permits (C.C. Sec. 7-133) and soils report(s) in accordance with Chapter 18 and Appendix J of the California Building Code.

c) No Impact. The Project would not include the use of septic tanks or other alternative waste water disposal system. There would be no impact.
VII. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Response:

a, b) Less Than Significant Impact. While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization’s Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California’s GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the year 2020, and 3) 80% below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state’s Climate Action Team.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. As the proposed project does not include a construction component, there would be no impact, however, this document would entitle 14 areas of development and future development could result in impact. Compliance with the AB143 and San Joaquin Valley Air Resource Board development requirements would mitigate any future potential impacts to less than significant.


**VIII. HAZARDS/HAZARDOUS MATERIALS**

Would the project:

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**Response:**

a) **No Impact.** Although there is no construction or development associated with the project, future development of residential uses would not require transport, use or disposal of hazardous materials. There would be no impact.
b) **No Impact.** The Project would not create a significant hazard to the public or the environment as the Project would not discharge hazardous materials into the environment. There would be no impact.

c) **No Impact.** Although the Project involves no construction components, the proposed rezone and future residential development would have no effect on hazardous emissions, involve hazardous materials, or create a hazard to adjacent schools in any way. There would be no impact.

d) **No Impact.** The Project does not involve land that is listed as an active hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. There would be no impact.

e) **No Impact.** The nearest airport, the Porterville Municipal Airport, is approximately 2.5 miles south of the nearest project area. Due to the project description and the distance to the airport, there would be no impact.

f) **No Impact.** Any impacts regarding private airstrips have been discussed in Impact VII-e. There would be no impact.

g) **No Impact.** The Project does propose changes to any publicly accessed routes, and would not interfere with implementation of an emergency response plan or evacuation. There would be no impact.

h) **No Impact.** There is no residential development proposed with the rezone project. The proposed project areas are primarily undeveloped or underutilized; these properties are disced annually for weed abatement. Although the project entitles future residential development of 14 areas, the project would not result in risk of loss, injury, or death involving wildland fires.
**VIV. HYDROLOGY AND WATER QUALITY**

**Would the project:**

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<th>a) Violate any water quality standards or waste discharge requirements?</th>
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<th>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Mitigation Impact</th>
<th>Less than Significant Impact</th>
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<th>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</th>
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<th>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</th>
<th>Potentially Significant Impact</th>
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<th>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</th>
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<th>Less than Significant Mitigation Impact</th>
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<th>f) Otherwise substantially degrade water quality?</th>
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<th>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</th>
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<th>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</th>
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<th>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</th>
<th>Potentially Significant Impact</th>
<th>Less than Significant Mitigation Impact</th>
<th>Less than Significant Impact</th>
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<th>j) Inundation by seiche, tsunami, or mudflow?</th>
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**Response:**
a) **Less Than Significant Impact.** With exception to Project Area 11, none of the proposed rezone sites are adjacent to a water body. Although Project Area 11 is adjacent to the Tule River, the project areas in their entirety are within the City’s Master Plan for Storm Drainage. Consequently, the storm water generated from future development has been anticipated. The Project would not violate any water quality standards and would not impact waste discharge requirements. The impact would be less than significant.

b) **Less Than Significant Impact.** The Project site is located in the Tulare Lake Basin, an area considered to be in a state of overdraft according to the City’s Urban Water Management Plan 2007. General Plan Section 8.1 “Water Supply and Conservation,” provides current and planned water supplies and includes a schedule for meeting future demand including the increased potential units associated with the project. The General Plan also identifies programs and policies for water conservation and planned supply to service demand through 2030 including an established goal of reducing the per capita water demand by 10% per day by 2030. As the County continues to review and finalize the City’s Urban Development Boundaries, the City anticipates updating and completing the Water System Master Plan by 2014-2015. The updates plan would include a water balance study and analysis of the distribution facilities needed to accommodate population growth.

It is anticipated that any development in the project areas would be incremental and water demands would not challenge the City’s supply. City services outline and would serve the entire project area as development occurs. The impact would be less than significant.

c) **Less Than Significant Impact.** Drainage patterns would not change as a result of the proposed Project. As development occurs, curb and gutter improvements would improve the management of stormwater flows to reduce existing erosion or siltation. No modifications to natural or created channels would occur, as there are none within the project area. As a part of future infill development, implementation of erosion control measures described by the Tulare County Development Standards and mandated in the Stormwater Pollution Prevention Program would minimize any potential impacts to less than significant.

d) **Less Than Significant Impact.** Any impacts regarding the alteration of drainage patterns to increase runoff water that would potentially induce flooding have been discussed in the impact analysis for Impact VIII-c.

e) **Less Than Significant Impact.** Any impacts regarding the creation or contribution to runoff water that would potentially exceed the capacity of existing stormwater drainage systems have been discussed in the impact analysis for Impact VIV-c.

f) **Less Than Significant Impact.** Any impacts to water quality have been discussed in the impact analysis for Impact VIV-a.

g) **Less than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM) 06107C1630E through 06107C1662E dated June 16, 2009, Project Areas 11 and 12 are the only areas with portions within Zone AE, areas determined as special flood hazard. As these sites develop, projects within the floodway would be required to obtain a permit from the California Reclamation Board and comply with the Flood Damage Prevention Ordinance. Project Areas 1-10, 13 and 14 are located within Zone X, areas determined to be outside the 2% annual chance floodplain. Further, the construction of housing is not a part of the proposed Project. There would be less than significant impact with regard to flood related events.

h) **No Impact.** Any impacts regarding the placement of structures in a 100-year flood hazard area that would impede or redirect flood flows have been discussed in the analysis of Impact VIV-g.

i) **Less Than Significant Impact.** The dam potentially affecting the Project, Success Dam, is approximately 10 miles to the east of the Project site. According to Tulare County’s Geographic Information Systems data, the Project area is not located within the 24-hour inundation area of the Success dam in the event of its failure. The impact would be less than significant.
j) No Impact. The nearest large body of water is Lake Success, which is located approximately 10 miles to the east of the Project site. Due to the lengthy distance between the lake and the Project site, there would be no potential for seiche or tsunami to occur. There would be no impact.
X. LAND USE AND PLANNING
Would the project:

a) Physically divide an established community?

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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Response:

a) No Impact. The Project areas are substantially undeveloped. Upon development the residential uses would be fully integrated into their surrounding urban neighborhoods.

b) No Impact. The proposed rezone project includes a General Plan amendment and would assure that the High Density Zoning conform to the adopted City of Porterville General Plan and Development Ordinance.

c) No Impact. No habitat conservation plan or natural community conservation plan has been adopted for the project areas.
X1. MINERAL RESOURCES

Would the project:

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<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
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<td>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
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Response:

a) No Impact. The Porterville General Plan (2008) includes Figure 6-3 Soil and Mineral Conservation, which indicates the locations of State-designated Mineral Resource Zones or areas possessing minerals which are of state-wide or regional significance. According to the map, none the project areas are located in a Mineral Resource Zone. Project Area 11 abuts the Tule River where the narrowest section of potential aggregate deposit may be found. While this area was once suitable for mining operations, it is now surrounded by urban development and as such, extraction and transport of mineral resources would conflict with the surrounding urban uses. Therefore, the Project would not result in the loss of an available known mineral resource. There would be no impact.

b) No Impact. The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site, therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.
XII. NOISE
Would the project result in:

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<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
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<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
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<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
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<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
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<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
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<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
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Response:

a), b), c), d) No Impact. The project areas are generally undeveloped and underutilized, as development proposals are submitted, standard noise requirements shall be implemented per the Development Ordinance and Chapter 18 of the Municipal Code. The project would not change the noise level generation in the project areas. Conversely, as these sites develop into residential uses, they would be subject to the City's Noise Ordinance, providing greater enforcement mechanisms to monitor and reduce noise generation during hours of construction then once developed.

c) No Impact. The proposed rezone sites are throughout the City north of Hwy 190. The Porterville General Plan (2008), indicates in Figure 9-3, Projected Noise Contours 2030, that the Project areas are located more than two miles outside of the airport 55 dB CNEL noise contour. There would be no impact.

f) No Impact. There are no private airstrips in the project vicinity. There would be no impact.
XIII. POPULATION AND HOUSING

Would the project:

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<th>Less than Significant Impact</th>
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<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
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<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
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<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
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Response:

a) No Impact. The proposed project would re-zone approximately 180 acres of land in the City of Porterville. The current zoning for these areas allow for 1,273 total residential units (4,737 residents*). The majority of the project area parcels are undeveloped; for those parcels not yet fully developed (approximately 160 acres), the land holds a capacity to develop approximately 3,251 total multi-family units. The potential increase in population due to the increased number of units (1,978) would be an estimated 6,330* persons. As incremental development occurs, the General Plan would be evaluated as an opportunity to investigate the progress of implementation of the General Plan and the potential cumulative impact to population growth addressed in the Final EIR adopted with the General Plan. Programs shall be identified with recommendations to address any potential impacts. The impacts of the project are less than significant.

b) and c) No Impact. As most of the project area is undeveloped or underutilized, no housing or people would be displaced by the Project. There would be no impact.

* Potential persons based on dwelling unit density per the 2009-2014 City Housing Element
XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?
Police protection?
Schools?
Parks?
Other Public facilities?

Response:

a) At this time there are no proposed high density residential development projects. At the time of proposed development, projects would be evaluated for impacts to City services.

**Less Than Significant Impact: Fire Protection** – No new fire safety public safety buildings are needed as a result of the Project, although a new public safety facility has been planned for development to increase and improve services and prepare for future demand. The impact would be less than significant impact.

**Less Than Significant Impact: Police Protection** – Demand for services would change slowly as the Project areas develop. No new public safety buildings are needed as a result of the Project, although a new public safety facility has been planned for development to increase and improve services and prepare for future demand. The impact would be less than significant impact.

**Less Than Significant: Schools** – The Project site is located within the Burton and Porterville Unified School District; no schools are located within the project area, but Westfield Elementary school is immediately adjacent to Project Area 5 at Pioneer Ave and Hwy 65. Additional students would slowly be introduced at the time of development of these areas within School Districts. The Project would result in an increase of population that would have a less than significant impact.

**No Impact: Parks** – As the Project would not initially introduce population growth, the project would not create a need for additional park or recreational services. Residents within the Project areas are already able to take advantage of the City’s numerous recreational areas. There would be no impact.

**No Impact: Other public facilities** – As the Project would not initially induce population growth, the project would not create additional need for other public facilities. There would be no impact.
XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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Response:

a) and b) Less Than Significant Impact: At the time of proposed development, projects would be evaluated for impacts to neighborhood and regional parks or other recreational facilities or the need for these additional facilities.

Currently the City has 15 parks for a total of almost 295 acres of parkland, plus other community facilities. The City’s Park Standard for neighborhood and community parks is 5.0 acre per 1,000 residents. The goal for all parkland including specialized facilities, is 10.0 per 1000 residents. The General Plan provides approximately 870 acres of parkland within the Planning Area. Buildout of the proposed General Plan would result in an approximate park ratio of 6.3 acres of neighborhood and community parks and 10.3 acres of total parkland per 1,000 residents based on the General Plans 2030 planned 107,300 population. Compliance with applicable codes, ordinances, laws and other required regulations would assure that potential impacts associated with development applications remain at a less than significant level.
XVI TRANSPORTATION/TRAFFIC
Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Response:
a), b), c), d), e), and f) Less Than Significant Impact: An analysis was prepared (OMNI-MEANS 2012) to identify potential impacts related to re-zoning land use densities in the City of Porterville. In general, zoning densities are proposed to be modified from the 2030 City of the Porterville General Plan. The result is an increase in the housing densities to provide for more affordable housing opportunities in Porterville.
The proposed re-zone area of 14 study areas primarily results in conversion from medium/low density residential designations to high density residential. In addition, mixed use land uses were also considered and altered, as needed, when proposing high density residential uses.

The analysis made re-zone adjustments for the proposed changes in density and ran the citywide traffic model to determine average daily traffic (ADT) and level of service (LOS) analysis for roadway segments in the proximity of the proposed re-zone density changes. Based on the results of the ADT analysis, the proposed re-zone densities would result in less than significant impacts at the study roadway segments. Although traffic volumes would increase along the study roadways by approximately 19%, the LOS criteria standard “D” is not exceeded thus resulting in a less than significant impact to transportation/circulation within Porterville as a result of the re-zone project.

At this time there are no proposed high density residential development projects. As projects are proposed, new development would be reviewed by the Project Review Committee for compliance currents applicable development ordinances and building codes. Each project would be evaluated for any additional infrastructure requirements relating to traffic streets, highways, intersections, pedestrian ways, public access, etc., and other performance and safety requirements. A traffic analysis was also conducted for the proposed project and is attached in the appendices. Compliance with applicable codes, ordinances, laws and other required regulations would assure that potential impacts associated with development applications remain at a less than significant level.
XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Response:

a) Less Than Significant Impact. The capacity of the City of Porterville Wastewater Treatment Plant is currently 8 million gallons per day. Current usage averages 5.2 million gallons per day. The 2001 Sewer Master Plan addresses the City’s sewage collection system capacity and operational needs and recommends a long-term capital improvement program. There are no pending
development applications, however, if the proposed rezone is approved, development would be allowed without further discretionary approvals. Based on development trends, any development would be incremental. The impact would be less than significant.

b) Less Than Significant Impact. General Plan provides guiding and implementation policies to assure the City is capable of meeting increased demands. As incremental development occurs, sufficient capacity is available to handle the potential housing units of approximately 1,978 units. The subject sites are included within the City of Porterville Sewer, Water, and Storm Drain Master Plans. As development and infill-development occurs throughout the project areas, the sewer, water, and storm drain systems would be extended as necessary to accommodate new construction. Funding mechanisms are identified in the Master Plans to ensure that the expansion of each system keeps pace with development. The impact would be less than significant.

c) Less Than Significant Impact. Any impacts regarding the need for storm water drainage facilities have been discussed in Impact XVII-b. The impact would be less than significant.

d) Less Than Significant Impact. Development in the project areas would be incremental and water demands would not challenge the City’s supply. General Plan Section 8.1 “Water Supply and Conservation,” provides current and planned water supplies and includes a schedule for meeting future demand including the increased potential units associated with the project. The General Plan also identifies programs and policies for water conservation and planned supply to service demand through 2030 including an established goal of reducing the per capita water demand by 10% per day by 2030. As the County continues to review and finalize the City’s Urban Development Boundaries, the City anticipates updating and completing the Water System Master Plan by 2014-2015. The updates plan would include a water balance study and analysis of the distribution facilities needed to accommodate population growth. City services outline and would serve the entire project area as development occurs. The impact would be less than significant.

e) Less Than Significant Impact. Any impacts regarding wastewater treatment have been discussed in Impact XVI-a. The impact would be less than significant.

f) Less Than Significant Impact. The project areas are primarily undeveloped but currently receive solid waste services from the City of Porterville. Both the private and public solid waste services make use of the Teapot Dome Landfill operated by the County of Tulare. Adequate capacity exists in that landfill for potential development consistent with the proposed High Density Residential Zoning. The impact would be less than significant.

g) Less Than Significant Impact. Any impacts regarding solid waste have been discussed in Impact XVII-f. The impact would be less than significant.
XVII MANDATORY FINDINGS OF SIGNIFICANCE

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a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Response:

a) No Impact. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project would have no negative effect on the local natural environment. Although a majority of the project areas are undeveloped, some sites are dry farmed and others disced annually for weed control and abatement. The project area is substantially urban and would not result in loss of native habitat. The potential for impacts to biological and cultural resources from rezoning would be less than significant as discussed in the previous impact sections. Accordingly, the Project would involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory. There would be no impact.

b) Less Than Significant Impact. As discussed above, the Project would result in less than significant impacts to biological and cultural resources. Compliance with applicable codes, ordinances, laws and other required regulations would assure that potential impacts associated with development applications remain at a less than significant level.
c) **Less Than Significant Impact.** The Project would not result in substantial adverse effects on human beings, either directly or indirectly. Adverse effects on human beings resulting from implementation of the Project would be less than significant.

References:

1. 2030 General Plan
2. 2009-2014 Housing Element
3. COP Standard Plans
4. 2001 Water and Sewer Master Plan
5. FEMA Flood Insurance Rate Maps (FIRM) 06107C1630E through 06107C16362E Dated 6/16/09
6. Traffic Analysis (Omni Means 2012)
7. EPA TRI-Explorer (Toxics Release Inventory)
MEMORANDUM

To: City of Porterville  
Attn: Jose B. Ortiz  
From: Gary A. Mills  
Re: Housing Element Re-zone Project  
Traffic Assessment  
CC: Brad Dunlap

Date: April 19, 2012  
Project: Housing Element Re-zone Project  
Job No.: 55-2818-01  
File No.: C880MEM002.DOC

The purpose of this memorandum is to provide the City of Porterville the results of a traffic analysis performed by OMNI-MEANS to identify potential impacts related to re-zone land use densities in the City of Porterville. In general, zoning densities are proposed to be modified in the 2030 City of Porterville General Plan. This is a result of increasing the housing densities to provide for more affordable housing opportunities in Porterville.

Current General Plan zoning for low density residential allows a maximum residential density of 6.0 units per gross acre; low to medium density residential allows a maximum residential density of 9.0 units per gross acre; medium density residential allows a maximum of 12.0 units per gross acre; and high density residential allows 24.0 units per gross acre. The proposed re-zone of 14 study areas primarily resulted in conversion from medium/low density residential designations to high density residential. In addition, mixed use land uses were also considered and altered, as needed, when proposing high density residential uses.

As part of the City of Porterville General Plan Update (GPU) adopted in 2008, OMNI-MEANS prepared a citywide traffic model to assist in circulation planning efforts. As part of this task, socioeconomic data related to residential and non-residential land uses were utilized to develop 2030 traffic forecasts. OMNI-MEANS made re-zone adjustments for the proposed changes in density and ran the citywide traffic model to determine average daily traffic (ADT) and level of service (LOS) analysis for roadway segments in the proximity of the proposed re-zone density changes.

The following table identifies the results of the LOS analysis for 2005 Base conditions, 2030 GPU conditions, and 2030 GPU with re-zone LOS based upon the Highway Capacity Manual (HCM) for roadway and freeway segments. Attached to this memorandum is a table identifying proposed zoning density changes and a map identifying the re-zone study areas within Porterville.

Based upon the ADT analysis shown on the following table, the proposed re-zone densities will result in less than significant impacts at the study roadway segments. Although traffic volumes will increase along the study roadways by approximately 19%, the LOS criteria of standard “D” is not exceeded thus resulting in a less than significant impact to transportation/circulation within Porterville as a result of the re-zone analysis.
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RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF
APPROVAL OF A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
FOR GENERAL PLAN AMENDMENT 2012-001 AND ZONE CHANGE 2012-001

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of July 17, 2012, conducted a public hearing to consider General Plan
Amendment 2012-001 pertaining to the Focused Rezone Program associated with the
Housing Element of the General Plan of the City of Porterville; and

WHEREAS: General Plan Amendment 2012-001 proposes to change various
areas of the Land Use Element of the General Plan to High Density Residential; and

WHEREAS: Zone Change 2012-001 proposes to change the present zoning of
multiple parcels (Exhibits A & B) to High Density Residential; and

WHEREAS: The City Council considered the following findings in its review of
the environmental circumstances for this project:

1. That a Negative Declaration was prepared in accordance with the
California Environmental Quality Act.

2. That the subject project will not create adverse environmental impacts.
The project was evaluated in light of the prepared environmental initial
study and no comments from interested parties and the public were
received during the review period. It was determined that potential
impacts associated with the proposed project would be less than
significant.

3. That the City Council is the decision making body for the project.

4. On June 11, 2012, the environmental coordinator made a preliminary
determination that a Negative Declaration would be appropriate for the
proposed project. The Initial Study has been transmitted to interested
agencies and groups for a thirty (30) day review period from June 11,

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

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of
Porterville does hereby approve the Negative Declaration prepared for the General Plan
Amendment 2012-001 and Zone Change 2012-001.

ATTACHMENT
ITEM NO. 5
Virginia R. Gurrola, Mayor

Attest:
John D. Lollis, City Clerk

By:
Patrice Hildreth, Chief Deputy City Clerk
Housing Element
Focused Re-Zone Project

EXHIBIT A
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Exhibit B
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING GENERAL PLAN AMENDMENT 2012-001
AMENDING THE LAND USE ELEMENT BY REDESIGNATING VARIOUS
PARCELS THROUGHOUT THE CITY TO HIGH DENSITY RESIDENTIAL USES

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of July 17, 2012, conducted a public hearing to consider General Plan
Amendment 2012-001 pertaining to the Focused Rezone Program and associated with
the Housing Element of the General Plan of the City of Porterville; and

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

WHEREAS: The City Council made the following findings:

1. That the proposed General Plan Amendment is consistent with the goals
and policies of the General Plan in that it furthers the following objectives
and policies of the Housing Element:

   Housing Element Guidelines:

   LU-G-6 Provide for residential development with strong
       community identities, appropriate and compatible
       scales of development, identifiable centers and
       edges and well-defined spaces for recreation and
       civic activities.

   LU-G-7 Guide new development into compact
       neighborhoods with defined, mixed use centers
       including public open space, a school or other
       community facilities, and neighborhood
       commercial.

   LU-G-8 Allow and encourage efficient infill development in
       existing neighborhoods.

   LU-G-9 Provide sufficient land with appropriate parcel sizes
       to support a full range of housing types.

   Housing Element Policies:

   Policy B.1 The City will maintain an adequate supply of
       residential land with appropriate land use
       designations and zoning to accommodate projected
       household growth and to meet its regional share of
       housing for all income groups.

   Policy B.4 The City will promote land use patterns that
       encourage smart growth and use of public

ATTACHMENT
ITEM NO. 60
transportation, enhancing the air quality of the community.

Policy C.1 While promoting the provision of housing for all economic segments of the community, the City will seek to ensure design quality of the community.

Policy D.2 The City will maintain an adequate supply of appropriately designated land for special needs housing, including seniors, disabled persons, large households, farmworkers, the homeless, and transitional persons.

Policy F.1 The City will establish and maintain development standards that support housing standards while protecting quality of life goals.

Policy G.2 The City will promote infill residential development within the Redevelopment Area and other parts of the City where adequate public facilities and services are already in place.

2. As noted in Finding #1 above, policies contained in the City’s General Plan support the approval of the proposed rezone. The objectives, goals and policies of the General Plan support the proposed amendments pertaining to the Housing Element and the focused rezone of various parcels to high density residential.

3. The focused rezone has been designed to support the surrounding community with additional high density residential land for the purposes of providing affordable housing as part of the State Department of Housing and Community Development and Tulare County Regional Housing Needs Allocation.

4. That a Negative Declaration was prepared for this project indicating that such will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve General Plan Amendment 2012-001, being an amendment to the General Plan Land Use Element as described above and represented in Exhibits A and B (attached).

__________________________
Virginia R. Gurrola, Mayor

ATTEST:

__________________________
John D. Lollis, City Clerk
## Housing Rezone Parcel Information Table

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ORDINANCE NO. ___________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE FROM VARIOUS ZONES TO RM-3 (HIGH
DENSITY RESIDENTIAL) FOR MULTIPLE AREAS THROUGHOUT THE CITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of July 17, 2012, conducted a public hearing to approve findings and consider
Zone Change 2012-001, being a change of zone from RM-2 (Medium Density
Residential), RS-2 (Low Density Residential), RS-1 (Very Low Density Residential), CR
(Retail Centers), and D-MX (Downtown Mixed Use) to RM-3 (High Density Residential)
for those sites located city-wide as represented in Exhibit A; and

WHEREAS: The City Council of the City of Porterville determined that the
proposed Zone Change 2012-001 is consistent with the guiding and implementation
policies of the adopted 2030 General Plan; and

WHEREAS: The City Council of the City of Porterville, after proceedings duly
had and taken, and after due and legal notice having been given, as prescribed in Section
613.06 of the City of Porterville Development Ordinance, and the laws of the State of
California, has determined that the public interest would best be served by approval of
the proposed Zone Change; and

WHEREAS: The City Council made the following findings in support of the
approval of this Zone Change:

1. The focused rezone project is necessary to meet the objectives in the adopted
City GP by providing available lands to accommodate a full range of land use
types. In this instance, the up-zone provides additional land to accommodate
high density residential development and also implements the policies of the
certified Housing Element and in so doing, implements one of the
requirements of the certified Housing Element.

2. The focused rezone has been designed to support the surrounding community
with additional high density residential land for the purposes of providing
affordable housing as part of the State Department of Housing and
Community Development and Tulare County Regional Housing Needs
Allocation.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of
Porterville does ordain as follows:

SECTION 1: That the properties identified shown on the attached map,
incorporated herein by this reference as Exhibit A and described in Exhibit B (attached),
in the City of Porterville, County of Tulare, State of California, known as Zone Change
2012-001, is hereby rezoned from RM-2 (Medium Density Residential), RS-2 (Low
Density Residential), RS-1 (Very Low Density Residential), CR (Retail Centers), and D-
MX (Downtown Mixed Use) to RM-3 (High Density Residential), pursuant to Section 3 below, for those fifty-three (53) lots; and

SECTION 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show that all of the above described real property is rezoned from RM-2 (Medium Density Residential), RS-2 (Low Density Residential), RS-1 (Very Low Density Residential), CR (Retail Centers), and D-MX (Downtown Mixed Use) to RM-3 (High Density Residential) for those lots described in Exhibits A and B; and

SECTION 3: This ordinance shall be in full force and effect thirty (30) days from and after the ordinance’s publication and passage.

Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

By ____________________________

Patrice Hildreth
Chief Deputy City Clerk
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Exhibit B
SUBJECT: RATIFICATION OF FISCAL YEAR 2012-2013 BUDGET

SOURCE: City Manager

COMMENT: Consistent with the City Charter, at its regular meeting on June 19, 2012, the City Council adopted the City Manager's proposed budget for the 2012-2013 Fiscal Year, with the exception of removing the appropriation of $50,000 allocated for a planned sound system at Centennial Plaza. Due to the recent City Council election, the Council that adopted the proposed budget in June 2012 does not have the same membership as the current Council, which will implement the budget over the next fiscal year. Accordingly, the current Council is afforded the opportunity to ratify the adopted budget.

The budget message presented with the proposed document is attached, which emphasizes the significant projects and factors involved with the Budget's development, and recommends periodic review of budget targets and the revision of expenditures to meet those targets (if necessary).

Generally, the overall reduction in Fund balances proposed will result from using monies accumulated for capital expenditure being used to implement projects.

The City Charter provides that "after duly considering the estimate and making such corrections or modifications thereto as shall seem advisable to it, the Council shall by resolution adopt a general budget and such resolution shall operate as an appropriation of funds to the amounts and for the purposes set forth in the budget so adopted." The Charter is not specific as to the duration of the adoption, thus accordingly, consistent with past Council discussion, the Council may authorize a budget adoption period less than the full fiscal year.

RECOMMENDATION: The City Manager recommends that the City Council consider ratification of the adopted 2012-2013 Fiscal Year Budget, including any modifications and for the time period designated by Council.

ATTACHMENT: Budget Message

C/M

Item No. 20
FY 2012-2013 Budget
June 19, 2012

Honorable Mayor, Vice Mayor and Members of Council:

Since the beginning of the "Great Recession" in 2008, the City has weathered extraordinary budgetary challenges over the past four years, with the approaching fiscal year(s) expected to present continued challenges. The State's inability to resolve its own budget challenges significantly affected the City this past budget year, with both the elimination of Redevelopment, as well as the redirection of Vehicle License Fee (VLF) funds, resulting in a loss of $425,000 in revenue to the General Fund. Staff remains wary of further State actions that would affect local revenues, the most recent example being a projected additional net loss of approximately $85,000 in General Fund revenues due to the State eliminating funding for any non-Federal OHV operations this coming year.

Although it would appear that the national, state, and local economies have stabilized, only moderate improvement is anticipated for the next couple of years. Locally, the construction of the new South County Justice Center has begun, with its completion and opening scheduled for Fall 2013. The County has recently announced its award of a $60 million grant to construct a new South County detention facility, with construction anticipated to begin in 2014 and planned to begin operations in 2016. The opening of Kohl's in the Porterville Marketplace precipitated the expected companion retail development, with PetSmart, Marshall's, Famous Footwear, and Rue21 all opening in the shopping center this past year. The City Council recently approved the Riverwalk Phase II (Super Walmart) EIR, though opponents having filed a legal challenge in Superior Court - the best case legal scenario allowing Walmart to begin construction in 2013. Meetings at the recent ICSC conference hold great promise for the community in the Riverwalk and Jaye Street Crossings shopping centers, although further development of the centers will be mostly concurrent with Walmart's development. In addition, there are several other development projects throughout the community that are anticipated to begin construction by 2013. Coinciding with the Enterprise Zone designation for Tulare County, the City has experienced an increase in level of interest of industrial/manufacturing prospects to potentially locate in Porterville and are currently on a couple of "short lists", although any determinations on such new development would not be determined until later this year. Permits issued for new construction are anticipated to remain sluggish, with approximately a quarter of the permits anticipated to be issued (25) that were issued in 2008 (110).

Perhaps no better indicator of the economic downturn and recent stabilization has been the City's General Fund. With Property, Sales & Use, and Utility Users Taxes historically combining to constitute over sixty-five percent (65%) of General Fund revenues, the City has experienced a $3.3 million decrease since 2008, with General Fund revenues dropping from approximately $24.1 million in the 2007-08 fiscal year to $20.8 million estimated in the current 2011-12 fiscal year. As tax revenues have been
relatively stagnant, and considering the expected continued loss of $425,000 in VLF revenue and new net loss of $85,000 in OHV funds, staff has conservatively estimated General Fund revenues for the coming fiscal year at approximately $21.4 million.

Conversely to General Fund revenues, expenditures have increased almost $1.7 million since 2008, increasing from approximately $19.5 million in the 2007-08 fiscal year to approximately $21.8 million in the current 2011-12 fiscal year. Expenditures for the coming 2012-13 fiscal year are currently budgeted at $23.1 million, resulting in an estimated $1.7 million budget shortfall. A budget-balancing solution employed for the past couple of difficult years has been to curtail Departmental spending to either 94% or 95% of budgeted expenditures, which this next year would “save” between $1.16 million (95%) to $1.39 million (94%), with a remaining deficit of between $370,000 (94%) and $600,000 (95%). Toward addressing this remaining projected deficit, and in consideration of upcoming employee retirements, staff will be recommending reorganizations of the Fire and Parks & Leisure Services Departments that are expected to save an additional $250,000 in the coming fiscal year. A reorganization of the Community Development Department will also be recommended, given a reduction of more than $60,000 in administrative support with the elimination of Redevelopment and further reduction in CDBG entitlement revenues. Staff will also be developing options in response to the State’s elimination of funding for OHV operations.

The Council will recall that the single largest increase in the budgeted expenditures for the current fiscal year was attributed to an approximate $400,000 increase in Public Employees Retirement System (PERS) pension costs, due to Public Safety PERS rates increasing four and one-half percent (4.5%) and Non-Public Safety PERS rates increasing three percent (3%) over the prior year. With the PERS rate increases, the City currently experiences an effective employer contribution rate of 30.382% for Public Safety employees, and 22.569% for Non-Public Safety employees, for every $1.00 of payroll paid. The employee Associations representing Police, Fire Management, and Management/Confidential employees have all come to Agreement to share in the increased PERS pension costs, with at least one of the three remaining Associations close to Agreement.

To provide future financial flexibility and potentially present possibilities for the General Fund to further fund capital projects, staff is currently reviewing an opportunity to refinance its 2005 Certificates of Participation (COP), which would reduce the General Fund’s annual debt service obligations for the COP’s by almost $400,000.

With regard to capital projects funded by the General Fund and/or dedicated grant funds, it is anticipated that the lighting of the softball fields and central playing fields at the Sports Complex ($450,000) will be completed in the coming fiscal year.

In combination with funds from the Indian Gaming Local Community Benefit grant ($30,000) and the General Fund ($80,000), staff proposes to continue the development of the Fire Training Facility training props. Also with funds from the Indian Gaming Local Community Benefit grant ($60,000), the new law enforcement shooting range training facility should be completed and operational in the coming fiscal year.
With Proposition 84 grant funds ($2.1 million), the property for the new park development on Chase Avenue has been acquired and design has begun, with construction of the park potentially to start in the coming fiscal year.

A significant project without final appropriation to begin construction is the planned new Animal Shelter on Grand Avenue, across from the City’s Corporation Yard. With $500,000 currently budgeted for construction of the facility, up to $500,000 in additional funds would need to be appropriated to complete construction of Phase I of the facility, which includes up to one hundred (100) kennels and none of the planned support staff office space. However, staff is reviewing a potential grant funding opportunity that could provide for the construction of the necessary office component of the facility. For the Council’s information and reference, the five (5) -year lease ($1/year) with the City of Lindsay for the use of their Animal Shelter expires on January 1, 2014.

**MEASURE H**

Having begun with the 2006-07 fiscal year, the initial five (5)-year expenditure plan for Measure H concluded the prior fiscal year, with the Council continuing the initial plan through the current fiscal year. All staffing components to the original expenditure plan have been implemented, as well as the addition of a Sergeant and two (2) Dispatcher positions in the Police Department. In consideration of the staffing expenditure plan, it is proposed to amend and add the non-sworn Public Education Officer (Fire Department) and Juvenile Delinquency Officer (Police Department), both positions of which are currently funded through this year’s Indian Gaming Local Community Benefit grant. On Monday, June 4, 2012, the Measure H Oversight Committee met to review the proposed Measure H budget for the coming fiscal year, during which the proposed additions of the Public Education Officer and Juvenile Delinquency Officer were presented and discussed. The Committee is next scheduled to meet on July 18, 2012.

As the Council is aware, the initial expenditure plan called for the construction of a new Fire/Public Safety station, which is currently under design, with an estimated construction cost of between $4 and $5 million. With an estimated $3.5 million in Reserve and Fund revenues projected in excess of expenditures, as well as the modified staffing Agreement between the City and the Porterville City Firefighters Association (PCFA), it is anticipated that the new Public Safety station will be ready to begin construction in the coming fiscal year.

**STREET PROJECTS**

In regard to capital projects involving city streets and roadways, it is projected for the coming fiscal year that the City will have approximately $6 million in street construction and maintenance funds programmed for appropriation, consisting of approximately $1,500,000 in Congestion Mitigation and Air Quality (CMAQ), $1,320,000 in Gas Tax, $1,150,000 in Local Transportation Funds (LTF), $1,030,000 in “Regional” Measure R, $900,000 in “Local” Measure R, and $713,800 in Prop 1b funds. Consistent with the City’s Pavement Condition Index (PCI), staff will present project recommendations to the Council for consideration of appropriation. Significant projects that are anticipated to progress next fiscal year include: 1) Jaye Street Bridge Replacement ($9.1 million); 2)
Plano Street Bridge Widening ($8.6 million); 3) Westwood Street Shoulder Stabilization ($1.3 million); 4) Jaye Street Roundabout ($1.25 million); 5) Newcomb and Beverly Streets Shoulder Stabilizations ($1 million); 6) W. North Grand Avenue Reconstruction ($350,000); and 7) Morton Avenue Shoulder Stabilization ($330,000).

WATER PROJECTS
In consideration of capital projects involving the City’s water system, it is expected that the 3 million-gallon Martin Hill reservoir ($3.0 million), 500 thousand-gallon Rocky Hill reservoir ($1.4 million), and Veteran’s Park booster pump ($500,000) water projects funded by a CIEDB loan will be soon completed. Due to cost-savings in project construction, approximately $1.6 million of the original $8.2 million loan amount will be unexpended. Staff proposes to use the remaining funds for the construction of a new well ($1.4 million) and a supplemental booster pump ($275,000).

SEWER PROJECTS
Regarding capital projects involving the City’s sewer system, it is anticipated that the first of the island annexation sewer extension projects will begin construction in the coming fiscal year. As the design of these projects begin; it is anticipated that more than $7 million in sewer extension projects will be constructed during the 2012-13 and 2013-14 fiscal years, with the objective of connecting the approximate 5,000 former County residents that were annexed into the City in 2006.

STORM DRAIN PROJECTS
Capital projects involving the City’s storm drain system under consideration, given the effects of the 2010 winter storm event, the storm drain system at Zalud Park will be improved to provide a permanent drainage connection from the Park to the Henderson Avenue and “G” Street drainage system ($260,000). Also, utilizing Off-Road Highway Vehicle (OHV) grant funds ($860,000), it is anticipated that property acquisition will be completed and design begun on the development of the storm drain reservoir on the west side of West Street, relocating the drainage from the City’s OHV Park and increasing drainage capacity to better serve the developing area nearby, with construction to begin in the 2012-13 fiscal year.

In summary, the Preliminary Budget proposed for the upcoming 2012-13 fiscal year represents the significant activities planned to improve our community, even during a continued improving yet challenged economy. Toward ensuring that the City’s planned revenues and spending remain in balance, it is recommended that the Council’s regular quarterly budget review continue, especially given the State’s continued unresolved budget situation and potential residual effects to the City’s finances.

Sincerely,

John D. Lollis
City Manager
SUBJECT: CONSIDERATION OF APPOINTMENT TO THE PARKS AND LEISURE SERVICES COMMISSION

SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT

COMMENT: Due to the recent passing of Parks and Leisure Services Commissioner Case Lok, the Commission currently has a vacancy with a term scheduled to expire in October 2013. Two Requests for Appointment remain on file with the City Clerk’s Office for this Commission, those being from Mr. Shannon Bennett and Mr. Eric Mendoza. Staff has contacted both individuals and has confirmed their continued interest in being appointed.

RECOMMENDATION: That the City Council appoint one individual to fill the seat vacated by Mr. Case Lok with a term scheduled to expire in October 2013.

ATTACHMENTS: Requests for Appointment
CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: ERIC MENDOZA
(Please Print)

Appointment to: PARKS & LEISURE SERVICE COMMISSION
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide:

Street Address: 1660 W. WESTFIELD AVE.
PORTEVILLE, CA 93257

Mailing Address: "Same"

Name of Business: PORTERVILLE COLLEGE ATHLETICS
☐ Own ☐ Operate

Business Address: 100 E. COLLEGE AVE.
PORTEVILLE, CA 93257

Telephone: Home (559) 824-5717
Work (559) 741-2460
FAX (559) 741-2487
E-mail ericmendoza@portervillecollege.edu

City of Porterville resident: ☑ Yes ☐ No
Registered Voter: ☐ Yes ☑ No

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ATTACHMENT
Qualifications: PORTERVILLE COLLEGE ADMINISTRATOR
IN CHARGE OF ATHLETIC DEPARTMENT, STUDENT
GOVERNMENT, CAMPUS EVENTS/ACTIVITIES, AND
WELLNESS CENTER. FORMER UNIT DIRECTOR OF
WEST FRESNO BOYS & GIRLS CLUB — AND
B&GC OF FRESNO COUNTY SPORTS COUNCIL CHAIR.
FORMER FRONT OFFICE ASSISTANT FOR
SAN FRANCISCO GIANTS TRIPLE-A AFFILIATE
FRESNO GRIZZLIES. FORMER PROGRAM ASSISTANT AT
CITY OF FRESNO PARKS & RECREATION — CALWA PARK.
CURRENT MEMBER OF PORTERVILLE BOYS & GIRLS CLUB
BOARD OF DIRECTORS.

☑ Resume attached
☐ Letter of request attached

Submitted By: [Signature] 10/12/11

Received by: [Signature]

Forwarded to: City Clerk □ Date: 10/13/11
City Council □ Date:
City Manager □ Date:
Applicable Dept. □ Date:

Tentative Council Mtg Date: 10/18/11
CAREER OBJECTIVE
An experienced community college professional specializing in campus administration, athletics, student programs, and organizational leadership, seeking a position where these skills will add value to the mission of higher education.

EDUCATION
Fresno Pacific University  M.A., Kinesiology/Physical Education
California State University, Fresno  B.A., Mass Communication & Journalism
Fresno City College  A.A., Liberal Arts
Reedley College  Student-Athlete (Golf)

PROFESSIONAL EXPERIENCE
Porterville College
Director of Student Programs & Athletics
April 2008 – Present

College administrator responsible for planning, directing, and coordinating the operations of Intercollegiate Athletics, Student Activities, Student Government, Outreach, and Wellness Center. Duties include implementing program goals and objectives under KCCD policies and procedures. Organize and administer all programs of intercollegiate competition in men’s and women’s sports. Conduct regular meetings and mandated trainings to promote adherence to conference and state athletic rules, regulations, and codes. Prepare annual budget and monitor all department expenditures in a fiscally responsible manner. Coordinate all activities related to the scheduling of events, facilities, travel, and transportation. Lead the department in the hiring/selection of staff, supervision, evaluation of coaches/support staff/student workers. Plan and coordinate fundraising projects with college president and college foundation board. Oversee all athletic fundraising accounts and related paperwork. Serve as primary contact for media, athletic publicity, marketing and promotions, and special events. Assist physical education division/chair in developing strategic plans, involving curriculum, new courses, scheduling of classes/facilities, faculty assignments, and purchasing equipment. Represent the college in the community, Central Valley Conference, and California Community College Athletic Association (CCCAA). Prepare local and state reports, and coordinate program reviews. Serve as chair and/or member of various college committees, including Administrative Council (President’s Cabinet), College Learning Council (Shared Governance), Budget, Facilities Planning, Accreditation, Marketing and Outreach, Title IX, Athletic Foundation, and Athletic Hall of Fame. Provide leadership in the development of Associated Student Government, Inter-Club Council, student events, recruitment and advising with student clubs and various community groups. Promote a well-rounded educational experience that celebrates a diverse college campus community. Organize committees/events for commencement, student and staff awards, and K-12 partnerships. Participate with outside agencies in outreach activities including career fairs, college nights, and high school presentations. Oversee the college Wellness Center, supervise campus nurse, and provide health-related programs from community such as blood drives, health fairs, and immunization clinics.
Dec. 2005 – Present

**Central Valley Conference**

**Sports Publicist**

Under the direction of the CVC Commissioner, responsible for compiling and publicizing sports information and news regarding athletics in the conference. Oversee all broadcast projects and coordinate statistics software training for various sports. Attend regular meetings and represent the conference in leadership and committee roles with the CCCAA, Sports Information Association, and several CCC Coaches’ Associations. Coordinate media relations and event/venue management duties for various men’s and women’s CCCAA state championships. Serve as media contact and liaison for the CVC, statewide statisticians, four-year universities, scouts, and conference representatives. Responsible for content on CVC website.


**West Fresno Boys & Girls Club**

**Director**

Responsible for the operations and administration of Fresno County’s largest Boys & Girls Club (more than 650 youth, 10 staff members). Oversaw the development of staffing and budgeting. Coordinated and directed a wide variety of activities as a leader in the community. Planned and implemented specific program objectives and goals, and managed the Unit in accordance with the standards of Boys & Girls Clubs of America and the policies of the organization. Employed and trained staff personnel through proper recruitment and evaluation. Compiled monthly statistical and progress reports. Assisted organization with budget planning, fundraising, and financial administration. Conducted seasonal sports programs, recreation, educational and guidance-oriented programs. Established partnerships with public and private agencies, schools, and other organizations. Developed special events for the Club and local K-12 schools. Organized staff meetings, provided leadership, direction, and problem-solving. Chaired the Boys & Girls Clubs of Fresno County Sports Council – the governing body of all athletic teams.

June 2000 - Feb. 2005

**Fullerton College**

**Assistant Athletic Director, Sports Information & Marketing**

Responsible for daily operations supporting athletic department’s 20 intercollegiate sports. Developed and managed projects for sports information, media/public relations, marketing, promotions, game/event management, and community outreach. Coordinated all athletic department publications (game programs, media guides, recruiting materials) and website design. Served as primary media contact, and conducted outreach projects with local schools and youth organizations. Assisted the physical education division dean/athletic director with game management operations, compiling annual reports, and other duties as needed. Secured corporate sponsorships and directed various athletic fundraising campaigns. Hired and supervised game management staff, student workers, volunteers, and photographers. Monitored campus budget accounts under district policies and procedures. Represented the college by working with COA/CCCAA in several leadership roles involving Management Council, Festival Advisory Committee, and Affiliate Organizations Relations Committee. Worked various COA/CCCAA men’s and women’s state championships as event/venue director, media director, and statistician. Served on various campus, district, conference (Orange Empire Conference, Mission Football Conference), and statewide committees.

**Fresno City College**

**Public Information Office News Writer/Reporter**

Responsibilities included writing, editing and preparing news articles for campus newsletter (*City at Large*), website, and other college publications. Wrote and distributed press releases, proofread material (class schedules and catalogs), assisted with layout/graphic design, and processed media requests for public information office and college president’s office. Assisted sports publicist and athletic director in media guide/gameday program production and daily operations such as game/event management, coordinating press conferences, handling media requests, compiling statistics, and updating archives. Worked with college administration to organize special events, including homecoming, commencement, graduation ceremonies, fundraising projects, football Hall of Fame dinners, and sports banquets.

May 1999 – June 2000

**Fresno Grizzlies Baseball Club**

*(San Francisco Giants AAA) Promotions & Media Relations Assistant*

Duties included coordinating pre-game events and in-game promotions for San Francisco Giants‘ Triple-A affiliate. Organized special events for corporate sponsors. Trained new staff members; and assisted media relations director with press releases, website design, writing, editing, statistics and media requests. Fostered relationships with community groups and education partners. Coordinated outreach and fundraising efforts with front office management. Worked with ticket sales staff to attract special events for business clients. Assisted clubhouse staff with hospitality services for visiting teams, players, and coaches.

**RELATED EXPERIENCE**

- Commission On Athletics/California Community College Athletic Association (State Championship Media/Venue Director, 1998-2008) ...
- **CCC Softball Coaches Association** (State Publicist, 1998-2008) ...
- **Fresno City College** (Student Aide, Athletic Department, 2006) ...
- **Mission Football Conference** (Sports Information Director & Statistician, 2001-2005) ...
- **California State University, Fresno** (*The Collegian*, Sports Editor, 1999) ...
- **Fresno State Quarterback Club** (Sports Writer, 1999) ...
- **The Fresno Bee** (Sports Correspondent/Prep Writer, 1997-98) ...
- **Fresno City College** (*The Rampage*, Sports Editor, 1997-98) ...
- **City of Fresno Parks & Recreation** (Calwa Park Program Assistant, 1993-94).

**COMPUTER SKILLS**


**CERTIFICATIONS**

- Automated External Defibrillator (AED)
- Cardio Pulmonary Resuscitation (CPR)
COMMITTEES & AFFILIATIONS

Porterville College
Administrative Council (President’s Cabinet)
College Learning Council (Shared Governance)
Budget Committee
Accreditation Team
Facilities Planning Committee
Student Services Counselors & Directors
Associated Student Government (Director)
Inter-Club Council (Director)
Title IX Committee (Chair)
Athletic Hall of Fame (Co-Chair)
Student-Athlete Advisory Council (Founder/Advisor)
Marketing & Outreach Committee (Co-Chair)
Academic & Athletic Achievement Awards Committee (Founder/Chair)
Student & Staff Recognition Awards Committee (Chair)
“Pirate Madness” (Founder/Chair)
Luminis/Website Committee
Commencement Committee
High School Senior Day Committee
PC Connection/Freshman Registration Committee
Community College Survey of Student Engagement (Administrator)
PC Transition Task Force
KCCD Supervisory Development Workshop (Graduate)
KCCD Human Resource Trainings (Various)

California Community College Athletic Association
Gender Equity Committee (Title IX), 2008-Present
Festival Advisory Committee, 2004
Affiliate Organizations Relations Committee, 2004-05
Management Council, Voting Member, 2003-05

California Community College Athletic Directors Association
Social Media Committee, 2011-Present
Values Committee, 2008-Present
Vice President Candidate, 2011

California Community College Sports Information Association
Member, 2000-Present
Vice President, 2000-03
President, 2003-05

Central Valley Conference
Sports Publicist, 2005-Present
Women’s Basketball Representative, 2010-Present
Planning Board
Appeals Board
Fullerton College
Presidential Table
Marketing Committee
Bond Measure Committee
Athletic Hall of Fame (Co-Chair)
Student-Athlete Club (Founder/Advisor)
Neighborhood Partnership Program (Founder)
"Hornet Madness" (Founder/Chair)

Fresno City College
50 Years of Athletics Committee
Guest Speaker, Learning Community; Public Speaking
"Ram Jam" Committee (Founder/Chair)
Rampage Newspaper Club (Sports Editor)

Porterville Boys & Girls Club
Board of Directors

Association of California Community College Administrators (ACCCCA)
Member

National Alliance of Two-Year College Athletic Administrators (NATYCAA)
Member

National Association for the Advancement of Colored People (NAACP)
Member

American Student Government Association (ASGA)
Member

California Community College Athletic Directors Association (CCCADA)
1st Vice President Nominee (Elections in June 2011)
Member

California Community College Physical Educators (CCCPE)
Member

North Orange County Community College District Latino Faculty & Staff Association
Member, 2000-2005

California Community College Public Relations Organization
Member, 2000-2005

College Sports Information Directors of America
Member, 2000-2005
CONVENTION PRESENTATIONS
Community College League of California Convention; Anaheim, CA (2004)
“How the Media Can Shape Your Opinion About Your College”
Commission On Athletics Convention; Reno, Nevada (2002)
“What Every CEO Needs To Know About Athletics”
Commission On Athletics Convention; Reno, Nevada (2002)
“Why Every College Needs A Sports Information Professional”
College Public Relations Organization; South Lake Tahoe, CA (2002)
“Using the Athletic Pool to Generate a Mountain of Publicity”

BROADCASTING TV & RADIO
Sporting News Radio, AM-1550/96.1 FM (2008-2009)
“Porterville Sports Weekly” (Host/Producer/Sales)
Sporting News Radio, AM-1550/96.1 FM (2005-2009)
Various Sports, College/High School/Youth (Commentator/Sales)
JC Talk Internet (2004-2006)
“CCCAA Basketball Championships (Producer/Commentator)
AT&T Broadband Cable Television (2003-2004)
Fullerton College Commentator
COA Sports Radio (2001-06)
Various Events/Championships (Producer/Commentator)

PUBLICATION AWARDS
College Sports Information Directors of America: 18 “Best In The Nation” honors
National Council for Marketing & Public Relations: 4 honors (2 Gold)
Community College Public Relations Organization: 9 honors (3 Gold)
— *All awards led California two-year institutions

College Sports Information Directors of America (CoSIDA)
2004-05
“Best In The Nation” Media Guide, Football
2003-04
“Best In The Nation” Media Guide, Football
“Best In The Nation” Media Guide Cover, Baseball
“Best In The Nation” Media Guide Cover, Softball
“Second In The Nation” Media Guide, Men’s Basketball
“Fourth In The Nation” Media Guide, Softball
“Sixth In The Nation” Media Guide, Women’s Basketball
2002-03
“Third In The Nation” Media Guide - Football
“Fourth In The Nation” Media Guide - Softball
2001-02
“Best In The Nation” Media Guide - Football
“Best In The Nation” Media Guide Cover - Men’s Basketball
“Fourth In The Nation” Media Guide Cover - Men’s Basketball
“Best In The Nation” Media Guide Cover - Men’s Basketball
“Best In The Nation” Media Guide - Baseball
“Best In The Nation” Media Guide Cover - Baseball
“Best In The Nation” Media Guide - Softball
“Best In The Nation” Media Guide Cover - Softball
2000-01
“Second In The Nation” Media Guide- Men’s Basketball
CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Shannon Bennett
(Please Print)

Appointment to: Park & Leisure Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide:

Street Address: 1613 South Rocha
Porterville, Ca. 93257

Mailing Address: Same

Name of Business: CTL-SEE'S
☒ Own ☐ Operate

Business Address: 710 South Kaweah
Exeter Ca 93221

Telephone: Home 559 359-6026
Work 559 592-3555
FAX 559 592 3553
E-mail Shannon@ConsolidatedTesting.com

City of Porterville resident: ☒ Yes ☐ No

Registered Voter: ☒ Yes ☐ No
Qualifications: I have coached youth sports for 25+ yrs. I am the current N.P. of Porterville Youth Football. I run the day-to-day operations from keeping the play areas to just being there to listen. My team ended this season. I would like to move on and help my community by serving on the Park and Leisure Commission.
Shannon Bennett  
613 S. Roche Street,  
Porterville, Ca  
559-359-6126  
shannon@consolidatedtesting.com  

OBJECTIVE:

Having been a coach for 25+ years, I have seen the Parks and Leisure Department grow to what it is today. During these times it is more important than ever to give the youth of Porterville a chance to play sports. If given the chance, I will continue to help it grow.

PROFESSIONAL SYNOPSIS

Currently, I am in my third year as Vice President for the Porterville Youth Football League and the Porterville Youth Football Cheer Commissioner. I decided to become involved with this organization when my children choose to play in the league. Since then, there have been several changes made to the league that has brought more opportunities for the kids and allowed for many more to participate. Prior to being Vice President, I have coached football, basketball, baseball and softball. When I was a coach, it gave me great pleasure to watch the kids learn and excel at these sports. My coaching experience has also made me become a better role model and it showed me that you can make a difference when a child is given the opportunity to play a sport.

Responsibilities:

I am currently employed at CTL-SEE’S, Inc. formerly known as Consolidated Testing Laboratories, Inc. and have been with this firm for 21 years. My position requires me to have numerous responsibilities which include; proposal preparation, field investigation, report preparation and project management.

- 11/90 to Present  
  Consolidated Testing Laboratories, Inc.  
  603 East Worth Avenue  
  Porterville, CA

- 8/86-9/90  
  U.S. Marine Corps  
  Camp Pendleton  
  Oceanside, CA

-  
  Porterville High School  
  465 W. Olive Avenue  
  Porterville, CA
CITY COUNCIL AGENDA: JULY 17, 2012

TITLE: AB 1234 EXPENSE REIMBURSEMENT REQUIREMENTS FOR ELECTED OFFICIALS

SOURCE: CITY ATTORNEY

COMMENT: Council Member Shelton has made inquiries related to AB 1234 Expense Reimbursement and Reporting requirements of elected officials. Specifically, it is my understanding that Council Member Shelton seeks advice as to whether he can request reimbursement in the total amount of $0.01 for various expenses incurred in performing his official duties as a Council Member (and whether he would be subject to enforcement if he did not), but he has additionally requested, per a Consent Item on the May 1, 2012 Agenda, that the Council consider the requirements under AB 1234, specifically the reimbursement of expenses for elected officials.

With regard to his specific inquiry as to enforcement, we contacted the FPPC advice line, but were advised that the FPPC does not provide advice on AB 1234 expense reporting. However, upon review of AB 1234 and applicable City policies, it is clear that the City must reimburse for actual expenses at the rate established by statute and City policy. Council Members cannot specify the amount of money they want reimbursed (even if only $0.01) and must instead identify the amount of mileage necessarily traveled or other actual expense in the performance of official duties. Council Members are not required to request reimbursement for their expenses, and may simply choose not to submit an expense report.

AB 1234 allows cities to reimburse council members for expenses occurred in the performance of official duties. (Gov. Code § 53232.2(a).) Reimbursement is only allowed if the city adopts a written policy specifying the occurrences that entitle a council member to reimbursement. (Gov. Code § 53232.2(b).) In determining the amount of reimbursement for travel expenses, local agencies shall use the Internal Revenue Service allowances, unless the local agency’s written policy specifies another reasonable rate. (Gov. Code § 53232.2(c).) To receive payment for expenses, council members shall submit expense reports which document that the expenses meet the existing policy and shall include receipts documenting each expense. (Gov. Code § 53232.3(b)-(c).)
Section VIII of the Porterville Council Handbook contains an adopted written reimbursement policy for Council Member expenses that complies with Government Code section 53232.2 and 53232.3. Subsection B indicates that the mileage reimbursement amount is set by the Administrative Policy Manual Section II-E-1. Policy II-E-1, subsection B.2, requires reimbursement at the current IRS approved allowance per mile.

There is no provision in AB 1234, the Council Handbook, or the Administrative Policy Manual allowing reimbursement at any amount other than the current IRS allowance. Since the rate is set by statute and an approved policy, Council Members do not have the authority to seek reimbursement in any other amount, even if the amount is less than the established rate. Reimbursement must be paid at the current IRS mileage allowance.

The purpose of AB 1234 is to ensure that only accurate and necessary compensation is provided. Council Members’ expense reports should indicate that the expense is consistent with existing policy by providing an accurate detail of the mileage necessarily incurred. Even though Members cannot provide receipts for gas expenses necessarily incurred, mileage reimbursements should be made in a form so that staff can verify the accuracy of the mileage traveled (e.g., by using an internet map service).

Of course, there is nothing in AB 1234 or any local rule that requires Council Members to request reimbursement for expenses incurred in the course of performing official duties. It is entirely up to the individual Council Members to request reimbursement, and the Council Members may forego reimbursement for some or all expenses. If Council Members do not desire to be paid for all of a particular expense, then the Council Member should not request reimbursement.

Council Members are required to provide brief reports on meetings attended at the expense of the City. (Gov. Code § 53232.3(d).) If a Council Member attends a meeting but is not reimbursed for any expenses, then there is no requirement to provide a brief report on the meeting.

RECOMMENDATION: That the Council consider the staff report and provide further direction as it deems appropriate.