Call to Order
Roll Call

CLOSED SESSION:
A. Closed Session Pursuant to:
   1 - Government Code § 54956.9(c) - Conference with Legal Counsel - Anticipated Litigation: One Case.
   4 - Government Code § 54956.9 - Conference with Legal Counsel - Existing Litigation: Name of Case: City of Porterville vs. Albert L. Hearne et al., Case No. 04-208680, Tulare County.
   5 - Government Code § 54956.9 - Conference with Legal Counsel- Existing Litigation. Name of Case: City of Porterville v. Schellhase, Case No. 03-207816, Tulare County.

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

Pledge of Allegiance Led by Council Member Richard Stadtherr
Invocation

PROCLAMATION
• “All-America Decade Celebration Day” - May 21, 2004 & “All-America City Conference Day”- May 22, 2004

PRESENTATIONS
• Employee Service Awards
• Janet Hettinger BSN PHN
• City Manager’s Featured Projects for May, 2004

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

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

1. Approval City Council Minutes of February 23 and April 20, 2004
2. Authorization to Advertise for Bids - Williford Drive Reconstruction and Drainage Project
   Re: Approving the plans and project manual for the construction of curb, gutter, curb returns, master plan storm drain with inlet structure, catch basins, water main with two new fire hydrants and street paveout for Williford Drive, from Mulberry Avenue to approximately 500 feet south of Mulberry Avenue.

3. Authorization to Advertise for Bids - Water Well No. 28
   Re: Approving the plans and project manual for the drilling of a new well located adjacent to and south of the Wal-Mart Distribution Center on the west side of “F” Street.

4. Award Contract - Emergency Generators
   Re: Awarding the contract to Morris Levin & Sons in the amount of $122,936.81.

5. Acceptance of the Memory Lane Project
   Re: Accepting the project by Central Valley Asphalt in the amount of $11,847.00.

6. Signing of Morton Hill Avenue
   Re: An informational item regarding the renaming and signing of the old section of East Morton Avenue to Morton Hill Avenue.

7. Authorization to Enter Into Service Agreement for Masonry Inspector Services - Neighborhood Community Center
   Re: Entering into an agreement with Technicon Engineering Services, Inc. for an amount not to exceed $14,780, with a 10% contingency.

8. Impact Science Contract Amendments for Endangered Species Act Compliance
   Re: Entering into a contract amendment to include Construction Management services, financial calculation assistance, and reclassification of the project from a Low Impact HCP to an HCP by Wildlands, Inc. in the amount of $42,435, plus 10% for contingencies.

9. Acquisition of Right-of-Way - Property Located at the Southwest Corner of Orange Avenue and Wallace Street (APN No. 261-150-045 - Hearne)
   Re: Approving a payment to Albert and Bertha Hearne in the amount of $199.00, and accepting the deed for recordation.

10. Disposition of Glass Windows at 296 North Main Street
    Re: Authorizing the disposal of a portion of the glass transom windows at 296 N. Main Street and their transfer to the St. James Place project at 250-256 North Main Street.

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

PUBLIC HEARING
11. Restoration of Municipal Franchise Fees
    Re: Consideration of collecting the fully restored fees paid by the Sewer, Water, and Refuse Enterprise Funds of the City into the City's General Fund to cover the cost of street repair and maintenance for damage and accelerated wear and tear attributed to enterprise fund use, in the
amount of $998,180, effective June 1, 2004; and, authorizing a RFP to hire a consulting firm to update the City Fee Schedule.

12. Improvements and the Formation of Landscape and Lighting Maintenance District No. 26
Re: Approving the formation of a district located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues in the Orchard Ridge, Phase Nine Subdivision.

13. Improvements and the Formation of Landscape and Lighting Maintenance District No. 27
Re: Approving the formation of a district located on Springville Avenue, Cleo Avenue and McIntire Avenue along Wisconsin Street in the New Expressions, Phase Three Subdivision.

14. Improvements and the Formation of Landscape and Lighting Maintenance District No. 28
Re: Approving the formation of a district located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer Avenue in the Meadowood, Phase Three Subdivision.

15. Environmental Review for the Formation of Centennial Plaza Park and Related Actions for that Site Located on the East Side of North Main Street Between Cleveland and Thurman Avenues
Re: Approving a Negative Declaration for this project.

SCHEDULED MATTERS
16. Naming of the Neighborhood Community Center
Re: Consideration of determining an appropriate name for the new building and providing direction on any program to be implemented for promotion of principled community service lifestyles or role models.

17. Review of Parks and Leisure Services Department Work Plan

18. Golf Course Enterprise Operation and Options
Re: Review of Golf Course operation, and consideration of five options on the future of the municipal golf course.

19. Implementation Plan for Opening Murry Park Roadway
Re: Direction by Council on opening the Murry Park roadway loop to one-way traffic by May 28, 2004.

20. Skateboard Ordinance
Re: Consideration of amending the City Code to provide more stringent limitations for skateboarding or the use of skateboards.

Re: Report on the fees to be in effect on July 1, 2004.

Adjourn to a Meeting of the Porterville Redevelopment Agency.
PORTERVILLE REDEVELOPMENT AGENCY AGENDA

Roll Call: Redevelopment Agency

WRITTEN COMMUNICATIONS
ORAL COMMUNICATIONS

SCHEDULED MATTER
PRA-1 Building Facade Renovation Grant Program Variance Request for 118 N. Main Street
  Re: Consideration of a request to allow a variance to the Downtown Porterville Architectural Design Guidelines for the color of building.

PRA-2 Redevelopment Strategic Plan Status Report
  Re: Report regarding activities within Project Area #1.

Adjourn to a Meeting of the Porterville City Council.

ORAL COMMUNICATIONS
OTHER MATTERS

CLOSED SESSION
  Any Closed Session Items not completed prior to 7:00 p.m. will be considered at this time.

ADJOURNMENT - to the Adjourned meeting of May 25, 2004 at 4:00 p.m.

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 Deputy City Clerk at (559) 782-7442. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.
CITY MANAGER’S FEATURED PROJECTS FOR
MAY, 2004

1. Memory Lane Widening Project
2. Trailhead Park
3. Library Second Computer Lab
4. Upgrade Permits & Inspection Software
PORTERVILLE CITY COUNCIL MINUTES
ADJOINED MEETING – FEBRUARY 23, 2004
CITY HALL CONFERENCE ROOM - 6:00 P.M.

Roll Call: City Council: West, Martinez, Hamilton, Irish, Stadtherr

ORAL COMMUNICATIONS
None

SCHEDULED MATTER

1. REVIEW OF REDEVELOPMENT AGENCY ANNUAL REPORT

Recommendation: For information only. No recommendation required.

The Redevelopment Agency Annual Report provides the following:

- Overview of Low and Moderate Income Housing Activities.
  - First Time Low Income Homebuyer Program
  - Rental Program
  - Other Agency Expenditures
  - Development Disclosures
- Summary of Agency Programs
  - 2002-03 Activities
  - Disclosure of Agency Loans
  - Description of Agency-Owned Property
  - 2003-04 Work Program
- Financial Statement (with Independent Auditors’ Financial Compliance Reports)
- Annual Report of Housing Activity
- Annual Report of Financial Transactions

Community Development Director Brad Dunlap gave the presentation.

City Manager Longley clarified that the presentation will consist of slides, and that each slide will be subject to discussion at the will of Council.

Mr. Dunlap explained that under the California Health and Safety Code each legislative body is required to review the Agency’s Annual Report within six months of the fiscal year end, and then take action on it no more than twenty-one days from the receipt of the report.

A main component in this particular annual report was the financing strategies adopted by the Redevelopment Agency Board reviewed the last fiscal year, and have since been implemented. The study session will focus on a review and update of the strategies.
These financing strategies were needed because of a stagnant real estate market, increased operating expenses, new ERAF diversions, and new pass through payments, in particular to the Kern Community College District.

Strategy 1: To remove all salary from the Redevelopment Budget in the 2003-04 fiscal year, and no salaries are anticipated to be included in the 2004-05 fiscal year.

Strategy 2: To remove agency and city owned properties from the base year calculations.

Strategy 3: The removal of two industrial properties from the project area.

Strategy 4: To successfully petition the state to eliminate proposed ERAF diversions in the current and forth coming fiscal years.

Through the City’s and other cities’ efforts the state reduced the amount to $39,000 this year, $24,000 last year, and the city has built into the budget $81,000 in anticipation that the hit will be higher next year as projected in earlier years.

Strategy 5: To eliminate the remaining property on 4th Street and promote development on vacant and under utilized agency and city owned properties.

The schedule for completing the Redevelopment Project Area Amendment is as follows:

April 20, 2004 the City Council will review the Redevelopment Plan Amendment. They will consider a resolution affirming the General Plan conformity, and consider a resolution setting a date for a public hearing with the Redevelopment Agency.

May 10, 2004 the consultants will consult with the taxing agencies and have a meeting.

May 19, 2004 the Redevelopment Advisory Committee will meet to consider the amendment.

June 15, 2004 there will be a joint public hearing between the City Council and the Redevelopment Agency.

July 6, 2004 the City Council would adopt the ordinance.

By August 20, 2004 the decision needs to be made to have the action go into effect in the 04-05 fiscal year.

By September 5, 2004 the challenge period will end.

Mr. Dunlap referred to a table that was produced by the consultant in the feasibility study.
It was found that by removing the properties from the redevelopment project area the tax increment increases by $82,040.

Next Mr. Dunlap reviewed the financial information that is reported the way the Department of Housing and Community Development wants it reported, and provided two additional tables showing how staff monitors the revenues and expenditures.

The Combined Balance Sheet consists of all fund types and account groups, and totals all of the assets, debits, and liabilities. Mr. Dunlap explained that total liabilities, fund balances, and other credits for general long-term debt is 8.7 million; general fixed assets is $968,000, with a total of 11.7 million.

Council Member Hamilton asked what the $1.2 on the revenue in investments. Financial Officer, Susan Slayton explained that there is a pool of investments and the Low and Mod fund has $1.2 million collectively in cash and investments. This is actually bond money that the City has never spent on low and moderate-income housing projects. Mr. Dunlap then stated that the majority of this money is earmarked for specific projects.

Council Member Hamilton asked what the Redevelopment Agency was designed for; bigger or smaller projects? City Manager John Longley stated that he believed it was originally designed in urban areas to work with HUD programs, and then over time it’s been changed and modified to suit goals in particular communities.

The next page discussed by Mr. Dunlap was the Combined Statement of Revenue, Expenditures and Changes in Fund Balances, all Governmental Fund Types.

Council Member Hamilton asked why the tax base has not increased.

City Manager Longley stated that Redevelopment is only a small aspect of the entire tax base, and it is probably the macro situation and the commercial projects in the downtown area that are really influencing the tax base.

Community Development Director Brad Dunlap also stated that the industrial community has become more savvy on taxes, and have taken action to depreciate equipment and things of that nature that they were not doing as readily three or four years ago. He also stated that when the Redevelopment Agency Project Area was created it was calculated out at a growth projection of about 7%, like it might be in an urban area where you have significant activity, whereas our project area has been growing at two to three percent.

Mr. Dunlap then presented a breakdown of the Gross Tax Increment as well as the Pass thru Agreements.

City Manager Longley stated that this year would be a very tough year, not because of anything that the City has done, but because of what the State of California has done (i.e. ERAF Diversions, and Pass Thru Entities).
Council Member Hamilton asked if the Redevelopment Agency was considered by the courts to be a separate entity from the city, and if it would be possible for the Redevelopment Agency to declare bankruptcy if it came to that point. Mr. Dunlap stated that there are many cities in the same boat as Porterville, and that have been hit hard by the ERAF diversions.

City Manager Longley stated that by looking at the increment growth you could see that with a relatively stable debt service, any growth over time is going to have the city in a beneficial situation within a few years.

Mr. Dunlap briefly summarized the remaining tables in the packet provided to the council members.

City Manager Longley stated that the worst down side anticipated at this time would be having to ask the City for an advance.

2. REVIEW OF THE PRIORITY USE OF ENGINEERING RESOURCES

Public Works Director Baldo Rodriguez presented the review to council.

Mr. Rodriguez explained that a couple of weeks prior to the study session Mr. Reed and the staff in the Engineering Division put together a priority project list. At about the same time Mr. Dunlap and Mr. Perinne approached the City Engineer and explained to him that many of their projects require engineering resources. He explained that it was at that point that they realized that they just couldn’t go into this thing looking at only what engineering priorities are, but also take into consideration other projects that require engineering participation.

The principles from Community Development, Park, and Engineering all met to discuss the different projects and break the projects down into five categories, which are follows:

1. Projects considered priority
2. City Manager’s recommended priority
3. Projects already underway
4. Projects that are going to receive a diminished effort
5. Projects that are put aside

There was a criteria set up to determine which category a project should be placed. The point system was as follows:

- 3 pts were awarded if a project was ready for construction.
- 5 pts were awarded if a project was funding time dependent.
- 5 pts were awarded if a project was underway and had contractual obligations.
- 5 pts were awarded if a project if there was regulatory mandate.
- 4 pts were awarded if a project was operational dependent.
- 2 pts were awarded if a project was already under design.
- 1 pt was awarded if preliminary engineering (fact finding) had occurred.
• 0 pts were awarded to projects that were considered out-source able, meaning that the project could be given to a consultant and they could run with the project with no problem.

Baldo Rodriguez then presented different categories of projects. The list of the Council’s Priority Projects was presented first. The list consisted of the following projects:

▶ Murray Park Pool Project  
▶ Murray Park Improvement  
▶ W.D.R.C.E.O. Project  
▶ Tule River Phase II  
▶ Henderson Avenue Reconstruction  
▶ East Side Water System Development  
▶ Westwood Street Reconstruction  
▶ Williford Street Reconstruction

The City Manager’s Recommended Priority Projects was the next category presented.

▶ Trailhead Park (formerly known as Rotary Park)  
▶ Centennial Park  
▶ Plano/Mulberry Traffic Signal

The third category of projects presented was ones that the city already has underway.

▶ N.C.C. Library Project  
▶ The Headgate Wetlands Project  
▶ Casas Buena Vista  
▶ Well #27  
▶ The Headgate Mitigation  
▶ Hockett/Division Parking  
▶ Memory Lane Widening  
▶ Indiana Reconstruction  
▶ Orange Avenue Reconstruction  
▶ Waste Water Treatment Facility Revenue Program

The next category was the Diminished Projects category. These projects will basically be worked on when the projects listed above have been completed.

▶ Core Area Curb, Gutter, and Sidewalk Project  
▶ Well #28  
▶ F Street/Gibbon Water Main

The final category presented was the Deferred Projects List. The projects will move up in category as projects are completed.
• 4-Wheel Park Facility
• Sports Complex Softball Lighting
• G Street Reconstruction
• Jaye Street Reconstruction
• Rails for Trails
• Plano Street Bridge
• Traffic Signal #7 Putnam/Villa
• Skateboard Park
• Tule River Phase III
• Jaye Street Bridge

Baldo Rodriguez concluded by stating that if Council wished to make changes now or at a later date that staff will go back and re-evaluate the projects.

Council Member Irish asked if anyone recalled the safety concern regarding a traffic signal in front of Burton.

City Manager Longley stated that Mr. Rodriguez evaluated the situation and it did not warrant a traffic signal, but stop signs are to be installed to address the concern.

Mr. Rodriguez confirmed that by next week there would be a 4-way stop at Westwood and Westfield.

City Manager Longley asked if it were possible to install a barrier between the walkway on the Plano Street Bridge and the traffic, to prevent people from falling into traffic.

Mr. Rodriguez stated that he would look into that, and concluded his presentation.

ADJOURNMENT

The Council adjourned at 8:30 p.m. to the meeting of March 2, 2004 at 7:00 p.m.

Georgia Hawley, Deputy City Clerk
By Luisa Herrera

Richard M. Stadtherr, Mayor
PORTERVILLE CITY COUNCIL MINUTES
REGULAR MEETING - APRIL 20, 2004
COUNCIL CHAMBERS - 6:00 P.M.

Call to Order: 6:00 p.m.
Roll Call: West, Irish, Hamilton, Stadherr, Martinez

CLOSED SESSION:

A. CLOSED SESSION PURSUANT TO:
1 - GOVERNMENT CODE § 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - IN PROGRESS REVIEW - TITLE: CITY MANAGER
2 - GOVERNMENT CODE § 54956(C) - POTENTIAL LITIGATION

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

Pledge of Allegiance Led by Mayor Pro Tem Ronald Irish
Invocation by Pastor John Eby, First Baptist Church

PROCLAMATIONS
“Cinco de Mayo Week” - April 28 - May 5, 2004 - presented to Teresa de la Rosa
“Senior Citizen Day” - May 19, 2004

PRESENTATIONS
• City Manager’s Featured Projects for April, 2004
  - Mitigation Area Access via State Highway 190
  - Skateboard Park Modular Design Approval
  - Airport Patio Project
  - Neighborhood Community Center Construction Award

ORAL COMMUNICATIONS
• Teresa de la Rosa, 450 W. Olive, thanked Council for the proclamation on behalf of Roberto De La Rosa, and invited Council and staff to the 75th Cinco de Mayo Fiesta.
• Mayor Pro Tem Irish thanked staff for their success in getting the grant funds for the Skateboard Park reallocated for the modular facility.
• Dick Eckhoff, Chairman Downtown Porterville Assoc., 180 N. Main, asked to speak during Item 28.
• Mayor Pro Tem Irish asked to pull Item PRA-1
• Jerry Lynch, 1490 N. Atkins Way, came up to speak regarding the Bike Show at the Porterville Museum.

CONSENT CALENDAR
Items 1, 2, 5, 6, 8, 10, 14, 15, 16 and 19 were pulled.

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member West to add Item 20b, Request to Add Emergency Agenda Item–Request
Minute Order 01-042004 to Approve Emergency Agenda Item Extending Northern Limit of Iris Festival, to the agenda. The motion carried unanimously.

Disposition: Approved

3. ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN NO. 245-390-010 – GARRY W. BEUTLER AND JAN M. BEUTLER – HENDERSON AVENUE RECONSTRUCTION PROJECT

Recommendation: That the City Council:
1. Authorize staff to begin escrow, with the City paying escrow fees;
2. Authorize staff to make payment to Garry W. Beutler and Jan M. Beutler in the amount of $5,637.00 after completion of escrow;
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder

Documentation: Resolution 32-2004
Disposition: Approved

4. ACCEPTANCE OF FINAL SUBDIVISIONS MAP – GRANITE HEIGHTS, PHASE ONE SUBDIVISION (GARLAND GIFFORD)

Recommendation: That the City Council:
• Approve the final map of Granite Heights, Phase One Subdivision;
• Accept all offers of dedication shown on the final map; and
• Authorize the City Clerk to file said map with the County Recorder

Documentation: Minute Order 02-042004
Disposition: Approved

7. REPORT ABOUT STATUS OF SUCCESS RESERVOIR ENLARGEMENT PROJECT

Request: Receive the report – No specific action is requested

9. SURFACE WATER TREATMENT REVIEW – PERMITS AND REPORTS SURVEY

Recommendation: The City Council authorize staff to:
• Seek consultant proposals for the purpose of preparing a “Surface Water Treatment Permits & Reports” Survey; and
• Negotiate a Consultant Service Agreement with a “not to exceed” $10,000 limit with the Consultant who best demonstrates an understanding of the City’s needs.

Documentation: Minute Order 03-042004
Disposition: Approved
11. AD ZONE SITE REVIEW 1-2004

Recommendation: That the City Council adopt the draft resolution with findings and conditions approving the Ad Zone Site Review 1-2004

Documentation: Resolution 33-2004
Disposition: Approved

12. AUTHORIZE A MUNICIPAL CODE AMENDMENT PERTAINING TO THE SUBDIVISION REVIEW COMMITTEE AND MISCELLANEOUS TECHNICAL PROVISIONS

Recommendation: That City Council authorize staff to schedule and advertise for a public hearing for a general amendment to the Municipal Code pertaining to subdivision regulations, procedures and technical updates.

Documentation: Minute Order 04-042004
Disposition: Approved

13. CONSTRUCTION AGREEMENTS FOR PORTERVILLE MITIGATION AREA NO. 1 (VALLEY ELDERBERRY LONGHORN BEETLE PRESERVE)

Recommendation: That the City Council:
- Authorize the Mayor to sign the agreement with the California Conservation Corps to provide construction services for Porterville Mitigation Area No. 1 and authorize payment of $8,500 plus 10% for contingencies.
- Authorize the Mayor to sign an amended agreement with Impact Sciences to include Construction Management Services by Wildlands, Inc, and authorize payment of $19,235 plus 10% for contingencies.

Documentation: Minute Order 05-042004 and Minute Order 06-042004
Disposition: Approved

17. OHV GRANT PROGRAM

Recommendation: That the City Council adopt a resolution approving the grant application entitled Porterville O & M for Fiscal Year 2004-2005, and approve the 2004-2005 OHV Budget.

Documentation: Resolution 34-2004
Disposition: Approved

18. ANNUAL REPORT ON SENIOR COUNCIL UTILITY STIPEND

Recommendation: Receive and file this annual report.
20. RESTORATION OF MUNICIPAL FRANCHISE FEES

Recommendation: That the Council set a public hearing for May 18, 2004 to receive comment on the proposed increase in municipal franchise fees.

Documentation: Minute Order 07-042004
Disposition: Approved

20a. APPROVAL FOR COMMUNITY CIVIC EVENT ANNUAL PORTERVILLE FAIR – MAY 12 – 16, 2004

Recommendation: 1. That Council approve the Community Civic Event Application and Agreement from the Porterville Community Fair Board, subject to the Restrictions and Requirements contained in Application, Agreement and Exhibit “A”, and
2. That Council approve the use of the parking lot on the south side of Olive Avenue and bare ground south of that parking lot for fair patrol parking and set up from May 8-17, 2004.

Documentation: Minute Order 08-042004
Disposition: Approved

20b. EXTENSION OF STREET CLOSURE PERMIT FOR IRIS FESTIVAL, APRIL 24, 2004

Recommendation: Add the extension of the street closure from Thurman to Olive and between Division and East Main alley for the Iris Festival on April 24, 2004 to agenda as an emergency item known since closing the last agenda and requiring action at this meeting; and then approve extension as specified.

Documentation: Minute Order 09-042004
Disposition: Approved Extension

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member Hamilton, to approve Items 3, 4, 7, 9, 11, 12, 13, 17, 18, 20, 20a, and 20b. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF MARCH 16, 2004

Council Member Stadtherr requested that the voting record for Item 11 be corrected to show he was the one to vote no.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West to approve the minutes as amended. The motion carried unanimously.

M.O. 10-042004
Disposition: Approved
2. AWARD OF CONTRACT INDIANA STREET RECONSTRUCTION PROJECT – PUTNAM AVENUE TO MORTON AVENUE

Recommendation: That the City Council:
1. Award the Indiana Street Reconstruction Project to Halopoff & Sons, Inc., choosing either Option 1 or Option 2 as stated below;
2. Authorize progress payments up to 90% of the contract amount; and
3. Authorize a 6% or 10% contingency, depending on the option chosen, to cover unforeseen construction costs.

Council Member West asked that the difference between Option 1 and Option 2 be clarified.

OPTION 1:
In order to complete the 2" overlay of Indiana Street from the Porter Slough crossing to Morton Avenue and keep the project within budget the following financial structure is offered for consideration.

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Base Bid</td>
<td>$381,627.76</td>
</tr>
<tr>
<td>6% Contingency</td>
<td>$23,372.24</td>
</tr>
<tr>
<td>*Staff Time</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>$417,000.00</td>
</tr>
</tbody>
</table>

* Includes construction management, inspection and material testing.

OPTION 2:
If the deductive alternate is exercised and the 2" overlay is removed from the project the following financial structure is offered for consideration.

<p>| | |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
<td>$381,627.76</td>
</tr>
<tr>
<td>Deductive Alternate</td>
<td>-$38,215.42</td>
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<tr>
<td>Sub-Total</td>
<td>$343,412.34</td>
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<tr>
<td>10% Contingency</td>
<td>$34,341.23</td>
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<tr>
<td>Staff Time</td>
<td>$15,000.00</td>
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<tr>
<td></td>
<td>$392,753.57</td>
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</tbody>
</table>

Public Works Director, Baldo Rodriguez explained the two options in more detail.

Council Member Hamilton asked what the life difference of each option would be.

Council Member Stadtherr asked what the difference in price would be to put in the signal at the time of the construction of the intersection as opposed to later; and if removing the $7,500 would affect the bid.

City Attorney, Julia Lew, stated that it would not be possible to remove that aspect at this time of the bid process, since it is included in the base bid.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr to approve Option 1. The motion carried unanimously.

M.O. 11-042004

Disposition: Approved
5. INCREASING FEES IN ACCORDANCE WITH THE MITIGATION FEE ACT

Recommendation: That the City Council act to approve the proposed increases in fees shown in Exhibits “A” and “H”.

Mayor Pro Tem Irish asked if this item could be brought back in two weeks.

City Attorney, Julia Lew stated that it was going to be staff’s recommendation to bring back this item as well as Item No. 6 at the May 4, 2004 meeting.

6. ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENGINEERING NEW RECORD 20-CITY CONSTRUCTION COST INDEX

Recommendation: That City Council use this information to inform any citizens that may inquire about fee adjustments.

This item is to be brought back at the May 4, 2004 meeting.

8. ACCEPTANCE OF THE JOINT POWERS AGREEMENT – WEST NORTH GRAND AVENUE, CITY – COUNTY JOINT MAINTENANCE

Recommendation: That City Council:
1. Accept the Joint Powers Agreement prepared by the County of Tulare;
2. Authorize the Mayor to sign the Joint Powers Agreement;
3. Approve the funding source; and
4. Authorize payment to the County of Tulare upon completion of the work.

Mayor Pro Tem Irish asked if it necessary to enter a Joint Agreement with the County to get this project done.

City Manager John Longley stated that it was a process that was needed because the City was paying funds for its portion of the project.

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member West to accept staff’s recommendation. The motion carried unanimously.

M.O. 12-042004

Disposition: Approved

10. STATUS REPORT ON CAR WASH ISSUES

Recommendation: This interim report will be followed by additional information in May, 2004. City Council is requested to provide any necessary direction for Staff action prior to the final report.

Mayor Pro Tem Irish asked if the City has heard back from any of the car washes that were cited.
Community Development Director Brad Dunlap summarized the supplementary information handout.

Council Member Hamilton asked the City Attorney what legal options were available to the City.

The City Attorney stated the criminal prosecution, or abatement and conjunction were both Options, and suggested that the Council hold a study session to discuss this issue further.

Council Member Hamilton requested that a study session be scheduled with the City Attorney to discuss this issue.


Recommendation: That the Council approve:
1. The Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., subject to the restrictions contained in the Application, Agreement, and Exhibit “A”.
2. Authorize the Chief of Police, or his designee, to close Olive Avenue between A Street and Plano Street, if warranted to address public safety concerns; and
3. Authorize the Fixed Route bus service to suspend operations until 1:00 p.m. on Saturday, May 1, 2004.

Mayor Martinez stated that he would have to abstain from this item due to a conflict of interest.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Stadtherr to accept staff’s recommendation.

M.O. 13-042004

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

Disposition: Approved

15. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE MUSEUM BIKE SHOW, AUGUST 14, 2004

Recommendation: That Council approve the Community Civic Event Application and Agreement from Porterville Museum for a Bike Show on Saturday, August 14, 2004, subject to the insurance requirements stated therein, and the Restrictions and Requirements contained in Exhibit “A” of the Community Civic Event Application and Agreement.
Mayor Martinez asked if any incidents were reported at this event last year, and stated that he would like the same conditions to apply this year as did last year; that two security guards be present at the event and that the beer garden be closed an hour prior to the closing of the bike show.

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member West to accept staff’s recommendation with the additional conditions that two security guards be present and that the beer garden be closed an hours before the event ends. The motion carried unanimously.

M.O. 14-042004

Disposition: Approved

16. APPROVAL FOR COMMUNITY CIVIC EVENT – PORTERVILLE UNIFIED SCHOOL DISTRICT, PORTERVILLE CELEBRATES READING, APRIL 24, 2004

Recommendation: That the Council approve the Community Civic Event Application and Agreement from Porterville Unified School District, subject to the Restrictions and Requirements contained in Application, Agreement and Exhibit “A”.

Council Member Stadtherr asked if the street closure could be at the discretion of the Chief of Police.

Council Member Hamilton asked the Chief to comment.

Police Chief Silver Rodriguez stated that this has worked in the past.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Council Member West to accept staff’s recommendation with the amendment that street closure be at the discretion of the Police Chief. The motion carried unanimously.

M.O. 15-042004

Disposition: Approved

19. ANNUAL REVIEW OF CITY OF PORTERVILLE/CHAMBER OF COMMERCE AGREEMENT

Recommendation: That the City Council accept the Chamber of Commerce Activity Report and Financial Statements; and if concurred to by Council, direct staff to prepare an amendment to the agreement to be executed by the City and the Chamber to incorporate the additional $2,000 in funding for Fiscal Year 2003-2004 to cover additional expenses for the 2005 All America City Conference.

Mayor Martinez thanked the Chamber of Commerce for all of their hard work, and asked if any representatives would like to speak.

Donnette Silva-Carter came forward to comment on the upcoming Irish Festival, and to thank Council for its support.
Mayor Pro Tem Irish asked if staff could look into an automatic C.P.I. for the 05/06 Chamber Budget.

COUNCIL ACTION: MOVED by Mayor Martinez, SECONDED by Mayor Pro Tem Irish that the Council accept the Chamber of Commerce Activity Report and Financial Statements; and direct staff to prepare an amendment to the agreement to be executed by the City and the Chamber to incorporate the additional $2,000 in funding for Fiscal Year 2003-2004 to cover additional expenses for the 2005 All America City Conference. The motion carried unanimously.

Disposition: Approved

PUBLIC HEARING

21. CONDITIONAL USE PERMIT 2-2004 — SPECIFIC PLAN WITHIN THE VIEJO ROBLES PLANNED DEVELOPMENT FOR THE CONSTRUCTION OF AN EMERGENCY AND TRANSITIONAL HOUSING COMPLEX LOCATED AT THE SOUTHEAST CORNER OF INDIANA STREET AND SPRINGVILLE AVENUE

Recommendation: That the City Council:

1. Adopt the Draft Ordinance Resolution approving the Negative Declaration prepared for Conditional Use Permit 2-2004;
2. Adopt the Draft Resolution approving Conditional Use Permit 2-2004 to adopt a specific Plan within the Viejo Robles Planned Development to allow the construction of the proposed project on the 3± acre vacant parcel located on the southeast corner of Indiana Street and Springville Avenue, subject to conditions of approval.

The Mayor opened the hearing to the public at 7:49 p.m.

Dennis Townsend, Townsend Architectural Group, 633 N. Westwood, came forward to speak in favor of the project and in support of the organization. He also thanked staff for their cooperation, and asked about conditions #18, #27, #33, and #37; requesting that the language be changed to reflect that these conditions be commensurate with the phases.

At this time the Mayor requested a 5-minute break to allow staff to go over the questions brought up by Mr. Townsend.

Community Development Director Brad Dunlap stated that the understanding is that the required improvements will be made according to the phase of development being proposed, and with the expectation that the phase of development will correspond with the proposed property line when the applicant submits a tentative parcel map. In the meantime, if they do not move forward with the map their responsibility would be to develop across the full frontage of the property on Indiana and Springville Ave. However, it is their absolute expressed intention to process that parcel map, which will conform to the phase line, which makes the point move. Staff agrees in expectation that the development requirements kick in on the phase as long as the phase corresponds with property boundaries.
Margaret Land, 778 W. Bellevue, President of the Board of Directors for the Central California Family Crisis Center, came forward to speak in support of the project.

The hearing was closed to the public at 8:05 p.m.

Council Member Hamilton asked why a brick wall is being required on a residential project.

Community Development Director Brad Dunlap stated that it was not a code requirement, but it was due to the nature of the use of the land as a transitional housing complex.

Dennis Townsend stated that the cost of the wall is a concern, and the applicant is willing to comply if necessary.

Council Member Hamilton asked if this was a 501 and was therefore HUD funded.

Lynette Villarreal, 770 N. Main Street, stated that HUD funding is being pursued, but is has not yet been secured, and also stated that HUD funding is not allowed to be used for landscaping or fencing.

Council Member Hamilton stated that the impact fee payment deferment program is available.

**COUNCIL ACTION:** MOVED by Council Member Hamilton, SECONDED by Mayor Pro Tem Iris to accept staff’s recommendation: adopt the Resolution approving the Negative Declaration prepared for Conditional Use Permit 2-2004; and, adopt the Resolution approving Conditional Use Permit 2-2004 to adopt a specific Plan within the Viejo Robles Planned Development to allow the construction of the proposed project on the 3± acre vacant parcel located on the southeast corner of Indiana Street and Springville Avenue, subject to conditions of approval, and with the removal of the condition for a block wall at this time; to be further negotiated if a wall is deemed necessary in the future. The motion carried unanimously.

Disposition: Approved

Mayor Martinez asked Council if they would mind allowing some youth to come forward to speak regarding the proposed Skateboard Park.

Chris McMacabalin, Retired Marine Corps Gunnery Sgt., spoke in favor of the skateboard park.

Council Member Hamilton took a moment to formally thank Mr. McMacabalin for the service he provided to the country.

Marcellino Torres, Adalberto Meraz, Noe Hernandez, Carlos Meraz, Michael McMacabalin read a letter in favor of the skateboard park.
Mayor Martinez thanked the young men for coming forward to address the Council, and thanked Mr. McMacabal in for being a mentor to the youth.

22. CONDITIONAL USE PERMIT 5-2004 – PROPOSED CONTRUCTION OF A 42 UNIT COMPLEX TO BE LOCATED GENERALLY ON THE NORTHEAST CORNER OF WESTFIELD AVENUE AND STATE HIGHWAY

Recommendation: It is recommended that the City Council adopt the draft resolution approving the Conditional Use Permit 5-2004.

The hearing was opened to the public at 8:23 p.m.

Mark Hillman, 620 W. Olive, came forward to state that he was an agent of the project and that they had no problems with the conditions. He also thanked staff for their time and cooperation.

The hearing was closed to the public at 8:24 p.m.

Council Member Hamilton asked where the entrance to the complex would be, and if the width of the lanes were adequate for fire codes.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr to accept staff’s recommendation. The motion carried unanimously.

Disposition: Approved

23. MEADOW BREEZE PHASE ONE – TENTATIVE SUBDIVISION MAP (SMEE BUILDERS)

Recommendation: That the Subdivision Review Committee recommends that the Council:
1. Adopt the draft resolution approving the Negative Declaration for Meadow Breeze Phase One Tentative Subdivision Map; and
2. Adopt the draft resolution approving the Meadow Breeze Phase One Tentative Subdivision Map.

The hearing was opened to the public at 8:28 p.m.

Community Development Director Brad Dunlap stated that there was a typographical error in the resolution and pointed it out to Council.

Jim Winton, 150 W. Morton, came forward to speak on behalf of Smee Builders. He thanked staff for their assistance with the project.

The hearing was closed to the public at 8:30 p.m.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to accept staff’s recommendation to adopt the draft resolution
Resolution 38-2004 approving the negative declaration, and to adopt the draft resolution approving the Meadow Breeze Phase One Tentative Subdivision Map.
Resolution 39-2004 The motion carried unanimously.

Disposition: Approved

24. AIRPORT FEE SCHEDULE

Recommendation: 1- That the City Council hold a public hearing on the proposed fees.
2- That the City Council adopt the attached resolution adopting the fees.

The hearing was opened at 8:32 p.m. and closed to the public at 8:32 p.m.

Council Member Hamilton asked for clarification on the “Call Out Fee”.

Chief Guyton stated that is a fee designed for cost recovery for the overtime pay required for staff to go out to the airport after hours to fuel a plane.

Council Member Stadtherr asked if there was a photo identification card system being used at this time.

Chief Guyton stated that the City received a grant for a computerized system to develop cards with photos, but that they are not at the place to implement them yet.

Mayor Pro Tem Irish asked how much it would cost to park a motorcycle; if it would be the same cost as parking a car.

Council Member Stadtherr asked if the honor system would apply for the temporary parking fee.

Mayor Pro Tem Irish asked that Council review the fee schedule in a year.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr to adopt the proposed Airport Fee Schedule. The motion carried unanimously.

Resolution 40-2004

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member West to accept staff’s recommendation. The motion carried unanimously.

Disposition: Approved

SECONDING READING

25. ORDINANCE NO. 1651, AMENDING CHAPTER 17, MOTOR VEHICLES AND TRAFFIC, SECTION 17-15, ON THE CODE OF THE CITY OF PORTERVILLE
Recommendation: That Council give Second Reading to Ordinance No. 1651 and waiving further reading, and adopt said ordinance.

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member Hamilton to waive further reading. The motion carried unanimously.

The City Manager read the ordinance by title only.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Mayor Pro Tem Irish to adopt Ordinance 1651, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 17, ARTICLE XV, SECTION 17-15, PRIMA FACIE SPEED LIMITS DETERMINED ON CERTAIN STREETS, OF THE CODE OF THE CITY OF PORTERVILLE. The motion carried unanimously.

Disposition: Approved

26. ORDINANCE NO 1652, ADOPTING A NEW CHAPTER 4, AIRPORT, OF THE PORTERVILLE MUNICIPAL CODE

Recommendation: That Council give Second Reading to Ordinance No. 1652 and waiving further reading, and adopt said ordinance.

COUNCIL ACTION: MOVED by Council Member Stadtherr, SECONDED by Mayor Pro Tem Irish to waive further reading and adopt said ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADOPTING A NEW CHAPTER 4, AIRPORT, OF THE PORTERVILLE MUNICIPAL CODE. The motion carried unanimously.

Disposition: Approved

SCHEDULED MATTERS

27. ECONOMIC DEVELOPMENT ADMINISTRATION GRANT OPPORTUNITIES

Recommendation: That the City Council direct staff to include all projects on the Comprehensive Economic Development Strategy (CEDS) and direct staff to make a proposal in the upcoming budget cycle for a writer to prepare a preliminary feasibility study and an application for an EDA technical assistance grant, if warranted, for the Airport Industrial Park Business Incubator project.

Mayor Pro Tem Irish asked if it could be set-up so that a business can start up at a reduced lease rate for a predetermined time, then be given the option to stay, but at an increased lease rate.

Council Member Stadtherr asked where the remaining two million in contributions would come from after the EDA contributions.

City Manager Longley stated that it would depend on the project and gave some examples.
Council Member Hamilton stated that he would like to see an incubator program in the downtown area, and requested that staff look into it.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr to accept staff’s recommendation and to direct staff to look into the possibility of an incubator program in the downtown area. The motion carried unanimously.

Disposition: Approved

28. BUSINESS IMPROVEMENT DISTRICT ASSESSMENT REVIEW

Recommendation: Based on a no response from 89% of the businesses and the request of no change by 3.8% of the businesses that were represented at the two meetings, staff recommends that no change be made to the current method of levying assessments in the 2004-2005 and subsequent fiscal years.

Dick Eckhoff, 180 N. Main, Downtown Porterville Association (D.P.A.), came forward to speak regarding the services and benefits provided by the D.P.A. and the Business Improvement District (B.I.D.); he also expressed his continued support for Option 4 and an incubator program downtown.

Chris Lewis, Porterville Physical Therapy, spoke in support of a flat fee.

Donnette Silva-Carter, Porterville Chamber of Commerce, came forward to state that she supports downtown and hopes that a compromise/solution can be reached.

Mayor Pro Tem Irish stated that he does want to see the value of the B.I.D. to continue, but also wants a change to occur.

Council Member Stadtherr stated that smaller businesses should not pay the same fee as larger businesses.

Council Member West stated that he also thinks that a change is necessary, Mayor Martinez agreed.

Council Member Hamilton stated that there is no solution that will satisfy everyone, and was very disappointed in the participation of the businesses in the meetings.

Dick Eckhoff came up to inform Council of the D.P.A.’s immediate efforts to revitalize downtown.

Council Member Hamilton asked how much the D.P.A. paid for the Christmas lights last year, and if the lights actually put money into the downtown merchant’s pockets.

Mayor Martinez stated that this was a hard decision for Council to make, but that a change was necessary in order to achieve the results for downtown that Council is hoping for. He also stated that he believed that Main Street was a place for the community to gather.
Mayor Pro Tem Irish stated $7,000 for lighting downtown benefits everyone in town, but yet downtown had to bear the entire burden on a limited budget. Motion: Propose Option 5 with the caveat of we, as the City Council, look at offsetting that $7,000 by half. Come up with the funds of $3,500 to at least match with the lighting for downtown. That way we’re kind of offsetting some of their costs and making it a little fairer to them.

Council Member West asked why the City should spend $3,500 on lights for Main Street, and not Henderson Avenue or Olive Street.

The City Attorney then described the process from this point per the request of the City Manager.

The City Attorney stated that a resolution of intention will be brought to Council for adoption, after which a hearing will need to set, so it will take a few meetings to get through it.

**COUNCIL ACTION:** MOVED by Mayor Pro Tem Irish, SECONDED by Council Member West to accept Option 5 with the caveat that the City off-set the cost of the Christmas lights by half ($3,500).

M.O. 18-042004

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

Disposition: Approved

Council took a 5-minute break at 9:30 p.m.

29. **SWIMMING POOL SHADE STRUCTURE OPTIONS**

Recommendation: Direct staff to:
1. Issue a change order to Webb & Son for the installation of the two swimming pool shade structures, and
2. Re-appropriate $30,354 of funds from the swimming pool operations budget to the swimming pool capital improvement budget.

This item was held over to the May 4, 2004 meeting. Council asked to see pictures of the proposed shade structure, and would like staff to bring back funding possibilities.

30. **SKATEBOARD PARK STATUS AND GRANT FUNDING CONSIDERATION**

Recommendation: That the City Council adopt the attached Resolution to:
1. State support for the skateboard park to be constructed at Veteran’s Park; and
2. Approve filing of an application for a Land and Water Conservation Fund Grant; and
3. Authorize the Parks and Leisure Services Director to execute all necessary documents on behalf of the City of Porterville.
Mayor Pro Tem Irish asked how the $1.5 million will be spent on this project, if the modular facility is supposed to be cheaper.

City Manager, John Longley, stated that staff will provide a detailed cost out to Council within the next couple of weeks.

Mayor Pro Tem Irish asked if the grant money would keep the City from moving the modular facility to a different location, to which Mr. Perrine stated that it would, at least at this time. Council may, however, be allowed to move the facility at a later time.

Council Member Hamilton asked for a copy of the application when it is completed.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Stadtherr to accept staff’s recommendation.
Resolution 41-2004
AYES: West, Hamilton, Stadtherr, Martinez
NOES: Irish
ABSTAIN: None
ABSENT: None

Disposition: Approved

31. TRAFFIC SAFETY – NO PARKING SIGNS

Recommendation: That the City Council authorize the City Engineer to install “No Parking” signs on each side of the Plano Street Bridge, where warranted, in accordance with Article X of the Traffic Ordinance.

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member Stadtherr to accept staff’s recommendation. The motion carried unanimously.
M.O. 19-042004

Disposition: Approved

32. REPORT ON STATUS OF SHOPPING CART COLLECTION IN COMMUNITY

Recommendation: It is the staff’s perception that here has been progress with the shopping cart pick-up program. The retailers have volunteered to cooperate with the pick-up, and an optional program is being formulated by the Sheltered Workshop. Staff recommends that the program outlines above be approved and that a further report be made to the Council at the first meeting in July, 2004.

No action needed.

Council Member Hamilton stated that this is another incident of Council being too lenient.
33. CONSIDERATION OF THE FORMATION OF A NONPROFIT CORPORATION

Recommendation: That City Council:
1. Consider and give direction concerning the parameters of the powers of the non profit corporation as discussed above; and
2. Provide direction as to how it wishes the City to proceed.

City Attorney Julia Lew stated that the pure acceptance of charitable contributions part of it, if that’s what the city wants to do it for, then it makes sense to make it a complete arm of the City. Depending on what Council wants the purposes to be, that dictates the involvement the City wants in that enterprise.

Mayor Pro Tem Irish asked how the Council would assure people that the money that they are going to give us will be used for what they want.

The City Attorney stated that they could provide it in writing.

Council Member Stadtherr stated that they could make it a condition of the gift.

Disposition: No action taken. Item died for lack of a motion.

34. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That City Council accept the quarterly Portfolio Summary in accordance with SB 564 and SB 866.

COUNCIL ACTION: MOVED by Council Member West, SECONDED by Council Member Hamilton to accept staff’s recommendation. The motion carried unanimously.

M.O. 20-042004

Disposition: Approved

35. INTERIM FINANCIAL STATUS REPORT

Recommendation: Accept the interim financial status reports as presented.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Stadtherr to accept staff’s recommendation. The motion carried unanimously.

M.O. 21-042004

Disposition: Approved

36. PRESENTATION OF GRANT STATUS SUMMARY

Recommendation: Receive the report – No specific action is requested.
37. COMPLIANCE PROCEDURE FOR SB 564 and SB 866 and RESOLUTION OF AFFIRMATION OF INVESTMENT POLICY

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

COUNCIL ACTION: MOVED by Mayor Pro Tem Irish, SECONDED by Council Member Hamilton to accept staff's recommendation. The motion carried unanimously.

Resolution 42-2004

Disposition: Approved

ORAL COMMUNICATIONS
None

OTHER MATTERS/COUNCIL MATTERS
• Mayor Pro Tem Irish asked Council to review the March 1, 2000 proposed JPA Agreement with the County to consider entering into such an agreement to get things done on the east side. He requested this for the next agenda.
• Council Member Hamilton stated that he wanted the feasibility of reopening Murry Park for vehicular traffic on the next agenda.
• Mayor Martinez thanked Mayor Pro Tem Irish for covering for him, with his busy schedule.

ADJOURNMENT
The Council adjourned at 10:40 p.m. to the meeting of May 4, 2004.

Georgia Hawley, Deputy City Clerk
By: Luisa Herrera

SEAL

Pete Martinez, Mayor
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - WILLIFORD DRIVE RECONSTRUCTION AND DRAINAGE PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: The Plans and Project Manual have been prepared for the Williford Drive Reconstruction and Drainage Project. This project consists of the construction of curb, gutter, curb returns, master plan storm drain with inlet structure, catch basins, water main with two new fire hydrants and street paveout for Williford Drive, from Mulberry Avenue to approximately 500 feet south of Mulberry Avenue. The project also includes an alternate that would install curb, gutter, and street paveout along Williford Drive, from Henderson Avenue north 400'.

The Plans and Project Manual are available for review in the Public Works Department - Engineering Division. Right of way negotiations are currently underway, but as of this date full right of way has not been achieved.

During the July 9, 2003 Special Study Session, projects funded by Certificates of Participation and 3-Year Capital Improvement Projects were re-prioritized. At that time, the City Council approved moving the Williford Drive Reconstruction and Drainage Project from the 04/05 fiscal year to the current 03/04 fiscal year. Now is the time for the appropriation of $150,000 from Local Transportation Fees per the Council's direction at the July 9 Special Study Session.

Funding for the master plan storm drain was approved in the 03/04 Annual Budget in the amount of $15,000 from Developer Fees. Staff is requesting a re-appropriation of $25,000 from Developer Fees from the 02/03 Annual Budget in order to construct the master plan storm drain facilities.

The estimated probable cost for this project is $179,605. An Engineer's Estimate has been attached for reference.

RECOMMENDATION: That City Council:

1. Approve the Plans and Project Manual;

2. Authorize the appropriation of $150,000 from Local Transportation Funds;

Approved/Funded Item No. 2
3. Authorize the re-appropriation of $25,000 from Developer Fees; and

4. Authorize staff to advertise for bids on the project, contingent upon successful property negotiations with an adjacent property owner.

ATTACHMENTS:
- Locator Map
- Engineer's Estimate

Y:\Engineering\Council Items\Authorization to Advertise for Bids - Willford Drive Drainage Project.wpd
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Project Manager

Public Works Director

City Engineer

City Manager
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<td>$25.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$1,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$800.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$2,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$400.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$450.00</td>
</tr>
<tr>
<td><strong>WATER TOTAL</strong></td>
<td></td>
<td>$22,950.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SEWER IMPROVEMENTS</strong></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Raise Existing Cleanout to grade</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td><strong>SEWER TOTAL</strong></td>
<td></td>
<td>$250.00</td>
</tr>
</tbody>
</table>

| **TOTAL PROJECT IMPROVEMENTS** |  | $106,155.00 |
## ESTIMATED COST BREAKDOWN

**DATE:** May 3, 2004  
**PREP. BY:** JASON H.  
**PAGE:** 2 OF 3  

| STREET IMPROVEMENTS | LS | 1 | 1 | $5,000.00  | $5,000.00  
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Excavation</td>
<td>SF</td>
<td>60</td>
<td></td>
<td>$5.00</td>
<td>$300.00</td>
</tr>
<tr>
<td>Drive Approach Rem.</td>
<td>LF</td>
<td>50</td>
<td></td>
<td>$5.00</td>
<td>$250.00</td>
</tr>
<tr>
<td>Curb and Gutter Rem.</td>
<td>CY</td>
<td>107</td>
<td>108</td>
<td>$45.00</td>
<td>$4,860.00</td>
</tr>
<tr>
<td>Type &quot;B&quot; AC</td>
<td></td>
<td>108</td>
<td>107</td>
<td>$35.00</td>
<td>$3,745.00</td>
</tr>
<tr>
<td>Class II AB</td>
<td>LF</td>
<td>386</td>
<td>386</td>
<td>$13.00</td>
<td>$5,018.00</td>
</tr>
<tr>
<td>Concrete Driveway A.</td>
<td>SF</td>
<td>60</td>
<td>60</td>
<td>$5.00</td>
<td>$300.00</td>
</tr>
<tr>
<td>Clear and Grub</td>
<td>LS</td>
<td>1</td>
<td>1</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
</tbody>
</table>

**STREET TOTAL** $22,473.00  

| SEWER IMPROVEMENTS | EA | 1 | 1 | $250.00  | $250.00  
|---------------------|----|---|---|------------|------------|  

**SEWER TOTAL** $250.00  

**TOTAL PROJECT IMPROVEMENTS** $22,723.00
## ESTIMATED COST BREAKDOWN

<table>
<thead>
<tr>
<th>DATE:</th>
<th>May 3, 2004</th>
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<tr>
<td>JOB NO.</td>
<td>89-9226</td>
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<tr>
<td>PREP. BY:</td>
<td>JASON H.</td>
</tr>
<tr>
<td>PAGE 3 OF 3</td>
<td></td>
</tr>
</tbody>
</table>

**WILLIFORD DRIVE MASTER PLAN STORM DRAIN FACILITIES**

### STORM DRAIN IMPROVEMENTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>27&quot; Dia. SD Main</td>
<td>280</td>
<td>LF</td>
<td>$60.00</td>
<td>$16,800</td>
</tr>
<tr>
<td>SD Manhole Type I</td>
<td>1</td>
<td>EA</td>
<td>$2,500.00</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Type II Manhole Connection</td>
<td>1</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Catch Basin</td>
<td>1</td>
<td>EA</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Inlet Structure</td>
<td>1</td>
<td>EA</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
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<tr>
<td>Encase 27&quot; Pipe in Concrete</td>
<td>1</td>
<td>LS</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**STORM DRAIN TOTAL**: $27,300.00

**TOTAL PROJECT IMPROVEMENTS**: $27,300.00
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - WATER WELL NO. 28

SOURCE: Public Works Department - Engineering Division

COMMENT: The Plans and Project Manual have been prepared for the drilling of the new municipal Water Well No. 28 on a 1.29 acre parcel of land located adjacent to and south of the Wal-Mart Distribution Center on the west side of "F" Street. The plans are available for review in the Public Works Department - Engineering Division.

The estimated probable cost for this project is $267,086. Funding is provided by Developer Impact Fees and the project was approved in the 03/04 Annual Budget. The Engineer's Estimate is attached for review.

RECOMMENDATION: That City Council:

1. Approve the Plans and Project Manual; and

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

ATTACHMENTS: Locator Map
Estimate of Probable Cost

Y:\Engineering\Council Item\Authorization to Advertise for Bids - Well No 28.wpd
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Item Description</th>
<th>Estimated Quantity</th>
<th>Unit of Measure</th>
<th>Unit Price</th>
<th>Estimated Extension Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mobilization, Demobilization, Clean-up</td>
<td>1</td>
<td>LS</td>
<td>$15,000</td>
<td>$15,000</td>
</tr>
<tr>
<td>2</td>
<td>43&quot; Dia. Bore Hole w/ 36&quot; O.D. x 3/8&quot; Conductor Pipe</td>
<td>50</td>
<td>LF</td>
<td>$350</td>
<td>$17,500</td>
</tr>
<tr>
<td>3</td>
<td>Drill 13&quot; Dia. Pilot Hole</td>
<td>650</td>
<td>LF</td>
<td>$45</td>
<td>$29,250</td>
</tr>
<tr>
<td>4</td>
<td>Formation Sampling by air-lifting and pumping</td>
<td>6</td>
<td>EA</td>
<td>$5,500</td>
<td>$33,000</td>
</tr>
<tr>
<td>5</td>
<td>Ream Pilot Hole to 25&quot; Dia.</td>
<td>550</td>
<td>LF</td>
<td>$32</td>
<td>$17,800</td>
</tr>
<tr>
<td>6</td>
<td>16-5/8&quot; O.D. x 8-1/2&quot; &quot;Cor Ten&quot; Blank Casing</td>
<td>315</td>
<td>LF</td>
<td>$75</td>
<td>$23,825</td>
</tr>
<tr>
<td>7</td>
<td>16-5/8&quot; O.D. x 6-1/2&quot; &quot;Cor Ten&quot; Perforated Casing</td>
<td>265</td>
<td>LF</td>
<td>$130</td>
<td>$34,450</td>
</tr>
<tr>
<td>8</td>
<td>4&quot; Gravel Feed Tube</td>
<td>110</td>
<td>LF</td>
<td>$8</td>
<td>$880</td>
</tr>
<tr>
<td>9</td>
<td>2&quot; &quot;Cor Ten&quot; Sounding Tube</td>
<td>420</td>
<td>LF</td>
<td>$5</td>
<td>$2,100</td>
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<tr>
<td>10</td>
<td>Colorado Silica Gravel Envelope</td>
<td>500</td>
<td>LF</td>
<td>$42</td>
<td>$21,000</td>
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<tr>
<td>11</td>
<td>Cement Seal</td>
<td>100</td>
<td>LF</td>
<td>$20</td>
<td>$2,000</td>
</tr>
<tr>
<td>12</td>
<td>Swabbing and Airlifting</td>
<td>24</td>
<td>HRS</td>
<td>$250</td>
<td>$6,000</td>
</tr>
<tr>
<td>13</td>
<td>Pumping and Surging</td>
<td>48</td>
<td>HRS</td>
<td>$200</td>
<td>$9,600</td>
</tr>
<tr>
<td>14</td>
<td>Production Testing</td>
<td>24</td>
<td>HRS</td>
<td>$200</td>
<td>$4,800</td>
</tr>
<tr>
<td>15</td>
<td>Well Video</td>
<td>1</td>
<td>LS</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>16</td>
<td>12-3/4&quot; O.D. x 1/4&quot; &quot;Cor Ten&quot; Steel Lining</td>
<td>400</td>
<td>LF</td>
<td>$50</td>
<td>$24,000</td>
</tr>
</tbody>
</table>

Subtotal: $242,805
10% Contingency: $24,281
Total Estimate: $257,086

Prepared By: Curtis M. Skaggs, Project Engineer
Reviewed By: Michael K. Reed, City Engineer
Reviewed By: Baldomero S. Rodriguez, Public Works Director
Reviewed By: John Longley, City Manager
SUBJECT: AWARD CONTRACT - EMERGENCY GENERATORS

SOURCE: Department of Finance/Purchasing

COMMENT: Staff solicited bids for two trailer-mounted emergency generators for the City's Water Division. In response to solicitation, three bids were received as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Levin &amp; Son</td>
<td>$122,936.81</td>
</tr>
<tr>
<td>Porterville, CA</td>
<td></td>
</tr>
<tr>
<td>Cummins West</td>
<td>$130,416.00</td>
</tr>
<tr>
<td>Bakersfield, CA</td>
<td></td>
</tr>
<tr>
<td>Quinn Equipment</td>
<td>$146,190.33</td>
</tr>
<tr>
<td>Bakersfield, CA</td>
<td></td>
</tr>
</tbody>
</table>

Staff has reviewed the low bid and finds it to be responsive to the specifications. Funds for the purchase of the equipment are appropriated in the Water Division’s Capital Projects Budget.

RECOMMENDATION: That Council award the contract for emergency generators to Morris Levin & Sons of Porterville, CA, in the amount of $122,936.81. Further, that Council authorize payment upon satisfactory delivery of the equipment.
SUBJECT: ACCEPTANCE OF THE MEMORY LANE WIDENING PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: Central Valley Asphalt has completed construction of the Memory Lane Widening Project per plans and specifications. The project consisted of the construction of curb, gutter, sidewalk, replacement of a 6' wood fence, curb return with handicap ramp and paveout at the northwest corner of Memory Lane and Newcomb Street.

City Council authorized expenditure of $11,937.20. Final construction cost is $11,847.00.

Central Valley Asphalt requests that the City accept the project as complete. Staff has reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the Memory Lane Widening Project as complete;

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

3. Authorize the release of the 10% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENT: Locator Map

SSR Y:\Engineering\Council Items\Acceptance of the Memory Lane Widening Project.wpd

Dir Appropriated/Funded CM Item No. 5
SUBJECT: SIGNING OF MORTON HILL AVENUE

SOURCE: Public Works Department - Engineering Division

COMMENT: Staff has received comments from east side area residents concerning the lack of street signs along the old section of Morton Avenue west of Crestview Street that is now known as Morton Hill Avenue. The section of street in question is shown on the attached locator map.

When Morton Avenue was reconstructed, a new section of street was built that “wrapped” around the elevated area locally referred to as Morton Hill. The original section of Morton Avenue that crested over the knoll remains in service for the area residents. To date, this elevated section of Morton Avenue has remained unsigned. Public Works - Street Division has ordered street signs with the name “Morton Hill Avenue” and will install the street signs in approximately three weeks.

RECOMMENDATION: Informational Item Only

ATTACHMENT: Locator Map

Y:\Engineering\Council Items\Signing of Morton Hill Avenue.wpd

Dir  Appropriated/Funded  CM  Item No. 6
SUBJECT: AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT FOR MASONRY INSPECTOR SERVICES – NEIGHBORHOOD COMMUNITY CENTER

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On the March 16, 2004, the City Council authorized staff to negotiate a service agreement for masonry inspection services for the Neighborhood Community Center. The Neighborhood Community Center will house the Santa Fe Elementary School Library, and therefore must be constructed to the Department of State Architect (DSA) standards for school buildings. As such, DSA certified inspectors are required to conduct the inspection services for the building.

On April 19, 2004, staff released a Request for Statement of Qualifications for Masonry Inspection Service. Staff received two (2) proposals for the project; however, one applicant withdrew his application due to a scheduling conflict with another project. Staff has been in negotiations with the remaining applicant, Technicon Engineering Services, Inc. to undertake the masonry inspection services for the Neighborhood Community Center. Technicon Engineering Services, Inc. has presented a proposal to perform the masonry inspection services for $14,780.00.

The project consists of providing masonry inspection, reporting, and record keeping services as described in Title 24, California Code of regulations as outlined in the Administrative Code of the California Building Code. Inspection services are being funded through the Housing and Urban Development Section 108 Loan Guarantee.

RECOMMENDATION: That City Council:

1) Approve the Service Agreement with Technicon Engineering Services, Inc. for amount not to exceed $14,780.00, and authorize a 10% contingency for unforeseen inspection services; and

2) Authorize the Mayor to sign all documents.

ATTACHMENT: 1) Masonry Inspection Service Agreement

DD_____ Appropriated/Funded_____ CM_____ Item No. 7
SERVICE AGREEMENT

DATE: May 18, 2004

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and Technicon Engineering Services, Inc., hereinafter referred to as "MASTERY INSPECTOR". The MASONRY INSPECTOR has identified John DeAmaral as the INSPECTOR OF RECORD. Should the MASONRY INSPECTOR desire to replace said INSPECTOR OF RECORD, the CITY will be notified of such substitution and shall have authority to accept or reject said substitution.

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

Project Name: Library/Neighborhood Community Center

Description of Project: Construction of a one-story, 10,037 square foot Library/Neighborhood Community Center; landscaping/irrigation; fencing and gates; concrete walkways; fire lane; and parking lots.

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

SECTION 1. CONTRACT SERVICES: MASONRY INSPECTOR hereby agrees to provide the following services:
1) Provide inspection, reporting and record keeping services as described in Title 24, California Code of Regulations as outlined in the Administrative Code of the California Building Code for the masonry portion of the project. From time to time other inspections, as related to this project, may be requested of the MASONRY INSPECTOR.

2) All special inspection, as required by the Test and Inspection requirements, will be performed by an independent testing agency.

3) The CITY, either by agreement with the successful bidder or by their own means, shall supply conditioned office space adequate to house furniture and equipment necessary to maintain a field office, reasonable sanitary facilities and phone service, for the use of MASONRY INSPECTOR.

SECTION 2. PAYMENT: In consideration for said services and materials, CITY shall pay MASONRY INSPECTOR on a time-expended basis, not to exceed Fourteen Thousand Seven Hundred and Eighty Dollars ($14,780.00). The rate for the above mentioned work will be at the rate of sixty-five dollars ($65.00) per hour with a two hour minimum per day, as provided on Exhibit A.

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

SECTION 3. COMPLETION DATE: The services to be performed by MASONRY INSPECTOR will be commenced upon execution of this agreement and all “work directives” shall be completed within thirty-five (35) days following the filing of “Notice of Completion”. Actual dates for inspection shall be coordinated by the CITY.
SECTION 4. FAMILIARITY WITH PROJECT: MASONRY INSPECTOR certifies and agrees that he will become fully familiar with all of the details of the project required to perform services. MASONRY INSPECTOR agrees he will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information and offers the aforementioned opinions and representations in writing.

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

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

(ii) Automotive liability in the amount not less than One Million Dollars ($1,000,000) per occurrence, fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of MASONRY INSPECTOR and any injuries to third parties, including employees of CITY and MASONRY INSPECTOR. MASONRY INSPECTOR agrees to indemnify, defend (at CITY’S election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any
damages, liabilities for personal injury or death or for loss or
damage to property, or any of them arising out of negligence
of MASONRY INSPECTOR or any of its employees or
agents.

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

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

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

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

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

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

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

SECTION 12. DISPUTES; VENUE: If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. MASONRY INSPECTOR hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.

SECTION 13. CONTACTS: All correspondence between the CITY and the MASONRY INSPECTOR will be assumed delivered if sent by mail to:
CITY:

CITY OF PORTERVILLE
ATTN: Linda Wammack
291 N. Main Street
Porterville, CA 93257

MASONRY INSPECTOR:

TECHNICON ENGINEERING SERVICES, INC.
ATTN: Darren G. Williams
4539 N. Brawley, #108
Fresno, CA 93722

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

CITY OF PORTERVILLE

____________________________
Pedro R. Martinez, Mayor

Date__________________

TECHNICON ENGINEERING SERVICES, INC.

____________________________
Darren G. Williams, President

Date__________________
EXHIBIT A

TECHNICON

ENGINEERING SERVICES, Inc.

Construction Testing & Inspection • Geotechnical & Environmental Engineering

PROPOSAL

May 5, 2004

TO: Mrs. Linda Wammack
City of Porterville
291 N. Main Street
Porterville, CA 93257

FROM: Darren G. Williams, RCE, CEO
President/Engineering Manager

RE: Masonry Inspections Proposal

PROJECT: Neighborhood Community Center

TES #MP04-0046

Mrs. Wammack:

In accordance with your request, TECHNICON Engineering Services, Inc. is pleased to provide you with this proposal for masonry special inspection for the above-referenced project.

<table>
<thead>
<tr>
<th>Structural Masonry</th>
<th>COST CODE</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Unit Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placement Inspection</td>
<td>10-09</td>
<td>208 hours</td>
<td>$65.00/HR</td>
<td>$13,520.00</td>
</tr>
<tr>
<td>Report Preparation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registered Civil Engineer</td>
<td>10.20.97</td>
<td>1.5 hours</td>
<td>$125.00/HR</td>
<td>$187.50</td>
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<tr>
<td>Drafting</td>
<td>10.20.92</td>
<td>1.5 hours</td>
<td>$55.00/HR</td>
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<td>Administration</td>
<td>10.20.93</td>
<td>1.5 hours</td>
<td>$65.00/HR</td>
<td>$97.50</td>
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<tr>
<td>Project Manager</td>
<td>20-96</td>
<td>1.5 hours</td>
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<td>$112.50</td>
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<td>Mileage</td>
<td>10-90</td>
<td>1,560 miles</td>
<td>$5.00/mile</td>
<td>$7,800.00</td>
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<tr>
<td>Subtotal for Structural Masonry</td>
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<td></td>
<td></td>
<td>$13,520.00</td>
</tr>
<tr>
<td>Subtotal for Report Preparation</td>
<td></td>
<td></td>
<td></td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Total for Testing and Inspection Services</td>
<td></td>
<td></td>
<td></td>
<td>$14,770.00</td>
</tr>
</tbody>
</table>

This proposal is valid for 30-days from the date of this proposal, the event that the period of validation exceeds 30-days, the terms of this proposal will be subject to negotiation and TECHNICON Engineering Services will be exempt from the cost estimate and the services described herein. TECHNICON is subject to prevailing wage provisions (I.E. certified payroll etc.). TECHNICON bills in 2, 4, 6, 8 - hour increments.

We look forward to working with you on this project and appreciate your consideration of this proposal. If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office at (559) 276-9311.

Respectfully submitted,
TECHNICON Engineering Services, Inc.

4539 N. Brawley #108 • Fresno, CA 93722 • Phone (559) 276-9311 • Fax (559) 276-9344
SUBJECT: IMPACT SCIENCES CONTRACT AMENDMENTS FOR ENDANGERED SPECIES ACT COMPLIANCE

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The City of Porterville has a contract with Impact Sciences to provide consulting services for compliance with the Endangered Species Act. Impact Sciences has retained Wildlands, Inc. as a sub-consultant. On March 4, 2003, the City Council authorized an amendment to the contract with Impact Sciences to expand the role of Wildlands, Inc. to include design of the irrigation and planting plans for the mitigation site. On April 20, 2004, the City Council authorized the Mayor to sign a contract amendment with Impact Sciences in the amount of $19,235 to add construction management to the scope of work for Wildlands, Inc. However, Impact Sciences has submitted a contract amendment that includes work beyond that authorized on April 20, 2004.

In order to complete the negotiations with the Sequoia Riverlands Trust to accept a conservation easement, it was necessary to set an amount for a permanent, non-wasting endowment. Wildlands, Inc. provided the technical and financial data necessary to reach an agreement with Sequoia Riverlands Trust. This effort was beyond the scope of work identified in either the original contract with Impact Sciences or the March, 2003 contract amendment. The cost of providing these supplemental services was $5,200. Impact Sciences is requesting an amendment to pay this expense.

In addition, the original contract with Impact Sciences was based upon a stated assumption that the various City projects requiring endangered species act compliance would qualify for a Low Impact Habitat Conservation Plan (HCP) under U.S. Fish and Wildlife Services Guidelines. All of the firms responding to the original RFP made the same assumption. Shortly after work began on the project, we learned that the standards for a Low Impact HCP had been re-interpreted by USFWS to make their use much more difficult. Since that time, Impact Sciences has been assisting the City in preparing several project specific compliance documents while simultaneously pursuing the preparation of a City-wide HCP for Valley Elderberry Longhorn Beetle impacts. Neither the project specific documents, nor the City-wide document will qualify as Low Impact HCP's under current standards, which substantially increases their complexity and cost. This has been foreseen for a long time, but the City and consultant are now reaching a point in the budget and project in general to address this issue. Impact Sciences is requesting an amendment in the amount of $18,000 to account for these costs.
The remaining expenditures yet to be brought to City Council for approval include the installation of an irrigation well and pump and the purchase of irrigation and related project materials. Funds for this project have been set aside from Certificates of Participation.

RECOMMENDATION: That the City Council:

1. Authorize the Mayor to sign an amended agreement with Impact Sciences to include Construction Management services by Wildlands, Inc., Financial Calculation assistance by Wildlands, Inc., and additional costs associated with the reclassification of the project from a Low Impact HCP to an HCP, in the total amount of $42,435.00 plus 10% for contingencies.

ATTACHMENTS:

1. Contract Amendment
Contract Amendment
City of Porterville
Habitat Conservation Plan

Impact Sciences
May 4, 2004

The following describes the proposed tasks subject to his contract amendment. It includes work associated with the Headgate mitigation site, at the request of the City, to be performed by Wildlands Inc., who is under a subcontract with Impact Sciences, Inc., and work to complete the Habitat Conservation Plan by Impact Sciences.

Task 1. Mitigation Site Construction Management

Wildlands will perform construction oversight and management services with respect to the Headgate Mitigation site, pursuant to their proposed scope of work and cost estimate dated April 14, 2004. Specifically, Wildlands will assist the City in material procurement for the planting and irrigation of the site, oversee contractor implementation of site preparation, irrigation and fencing installation, and planting, and prepare as-built construction drawings.

Cost: $19,235.00

Task 2. Additional Work by Wildlands

Wildlands' initial scope of work included tasks to analyze the feasibility of a mitigation bank and, per a contract amendment, develop construction drawings and plans suitable for implementing the irrigation and planting of Valley Elderberry Longhorn Beetle (VELB) habitat at the Headgate mitigation site. They have also been asked to develop monitoring and maintenance guidelines for the 10-year interim (establishment) management period, and in perpetuity beyond the interim period, that was used in the preparation of the Conservation Easement and the Habitat Management Plan, and also conducted a financial analysis to be used in the Long Term Endowment Plan. This latter work conducted by Wildlands was beyond what the original scope of work included.

Cost: $5,200.00

Task 3. Completion of HCP Documentation

The original contract between Impact Sciences and the City was made under the assumption that the proposed HCP would qualify as a "Low-Effect HCP" (for projects with "minor" effects on the listed species or habitat covered in the HCP), pursuant to USFWS definitions. As such, the HCP document would be categorically exempt from NEPA requirements and review, would not require an "implementation agreement", and would not need to be as extensive as a standard HCP. While it is assumed that the City will coordinate with USFWS on necessary NEPA documentation and will prepare their own Implementation Agreement (both of which Impact Sciences will assist with, if
requested), the HCP has and will require more analysis and documentation to satisfy the requirements of a "full" HCP versus that required for a "low-effect" HCP.

In addition, Impact Sciences assisted in the preparation and review of the Conservation Easement, Habitat Management Plan, and Long Term Endowment Plan, tasks which were beyond what the initial scope of work included.

Cost: $18,000.00

TOTAL COST: $42,435.00
SUBJECT: ACQUISITION OF RIGHT OF WAY - PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND WALLACE STREET (APN NO. 261-150-045 - HEARNE)

SOURCE: Community Development Department

COMMENT: Mr. Albert L. Hearne and Mrs. Bertha M. Hearne, owners of a property located at the southwest corner of Orange Avenue and Wallace Street, have accepted the appraised value of $199.00 for the 66.43 square feet of additional right-of-way needed to install a handicap ramp.

The City had the property appraised by Timothy J. Simon, MAI, a Certified General Real Estate Appraiser and the appraisal came in at $199.00 for the total square footage of 66.43, which is needed for the project. This appraisal is available in the Community Development Department for your review.

This acquisition is a requirement for the reconstruction of street improvements for the Orange Avenue Project.

RECOMMENDATION: That City Council:

1. Authorize staff to make payment to, Mr. Albert L. Hearne and Mrs. Bertha M. Hearne, owners of the property, in the amount of $199.00; and
2. Accept the Grant Deed and authorize staff to record with the County Recorder.

ATTACHMENTS:

1. Right-Of-Way Take Map
2. Grant Deed
3. Resolution
RECORDING REQUESTED BY
AND WHEN RECORDED MAIL THIS
DEED AND TAX STATEMENTS TO:

City of Porterville
291 N. Main St.
Porterville, CA 93257

GRANT DEED

<table>
<thead>
<tr>
<th>Atlas Sheet</th>
<th>Section</th>
<th>Township</th>
<th>Range</th>
<th>Street/Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>G-9</td>
<td>36</td>
<td>21S</td>
<td>27E</td>
<td>ORANGE AVE.</td>
</tr>
</tbody>
</table>

ALBERT L. HEARNE AND BERTHA M. HEARNE, HUSBAND AND WIFE, AS JOINT TENANTS

GRANT to the CITY OF PORTERVILLE, a Municipal Corporation, all that real property in the City of Porterville, County of Tulare, State of California, described as:

SEE EXHIBIT 'A' AND EXHIBIT 'B' ATTACHED HERETO AND MADE A PART THEREOF
The grantor further understands that the present intention of the grantee is to construct and maintain a public street and underground utilities on the lands hereby conveyed in fee and the grantor, for the grantor and the grantor's successors and assigns, hereby waives any claims for any and all damages to grantor's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of said street. (As used above, the term "grantor" shall include the plural as well as the singular number.)

Dated this 11th day of May, 2004

[Signature]
Albert L. Hearne

[Signature]
Bertha M. Hearne

APN 261-150-045

STATE OF CALIFORNIA
County of

On this the 11th day of May, 2004, before me, Rebecca S. West, Notary Public, personally appeared Albert L. Hearne and Bertha M. Hearne, Name(s) of Signer(s), to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Rebecca S. West

(Notary Public's signature in and for said County and State)
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ACCEPTING A GRANT DEED IN FEE FOR PUBLIC STREET AND UNDERGROUND UTILITIES PURPOSES FROM ALBERT L. HEARNE AND BERTHA M. HEARNE

BE IT RESOLVED by the City Council of the City of Porterville, that the City of Porterville hereby accepts a Grant Deed in fee from Albert L. Hearne and Bertha M. Hearne, for public street and underground utility purposes, in the City of Porterville, County of Tulare, State of California, to-wit:

See Exhibit “A” and Exhibit ‘B’ attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the purchase price of $199.00 is hereby approved with the City to open escrow account, pay the normal and customary escrow fees, authorize Mayor to sign all necessary documents, and said deed to be recorded in the office of the Tulare County Recorder. The foregoing has been accepted by the City Council for the City of Porterville.

__________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By: Georgia Hawley, Deputy
Exhibit “A”

That portion of Lot 32 of Block 1, Cornell Addition, in the City of Porterville, County of Tulare, State of California, according to the Map thereof recorder in Book 8, page 40 of Maps, Tulare County Records, more particularly described as follows:

BEGINNING AT the Northeast corner of Lot 32;

THENCE, Westerly along the North line of said Lot 32, 11.98 feet;

THENCE, Southeasterly 16.39 feet to a point on the East line of said Lot 32, said point being 11.09 feet south of the Northeast corner thereof;

THENCE, Northerly along said East line, 11.09 feet to the POINT OF BEGINNING.

CONTAINING 66.43 square feet, more or less.

END OF DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: ____________
Licensed Land Surveyor

Date: 5/16/04
SUBJECT: DISPOSITION OF GLASS WINDOWS AT 296 NORTH MAIN STREET

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: It has come to the attention of City staff that the glass transom windows in the facade at the City owned property at 296 North Main Street, formerly known as the Tall Man property, is exactly the type of glass that is needed to complete the historic rehabilitation of the front window facade at St. James Place, a City and Redevelopment Agency assisted affordable housing project at 250-256 North Main Street. The developers have expressed to the City that they are having a hard time in finding similar glass that meets the historic rehabilitation standards of the required Design Guidelines.

Cities are authorized under Article XI, Section 5 of the California Constitution, and Section 37350 of the Government Code to control and dispose of their personal property for the “common benefit”. The City’s adopted purchasing policy provides that the Purchasing Agent has the authority to exchange or trade in any unnecessary personal property and there is no prohibition concerning other forms of disposition.

Since the building is scheduled for demolition, it seems reasonable that this part of the building could be salvaged and a portion transferred to the St. James Place project to help in meeting the need for that particular type of glass to keep the restoration project historically accurate. Due to the fact that the City is requiring the developer to comply with the Design Guidelines that are based on historic preservation and that the completion of the rehabilitation of one of the oldest buildings on Main Street will provide a public benefit to the community, the City is in a position to be able to contribute the glass to the project. The amount of glass needed to complete the transom windows is estimated to be valued at $300. A portion of the glass may be retained by the City for future renovation projects.

The developer of the St. James Place project will be required to remove the glass, which is under the existing awnings, and to board up and paint gray to match the building. This will secure the building until the demolition occurs. The developer will also be required to indemnify and hold the City and the Redevelopment Agency harmless against all claims, damages, losses and expenses arising out of or resulting from the performance of the work.

RECOMMENDATION: That the City Council:

1. Authorize the disposition of a portion of the glass transom windows in the City owned property at 296 N. Main Street and transfer the glass to the St. James Place project at 250-256 North Main Street; and

2. Authorize the storage of the remaining glass for use in future historic renovation projects.

D.D.___ Appropriated/Funded ___ C.M.___ Item No. 10
PUBLIC HEARING

SUBJECT: RESTORATION OF MUNICIPAL FRANCHISE FEES

SOURCE: Administrative Services

COMMENT: In 1988, the City of Porterville entered into an agreement with Management Services Institute (MSI) for the purpose of calculating and establishing fees for service. The report issued by MSI calculated municipal franchise fees to be paid by the Sewer, Water, and Refuse Enterprise Funds into the General Fund to cover the cost of street repair and maintenance for damage and accelerated wear and tear attributable to enterprise fund use.

At the time the report was issued, the revenue streams in these enterprise funds were not sufficient to cover the full cost as determined by the study. A reduced fee was collected from that original calculation to allow some level of contribution to begin to reduce the General Fund obligation.

As discussed during the budget update presented to Council during the January 13, 2004 study session and as reported to the Council on April 20, 2004, staff proposed to restore the municipal franchise fee to the amount calculated in January of 1988 in order to reduce the General Fund obligation in street maintenance to the fullest extent possible. The amount previously collected was $816,000 annually from the three enterprise funds combined. The amount calculated by MSI is $998,180 annually from the three enterprise funds combined. It is proposed that a portion of the General Fund resources that would no longer be needed for street maintenance could be used to fund an updated city-wide fee study.

RECOMMENDATION: That (1) the Council accept public comment on the subject of the restoration of the municipal franchise fees as calculated in the 1988 MSI study. (2) Authorize staff to begin collecting the fully restored fees effective June 1, 2004. (3) Authorize staff to circulate an RFP to hire a consulting firm to update the City Fee Schedule, to be paid for from savings in General Fund contributions to street maintenance.
PUBLIC HEARING

SUBJECT: Improvements and the Formation of Landscape and Lighting Maintenance District No. 26

SOURCE: Parks and Leisure Services Department

COMMENT: At the City Council meeting of May 4, 2004, the City Council approved all resolutions for the formation of Landscape and Lighting Maintenance District No. 26. Resolution 46-2004 declared the Council's intention to order the formation of said District, and set a public hearing for May 18, 2004, in order to hear any objections to the proposed assessment district.

The landscaping and lighting improvements, to be installed by the developer, are located on Belmont Street, Pamela, Santa Maria and Pioneer Avenues. The improvements are shown on Landscape and Lighting District No. 26 Map, known as Orchard Ridge, Phase Nine Subdivision. The lighting improvements are located within the streets of the development. City Council has established that the maintenance of this lighting is a vital part of the development of the tract. The City Council has also determined that to insure satisfactory levels of maintenance for lighting, the tract should be formed as a maintenance district. Property owner approved all assessments. A total of 10 street lights will be maintained in the district. Total cost for maintenance is $790.92 or $16.82 per lot.

RECOMMENDATION: That the City Council approve a Resolution of the City Council of the City of Porterville, California, Ordering the Improvements and the Formation of Landscape and Lighting Maintenance District No. 26.

ATTACHMENTS: 1) Resolution Ordering the Improvements and Formation of Landscape and Lighting Maintenance District No. 26;
2) Engineer's Report; and
3) Map.

ITEM NO.: 12
RESOLUTION NO. _______


WHEREAS, the City Council of the City of Porterville did on the 4th day of May, 2004, adopt its Resolution of Intention No. 46-2004 declaring its intention to order the formation of Landscape and Lighting Maintenance District No. 26; and

WHEREAS, the public hearing on the Formation of District No. 26 has been requested by the property owner, subject to Section 22608 of the Landscape and Lighting Act of 1972.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Porterville does hereby make the following findings and orders:

(1) That the public interest, convenience and necessity require the formation of Landscape Maintenance District No. 26 and the ordering of work.

(2) That Landscape and Lighting Maintenance District No. 26 as set forth and described in Resolution No. 46-2004 be formed.

(3) That the work as set forth and described in Resolution No. 46-2004 be done.

(4) That the Engineer’s Report and diagram is hereby approved.

(5) That the method of assessment in the Engineer’s Report is hereby approved.

APPROVED AND ADOPTED this 18th day of May, 2004.

________________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: __________________________
Georgia Hawley, Deputy
CITY OF PORTERVILLE
ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING
MAINTENANCE DISTRICT NO. 26

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville Resolution No. 46-2004. The report is in compliance with the requirement of Article 4, Chapter 1, 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 elected to include lighting at Orchard Ridge, Phase Nine Subdivision into Landscaping and Lighting Maintenance. The City Council has determined that the areas to be lighted will have an effect upon all parcels within the proposed boundaries of the District. The District includes lighting on Belmont Street, Pamela, Santa Maria and Pioneer Avenues as a part of the subdivision. Proposed areas for lighting are on both sides of the streets located within the subdivision.

SECTION 3. Plans and Specifications

The plans and specifications for lighting will be prepared by the developer and will be in conformance with the requirements of the City of Porterville. All lights to be maintained will be shown on the subdivision improvements plans in roadway rights-of-way, or easements to be granted to the City of Porterville. There are 10 street lights to be maintained.

Maintenance activities within the Landscape and Lighting Maintenance District 26 are to include lighting maintenance.

SECTION 4. Improvements

Lighting improvements will be constructed by the developer of the Orchard Ridge Phase Nine Subdivision.
SECTION 5. Estimated Costs

The construction cost is to be borne by the developer and will not be assessed. The subdivision map has been filed for record and it is intended that the improvements be constructed during 2003-2004 and certain maintenance on the areas will be necessary during fiscal year 2004-2005. It is appropriate that assessments be made in advance of the anticipated expenditure to provide working capital for the maintenance effort. District 26 assessments during the 2004-2005 fiscal year are estimated as follows:

Estimated Assessment 2004-2005

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lighting</strong>*</td>
<td></td>
</tr>
<tr>
<td>10 fixtures 5,800 lumens @ $30.21 per year =</td>
<td>$ 302.10</td>
</tr>
<tr>
<td><strong>Project Management Costs</strong></td>
<td></td>
</tr>
<tr>
<td>47 lots @ $8.20 per lot</td>
<td>$ 385.40</td>
</tr>
<tr>
<td><strong>Sub-Total</strong></td>
<td>$ 687.50</td>
</tr>
<tr>
<td><strong>Incidental Expenses</strong></td>
<td></td>
</tr>
<tr>
<td>15% Reserve Fund</td>
<td>$ 103.12</td>
</tr>
<tr>
<td><strong>Total 2003-2004</strong></td>
<td>$ 790.62</td>
</tr>
</tbody>
</table>

*Lighting costs are based on 29% benefit of total cost because lights are spaced closer together resulting in 40% more lights than the City standard outside maintenance districts.

After the 2004-2005 fiscal year, the assessments shall be increased with the cost of service. The increased cost of services shall be the lesser of the actual prior year’s cost or the prior year’s estimated cost adjusted according to the annualized Consumer Price Index rate. The Consumer Price Index is based on the San Francisco Model, and any increase for the year 2004/2005 will refer back to the prior year’s CPI. In the event that the costs of services provided do not exceed the full amount of CPI from one year, such excess CPI percentage shall be carried over from year to year and may be utilized to increase the amount of assessment in future years.
SECTION 6. Assessment Diagram

A copy of the proposed assessment diagram entitled “Landscape and Lighting District No. 26” is attached to this report and by reference is made a part thereof.

SECTION 7. Assessment

The initial cost of constructing improvements is to be borne by the developer. The improvement areas are being established for the benefit of all properties within proposed Landscape and Lighting Maintenance District No. 26. The establishment and maintenance of the improvements is a vital part of the development of Orchard Ridge, Phase Nine Subdivision. The City Council of the City of Porterville has determined that to insure satisfactory levels of maintenance for the lighting at Orchard Ridge, Phase Nine Subdivision, it should become Landscape and Lighting Maintenance District No. 26. The lighting includes 10 street lights.

Landscape and Lighting Maintenance District 26 will consist of an area comprising approximately 9.33 acres. A total of 47 lots are proposed to be developed in Orchard Ridge, Phase Nine Subdivision. The improvements will consist of those improvements described in Section 4 of this report. The maintenance of the improvements is a vital part of the development for protection of safety, economic and humanistic values. The City Council has determined that, for the preservation of values incorporated within this development, all lots will receive equal benefit from the landscaping and street lighting.

The determination of benefit takes into consideration the following facts:

1. The purpose of the improvements 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 landscaping and lighting facility improvements benefit from the maintenance equally to those lots adjacent to the improvements.
Estimated 2004-2005 Assessment

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

A = \[ \frac{790.62}{47} \] = $16.82 per lot, per year

Total Assessment for 2004-2005 = $790.54
Total developed lot count will be 47 lots.

SECTION 8. Order of Events


2. City Council Adopts Resolution of Preliminary Approval of Engineer’s Report.

3. City Council Adopts Resolution of Intention to Order the Formation of Landscape and Lighting Maintenance and determines the district.

4. City Council conducts public hearing, considers all testimony and determines whether the Formation of Landscape and Lighting Maintenance, or abandon the proceedings.

5. Every year in June, the Engineer of Work files a report with the City Council.

6. Every year in June, the City Council conducts a public hearing and approves, or modifies and approves the individual assessments.

Michael K. Reed, City Engineer
City of Porterville

Being a subdivision of the remainder of Orchard Ridge, Phase Eight per Map recorded in Book 39, Page 76 of Maps, Tulare County Records, located within Northeast 1/4 of Section 21, T.21S., R.27E., M.D.B.&M., in the City of Porterville, County of Tulare, State of California.

Legend

- STREET LIGHTS (10 ea.)
- FIRE HYDRANT

Scale: 1" = 200'
COUNCIL AGENDA: May 18, 2004

PUBLIC HEARING

SUBJECT: IMPROVEMENTS AND THE FORMATION OF LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 27

SOURCE: Parks and Leisure Services Department

COMMENT: At the City Council meeting of May 4th, 2004, the City Council approved all resolutions for the formation of Landscape and Lighting Maintenance District No. 27. Resolution 49-2004 declared the Council’s intention to order the formation of said District, and set a public hearing for May 18, 2004, in order to hear any objections to the proposed assessment district.

The landscaping and lighting improvements, to be installed by the developer, are located on Springville Avenue, Cleo Avenue and McIntyre Avenue along Wisconsin Street. The improvements are shown on Landscape and Lighting District No. 27 Map, known as New Expressions, Phase 3 Subdivision. The landscaping and lighting improvements are located along the westerly boundary and within the streets of the development. The landscaping improvements also include a proportionate share of the playground south of the development off of Lybarger Avenue. City Council has established that the maintenance of this landscaping and lighting is a vital part of the development of the tract. The City Council has also determined that to insure satisfactory levels of maintenance for landscaping and lighting, the tract should be formed as a maintenance district. Landscaping consisting of a berm, wall, playground, and 11 street lights will be maintained in the District. Total cost for maintenance is $1,860.09 or $37.20 per lot.

RECOMMENDATION: That the City Council approve a Resolution of the City Council of the City of Porterville, California, Ordering the Improvements and the Formation of Landscape and Lighting Maintenance District No. 27.

ATTACHMENTS:
1) Resolution Ordering the Improvements and Formation of Landscape and Lighting Maintenance District No. 27;
2) Engineer’s Report; and
3) Map.

ITEM NO.: 13
RESOLUTION NO. ________


WHEREAS, the City Council of the City of Porterville did on the 4th, day of May, 2004, adopt its Resolution of Intention No. 49-2004 declaring its intention to order the formation of Landscape and Lighting Maintenance District No. 27; and

WHEREAS, the public hearing on the Formation of District No. 27 has been requested by the property owner, subject to Section 22608 of the Landscape and Lighting Act of 1972.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Porterville does hereby make the following findings and orders:

(1) That the public interest, convenience and necessity require the formation of Landscape Maintenance District No. 27 and the ordering of work.

(2) That Landscape and Lighting Maintenance District No. 27 as set forth and described in Resolution No. 49-2004 be formed.

(3) That the work as set forth and described in Resolution No. 49-2004 be done.

(4) That the Engineer’s Report and diagram is hereby approved.

(5) That the method of assessment in the Engineer’s Report is hereby approved.

APPROVED AND ADOPTED this 18th day of May, 2004.

____________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: _________________________
Georgia Hawley, Deputy
CITY OF PORTERVILLE
ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING
MAINTENANCE DISTRICT NO. 27

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville Resolution No. 49-2004. The report is in compliance with the requirement of Article 4, Chapter 1, 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 elected to include landscaping, playground maintenance and lighting at New Expressions, Phase 3 Subdivision into Landscape and Lighting Maintenance District No. 27. The City Council has determined that the areas to be landscaped and lighted will have an effect upon all parcels within the proposed boundaries of the District. The areas for street lights are included on all streets in the interior and exterior of the subdivision. Proposed areas for lighting are on both sides of the streets located within the subdivision. The landscaping includes an earthen berm and six foot masonry wall on the westerly boundary of the district. The berm and wall maintenance includes: cleaning, repairing, painting, vegetation and rodent control. A playground was installed by the developer south of the berm and wall area, off of Lybarger Avenue. It is estimated that a 30% benefit will be received by the property owners because of the proximity of the playground. The playground maintenance includes cleaning or repairing the playground area and facilities.

SECTION 3. Plans and Specifications

The plans and specifications for lighting were prepared by the developer and are in conformance with the requirements of the City of Porterville. All lights to be maintained will be
shown on the subdivision maps as roadway rights-of-way, or easements to be granted to the City of Porterville. The total street lights to be maintained are 11. Total landscaped area to be maintained is 748 lineal feet of earthen berm and a six foot masonry wall, and 20,350 square feet of playground area.

Maintenance activities within the Landscape and Lighting Maintenance District No. 27 are to include landscape and lighting maintenance.

SECTION 4. Improvements

Landscape and lighting improvements were made by the developer of New Expressions, Phase 3 Subdivision.

SECTION 5. Estimated Costs

The construction cost will be borne by the developer and will not be assessed. The subdivision map has been filed for record and the improvements have been installed and certain maintenance on the areas will be necessary during fiscal year 2004-2005. It is appropriate that assessments be made in advance of the anticipated expenditure to provide working capital for the maintenance effort. In this District assessments will be made during the 2004-2005 Fiscal Year.

Estimated Assessment 2004-2005

Landscaped Area

Berm and wall 748 L.F. @ .42¢ per L.F. $ 314.16
*Playground (30% of $1,870) $ 561.00

Electricity/Lighting

**11 fixtures, 5,800 lumens @ $30.21 per year $ 332.31

Project Management Costs
50 lots @ $8.20/lot $ 410.00

Sub Total 2004-2005 $1,617.47

15% Reserve Fund $ 242.62

Total 2004-2005 Initial Assessment $1,860.09
It is estimated that property owners in this tract will receive a 30% benefit for the use of the playground.

Lighting costs are based on 29% benefit of total cost because lights are spaced closer together resulting in 40% more lights than the city standard outside the maintenance district.

After the 2004-2005 fiscal year, the assessments shall be increased with the cost of service. The increased cost of services shall be the lesser of the actual prior year’s cost or the prior year’s estimated cost adjusted according to the annualized Consumer Price Index rate. The Consumer Price Index is based on the San Francisco Model, and any increase for the year 2004/2005 will refer back to the prior year’s CPI. In the event that the costs of services provided do not increase to exceed the full amount of CPI from one year, such excess CPI percentage shall be carried over from year to year and may be utilized to increase the amount of assessment in future years.

SECTION 6. Assessment Diagram

A copy of the proposed assessment diagram entitled “Landscape and Lighting Maintenance District No. 27” is attached to this report and by reference is made a part thereof.

SECTION 7. Assessment

The initial cost of constructing improvements has been borne by the developer. The improvement areas are established for the benefit of all properties within proposed Landscape and Lighting Maintenance District No. 27. The establishment and maintenance of the improvements is a vital part of the development of New Expressions, Phase 3 Subdivision. The City Council of Porterville has determined that to insure satisfactory levels of maintenance for the landscape and lighting at New Expressions, Phase 3 Subdivision, it should become Landscape and Lighting Maintenance District No. 27. The subdivision consists of 50 lots. The landscape area which benefits the 50 lots is located along the westerly boundary of the district and a playground area located off of Lybarger Avenue.
Landscape and Lighting Maintenance District No. 27 will consist of an area comprising approximately 9.52 acres. A total of 50 lots are proposed to be developed. The improvements will consist of those improvements described in Section 4 of this report. The maintenance of the improvements is a vital part of the development for protection of safety, economic and humanistic values. The City Council has determined that, for the preservation of values incorporated within this development, all lots will receive equal benefit from the landscaping and street lighting.

The determination of benefit takes into consideration the following facts:

1. The purpose of the improvements 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 landscaping and lighting facility improvements benefit from the maintenance equally to those lots adjacent to the improvements.

**Estimated 2004-2005 Assessment**

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

\[
A = \frac{\$1,860.09}{50} = \$37.20 \text{ per lot for New Expressions, Phase 3 Subdivision}
\]

Total Assessment for 2004-2005 = $1,860.09
Total developed lot count is 50 lots.

SECTION 8. **Order of Events**

2. City Council Adopts Resolution of Preliminary Approval of Engineer’s Report.
3. City Council Adopts Resolution of Intention to Order the Formation of Landscape
and Lighting Maintenance District No. 27 and determines the district.

4. City Council adopts Resolution Ordering the Improvements and the Formation of Landscape and Lighting Maintenance District No. 27.

5. Every year in June, the Engineer of Work files a report with the City Council.

6. Every year in June, the City Council conducts a public hearing and approves, or modifies and approves the individual assessments.

Michael K. Reed, City Engineer
PUBLIC HEARING

SUBJECT: Improvements and the Formation of Landscape and Lighting Maintenance District No. 28

SOURCE: Parks and Leisure Services Department

COMMENT: At the City Council meeting of May 4, 2004, the City Council approved all resolutions for the formation of Landscape and Lighting Maintenance District No. 28. Resolution 52-2004 declared the Council's intention to order the formation of said District, and set a public hearing for May 18, 2004, in order to hear any objections to the proposed assessment district.

The landscaping and lighting improvements, to be installed by the developer, are located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer Avenue. The improvements are shown on Landscape and Lighting District No. 28 Map, known as Meadowood, Phase Three Subdivision. The lighting improvements are located within the streets of the development. City Council has established that the maintenance of this lighting is a vital part of the development of the tract. The City Council has also determined that to insure satisfactory levels of maintenance for lighting, the tract should be formed as a maintenance district. Property owner approved all assessments. A total of 23 street lights will be maintained in the district. Total cost for maintenance is $1,576.61 or $20.20 per lot.

RECOMMENDATION: That the City Council approve a Resolution of the City Council of the City of Porterville, California, Ordering the Improvements and the Formation of Landscape and Lighting Maintenance District No. 28.

ATTACHMENTS:
1) Resolution Ordering the Improvements and Formation of Landscape and Lighting Maintenance District No. 28;
2) Engineer's Report; and
3) Map.

ITEM NO.: 14
RESOLUTION NO. _____


WHEREAS, the City Council of the City of Porterville did on the 4th day of May, 2004, adopt its Resolution of Intention No. 52-2004 declaring its intention to order the formation of Landscape and Lighting Maintenance District No. 28; and

WHEREAS, the public hearing on the Formation of District No. 28 has been requested by the property owner, subject to Section 22608 of the Landscape and Lighting Act of 1972.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Porterville does hereby make the following findings and orders:

1. That the public interest, convenience and necessity require the formation of Landscape Maintenance District No. 28 and the ordering of work.

2. That Landscape and Lighting Maintenance District No. 28 as set forth and described in Resolution No. 52-2004 be formed.

3. That the work as set forth and described in Resolution No. 52-2004 be done.

4. That the Engineer’s Report and diagram is hereby approved.

5. That the method of assessment in the Engineer’s Report is hereby approved.

APPROVED AND ADOPTED this 18th day of May, 2004.

__________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By: _______________________
Georgia Hawley, Deputy
SECTION 1. Authority for report

This report is prepared by order of the City Council of the City of Porterville Resolution No.52-2004. The report is in compliance with the requirement of Article 4, Chapter 1, 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 elected to include lighting at Meadowood Phase Three Subdivision into Landscape and Lighting Maintenance District No. 28. The City Council has determined that the areas to be lighted will have an effect upon all parcels within the proposed boundaries of the District. The District includes lighting on Cheryl Avenue, Salisbury Street, Julieann Avenue, Patsy Street, and Pioneer Avenue as part of the subdivision. Proposed areas for lighting are on both sides of the streets located within the subdivision.

Section 3. Plans and specifications

The plans and specifications for lighting were prepared by the developer and are in conformance with the requirements of the City of Porterville. All lights to be maintained will be shown on the subdivision improvement plans in roadway rights-of-way, or easements to be granted to the City of Porterville. There are a total of 23 street lights to be maintained.

Maintenance activities within the Landscape and Lighting Maintenance District No. 28 are to include lighting maintenance.

Section 4. Improvements

Lighting improvements were made by the developer of Meadowood Phase Three Subdivision.

Section 5. Estimated Costs
The construction cost was borne by the developer and will not be assessed. The subdivision map has been filed for record and it is intended that the improvements will be constructed during 2003-2004 and certain lighting cost will be incurred during fiscal year 2004-2005. It is appropriate that assessments be made in advance of the anticipated expenditure to provide working capital for the maintenance effort. District 28 assessments during the 2004-2005 fiscal year are as follows:

Estimated Assessment 2004-2005

Electricity/Lighting*

17 fixtures, 5,800 lumens @ $30.21 per year $ 513.57
6 fixtures, 9,500 lumens @ $36.30 per year $ 217.80

Project/Management Costs

78 lots @ $8.20 per lot $ 639.60
Sub-Total $ 1,370.97

Incidental Expenses

15% Reserve Fund $ 205.64

Total 2003-2004 $1,576.61

*Lighting costs are based on 29% of total cost because lights are spaced closer together resulting in 40% more lighting than the City standard outside maintenance districts.

After the 2004-2005 fiscal year, the assessments shall be increased with the cost of service. The increased cost of services shall be the lesser of the actual prior year’s cost or the prior year’s estimated cost adjusted according to the annualized Consumer Price Index rate. The Consumer Price Index is based on the San Francisco Model, and any increase for the year 2004/2005 will refer back to the prior year’s CPI. In the event that the costs of services provided do not exceed the full amount of CPI from one year, such excess CPI percentage shall be carried over from year to year and may be utilized to increase the amount of assessment in future years.

SECTION 6. Assessment Diagram
A copy of the proposed assessment diagram entitled “Landscape and Lighting District No. 28” is attached to this report and by reference is made a part thereof.

SECTION 7. Assessment

The initial cost of constructing improvements is to be borne by the developer. The improvement areas are being established for the benefit of all properties within proposed Landscape and Lighting Maintenance District No. 28. The establishment and maintenance of the improvements is a vital part of the development of Meadowood Phase Three Subdivision. The City Council of the City of Porterville has determined that to insure satisfactory levels of street lighting at Meadowood Phase Three Subdivision, it should become Landscape and Lighting Maintenance District No. 28. The lighting includes 23 street lights.

Landscape and Lighting Maintenance District No. 28 will consist of an area comprising approximately 16.60 acres. A total of 78 lots are proposed to be developed in Meadowood Phase Three Subdivision. The improvements will consist of those improvements described in Section 4 of this report. The maintenance of the improvements is a vital part of the development for protection of safety, economic and humanistic values. The City Council has determined that, for the preservation of values incorporated within this development, all lots will receive equal benefit from the street lighting.

The determination of benefit takes into consideration the following facts:

1. The purpose of the improvements 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 landscaping and lighting facility improvements benefit from the maintenance equally to those lots adjacent to the improvements.

Estimated 2004-2005 Assessment

Assessment (A) = Cost (C)

Number of Lots (L)
A = $1,576.61 = $20.20 lot for Meadowood Phase Three Subdivision

78

Total Assessments for 2004-2005 = $1,575.60
Total developed lot count will be 78 lots

SECTION 8. Order of Events


2. City Council Adopts Resolution of Preliminary Approval of Engineer’s Report.

3. City Council Adopts Resolution of Intention to Order the Formation of Landscape and Lighting Maintenance District No. 28 and determines the district.

4. City Council conducts public hearing, considers all testimony and determines to Order the Formation of Landscape and Lighting Maintenance District No. 28, or abandon the proceedings.

5. Every year in June, the Engineer of Work files a report with the City Council.

6. Every year in June, the City Council conducts a public hearing and approves, or modifies and approves the individual assessments.

Michael K. Reed, City Engineer
City of Porterville


LEGEND

- STREET LIGHTS (23 ea.)
- FIRE HYDRANT

SCALE: 1" = 200'

LOCATION MAP

SUBJECT SITE
PUBLIC HEARING

SUBJECT: ENVIRONMENTAL REVIEW FOR THE FORMATION OF CENTENNIAL PLAZA PARK AND RELATED ACTIONS FOR THAT SITE LOCATED ON THE EAST SIDE OF NORTH MAIN STREET BETWEEN CLEVELAND AND THURMAN AVENUES

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

COMMENT: The subject site has four (4) parcels for a total of 26,400 square feet. An existing vacant concrete building which encompasses the entire site was once used for a car dealership, vehicle repair and a vacuum cleaner sales and repair business.

The City of Porterville is proposing to demolish the existing vacant building and construct a park with a bandstand, fountain and appurtenant landscaping on the southerly two thirds of the site. The northerly portion of the site (8,800± square feet to have turf only) would allow for future construction of a building for commercial and/or professional type uses. Although the exact nature of the commercial building has not yet been determined, for the purposes of this study, it is assumed to consist of a two-story building with 6,600± square feet of retail commercial space and 6,600± square feet of professional office space or the equivalent.

In order to achieve the aforementioned, General Plan Amendment 4-2004 proposes to change the designation of the Land Use Element from General Commercial to Recreation and Open Space for the southerly two-thirds of the site with the northerly portion of the site remaining with the present General Plan designation of General Commercial. The Parks and Recreation Element will also be amended to reflect the location of the proposed park. Concurrent with the proposed General Plan Amendment, Zone Change 2-2004 would redesignate the southerly two-thirds of the site to OA (Open Area). This zoning allows for public and private parks. The northerly portion of the site would remain C-2 (Central Commercial) Zoned. Prior to the zoning becoming effective, a Lot Line Adjustment may be required to remove the four (4) parcels and leave two (2) parcels to reflect the area to be redesignated to OA zoning and the current zoning of C-2.
The proposed amendments to the Land Use Element, the Parks and Recreation Element and Zone Change 2-2004 will be considered at a subsequent public hearing before the City Council. The environmental document, as proposed, will be the supporting Negative Declaration for the future actions. Approval of the document does not limit Council’s discretion when considering those proposals, but will permit site clearance and other activities which are not dependent upon the proposed General Plan Amendments.

ENVIRONMENTAL: On April 7, 2004, the Environmental Review Committee made a preliminary determination that a Mitigated Negative Declaration would be appropriate based on the Initial Study. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups and individuals for a twenty (20) day review period which ran from April 9, 2004 to April 28, 2004. At the end of that period, the only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

RECOMMENDATION: That the City Council:

1. Adopt the attached resolution approving a Negative Declaration for the formation of the Centennial Plaza Park and related actions.

ATTACHMENTS:

1. Site Plan
2. Negative Declaration
3. Draft Environmental Resolution
NEGATIVE DECLARATION

LEAD AGENCY: City of Porterville
291 North Main Street
Porterville, California 93257

APPLICANT: City of Porterville
291 North Main Street
Porterville, California 93257

PROJECT TITLE: Formation of Centennial Plaza Park and related actions.

ADDRESS/LOCATION: The property facing on the east side of North Main Street between Cleveland Avenue and Thurman Avenue.

PROJECT APPLICANT: City of Porterville

PROJECT DESCRIPTION: The City of Porterville is proposing to demolish the existing vacant building and construct a park with a bandstand, fountain and appurtenant landscaping on southerly two-thirds of the site. The northerly portion of the site (8,800 ± square feet to have turf only) would allow for future construction of a building for commercial and/or professional type uses. Although the exact nature of the commercial building has not yet been determined, for the purposes of this study, it is assumed to consist of a two-story building with 6600 square feet of retail commercial space and 6600 square feet of professional office space or the equivalent.

In order to achieve the aforementioned, General Plan Amendment 4-2004 proposes to change the designation of the Land Use Element from General Commercial to Recreation and Open Space for the southerly two-thirds of the site with the northerly portion of the site remaining with the present General Plan designation of General Commercial. The Parks and Recreation Element will also be amended to reflect the location of the proposed park. Concurrent with the proposed General Plan Amendment, Zone Change 2-2004 would redesignate the southerly two-thirds of the site to OA (Open Area). This zoning allows for public and private parks. The northerly portion of the site would remain C-2 (Central Commercial) Zoned. Prior to the zoning becoming effective, a Lot Line Adjustment may be required to remove the four (4) parcels and leave two (2) parcels to reflect the area to be redesignated to OA zoning and the current zoning of C-2.

CONTACT PERSON: Bradley D. Dunlap (559) 782-7460

Per Resolution No. 6956, the Environmental Review Committee of the City of Porterville has reviewed the proposed project described herein and has found that this project will have no significant impact on the environment for the following reasons:

1. The project does not 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.

2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

3. The project does not have possible environmental effects which are individually limited but cumulatively considerable, "Cumulatively considerable" means that the incremental effects of an individual 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.

4. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.

5. Mitigation measures X were, ____ were not made a condition of the approval of the project.

On April 7, 2004, the Environmental Review Committee determined that the above project will have no significant effect on the environment.

Copies of plans and other documents relating to the subject project may be examined by interested parties at the City Planning Division, 291 North Main Street, Porterville, California.

Dated: April 7, 2004

[Signature]
Bradley D. Dunlap, Environmental Review Committee

ATTACHMENT
ITEM NO. 2
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 FORMATION OF CENTENNIAL PLAZA PARK AND RELATED ACTIONS FOR
THAT SITE LOCATED ON THE EAST SIDE OF NORTH MAIN STREET BETWEEN
CLEVELAND AND THURMAN AVENUES

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of May 18, 2004, conducted a public hearing to consider the formation of Centennial Plaza Park and related actions for that site located on the east side of North Main Street between Cleveland Avenue and Thurman Avenue; and

WHEREAS: The subject site has four (4) parcels for a total of 26,400 square feet. An existing vacant concrete building which encompasses the entire site was once used for a car dealership, vehicle repair and a vacuum cleaner sales and repair business; and

WHEREAS: The City of Porterville is proposing to demolish the existing vacant building and construct a park with a bandstand, fountain and appurtenant landscaping on the southerly two thirds of the site. The northerly portion of the site (8,800± square feet to have turf only) would allow for future construction of a building for commercial and/or professional type uses. Although the exact nature of the commercial building has not yet been determined, for the purposes of this study, it is assumed to consist of a two-story building with 6,600± square feet of retail commercial space and 6,600± square feet of professional office space or the equivalent; and

WHEREAS: In order to achieve the aforementioned, General Plan Amendment 4-2004 proposes to change the designation of the Land Use Element from General Commercial to Recreation and Open Space for the southerly two-thirds of the site with the northerly portion of the site remaining with the present General Plan designation of General Commercial. The Parks and Recreation Element will also be amended to reflect the location of the proposed park. Concurrent with the proposed General Plan Amendment, Zone Change 2-2004 would redesignate the southerly two-thirds of the site to OA (Open Area). This zoning allows for public and private parks. The northerly portion of the site would remain C-2 (Central Commercial) Zoned. Prior to the zoning becoming effective, a Lot Line Adjustment may be required to remove the four (4) parcels and leave two (2) parcels to reflect the area to be redesignated to OA zoning and the current zoning of C-2; and
WHEREAS: On April 7, 2004, the Environmental Review Committee made a preliminary determination that a Mitigated Negative Declaration would be appropriate based on the Initial Study.

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. The Initial Study and proposed Mitigation Measures have been transmitted to interested agencies, groups and individuals for a twenty (20) day review period which ran from April 9, 2004 to April 28, 2004. At the end of that period, the only agency that responded was the San Joaquin Valley Air Pollution Control District. Those comments have been incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

3. That the subject project will not create adverse environmental impacts. The approved Negative Declaration was evaluated in light of the prepared environmental initial study with studies, comments from interested parties and the public, as well as responses to written comments received during the review period. It was determined that potential impacts associated with the proposed project could be mitigated to a less than significant level through the implementation of the attached mitigation measures.

4. That the City Council is the decision-making body for the project.

5. That review of the environmental circumstances regarding the project indicates that no adverse impacts would accrue to wildlife resources from implementation of this project.

6. That the mitigation measures contained in the Negative Declaration were incorporated into a Mitigation Monitoring Program attached hereto as Attachment A.

7. That implementation of the project may proceed subsequent to approval and/or conditional approval of the State Department of Fish and Game relative to said State Department’s consideration of a de minimis impact pursuant to Section 711.2 et. Seq. of the Fish and Game Code.
8. That the environmental assessment and analysis prepared for the project supporting the Negative Declaration reflects the independent judgement 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 formation of Centennial Plaza Park and related actions for that site located on the east side of North Main Street between Cleveland Avenue and Thurman Avenue.

________________________________________
Pedro R. Martinez, Mayor

ATTEST:

John Longley, City Clerk

By _________________________________
Georgia Hawley, Deputy
## Attachment A

### Mitigation Monitoring Program

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Mitigation Measures</th>
<th>Monitoring</th>
<th>Agency Responsible</th>
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<tr>
<td>Geologic Problems</td>
<td>Mitigation measures include the enforcement of site development plan or other development related conditions of approval requiring erosion control plans, and the conservation of vegetation, with soil disturbances to be limited to dry seasons. In addition, conformance with the City Storm Drain Master Plan, and requirements relative to grading, the Uniform Building Code, etc., will be required.</td>
<td>Conformance with the City Storm Drain Master Plan (2001) and requirements relative to grading, the Uniform Building Code, etc., will be required.</td>
<td>City of Porterville</td>
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<td>Water</td>
<td>Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>Compliance with Federal, State and local regulations requiring that storm water runoff be monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).</td>
<td>City of Porterville</td>
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<td>3.f Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.</td>
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<td>4.a Changes in absorption rates, drainage patterns or the rate and amount of surface runoff.</td>
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<td>Air Quality</td>
<td>If asbestos or lead base paint is found in the existing building to be demolished, the City of Porterville will implement and comply with the regulations outlined in the NESHAP regulation, 40 CFR, Part 61, Subpart M. Mitigation of the effects resulting from increased vehicle trips must be accomplished through proper vehicle smog inspections and related efforts to reduce petroleum fueled transit. Additional mitigation measures include adequate circulation of vehicles to lessen concentrations of carbon monoxide in the area, promotion of car pooling and public transportation in the area, and the encouragement of non-motorized transportation modes (i.e./ bicycles and walking). Mitigation through construction management. 1. The City will implement Regulation VIII of the SJVUAPCD including:</td>
<td>The State of California, California Air Resources Board (CARB) and San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) are expected to maintain their commitment to this program.</td>
<td>State of California CARB, SJVUAPCD, City of Porterville</td>
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<tr>
<td>Air Quality</td>
<td>a. The prevention of dust from leaving the construction site during clearing, grading and excavation will be accomplished through regular truck spraying with water, sprinkling systems or emulsion sprays.</td>
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<td>b. Watering or spraying will be required to be done in the late morning and again at the end of the work day, with increased frequency throughout the day whenever wind is sustained or gusting at speeds in excess of 10 MPH. If winds or gusting exceed 20 MPH, vehicular activity will be required to cease.</td>
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<td>c. One or more of the following means of dust control should be employed after the completion of earth grading operations:</td>
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<td>i. Seeding and watering of new vegetation.</td>
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<td>ii. Hydromulching or spreading of soil binders.</td>
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<td>iii. Maintenance of the site’s soil surface crust through repeated soakings.</td>
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<td>Air Quality 5. a (continued)</td>
<td>2. Trees should be carefully selected and located to shade the structures during the hot summer months. This measure should be implemented on southern and western exposures. Deciduous trees should be considered since they provide shade in the summer and allow the sun to reach the future building during the cold winter months. 3. As many energy-conserving features as possible should be included in the design/construction of the future building for commercial and/or professional office uses. Examples include (but are not limited to) increased wall and ceiling insulation (beyond building code requirements), energy efficient lighting, high efficiency appliances and solar-assisted water heating. 4. Electric or low nitrogen oxide (NOX) emitting gas-fired water heaters should be installed. 5. Natural gas lines and electrical outlets should be installed in the backyard or patio areas to encourage the use of gas and/or electric barbecues.</td>
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<td><strong>Air Quality</strong></td>
<td>6. Electrical outlets should be installed around the exterior of the building to</td>
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<td>5.a (continued)</td>
<td>encourage the use of electric landscape maintenance equipment.</td>
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<td>7. Limit engine idling at the project site.</td>
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<td>8. If transit service is available to the project site, improvements should be</td>
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<td>made to encourage its use. If transit service is not currently available, but is</td>
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<td>planned for the area in the future, appropriate easements should be reserved to</td>
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<td>provide for future improvements such as bus turnouts, loading areas and shelters.</td>
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<td>9. Sidewalks and bikeways should be installed throughout as much of the project as</td>
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<td>possible to encourage walking and bicycling.</td>
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<td>10. Construction equipment used at the site should be equipped with catalysts/traps</td>
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<td>to reduce particulate and NOX emissions.</td>
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| **Air Quality**  
5.a (continued) | 11. Curtail construction during periods of high ambient pollutant concentrations.  
12. Require that all diesel engines be shut off while on the premises (when not in use). | | |
| **Utilities and Service Systems**  
12.e  
Storm water drainage. | The site is within the boundaries of the City's Master Plan for Storm Drainage (2001).  
Compliance with Federal, State and local regulations requiring that storm water runoff monitored and maintained free of heavy concentrations of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).  
The installation of storm drain lines in conformance with Federal, State, and local environmental protection requirements and the City's Storm Drainage Master Plan will be required. | The City of Porterville and the effected utility companies. | The City of Porterville and the effected utility companies. |
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<td>Aesthetics</td>
<td>The installation of low profile exterior lighting will be directed away from adjacent properties, as required by the City Zoning Ordinance, and will reduce the impact of outside lighting. Minimal glare is anticipated from street lights and on-site lighting facilities accruing from the site’s eventual development. This will serve to reduce potential hazards for autos, bicyclists, and pedestrians, as well as provide a secure environment for the occupants.</td>
<td>Section 2618 F (Glare) of the Porterville Zoning Ordinance will be enforced.</td>
<td>City of Porterville</td>
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</table>
COUNCIL AGENDA: May 18, 2004

SUBJECT: NAMING OF THE NEIGHBORHOOD COMMUNITY CENTER

SOURCE: Department of Parks & Leisure Services

COMMENT: At the May 4, 2004 regular meeting, the Council considered the names submitted by the public and the recommendation of the Parks & Leisure Services Commission for the naming of the new community center and library facility. During the Council’s deliberation two additional name suggestions were proffered by members of the Council. The names of “Heritage Community Center” and “Porterville’s Character Counts Facility” were discussed along with the idea of possibly melding those names. The Council then directed the continuance of the naming consideration to this meeting.

RECOMMENDATION: That the Council determine an appropriate name for the new building and provide direction on any program to be implemented for promotion of principled community service lifestyles or role models.

ATTACHMENTS: 1) Staff report from May 4, 2004

ITEM NO.: 16
COUNCIL AGENDA: May 4, 2004

SUBJECT: NAMING OF THE NEIGHBORHOOD COMMUNITY CENTER

SOURCE: Department of Parks & Leisure Services

COMMENT: The City Council directed the Parks and Leisure Services Commission to evaluate community suggestions and provide the City Council with a recommendation for the name of the new neighborhood community center and library. The public was encouraged to provide suggestions, through the City Clerk’s office. Press releases were distributed and utility bill inserts promoted the desire of the City to obtain community input.

The naming consideration has been on the monthly Parks and Leisure Services Commission meeting agenda since November 6, 2003. Each month the Commission reviewed the public name suggestions and discussed methods to improve public awareness of the naming efforts.

At the January 20, 2004 City Council meeting, it was directed that a policy be developed to identify the procedures to follow for considering the naming of City buildings and facilities. The Parks and Leisure Services Commission considered this matter at their February 5, 2004 meeting, and forwarded a recommended naming policy to the Council. The City Council received the Commission’s naming policy recommendation and approved it with some modifications at the February 17, 2004 regular council meeting.

At the March 4, 2004 Parks and Leisure Services Commission meeting the list of 18 name suggestions submitted by the public was reviewed by the Commission towards a goal of reaching a short list of five names. The 18 name list was first trimmed of the names of individuals, living or deceased, to a list of nine names. The Commission then discussed and added to the list a tenth name before trimming the list to their top four choices. It should be noted that four of the remaining names were tied in preference for the fifth choice.

The Commission then set a public hearing for their April 1, 2004 meeting on the community center naming issue. The public hearing is a component of the Naming Policy adopted by the City Council. The list of four names were indicated as the choices being considered by the Commission, and the public was invited to comment on these names or other suggestions. At the public hearing only one member of the public was present to speak. This person, as the representative of a community organization, suggested two new names - both names of deceased individuals. At the close of the public hearing the Commission discussed all of the name suggestions and determined by unanimous vote to forward a preferred name to the City Council with two alternate names for consideration.

ITEM NO.: 19
The Commission's recommendation is for the City Council to name the new facility the 'Elderberry Community Center.' The Commission's justification for this name is attached to this report. The alternate names suggested by the Commission are 'Foothill Community Center', and 'Orange Belt Community Center.' The Commission's justification for these two names is also attached to this report.

Staff wishes to remind the Council that the recently adopted naming policy makes provision for the naming of rooms and locations at City facilities. Some of the suggested names could be utilized in this manner if they are not determined to be the preferred name for the facility itself.

**RECOMMENDATION:** Review the list of names submitted by the public and consider the name recommendations provided by the Parks and Leisure Services Commission to establish the name of the neighborhood community center and library facility currently being constructed.

**ATTACHMENTS:**
1) Suggested name - 'Elderberry Community Center'
2) Suggested name - 'Foothill Community Center'
3) Suggested name - 'Orange Belt Community Center'
4) Locator Map
5) Suggested name list - does not include persons names
6) Building and Facility Naming Policy
7) Names submitted by the public
Suggested Name: Elderberry Community Center

Reasons to support this selection:

- Elderberries have figured prominently at this site and since we have to protect this bush and its “beetle” why don’t we just embrace it and make it something that will be to the benefit of Porterville and its citizens.

- This is a pleasant sounding name and though not site specific, people are aware of the elderberries that are located here.

- Porterville could become the “Elderberry Capitol of the World”

- The government agency assigned to protecting the Elderberry, the U.S. Fish & Wildlife Service, could be involved in promoting this site as a display location for the Elderberry with special (possibly permanent) displays in the Community Center. This might just get Fish & Game to work more easily with Porterville as we facilitate its efforts to preserving an endangered plant and the Long Horned Elderberry Beetle.

- Since we have already put on a daylong promotion in support of the Long Horned Elderberry Beatle, we could just as easily enlarge this into a full blown City promotion “Elderberry Days” with a promotion of elderberry products, plants, displays, and sales of elderberry products at the Elderberry Community Center and on main street similar to Iris Festival Days.
Suggested Name: “Foothill Community Center”

Reasons to support this selection:

- The “foothills” to the east are a very prominent site
- This is a pleasant sounding name
- This is a non-controversial name

Reasons for not supporting this name:

- This is not a very site specific name for a resident of Porterville trying to locate the site.
Suggested Name: “Orange Belt Community Center”

Reasons to support this selection:

- This is a very pleasant sounding name and the orange industry is very prominent in the area.

- Orange groves are visible from this site.

- This is a non-controversial name

Reasons for not supporting this name:

- For a resident of Porterville it is not necessarily a site specific name even though it is on Orange Avenue.

- Possible overuse of the name:
  - Orange Belt Stage Lines
  - Orange Belt Board of Realtors, etc.
NEIGHBORHOOD COMMUNITY CENTER & LIBRARY
SUGGESTED NAME LIST - DOES NOT INCLUDE PERSONS NAMES

___ Orange Belt

___ Foothill

___ Any Thing, Any Time

___ East Orange Avenue

___ Liberty Bell

___ Freedom Field

___ Sierra

___ Sierra Sunrise

___ Val Verde

___ Elderberry (added by P/LC Cmsn.)

___

___
Naming City buildings, parks and facilities serves a public interest by recognizing important landmarks, locations, or persons. The development of policies and procedures to guide the naming and dedication of City facilities is intended to enable the process to be applied in a fair, objective and consistent manner.

In order to facilitate the manner in which public facilities may be named, the following guidelines are recommended:

1) Naming of City-owned Parks and Facilities

   • Names must be pleasant sounding, tasteful and grammatically correct.

   • City buildings, parks and facilities will be named in a manner that will provide an easy and recognizable reference. Such names should generally reflect the facility’s landmarks and geographical location (such as a major street, location, or neighborhood) and/or function.

   • In certain circumstances, where names reflecting the geographical location are unworkable, names may reflect topography, notable flora, prominent tree(s), cultural characteristics, a natural or environmental feature, city identification, historical precedent or enhancement of civic values and heritage.

   • Under extraordinary circumstances, consideration may be given to naming facilities after significant individuals or organizations that made prominent contributions to the City’s community. This is to promote civic pride as well as to honor or recognize individuals. Consideration may be given to criteria that said individual or organization must meet in order to be considered.

   • Consideration may be given to naming the facility after an individual when the land or facility, or the necessary funding, have been donated by the individual, particularly if such naming is set forth as a condition of the donation. In general, 100% of the land, facility, or necessary funding would be expected for favorable consideration to the naming of the facility after an individual.

   • Names shall not be considered for those individuals when they have been previously named, or overly recognized. If naming after a deceased individual, a waiting period of at least ten years after the death is required.
• The Parks and Leisure Services Commission will oversee this process. The Commission will solicit ideas and suggestions from the community, and accept nominations at least 180 days prior to opening of a new facility. The Parks and Leisure Services Commission will hold at least one public hearing. Nominations should be submitted in writing on an approved form with a statement of justification and/or background information. Any letters of support may also be included. Recommendations may also come from other City boards and commissions. All qualified recommendations will be given the same consideration without regard to the nomination source.

• The Parks and Leisure Services Commission will make recommendations to the City Council. All names are to be approved by the City Council. The City Council shall establish the name after receiving recommendation from the Parks and Leisure Services Commission.

• The City Council also reserves the right to rename or remove a name from a City building and facility.

2) Dedication of Buildings and Facilities

• City buildings and facilities including places within City-owned land or facilities, such as a room within a building, can be dedicated in memory of an individual or group, who has contributed to the facility or community. A donation or in-kind contribution may be accepted by the Council and recognized by a plaque affixed to the appropriate city building.

• The Parks and Leisure Services Commission will oversee this process in the same manner as the “Naming” process.

• Any individual, family, group sponsoring dedication or memorial must provide sufficient funds to purchase, install and maintain the plaque.

• The City will make reasonable efforts to preserve plaques but if necessary due to constructions or repairs, the plaque may be relocated. The City Council also reserves the right to remove the plaque.
NEIGHBORHOOD COMMUNITY CENTER/LIBRARY
NAMES SUBMITTED BY PUBLIC
as of February 27, 2004

1. Alan Drury Community Center/Library
2. Orange Belt Community Center/Library
3. Delores Huerta Community Center/Library
4. Foothill Community Center/Library
5. Any Thing, Any Time Community Center/Library
6. East Orange Avenue Community Center/Library
7. Silver Rodriguez Community Center/Library
8. Liberty Bell Community Center/Library
9. Freedom Field and Community Center/Library
10. The Frank “Buck” Shafer Community Center/Library
11. Sierra Community Center/Library
12. Laci and Conner Community Center/Library
13. Robert “Bob” Perez Community Center/Library
14. Gilbert Ynigues Community Center/Library
15. Daniel Alonzo Figueroa Community Center/Library
16. Sierra Sunrise Community Center/Library
17. Abe Lincoln Memorial Community Center/Library
18. Val Verde Community Center/Library
19. Dorothy Margo (submitted 4/1/04)
20. Julia Morgan (submitted 4/1/04)
Porterville City Council has requested the assistance of all individuals with an interest in the naming of New Library and Community Center to be constructed on East Orange Avenue. All suggestions of a name for the Library and Community Center building should be submitted in writing to the Deputy City Clerk, Georgia Hawley, at 291 N. Main Street, Porterville, CA 93257.

DAVE WORKMAN  
775 E. CLEVELAND  
781-9568
Mr. Junior Pena

Said Orange, Avenue, the Avenue of Champions.

City of Santa Monica
Community Court

Date: 1-1-2003

[Signature]

Deputy City Clerk
City of Santa Monica
Dec 15 2000
Received

13th Floor

Porterfield, CA 93257-4098

22 Waffle Street

Mrs. Abigail Perez
My suggestion for the name of the library and community center would be East Orange Avenue.

E.O.A. Library and Community Center.

Thank you.

Carole Coons
Subject: name for community center
From: "Judie Gray" <judieg@alta-vista.k12.ca.us>
Date: Fri, 20 Feb 2004 11:38:29 -0800
To: <ghawley@ci.porterville.ca.us>

This is in response to our phone conversation.

I would like to submit a name for the community center of Orange.

VAL VERDE COMMUNITY CENTER

Thank you for your consideration of my suggestion.

Judie Gray
782-5704
Deputy City Clerk

GeorgeMOREY
311 N. Main St
Paradise, CA 95967

RE: New Community

Center/February

A Home

I have a couple of ideas regarding

currently president Abe Lincoln. He felt he

came up because our president. As soon

as the new library came into my mind. So I submit

The Abe Lincoln Memorial

February! I wake up thinking

of him. We celebrate his birthday.

before they changed to President

Today, I always feel they need

their birthday celebrated on the day it

happened. The had wanted education

because it is truly one of my favorite

wore an "American frame" most

Great Move

Thank you

Glenrey

1119 W. Front

93257-1930

784-6945
Georgia Hawley, Deputy City Clerk  
291 North Main Street  
Porterville, CA 93257  

RE: Naming of the new Community Center and Library  

Dear Ms. Hawley:  

    I would like to suggest that the new community center and library, to be built on East Date Avenue, be named after Dolores Huerta, heroic and tireless civil rights activist and co-founder of the United Farm Workers. It seems fitting that this community gathering spot be named after a sterling role model such as Ms. Huerta, who also reflects the community demographic. As a teacher, I would love the opportunity this appellation would provide to highlight and talk about strong Latina role models.  

    Thank you in advance for your consideration of this suggestion.  

    Sincerely,  

    Sue Carter  

    Susan Carol Carter
Name our new Community Center / Library

Porterville City Council has requested the assistance of all individuals with an interest in the naming of the New Library and Community Center to be constructed on East Orange Avenue. All suggestions of a name for the Library and Community Center building should be submitted in writing to the Deputy City Clerk, Georgia Hawley, at 29 ½ N. Main Street, Porterville, CA 93257.

Alan French was a Pulitzer
Alan French Library

She is the only Pulitzer Prize Winner from Porterville. She graduated from Porterville High School in 1935 and from Stanford University in 1939. I think it is an honor to have someone from Porterville to be a Pulitzer Prize Winner.

Phyllis Morgan
Georgia Hawley, Deputy City Clerk
City of Porterville
291 N Main St.
Porterville, CA 93257

Dec. 27, 2003

Dear Ms. Hawley:

I am writing in reference to the naming of the New E. Gate Community Center name.

I feel that the name "Delores Huerta Community Center" would add honor to the City as well as the community in which it will be located.

I can think of no other person as deserving as she.

Sincerely,

[Signature]

1370 Monache Ave.
Porterville, CA 93257
Dec. 27, 2003

RECEIVED
DEC 3 1993
[Stamp]
Name: New Library

Porterville
Any Time
Any Thing
Library

Eddell Williams
279 So. Beverly
Porterville, CA 93257
784-1067
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The Silver Rodriguez Library & Community Center
291 N. Main St.
Porterville, CA 93257

Georgia Hawley
93257+3737

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The Selena Rodriguez Library - Community Cent

291 N. Main St.
Porterville, CA 93257

Georgia Hawley

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291 N. Main St.
Porterville, CA 93257

Georgia Hawley

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This is a friendly name—2 may revise other suggestions. Colleen Dutson 7/8/12
Please distribute to members of the Parks and Recreation Department and to City Council members.

Gentlemen/Mesdames:

At the last meeting of the readers advisory board of the Porterville Recorder, the issue of a name for the new Community Center/Library came up. It is interesting that the name of "Delores Huerta" came instantly to the minds of both myself and the doctor sitting across the table from me. This may be a coincidence, but I firmly believe that there are many who feel that her name would do honor to the new facility, especially as it will be situated in a Latino community.

I am sure you are aware of Mrs. Huerta's work with the United Farm Workers which she co-founded with Cesar Chavez. She is a tireless and devoted community leader respected by all in the Latino community for her belief in human rights, social justice, and human dignity. She has been severely beaten putting her body on the line for the farmworkers. She has consistently worked for fair treatment of campesinos, who, incidentally, do most of the work in this county. She has steadfastly refused to sacrifice her lofty ideals. Many are willing to put their words on the line, but she has put herself on the line time and time again.

She has never forgotten the condition in which she found, as a new teacher, her impoverished students for whom she has struggled all her life. Her life is a model that teachers, students, and community leaders might well emulate.

This new center will mean a lot to students like her former pupils. I can understand the feeling that students should be involved in the choosing of a name for the center, but I found while teaching at Porterville HS that almost none of them had ever even heard of this most courageous lady! It is hard to imagine entrusting the name to students who, when asked who their heroes are (and I have none this with them also), they routinely name basketball stars, movie stars, generals, etc. Perhaps that is the fault of their history teachers, TV, or just plain immaturity and lack of a wider frame of reference found, one would hope, in our more knowledgeable and mature city leaders.

As a retired history teacher, I know that the name on a facility can inspire some students to inquire about the person who has their name over the door. "Orange Avenue Center" misses the point. "The Delores Huerta Community Center" might help put some of them more in touch with their heritage, and to help them learn about true courage and serving the community...

I suggest that people with some knowledge of Mrs. Huerta's sacrifices for the downtrodden here in the Southern San Joaquin Valley be interviewed, and that the sample not be limited to those who are in high school, subscribe to the Recorder, who access the City website, or who have no interest in the community served by the center. Interview leaders in the Latino community.

Naming the new facility "The Delores Huerta Community Center", you would be simultaneously honoring the Latino community, women, all those who are willing to fight for improving the lives of those in the community, and this very special lady who has given so much of herself to the very young people who would be using the Center.

Sincerely,

Harold W. Warner
1370 Monache Ave.
Name our new Community Center / Library

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Please don't use the name of someone who is still alive.
Melanie A. Carter  
City Clerk  
City of Selma  
50927 Beardover Lane  
Squaw Valley, CA 93675

Georgia Hawley  
Deputy City Clerk  
City of Porterville  
291 N. Main Street  
Porterville, CA 93257

Hi Georgia:

While paying the utility bill for my mom I noticed a note asking for suggestions for names for the new Porterville Library/Community Center.

I would like to submit the name The Frank "Buck" Shafer Library/Community Center.

"Buck" was band director at Porterville High School for many years, four of which I had the honor of being a part of. He always instilled a sense of pride, discipline, and dedication in the band members. He gave of himself tirelessly and I often wondered even then how he did it.

He was and is also community minded, continuously honoring our many Veterans, and working to support the City of Hope to name just a few.

Even today I am very proud of having been in the Panther Band and I know many fellow classmates feel the same way. Buck always stressed doing the best you can and the many awards the Panther Band received over the years are a testimonial to this philosophy.

Thank you for your consideration.

Melanie A. Carter
Subject: community center
From: merrily Davies <merrilydavies@yahoo.com>
Date: Fri, 12 Dec 2003 16:20:10 -0800 (PST)
To: cityclerk@ci.porterville.ca.us

I understand that you are trying to decide a name for the parks and recreation community center. My vote is for naming it after Delores Huerta.

Sincerely,

Merrily Davies

Do you Yahoo!?
New Yahoo! Photos - easier uploading and sharing
December 5, 2003

Porterville City Council
c/o Deputy City Clerk, Georgia Hawley
291 North Main Street
Porterville, CA 93257

Reference: Name Community Center/Library on East Orange

I submit for your consideration the name of Robert (Bob) A. Perez.

I have had the pleasure of knowing Bob for many years. He has provided many persons with knowledge of his business skills, knowledge of the public education system, his ability to work productively with diverse groups, his concern for the public served by the school district, and service to the entire community. His knowledge provides historical continuity.

Bob often works with students and parents, and members of this community. He has empathy for people that allow him to discern when a person is embarrassed or distressed and seeks ways to reassure and assist without causing lack of dignity.

When parents or other community members approach Bob with questions about the school district, or in the organizations he serves, he has appropriate and accurate responses based on his years of experience, and in particular his attention to ethics, protocol, policies and procedures. Service to the entire community is a well-known trait of Bob as he is a participant in many community activities. Bob is on the board for Sierra View District Hospital and Senior Day Care. Through these services he is able to ensure adequate and compassionate care for many families. His past service experiences have included organizations such as Comision Honorifica Mexicana Americana, Association of Mexican American Educators, Porterville Chamber of Commerce Board of Directors, Leadership Porterville, as well as others not listed.

Though Bob Perez is one that does not seek the spotlight for his volunteerism, countless people have recognized his role professionally and as a community service leader. He has freely given countless hours of his time and has provided mentorships for many without self-gain or self-promotion.

Porterville is filled with many quality individuals. In the selection process, I hope that you will consider the area, the diverse and ethnic makeup, and location of the new community center/library. Bob Perez has remained to the town where he was born and raised, and has dedicated himself to his work and community. He is deserving of the recognition in the naming of the community center/library.

Sincerely,

Norma Miller

NM/maf
Attachment: Resume for Robert (Bob) A. Perez
Copies to: Mr. Richard Stadtherr, Mayor
Mr. Pete Martinez, Mayor Pro-Tem
Mr. Cam Hamilton, Council Member
Mr. Ron Irish, Council Member
Mr. Kelly West, Council Member
Mr. John Longley, City Manager
ROBERT A. PEREZ  
784 W. Thurman Avenue  
Porterville, California 93257  
559-781-5977

EDUCATION
California State University, Bakersfield  
B.A. 1972 History--major; Sociology--minor  
M.A. 1977 Educational Administration  
Administrative Services Credential, 1983  
Standard Secondary Credential, 1977

EMPLOYMENT
1997-present: Porterville Adult School, Porterville Unified School District  
1995 to 1997: Monache High School, Porterville Public Schools  
1990 to 1995 Citrus High School, Porterville Public Schools  
1974 to 1990: Porterville High School, Porterville Public Schools  
1972 to 1983: Porterville College, Adjunct Faculty  
1971 to 1974: City of Porterville  
1968 to 1969: Burton Schools

SUMMARY OF PROFESSIONAL EXPERIENCE  

Director, Porterville Adult School (1997-present)  
• Chief Administrative Officer  
• Responsible for day to day operations of campus  
• Responsible for budget development and monitoring  
• Responsible to State Department of Education for Adult Programs  
• Presents all adult programs to community forums  
• Selects staff members  
• Evaluates staff  
• Writes grants and program proposals  
• Coordinates evaluation, selection, and purchase of curriculum materials  
• Responsible for vocational education grants and programs  
• Coordinates programs for senior citizens

Assistant Principal, Monache High School (1995 to 1997)  
• Responsible for campus curriculum planning  
• Observe and evaluate certificated and classified staff  
• Assist with master schedule and personnel selection  
• Responsible for Guidance Department  
• Responsible for SDC program and IEP goals and objectives  
• Coordinate extra and co-curricular activities, awards, scholarship programs, and discipline  
• Develop student activities budget  
• Assist with California High School Second-to-None Network  
• Member of Independent Study Committee and liaison with alternative programs and Community School  
• Member of district Affirmative Action Team  
• Chairman of Porterville High School Centennial Celebration
Assistant Principal, Citrus High School (1990-1995)
- Responsible for guidance and counseling
- Responsible for student activities and activities budget
- Responsible for attendance and discipline
- Assisted with personnel selection and staff evaluations
- Provided program information to the community
- Liaison to other educational and job development programs
- Assisted with development of school/business partnerships
- Organized, coordinated and chaired district Gang Task Force
- WASC Accreditation committee
- Member of Affirmative Action Team

Assistant Principal, Porterville High School (1983-90)
- Research and compilation of School History/Athletic Programs
- Established Academic Letter Program
- Assisted with selection of personnel and instructional materials
- Responsible for SDC and RSP program
- Responsible for attendance accounting, SARB, and discipline
- Originated summer work-experience program
- District resource for gang related awareness intervention
- Math and student government teacher

Guidance Coordinator, Porterville High School (1974-83)
- Supervised and evaluated counseling staff and testing program
- Coordinated bilingual, migrant, and compensatory programs
- Varsity soccer and freshman football coach
- Advisor for Junior Class and Mexican-American Club
- World History teacher

College Instructor, Porterville College (1971-82)
- Responsible for curriculum and instruction for courses in psychology, sociology and history
- Coordinated Summer Youth Education/Employment Program with Tulare County Department of Education

Administrative Assistant to the City Manager, City of Porterville (1973-74)
- Assisted in personnel selection and management
- Developed Communications Center
- Assisted with budget preparation, grants and city ordinances
- Liaison to Mexican-American community
- Prepared reports and publicity releases

Human Relations Officer, City of Porterville Police Department (1971-73)
- Development of community relations programs
- Assisted with internal and external investigations
- Assistant juvenile officer
- Sworn Officer status
- Development of internal procedures and programs
- Established Spanish section of Porterville Public Library
ORGANIZATIONS

Sierra View District Hospital Board Member
Porterville Senior Day Care Center Board Member
Rotary Club of Porterville
Comision Honorifica Mexicana Americana
Association of Mexican American Educators
Porterville Chamber of Commerce Board of Directors
Leadership Porterville Steering Committee
Crime Prevention Committee
Cinco de Mayo Committee
Burton School Board of Trustees, (1979-83)
Sister City Committee

AWARDS, HONORS AND RECOGNITION

1997  •  Adult Ed. Administrator of the Year, Tulare County Region XI ACSA
1992  •  Recipient of Roy Flemate Mexican-American Community Award-Comision Honorifica
        •  Porterville High School Yearbook Dedicated to Bob Perez
1990  •  Porterville Chamber of Commerce "Man of the Year"
        •  Cinco de Mayo Grand Marshall
1988  •  Leigh Robinson Voc Ed. Award, State of California
        •  Awarded California Career Conference Innovator of Year
        •  Porterville High School Man of Year Award
1972  •  Founder of Cinco De Mayo Parade
        •  Porterville Jaycees "Outstanding Young Man of the Year"
1969  •  Burton Elementary School-Outstanding Teacher of the Year
Subject: Name for New Community Center  
From: Carmen Martinez-Eoff <eoffs@ocsnet.net>  
Date: Mon, 08 Dec 2003 14:01:52 -0800  
To: ghawley@ci.porterville.ca.us

Dear Ms. Hawley,  
Would you be so kind as to send me an email letting me know if you received this. Attached you will find a nomination for the name, Gilbert Ynigues to be considered for naming the new recreation center to be built next to the new Plaza de Santa Fe School. Several of us are currently gathering signatures that will be attached to this petition. If you need more information from me please email me or call me at my home, 784-5770. Thank You.  
Carmen Martinez-Eoff
Gilbert Ynigues Community Center

We the undersigned of the City of Porterville, hereby pledge our support for the naming of the new community center to be located off Orange Avenue next to the coming Santa Fe Elementary School.

Gilbert Ynigues is a distinguished citizen well known for his many years of civic and community service. He is a respected businessman and has been recognized for his work both in business and in civic/community service.

Mr. Ynigues has over 40 years experience in the flower business and is owner/operator of Smith Flowers since 1962. He is a Veteran having served in the Army with overseas duty. He is a life member of the VFW, Veterans of Foreign Wars, and a member of the Terra Bella American Legion.

Gilbert Ynigues served for 17 years on the Tulare County Housing Authority and his role as a commissioner was to represent Porterville for public housing. He was instrumental in obtaining 40 million dollars for the Porterville area. He helped organize the Plano Development Corporation, a non-profit organization, which built the Plaza de Santa Fe Senior Citizen apartment complex, providing 150 units.

Mr. Ynigues served on the Porterville City Council from 1969 to 1973.

Former Governor Jerry Brown appointed Mr. Ynigues to the Tulare County Fair Board.

He served four years on the CSET; Get a Job, youth employment service. He also served for years on the Porterville Development Center’s Benefit Fund Committee helping to govern monetary donations to be used for the children who are clients at the Center.

He has served for years on the Porterville Senior Council.

Gilbert Ynigues is a charter member of the Porterville Exchange Club and has served on many committees that benefit youth and others.

Over the years, Mr. Ynigues has served on the California State University, Bakersfield, Hispanic Excellence Awards, helping to provide scholarships to
outstanding farm worker students. He also served on the Kern Community College District’s effort toward unification.

He has been a member of the Porterville Chamber of Commerce for years.

He is one of the founding members of the Tulare/Kings Hispanic Chamber of Commerce.

Among his many awards and recognitions are:

Cinco de Mayo Grand Marshal, 1982: Comision Honorifica Mexicana Americana


Man of the Year: Porterville Chamber of Commerce, 2003

Excellence in Business Award: City of Porterville, 2003

He has served on countless committees for the Porterville Unified School District including the drawing of school district boundaries. He is currently on the financial committee for the new Santa Fe Elementary School.

He was president of MAGO, Mexican American Golf Organization in the 1960’s. Through his leadership the organization recognized and awarded Porterville and Monache High School students who had participated in sports for four years and had distinguished themselves in sports activities.

Gilbert has given motivational/inspirational talks to parent groups throughout the years.

He is well known for his advocacy and support of youth. He has donated many hours to this cause. He has visited many classrooms and has been an inspiration to students. Gilbert has been asked to speak to students in their classrooms, at graduations and other ceremonies. Current Porterville City Council Mayor Pro Tem, Pete Martinez remembers Gilbert giving an inspirational talk to Pete’s class while Pete was an elementary student at Woodville Elementary School. He has told Gilbert that Gilbert’s words, “You need to participate in government if you want to be able to make a difference.” were a real inspiration to Pete.
For his dedication, service and caring for youth as well as others, we nominate the name for the new Community Center to be, Gilbert Ynigues Community Center
Subject: Name for New Community Center/library  
From: "Uncle Bill" <warner1@sosinet.net>  
Date: Sun, 7 Dec 2003 21:17:54 -0800  
To: <cityclerk@ci.porterville.ca.us>

Please distribute to members of the Parks and Recreation Department and to City Council members.

Gentlemen/Mesdames:

At the last meeting of the readers advisory board of the Porterville Recorder, the issue of a name for the new Community Center/Library came up. It is interesting that the name of "Delores Huerta" came instantly to the minds of both myself and the doctor sitting across the table from me. This may be a coincidence, but I firmly believe that there are many who feel that her name would do honor to the new facility, especially as it will be situated in a Latino community.

I am sure you are aware of Mrs. Huerta's work with the United Farm Workers which she co-founded with Cesar Chavez. She is a tireless and devoted community leader respected by all in the Latino community for her belief in human rights, social justice, and human dignity. She has been severely beaten putting her body on the line for the farmworkers. She has consistently worked for fair treatment of campesinos, who, incidentally, do most of the work in this county. She has steadfastly refused to sacrifice her lofty ideals. Many are willing to put their words on the line, but she has put herself on the line time and time again.

She has never forgotten the condition in which she found, as a new teacher, her impoverished students for whom she has struggled all her life. Her life is a model that teachers, students, and community leaders might well emulate.

This new center will mean a lot to students like her former pupils. I can understand the feeling that students should be involved in the choosing of a name for the center, but I found while teaching at Porterville HS that almost none of them had ever even heard of this most courageous lady! It is hard to imagine entrusting the name to students who, when asked who their heroes are (and I have none this with them also), they routinely name basketball stars, movie stars, generals, etc. Perhaps that is the fault of their history teachers, TV, or just plain immaturity and lack of a wider frame of reference found, one would hope, in our more knowledgeable and mature city leaders.

As a retired history teacher, I know that the name on a facility can inspire some students to inquire about the person who has their name over the door. "Orange Avenue Center" misses the point. "The Delores Huerta Community Center" might help put some of them more in touch with their heritage, and to help them learn about true courage and serving the community...

I suggest that people with some knowledge of Mrs. Huerta's sacrifices for the downtrodden here in the Southern San Joaquin Valley be interviewed, and that the sample not be limited to those who are in high school, subscribe to the Recorder, who access the City website, or who have no interest in the community served by the center. Interview leaders in the Latino community.

Naming the new facility "The Delores Huerta Community Center", you would be simultaneously honoring the Latino community, women, all those who are willing to fight for improving the lives of those in the community, and this very special lady who has given so much of herself to the very young people who would be using the Center.

Sincerely,

Harold W. Warner  
1370 Monache Ave.
Daniel Figueroa
560 N. Main
Porterville, CA 93257

Dear Parks & Leisure Services Commission:

This letter is to recommend the name of Daniel Almira Figueroa, Sr. to the City Council of the new Library & Community Center. My father has a long list of contributions to both the business and hispanic communities.

A businessman in Porterville since the 1930's until his passing in 1997, first as a broker on the Eastside and subsequently a clothing retailer on Main Street. He was instrumental in forming the Comision Americana Group of which now finds its home next to the new Library & Community Center.

I grew up on A Street where my father was
affectively known as "El Maestro" (the master). Our neighborhood was as close to American as you could get. All influenced in cultures and music such as Country, Rock & Roll, Mexican, and Jazz. My father knew no boundaries. He was a friend to all. Taking people to Doctor's appointments, loaning them money for groceries and even taking them from the Barber shop to the home of a friend dying of Cancer. We didn't need much in those days, but we had each other.

Letter of recommendation from a diverse segment of our city. Can and will be provided.

Thank you for your Consideration.

Sincerely,

Daniel Aquino Jr.
Dear Council Members:

In naming of the new Neighborhood Community Center/Library, please consider Sunrise Community Center.
Suggested Name: Elderberry Community Center

Reasons to support this selection:

- Elderberries have figured prominently at this site and since we have to protect this bush and its "beetle" why don’t we just embrace it and make it something that will be to the benefit of Porterville and its citizens.

- This is a pleasant sounding name and though not site specific, people are aware of the elderberries that are located here.

- Porterville could become the "Elderberry Capitol of the World"

- The government agency assigned to protecting the Elderberry, the U.S. Fish & Wildlife Service, could be involved in promoting this site as a display location for the Elderberry with special (possibly permanent) displays in the Community Center. This might just get Fish & Game to work more easily with Porterville as we facilitate its efforts to preserving an endangered plant and the Long Horned Elderberry Beetle.

- Since we have already put on a daylong promotion in support of the Long Horned Elderberry Beatle, we could just as easily enlarge this into a full blown City promotion "Elderberry Days" with a promotion of elderberry products, plants, displays, and sales of elderberry products at the Elderberry Community Center and on main street similar to Iris Festival Days.
Suggested Name: “Foothill Community Center”

Reasons to support this selection:

- The “foothills” to the east are a very prominent site
- This is a pleasant sounding name
- This is a non-controversial name

Reasons for not supporting this name:

- This is not a very site specific name for a resident of Porterville trying to locate the site.
Suggested Name: “Orange Belt Community Center”

Reasons to support this selection:

- This is a very pleasant sounding name and the orange industry is very prominent in the area.

- Orange groves are visible from this site.

- This is a non-controversial name

Reasons for not supporting this name:

- For a resident of Porterville it is not necessarily a site specific name even though it is on Orange Avenue.

- Possible overuse of the name:
  - Orange Belt Stage Lines
  - Orange Belt Board of Realtors, etc.
NEIGHBORHOOD COMMUNITY CENTER & LIBRARY
SUGGESTED NAME LIST - DOES NOT INCLUDE PERSONS NAMES

___ Orange Belt

___ Foothill

___ Any Thing, Any Time

___ East Orange Avenue

___ Liberty Bell

___ Freedom Field

___ Sierra

___ Sierra Sunrise

___ Val Verde

___ Elderberry (added by P/S Cmn.)
CITY OF PORTERVILLE
POLICY FOR NAMING OR DEDICATION OF CITY FACILITIES
ADOPTED FEBRUARY 17, 2004
PAGE 1

Naming City buildings, parks and facilities serves a public interest by recognizing important landmarks, locations, or persons. The development of policies and procedures to guide the naming and dedication of City facilities is intended to enable the process to be applied in a fair, objective and consistent manner.

In order to facilitate the manner in which public facilities may be named, the following guidelines are recommended:

1) Naming of City-owned Parks and Facilities

   • Names must be pleasant sounding, tasteful and grammatically correct.

   • City buildings, parks and facilities will be named in a manner that will provide an easy and recognizable reference. Such names should generally reflect the facility’s landmarks and geographical location (such as a major street, location, or neighborhood) and/or function.

   • In certain circumstances, where names reflecting the geographical location are unworkable, names may reflect topography, notable flora, prominent tree(s), cultural characteristics, a natural or environmental feature, city identification, historical precedent or enhancement of civic values and heritage.

   • Under extraordinary circumstances, consideration may be given to naming facilities after significant individuals or organizations that made prominent contributions to the City’s community. This is to promote civic pride as well as to honor or recognize individuals. Consideration may be given to criteria that said individual or organization must meet in order to be considered.

   • Consideration may be given to naming the facility after an individual when the land or facility, or the necessary funding, have been donated by the individual, particularly if such naming is set forth as a condition of the donation. In general, 100% of the land, facility, or necessary funding would be expected for favorable consideration to the naming of the facility after an individual.

   • Names shall not be considered for those individuals when they have been previously named, or overly recognized. If naming after a deceased individual, a waiting period of at least ten years after the death is required.
The Parks and Leisure Services Commission will oversee this process. The Commission will solicit ideas and suggestions from the community, and accept nominations at least 180 days prior to opening of a new facility. The Parks and Leisure Services Commission will hold at least one public hearing. Nominations should be submitted in writing on an approved form with a statement of justification and/or background information. Any letters of support may also be included. Recommendations may also come from other City boards and commissions. All qualified recommendations will be given the same consideration without regard to the nomination source.

The Parks and Leisure Services Commission will make recommendations to the City Council. All names are to be approved by the City Council. The City Council shall establish the name after receiving recommendation from the Parks and Leisure Services Commission.

The City Council also reserves the right to rename or remove a name from a City building and facility.

2) Dedication of Buildings and Facilities

City buildings and facilities including places within City-owned land or facilities, such as a room within a building, can be dedicated in memory of an individual or group, who has contributed to the facility or community. A donation or in-kind contribution may be accepted by the Council and recognized by a plaque affixed to the appropriate city building.

The Parks and Leisure Services Commission will oversee this process in the same manner as the “Naming” process.

Any individual, family, group sponsoring dedication or memorial must provide sufficient funds to purchase, install and maintain the plaque.

The City will make reasonable efforts to preserve plaques but if necessary due to constructions or repairs, the plaque may be relocated. The City Council also reserves the right to remove the plaque.
NEIGHBORHOOD COMMUNITY CENTER/LIBRARY
NAMES SUBMITTED BY PUBLIC
as of February 27, 2004

1. Alan Drury Community Center/Library
2. Orange Belt Community Center/Library
3. Delores Huerta Community Center/Library
4. Foothill Community Center/Library
5. Any Thing, Any Time Community Center/Library
6. East Orange Avenue Community Center/Library
7. Silver Rodriguez Community Center/Library
8. Liberty Bell Community Center/Library
9. Freedom Field and Community Center/Library
10. The Frank "Buck" Shafer Community Center/Library
11. Sierra Community Center/Library
12. Laci and Conner Community Center/Library
13. Robert "Bob" Perez Community Center/Library
14. Gilbert Ynigues Community Center/Library
15. Daniel Alonzo Figueroa Community Center/Library
16. Sierra Sunrise Community Center/Library
17. Abe Lincoln Memorial Community Center/Library
18. Val Verde Community Center/Library
19. Dorothy Margo (submitted 4/1/04)
20. Julia Morgan (submitted 4/1/04)
Porterville City Council has requested the assistance of all individuals with an interest in the naming of the new Library and Community Center to be constructed on East Orange Avenue. All suggestions of a name for the Library and Community Center building should be submitted in writing to the Deputy City Clerk Georgia Hawley, at 291 N. Main Street, Porterville, CA 93257.

Dave Workman
775 E. Cleveland
781-9568
Deputy City Clerk

City of Portland

Dec 15 2003

Received

Mr. Anthony Perez
272 Wallace St.
Pacifica, CA 94044

Phone: 415-344-9408
Fax: 415-344-9408
My suggestion for the name of the Library and Community Center would be East Orange Avenue. Thank you.

Carole Coons
751-1573

Promote literacy
The new emphasis on
learning from primary
What are your issues?

1. Increasing diversity in recruitment
2. Implement fixed tuition and
3. Create career centers & development
4. Increase enrollment & graduation
5. Enhance inter-ethnic & international
Subject: name for community center
From: "Judie Gray" <judieg@alta-vista.k12.ca.us>
Date: Fri, 20 Feb 2004 11:38:29 -0800
To: <ghawley@ci.porterville.ca.us>

This is in response to our phone conversation.

I would like to submit a name for the community center of Orange.

VAL VERDE COMMUNITY CENTER

Thank you for your consideration of my suggestion.

Judie Gray
782-5704
The Abe Lincoln Monumental Library. I woke up thinking of him. We celebrate his birthday.

The Abe Lincoln Monumental Library. I wake up thinking of him. We celebrate his birthday.

Of the people in Parkfield when I came to we were humble people

Make us a library name after that Great Man

I am a couple of days departing and wish you

The Abe Lincoln Monumental Library. I wake up thinking of him. We celebrate his birthday.

The Abe Lincoln Monumental Library. I wake up thinking of him. We celebrate his birthday.

Rev. New Comany Central February

A Home

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Of the people in Parkfield when I came to we were humble people

Make us a library name after that Great Man

I am a couple of days departing and wish you
January 6, 2004

Susan Carol Carter
P.O. Box 251
Springville, CA 93265

Georgia Hawley, Deputy City Clerk
291 North Main Street
Porterville, CA 93257

RE: Naming of the new Community Center and Library

Dear Ms. Hawley:

I would like to suggest that the new community center and library, to be built on East Date Avenue, be named after Dolores Huerta, heroic and tireless civil rights activist and co-founder of the United Farm Workers. It seems fitting that this community gathering spot be named after a sterling role model such as Ms. Huerta, who also reflects the community demographic. As a teacher, I would love the opportunity this appellation would provide to highlight and talk about strong Latina role models.

Thank you in advance for your consideration of this suggestion.

Sincerely,

Susan Carol Carter
Name our new Community Center / Library

Porterville City Council has requested the assistance of all individuals with an interest in the naming of the New Library and Community Center to be constructed on East Orange Avenue. All suggestions of a name for the Library and Community Center building should be submitted in writing to the Deputy City Clerk, Georgia Hawley, at 291 N. Main Street, Porterville, CA 93257.

Phyllis Morgan

He is the only Pulitzer Prize winner from Porterville. He graduated from Porterville High School in 1935 and from Stanford University in 1939. I think it is important to have someone from Porterville to be a Pulitzer Prize winner.

Phyllis Morgan
Georgia Hurley, Deputy City Clerk
City of Porterville
291 N Main St.
Porterville, CA 93257

Dec. 27, 2003

Dear Ms. Hurley:

I am writing in reference to the naming of the New E. Rate Community Center name.

I feel that the name "Delores Hucetas Community Center" would be most fitting to the City as well as the community in which it will be located.

I can think of no other person as deserving as she.

Sincerely,

Harold W. Ayers
Porterville
Anything
Any Time
Library

Eden William
279 So. Beverly
Porterville, CA 93257
784-1067
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The Silver Rodriguez Library + Community Center
291 N. Main St.
Porterville, CA 93257

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The Selvener Rodriguez Library & Community Center
291 N. Main St.
Porterville, CA 93257

Georgia Hawley

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Porterville, CA 93257

Georgia Hawley
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This is a friendly name - 2 may need other suggestions. Delene Dutton
Please distribute to members of the Parks and Recreation Department and to City Council members.

Gentlemen/Mesdames:

At the last meeting of the readers advisory board of the Porterville Recorder, the issue of a name for the new Community Center/Library came up. It is interesting that the name of “Delores Huerta” came instantly to the minds of both myself and the doctor sitting across the table from me. This may be a coincidence, but I firmly believe that there are many who feel that her name would do honor to the new facility, especially as it will be situated in a Latino community.

I am sure you are aware of Mrs. Huerta’s work with the United Farm Workers which she co-founded with Cesar Chavez. She is a tireless and devoted community leader respected by all in the Latino community for her belief in human rights, social justice, and human dignity. She has been severely beaten putting her body on the line for the farmworkers. She has consistently worked for fair treatment of campesinos, who, incidentally, do most of the work in this county. She has steadfastly refused to sacrifice her lofty ideals. Many are willing to put their words on the line, but she has put herself on the line time and time again.

She has never forgotten the condition in which she found, as a new teacher, her impoverished students for whom she has struggled all her life. Her life is a model that teachers, students, and community leaders might well emulate.

This new center will mean a lot to students like her former pupils. I can understand the feeling that students should be involved in the choosing of a name for the center, but I found while teaching at Porterville HS that almost none of them had ever even heard of this most courageous lady! It is hard to imagine entrusting the name to students who, when asked who their heros are (and I have none this with them also), they routinely name basketball stars, movie stars, generals, etc. Perhaps that is the fault of their history teachers, TV, or just plain immaturity and lack of a wider frame of reference found, one would hope, in our more knowledgeable and mature city leaders.

As a retired history teacher, I know that the name on a facility can inspire some students to inquire about the person who has their name over the door. “Orange Avenue Center” misses the point. “The Delores Huerta Community Center” might help put some of them more in touch with their heritage, and to help them learn about true courage and serving the community...

I suggest that people with some knowledge of Mrs. Huerta’s sacrifices for the downtrodden here in the Southern San Joaquin Valley be interviewed, and that the sample not be limited to those who are in high school, subscribe to the Recorder, who access the City website, or who have no interest in the community served by the center. Interview leaders in the Latino community.

Naming the new facility “The Delores Huerta Community Center”, you would be simultaneously honoring the Latino community, women, all those who are willing to fight for improving the lives of those in the community, and this very special lady who has given so much of herself to the very young people who would be using the Center.

Sincerely,

Harold W. Warner
1370 Monache Ave.
Porterville, CA 93257
warner1@sosinet.net
782-9265
782-9369
Freedom Field & Community Center & Library

Jim Wilkins

Name our new Community Center / Library

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Please don't use the name of someone who is still alive.
Melanie A. Carter  
City Clerk  
City of Selma  
50927 Bearclover Lane  
Squaw Valley, CA 93675

Georgia Hawley  
Deputy City Clerk  
City of Porterville  
291 N. Main Street  
Porterville, CA 93257

Hi Georgia:

While paying the utility bill for my mom I noticed a note asking for suggestions for names for the new Porterville Library/Community Center.

I would like to submit the name The Frank "Buck" Shaffer Library/Community Center.

"Buck" was band director at Porterville High School for many years, four of which I had the honor of being a part of. He always instilled a sense of pride, discipline, and dedication in the band members. He gave of himself tirelessly and I often wondered even then how he did it.

He was and is also community minded, continuously honoring our many Veterans, and working to support the City of Hope to name just a few.

Even today I am very proud of having been in the Panther Band and I know many fellow classmates feel the same way. Buck always stressed doing the best you can and the many awards the Panther Band received over the years are a testimonial to this philosophy.

Thank you for your consideration.

Melanie A. Carter
Subject: community center
From: merrily Davies <merrilydavies@yahoo.com>
Date: Fri, 12 Dec 2003 16:20:10 -0800 (PST)
To: cityclerk@ci.porterville.ca.us

I understand that you are trying to decide a name for the parks and recreation community center. My vote is for naming it after Delores Huerta.

Sincerely,

Merrily Davies

______________________________________________________________

Do you Yahoo!?
New Yahoo! Photos - easier uploading and sharing
Foothill Trailer
1085 W Linda Vista Ave
Porterville, CA 93257

Deputy City Clerk
Georgia Hawley
291 N. Main Street
Porterville, CA 93257
December 5, 2003

Porterville City Council
c/o Deputy City Clerk, Georgia Hawley
291 North Main Street
Porterville, CA 93257

Reference: Name Community Center/Library on East Orange

I submit for your consideration the name of Robert (Bob) A. Perez.

I have had the pleasure of knowing Bob for many years. He has provided many persons with knowledge of his business skills, knowledge of the public education system, his ability to work productively with diverse groups, his concern for the public served by the school district, and service to the entire community. His knowledge provides historical continuity.

Bob often works with students and parents, and members of this community. He has empathy for people that allow him to discern when a person is embarrassed or distressed and seeks ways to reassure and assist without causing lack of dignity.

When parents or other community members approach Bob with questions about the school district, or in the organizations he serves, he has appropriate and accurate responses based on his years of experience, and in particular his attention to ethics, protocol, policies and procedures. Service to the entire community is a well-known trait of Bob as he is a participant in many community activities. Bob is on the board for Sierra View District Hospital and Senior Day Care. Through these services he is able to ensure adequate and compassionate care for many families. His past service experiences have included organizations such as Comision Honorifica Mexicana Americana, Association of Mexican American Educators, Porterville Chamber of Commerce Board of Directors, Leadership Porterville, as well as others not listed.

Though Bob Perez is one that does not seek the spotlight for his volunteerism, countless people have recognized his role professionally and as a community service leader. He has freely given countless hours of his time and has provided mentorships for many without self-gain or self-promotion.

Porterville is filled with many quality individuals. In the selection process, I hope that you will consider the area, the diverse and ethnic makeup, and location of the new community center/library. Bob Perez has remained to the town where he was born and raised, and has dedicated himself to his work and community. He is deserving of the recognition in the naming of the community center/library.

Sincerely,

[Signature]

Norma Miller

NM/maf
Attachment: Resume for Robert (Bob) A. Perez
Copies to:
   Mr. Richard Stadther, Mayor
   Mr. Pete Martinez, Mayor Pro-Tem
   Mr. Cam Hamilton, Council Member
   Mr. Ron Irish, Council Member
   Mr. Kelly West, Council Member
   Mr. John Longley, City Manager
ROBERT A. PEREZ
784 W. Thurman Avenue
Porterville, California 93257
559-781-5977

EDUCATION
California State University, Bakersfield
B.A. 1972 History-major, Sociology-minor
M.A. 1977 Educational Administration
Administrative Services Credential, 1983
Standard Secondary Credential, 1977

EMPLOYMENT
1997-present: Porterville Adult School, Porterville Unified School District
1995 to 1997: Monache High School, Porterville Public Schools
1990 to 1995 Citrus High School, Porterville Public Schools
1974 to 1990: Porterville High School, Porterville Public Schools
1972 to 1983: Porterville College, Adjunct Faculty
1971 to 1974: City of Porterville
1968 to 1969: Burton Schools

SUMMARY OF PROFESSIONAL EXPERIENCE
Director, Porterville Adult School (1997-present)
- Chief Administrative Officer
- Responsible for day to day operations of campus
- Responsible for budget development and monitoring
- Responsible to State Department of Education for Adult Programs
- Presents all adult programs to community forums
- Selects staff members
- Evaluates staff
- Writes grants and program proposals
- Coordinates evaluation, selection, and purchase of curriculum materials
- Responsible for vocational education grants and programs
- Coordinates programs for senior citizens

Assistant Principal, Monache High School (1995 to 1997)
- Responsible for campus curriculum planning
- Observe and evaluate certificated and classified staff
- Assist with master schedule and personnel selection
- Responsible for Guidance Department
- Responsible for SDC program and IEP goals and objectives
- Coordinate extra and co-curricular activities, awards, scholarship programs, and discipline
- Develop student activities budget
- Assist with California High School Second-to-None Network
- Member of Independent Study Committee and liaison with alternative programs and Community School
- Member of district Affirmative Action Team
- Chairman of Porterville High School Centennial Celebration
Assistant Principal, Citrus High School (1990-1995)
- Responsible for guidance and counseling
- Responsible for student activities and activities budget
- Responsible for attendance and discipline
- Assisted with personnel selection and staff evaluations
- Provided program information to the community
- Liaison to other educational and job development programs
- Assisted with development of school/business partnerships
- Organized, coordinated and chaired district Gang Task Force
- WASC Accreditation committee
- Member of Affirmative Action Team

Assistant Principal, Porterville High School (1983-90)
- Research and compilation of School History/Athletic Programs
- Established Academic Letter Program
- Assisted with selection of personnel and instructional materials
- Responsible for SDC and RSP program
- Responsible for attendance accounting, SARB, and discipline
- Originated summer work-experience program
- District resource for gang related awareness intervention
- Math and student government teacher

Guidance Coordinator, Porterville High School (1974-83)
- Supervised and evaluated counseling staff and testing program
- Coordinated bilingual, migrant, and compensatory programs
- Varsity soccer and freshman football coach
- Advisor for Junior Class and Mexican-American Club
- World History teacher

College Instructor, Porterville College (1971-82)
- Responsible for curriculum and instruction for courses in psychology, sociology and history
- Coordinated Summer Youth Education/Employment Program with Tulare County Department of Education

Administrative Assistant to the City Manager, City of Porterville (1973-74)
- Assisted in personnel selection and management
- Developed Communications Center
- Assisted with budget preparation, grants and city ordinances
- Liaison to Mexican-American community
- Prepared reports and publicity releases

Human Relations Officer, City of Porterville Police Department (1971-73)
- Development of community relations programs
- Assisted with internal and external investigations
- Assistant juvenile officer
- Sworn Officer status
- Development of internal procedures and programs
- Established Spanish section of Porterville Public Library
ORGANIZATIONS
Sierra View District Hospital Board Member
Porterville Senior Day Care Center Board Member
Rotary Club of Porterville
Comision Honorifico Mexicana Americana
Association of Mexican American Educators
Porterville Chamber of Commerce Board of Directors
Leadership Porterville Steering Committee
Crime Prevention Committee
Cinco de Mayo Committee
Burton School Board of Trustees, (1979-83)
Sister City Committee

AWARDS, HONORS AND RECOGNITION
1997
• Adult Ed. Administrator of the Year, Tulare County Region XI ACSA
1992
• Recipient of Roy Flemate Mexican-American Community Award-Comision Honorifica
  • Porterville High School Yearbook Dedicated to Bob Perez
1990
• Porterville Chamber of Commerce "Man of the Year"
• Cinco de Mayo Grand Marshall
1988
• Leigh Robinson Voc Ed. Award, State of California
• Awarded California Career Conference Innovator of Year
• Porterville High School Man of Year Award
1972
• Founder of Cinco De Mayo Parade
• Porterville Jaycees “Outstanding Young Man of the Year
1969
• Burton Elementary School-Outstanding Teacher of the Year
Subject: Name for New Community Center
From: Carmen Martinez-Eoff <eoffs@ocsnet.net>
Date: Mon, 08 Dec 2003 14:01:52 -0800
To: ghawley@ci.porterville.ca.us

Dear Ms. Hawley,
Would you be so kind as to send me an email letting me know if you received this. Attached you will find a nomination for the name, Gilbert Yiques to be considered for naming the new recreation center to be built next to the new Plaza de Santa Fe School. Several of us are currently gathering signatures that will be attached to this petition. If you need more information from me please email me or call me at my home, 784-5770. Thank You.
Carmen Martinez-Eoff
Gilbert Ynigues Community Center

We the undersigned of the City of Porterville, hereby pledge our support for the naming of the new community center to be located off Orange Avenue next to the coming Santa Fe Elementary School.

Gilbert Ynigues is a distinguished citizen well known for his many years of civic and community service. He is a respected businessman and has been recognized for his work both in business and in civic/community service.

Mr. Ynigues has over 40 years experience in the flower business and is owner/operator of Smith Flowers since 1962. He is a Veteran having served in the Army with overseas duty. He is a life member of the VFW, Veterans of Foreign Wars, and a member of the Terra Bella American Legion.

Gilbert Ynigues served for 17 years on the Tulare County Housing Authority and his role as a commissioner was to represent Porterville for public housing. He was instrumental in obtaining 40 million dollars for the Porterville area. He helped organize the Plano Development Corporation, a non-profit organization, which built the Plaza de Santa Fe Senior Citizen apartment complex, providing 150 units.

Mr. Ynigues served on the Porterville City Council from 1969 to 1973.

Former Governor Jerry Brown appointed Mr. Ynigues to the Tulare County Fair Board.

He served four years on the CSET; Get a Job, youth employment service. He also served for years on the Porterville Development Center’s Benefit Fund Committee helping to govern monetary donations to be used for the children who are clients at the Center.

He has served for years on the Porterville Senior Council.

Gilbert Ynigues is a charter member of the Porterville Exchange Club and has served on many committees that benefit youth and others.

Over the years, Mr. Ynigues has served on the California State University, Bakersfield, Hispanic Excellence Awards, helping to provide scholarships to
outstanding farm worker students. He also served on the Kern Community College District’s effort toward unification.

He has been a member of the Porterville Chamber of Commerce for years.

He is one of the founding members of the Tulare/Kings Hispanic Chamber of Commerce.

Among his many awards and recognitions are:

Cinco de Mayo Grand Marshal, 1982: Comision Honorifica Mexicana Americana


Man of the Year: Porterville Chamber of Commerce, 2003

Excellence in Business Award: City of Porterville, 2003

He has served on countless committees for the Porterville Unified School District including the drawing of school district boundaries. He is currently on the financial committee for the new Santa Fe Elementary School.

He was president of MAGO, Mexican American Golf Organization in the 1960’s. Through his leadership the organization recognized and awarded Porterville and Monache High School students who had participated in sports for four years and had distinguished themselves in sports activities.

Gilbert has given motivational/inspirational talks to parent groups throughout the years.

He is well known for his advocacy and support of youth. He has donated many hours to this cause. He has visited many classrooms and has been an inspiration to students. Gilbert has been asked to speak to students in their classrooms, at graduations and other ceremonies. Current Porterville City Council Mayor Pro Tem, Pete Martinez remembers Gilbert giving an inspirational talk to Pete’s class while Pete was an elementary student at Woodville Elementary School. He has told Gilbert that Gilbert’s words, “You need to participate in government if you want to be able to make a difference.” were a real inspiration to Pete.
For his dedication, service and caring for youth as well as others, we
nominate the name for the new Community Center to be, Gilbert Ynigues
Community Center
Subject: Name for New Community Center/Library
From: "Uncle Bill" <warner1@sosinet.net>
Date: Sun, 7 Dec 2003 21:17:54 -0800
To: <cityclerk@ci.porterville.ca.us>

Please distribute to members of the Parks and Recreation Department and to City Council members.

Gentlemen/Mesdames:

At the last meeting of the readers advisory board of the Porterville Recorder, the issue of a name for the new Community Center/Library came up. It is interesting that the name of "Delores Huerta" came instantly to the minds of both myself and the doctor sitting across the table from me. This may be a coincidence, but I firmly believe that there are many who feel that her name would do honor to the new facility, especially as it will be situated in a Latino community.

I am sure you are aware of Mrs. Huerta's work with the United Farm Workers which she co-founded with Cesar Chavez. She is a tireless and devoted community leader respected by all in the Latino community for her belief in human rights, social justice, and human dignity. She has been severely beaten putting her body on the line for the farmworkers. She has consistently worked for fair treatment of campesinos, who, incidentally, do most of the work in this county. She has steadfastly refused to sacrifice her lofty ideals. Many are willing to put their words on the line, but she has put herself on the line time and time again.

She has never forgotten the condition in which she found, as a new teacher, her impoverished students for whom she has struggled all her life. Her life is a model that teachers, students, and community leaders might well emulate.

This new center will mean a lot to students like her former pupils. I can understand the feeling that students should be involved in the choosing of a name for the center, but I found while teaching at Porterville HS that almost none of them had ever even heard of this most courageous lady! It is hard to imagine entrusting the name to students who, when asked who their heros are (and I have none this with them also), they routinely name basketball stars, movie stars, generals, etc. Perhaps that is the fault of their history teachers, TV, or just plain immaturity and lack of a wider frame of reference found, one would hope, in our more knowledgeable and mature city leaders.

As a retired history teacher, I know that the name on a facility can inspire some students to inquire about the person who has their name over the door. "Orange Avenue Center" misses the point. "The Delores Huerta Community Center" might help put some of them more in touch with their heritage, and to help them learn about true courage and serving the community...

I suggest that people with some knowledge of Mrs. Huerta's sacrifices for the downtrodden here in the Southern San Joaquin Valley be interviewed, and that the sample not be limited to those who are in high school, subscribe to the Recorder, who access the City website, or who have no interest in the community served by the center. Interview leaders in the Latino community.

Naming the new facility "The Delores Huerta Community Center", you would be simultaneously honoring the Latino community, women, all those who are willing to fight for improving the lives of those in the community, and this very special lady who has given so much of herself to the very young people who would be using the Center.

Sincerely,

Harold W. Warner
1370 Monache Ave.
Daniel Figueroa  
500 N. Main  
Porterville, CA 93257

Dear Parks & Leisure Services Commission:

This letter is to recommend the name of Daniel Alonso Figueroa, Sr. to the City’s naming of the new Library & Community Center. My father has a long list of contributions to both the business and Hispanic communities.

A businessperson in Porterville since the 1930’s until his passing in 1997. First as a broker on the Eastside and subsequently a clothing retailer on Main Street. He was instrumental in forming the Comision Hispanica Group of which now funds the building next to the new library & Community Center.

I grew up on A Street, where my father was
affectively known as "El Maestro" (The master). Our neighborhood was as close to American as you could get. All influenced by cultures and music such as Country, Rock & Roll, Mexican, and Tango. My father knew no boundaries. He was a friend to all. Taking people to doctor's appointments, doing their groceries and even taking the food from his Barber shop to the home of a friend dying of Cancer. We didn't have much in those days, but we had each other.

Letter of recommendation from a diverse segment of our city. Can and will be provided. Thank you for your consideration.

Sincerely,
[Signature]
Dear Council Members:

In naming of the new Neighborhood Community Center/Library, please consider Sunrise Community Center.
COUNCIL AGENDA: May 18, 2004

SUBJECT: REVIEW OF PARKS & LEISURE SERVICES DEPARTMENT WORK PLAN

SOURCE: Department of Parks & Leisure Services

COMMENT: In November 2003 the City Council considered the various projects in process through the Parks and Leisure Services Department and established a prioritized Work Plan. At that time it was requested that the Work Plan be reviewed by the Council in six months. This report is to provide updated information on the status of the Work Plan projects for the requested milestone review.

During the past six months there was also a review and determination of Engineering Department priorities. The priorities for Engineering, in some cases, altered or overrode the schedules for the Parks & Leisure Services Department’s Work Plan. Attached is the original Work Plan with an additional column to indicate current status.

RECOMMENDATION: Review the Parks & Leisure Services Department Work Plan.

ATTACHMENTS: Parks & Leisure Services Department Work Plan, May 2004 status

ITEM NO.: 17
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| RAILS TO TRAILS               | <80            | 03/04 thru 04/05 | CMAQ, concrete repair, RELEAF, bikeway account, Urban Forestry | • Recent efforts have preserved funding opportunity  
• Major north/south pedestrian & bicycle trail possibility  
• FTIP Amendment  
• Funding sufficiency to achieve full vision  
• File organization  
• Grant reimbursement procedures | Construction documents 90% complete; release for construction from Caltrans contingent upon FTIP amendment of reprogramming CMAQ funds to the current year - schedule for consideration April/May 2004; additional funding needs to be identified to fully construct Henderson to Olive segment; coordination with street crossings needed for removal of rail hazards; file organization, grant reporting and reimbursement processing activities required | FTIP amendment has been denied with the intent to include the project funding in the ’05 FTIP to be considered by TCAG in June, 2004. Right-of-Way acquisition is being finalized by legal counsel during May, 2004. Deferred Engineering resource project. |
| IN-STREET CROSSWALK LIGHTS - RAILS TO TRAILS | <80            | 03/04 thru 04/05 | PSP               | • Enhancement to pedestrian safety  
• Coordination with street repairs  
• Design service retainment | Design services need to be retained and work coordinated with street repairs; file organization, grant reporting and reimbursement processing activities required; completion needed by March 2005. | Engineering resources currently not available. This project is deferred as a component of the Rails to Trails Project which may jeopardize funding. |
| MURRY POOL RENOVATION         | <80            | 03/04            | CDBG, RZ, Per Capita | • Modernized recreational pool  
• Enhanced pool rental revenue  
• Tight timeline  
• Design & bids beyond funding  
• Potential need for pool closure without renovation work  
• Securing sufficient funding | Coordination with Public Works on bidding and construction; bids exceed funding & 35% over engineer's estimate; file organization, grant reporting and reimbursement processing activities required; completion needed by May 2004. | Construction ongoing, additional CDBG funding allocated, shade structures being included in project to be completed July, 2004. |

**PRIORITY RATING**: 1 = Important - Urgent  2 = Important  3 = Not Important - Urgent  4 = Not Important - Not Urgent

*May 11, 2004*
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| TULE RIVER PARKWAY PH. II 1- Existing Priority | >80<160       | 03/04 thru 04/05 | EEM, RELEAF, Urban Forestry | • Continuance of east/west pedestrian & bicycle trail  
• Recent efforts have secured funding  
• Funding time constraints  
• Railroad design & permit concurrence  
• Floodplain construction permit obtained  
• Maintenance & operations hasn't been programmed  
• Security in obscured segments | Funding recently received for immediate (completed by early April, 2004) construction of the Jaye to Main segment, but other agency approval for wet season construction required - conflicting state agency expectations; railroad concurrence on design needed; project manual needs to be completed; staff needs to turn efforts to completing design/bid documents, obtaining railroad concurrence, permits for dry season construction, and extension of funding for dry season construction; file organization, grant reporting and reimbursement processing activities required. | Funding extended to 2005. High priority engineering resource project being redesigned and permits obtained for construction during summer, 2004. |
| DOWNTOWN PLAZA 1- Existing Priority | >80<160       | 03/04 thru 04/05 | RDA, private, RZH, Per Capita | • Major civic activity setting  
• Enhancement of downtown civic complex  
• Financial feasibility  
• Parking limitations  
• Security of current building | A business plan and concept design is being prepared by a perspective developer for the site of the Nelson Building; coordination with Parks & LS Casn, and community organizations needed; DDA required; security & safety of blvd. needed until demo. | The project has been designated as high priority for engineering resources, developer involvement is not included, a Centennial Plaza is to be designed and constructed following building demolition to occur during summer, 2004. |
| NEW LANDSCAPE MAINTENANCE DISTRICTS 1- Existing Priority | <80           | 03/04            | General Fund            | • Benefitting properties are assigned maintenance cost  
• Preparation of engineer's reports not started concurrent with development start | New developments require new maintenance districts; City staff must prepare analysis and legal reports when development in being implemented; three new districts urgently need the analysis & report preparation. | Districts have been formed, public hearings are scheduled for May 18, 2004, on the Engineering Report recommended assessments. |

PRIORITY RATINGS: 1 = Important-Urgent  2 = Important-Not Urgent  3 = Not Important-Urgent  4 = Not Important-Not Urgent
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| NEIGHBORHOOD COMMUNITY CENTER O&M | >80 <160      | 03/04 thru 04/05 | General fund, possible foundation grants | • Modern recreational facility  
• Shared library, parking & play fields with school  
• Operations & maintenance hasn’t been programmed  
• Meeting expectations without affecting other activity budgets | The construction of the new community center is scheduled to be completed next year; program operations, staffing and maintenance needs must be evaluated and a plan developed to ensure that expectations are reasonably met; funding issues need to be part of the plan development. | The construction of the facility is ongoing. Council consideration is being given to the name of the facility following Parks & Leisure Services Commission's consideration. Budgetary operations issues are being developed for FY 04-05 budget process. |
| SPORTS COMPLEX LIGHTING 1- Existing Priority | >160          | 03/04 thru 04/05 | RZH-needs based               | • Completes implementation of master plan  
• Major even possibilities  
• Timely completion  
• Pilot concerns  
• Maintenance & operations isn’t programmed | Need to prepare RFQ’s for environmental and design services; existing lighting from PC & Pioneer could be relocated; needs to be coordinated with Pilot’s Assn. | The City’s Airport consultant is to prepare a flight safety analysis; the lights were not a component of the Sports Complex Master Plan. |
| GRANT MANAGEMENT 1- Existing Priority | >80 <160      | 03/04 thru ongoing | Various grant sources          | • Better accountability  
• Greater efficiency & accuracy  
• Higher scoring potential on significant grants  
• Organizational change  
• Training  
• Monitoring grant procedure changes | Consolidating all city department grant management activities (schedule milestone monitoring, report generation, reimbursement & payment processing) would assist in ensuring grant compliance, and timely claim filing for funds; cost are chargeable to the grants; focused mgmt. would free staff time for program implementation, and additional grant research and application efforts. | Centralized grant status report generation has been established in the Finance Dept. |
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| OHV TRACK & 4 WHEEL PARK CONTRACT OPERATOR(S)  
1- Existing Priority | >80<160 | 03/04 | General Fund | • Enhanced revenue  
• Increased liability coverage  
• Greater usage & events  
☐ Developing RFQ/RFP  
☐ Selection of operator(s)  
☐ Monitoring operator(s) | An evaluation should be done on the benefits to letting one or more concessionaire operator contracts: responsibility for preparing state grant application and compliance reporting could be transferred; City liability protection could be expanded; marketing efforts for the facilities would not compete for attention with other activities. | Research of other agency RFQ/RFP processes and contract scope of work is being compiled. RIQ/RFP authorization to be sought from Council in June, 2004. |
| AFTER-SCHOOL SPORTS  
2- Existing Priority | <80 | 03/04 | Schools, private/self-supportive | • Continuance of popular program  
☐ Funding stability  
☐ Staffing | School Districts have eliminated funding for the City to operate the programs; preparing prospectus on self-supportive program; approvals needed to operate programs as fee-based, self-supportive. | A proposal was submitted to PUSD for a participant supported program similar to Burton's RAP. PUSD has not authorized moving forward. |
| COLLEGE FIELD LEASE  
2- Existing Priority | >80<160 | 03/04 | General Fund | • Continued use of facility for some time  
☐ College plans for buildings  
☐ Ability to develop adequate replacement fields | The 25 year lease for City use of the grounds has expired; PC is requesting monthly fees with a 60 day termination provision; the City needs new facilities to ensure the capabilities are available for current programs. | PC has declined to extend the lease, alternative field development and field lighting will need to be evaluated. |
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| SKATEBOARD PARK 2: Existing Priority | >160          | 03/04 thru 05/06 | RZH, Land & Water, private | • Provision of recreational facility  
• Significant funding has been obtained  
• Securing additional funding  
• Updating site evaluation  
• Selection of designer  
• Maintenance & operations hasn’t been programmed | Site alternative evaluation needs to be updated, which may result in GP amendment & new environmental document; grant research and application work needed; fundraising activity; prepare design RFQ; design needs to be conducted with public outreach efforts; completion needed by December 2008. | Site determination has been made, approval for modular facility construction has been obtained, application for Federal Grant has been submitted, local fundraising efforts continue. |
| TULE RIVER PARKWAY PH. III 2: Existing Priority | >80<160       | 03/04 thru 05/06 | EEM, bikeway account, RELEAF | • Continuation of east/west pedestrian & bicycle trail  
• Funding has been obtained  
• Developing RFQ/RFP  
• Selection of designer  
• Determination of route  
• Appraisals  
• Finalizing design  
• Property negotiations  
• Securing funding for construction & ongoing maintenance | Funding recently reallocated from construction to right-of-way acquisition for the Main to Plano segment; environmental document identified 3 alternative routes - determination of preferred route needs to be made; acquisition work needs to be started; design RFQ needed; grant research and application work for construction needs to undertaken; file organization, grant reporting and reimbursement processing activities required; right of way must be secured by March 2005; application for construction funding needs to be prepared. | Reallocation of funding was misreported, new application for right-of-way funding has been submitted for California Transportation Commission's consideration in August 2004, previous grant funding for construction was withdrawn by the State since right-of-way hadn’t been secured. |
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<td>SENIOR SERVICES 2- Existing Priority</td>
<td>&gt;160</td>
<td>03/04 thru 04/05</td>
<td>Possible grants, general funds</td>
<td>• Addressing needs of a community segment Funding</td>
<td>Leisure services for seniors need to be examined for ways to ensure their reliability; the Senior Council operations from the Santa Fe Depot site are in jeopardy; the City may need to evaluate supportive direct assistance, or assumption of all senior programs.</td>
<td>A utility stipend for the Senior Council has been established, no other senior program efforts have been studied.</td>
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<td>PUTNAM COMMUNITY CENTER 2- Existing Priority</td>
<td>&gt;80&lt;160</td>
<td>04/05</td>
<td>RZH, Per Capita</td>
<td>• Preservation of community facility • Enhancement of facility function ability • Funding program development • Building analysis</td>
<td>The roof of this building leaks, it is 50 years old and in need of replacement; the building needs to be evaluated for other repairs; specifications and bidding processes need to be developed; construction contract(s) need to be let.</td>
<td>Authorization has been given to sell the facility once the new Community Center is available, relocation of users will need to be resolved during summer and fall of 2004.</td>
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<td>ZALUD HOUSE 2- Existing Priority</td>
<td>&gt;80&lt;160</td>
<td>03/04 thru 04/05</td>
<td>Zalud Estate, RZH-needs based, Per Capita, possible foundation grants</td>
<td>• Preservation of community facility • Enhancement of facility function ability • Funding program development • Building analysis • Loss of current rental capacity without maintenance • Demands of additional organization</td>
<td>The historical buildings are in need of some immediate repairs; a master plan for maintenance of the building needs to be developed to include identification of funding sources; the possibility of new regular revenue generating events should be evaluated; establishment of a non-profit organization or foundation needs to be studied.</td>
<td>Several fund raising and promotional efforts have been undertaken and more are being planned; the council has declined to initiate a non-profit organization, efforts will be made to facilitate a Zalud House Preservation Committee to achieve greater community participation in preservation and promotion.</td>
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<td>OHV TRACK STEP ENTRY &amp; DRINKING FOUNTAIN</td>
<td>&lt;80</td>
<td>03/04 thru 04/05</td>
<td>OHV</td>
<td>• Enhancement of facility&lt;br&gt;• Funding secured&lt;br&gt;☐ Availability of Engineering &amp; Water personnel&lt;br&gt;☐ Grant compliance</td>
<td>Plans for the spectator area entry steps are complete; project needs to be coordinated with Engineering for bidding; installation of a water main needs to be coordinated with Water Dept; completion needed by March 2004.</td>
<td>Projects were completed in March 2004.</td>
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<tr>
<td>OHV PARK 4 WHEEL DRIVE TRAINING FACILITY</td>
<td>≥80&lt;160</td>
<td>03/04 thru 04/05</td>
<td>OHV, volunteer efforts</td>
<td>• New recreational opportunities&lt;br&gt;• Organized group willing to assist with construction &amp; operations&lt;br&gt;• Funding secured for design &amp; partial construction&lt;br&gt;☐ Maintenance &amp; operations hasn’t been programmed&lt;br&gt;☐ Participation agreement with 4-Wheel Club</td>
<td>Design 60% complete; plans and project manual need to be completed and coordinated with 4-Wheel Drive Club &amp; Engineering; a contract for heavy grading work needs to be bid; an Agreement with 4-Wheel Drive Club needs to be considered for the construction work and possibly for operations and maintenance; completion needed by December 2005.</td>
<td>Funding required completion deadline was previously misstated. Design at 80% complete, completion needed by January 2005. This project is a deferred engineering resource priority which may jeopardize funding.</td>
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<tr>
<td>PARKS &amp; RECREATION ELEMENT UPDATE</td>
<td>≥160</td>
<td>04/05 thru 05/06</td>
<td>General Fund, development fees</td>
<td>• New assessment of community values and priorities&lt;br&gt;• Comprehensive visioning vs. piecemeal viewing&lt;br&gt;☐ Funding source&lt;br&gt;☐ Coordination with new General Plan</td>
<td>The 1994 document should be examined and updated to keep current with community priorities and project needs. This effort should be conducted in conjunction with the update to the City General Plan.</td>
<td>The update will be done as a part of the City General Plan effort.</td>
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# PARKS & LEISURE SERVICES DEPARTMENT - NOVEMBER 10, 2003 CITY COUNCIL APPROVED • PROGRAM IMPLEMENTATION WORK PLAN

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<td>LIBRARY 2nd COMPUTER LAB</td>
<td>&lt;80</td>
<td>03/04</td>
<td>Friends of the Library</td>
<td>• Expansion of services • Funding secured • Primary implementation work by others □ Ongoing operations not programmed □ Coordination of circuitry</td>
<td>A second computer laboratory with 10 computers for teen and children use is envisioned to be installed in the lower floor of the Library within the current media room; the Friends of the Library recently received a donation of funding for this purpose; computers need to be ordered with installation by the SFV Library System; cabling is to be provided by MIS Dept.</td>
<td>The facility has been assembled and is scheduled for opening on May 10, 2004.</td>
</tr>
<tr>
<td>2- Existing Priority</td>
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<tr>
<td>LITERACY PROGRAM</td>
<td>&gt;80-160</td>
<td>03/04 thru 04/05</td>
<td>ELLI</td>
<td>• Continuance of successful program • Funding secured for current period □ Maintenance &amp; operations hasn't been programmed</td>
<td>The State has provided matching funding for operations; the state funding is being reduced and its continuance is in doubt; a review of the programs future is needed.</td>
<td>Housing of the program has been shifted to the Library to extend operations funding. The program continues with great success but is expected to be contingent upon continued state funding.</td>
</tr>
<tr>
<td>2- Existing Priority</td>
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<tr>
<td>ROTARY PARK</td>
<td>&lt;80</td>
<td>03/04 thru 04/05</td>
<td>Private, volunteer efforts, RELEAF</td>
<td>• New recreational facility • Greater use of drainage basin • Organization willing to provide some funding □ Potential for high maintenance requirements □ High water use demands □ Maintenance &amp; operations hasn't been programmed</td>
<td>Playground constructed by developer; irrigation designed by City; recommend redesign to eliminate turf area to reduce maintenance and approach Noon Rotary Club for purchase of trees in lieu of City grant application efforts; reconsider need and location of maintenance road; identify funding for securing the site and paving the maintenance road.</td>
<td>Rotary Club involvement has been shifted to Centennial Plaza, a State grant was obtained by CCC to install City purchased irrigation system for a redesigned 'tree park'.</td>
</tr>
<tr>
<td>2- Existing Priority</td>
<td></td>
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</table>

**PRIORITY RATING: 1 = Important • Urgent 2 = Important • Not Urgent 3 = Not Important • Urgent 4 = Not Important • Not Urgent**

May 11, 2004
## PARKS & LEISURE SERVICES DEPARTMENT - NOVEMBER 10, 2003 CITY COUNCIL APPROVED - PROGRAM IMPLEMENTATION WORK PLAN

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>ADMIN. EFFORT</th>
<th>PROPOSED YEAR(S)</th>
<th>POTENTIAL FUNDING</th>
<th>OPPORTUNITIES &amp; CHALLENGES</th>
<th>NOVEMBER 2003 COMMENTS</th>
<th>MAY 2004 STATUS</th>
</tr>
</thead>
</table>
| FACILITY MAINTENANCE SYSTEM | >80×160 | 04/05 | General Fund | • Enhanced maintenance efficiency & effectiveness  
• Preventative maintenance  
• Improved reporting & projections  
☐ Funding  
☐ Specifications for system  
☐ Obtaining implementation & training  
☐ Current condition inventory | A computerized maintenance record system for the various city owned building facilities would provide maintenance schedules and projections of budgetary needs to assist with proper care of all facilities in the most efficient and cost effective manner. A system would need to be purchased, and installed with current records. | No effort has been put into this activity. |
| CITY OFFICE FACILITIES PLAN | >80×160 | 03/04 | General Fund | • Longer term outlook on needs  
• Avoidance of repetitive incremental remodels  
• Preparation of needs study  
☐ Funding  
☐ Time necessary to complete may require some decisions ahead of completion | Office space for the Parks & Leisure Services operations is limited; other city operations such as City Clerk and MIS need space; an evaluation of the existing facilities should be conducted to consider alternative space allocations to improve efficiencies of all operations before extensive remodeling efforts are committed. | No effort has been put into this activity. |
| RENOVATE MUNICIPAL BALLPARK | >160 | 03/04 thru 05/06 | RZH, Per Capita | • Enhanced functionality  
• Increased revenue potential  
• Preparation of master plan  
☐ Input from interest groups  
☐ Funding & implementation | Bleachers replacement urgently needed; master plan needed to determine long-term use of site for ballfield plus community events vs. relocation of ballfield and possible transfer of site to another organization(s). | No effort has been put into this activity. Demolition of some bleachers will be evaluated. |

**PRIORITY RATINGS:** 1 = Important -Urgent  2 = Important - Not Urgent  3 = Not Important - Urgent  4 = Not Important - Not Urgent
<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>ADMIN. EFFORT</th>
<th>PROPOSED YEAR(S)</th>
<th>POTENTIAL FUNDING</th>
<th>• OPPORTUNITIES &amp; CHALLENGES</th>
<th>NOVEMBER 2003 COMMENTS</th>
<th>MAY 2004 STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAL PROGRAM 3- Existing Priority</td>
<td>&gt;160</td>
<td>03/04 thru ongoing</td>
<td>PAL</td>
<td>• Program expertise • Staffing resource capacity • Compatibility of programs • Potential additional facility needs • Funding stability • Additional organizational coordination</td>
<td>The current Police Activities League (PAL) organization is interested in Leisure Services assistance with program operations; facility adequacy &amp; sufficiency issues need to be reviewed; ongoing coordination with PAL Board would be required.</td>
<td>Ongoing efforts are made in coordinating and assisting with grant funding application for PAL programs.</td>
</tr>
<tr>
<td>LIBRARY RESTROOM RENOVATION 3- Existing Priority</td>
<td>&lt;80</td>
<td>03/04</td>
<td>RZH, Per Capita</td>
<td>• High use community facility • Image of city organization • Funding • Design &amp; construction to minimize maintenance and vandalism</td>
<td>Existing facilities are high maintenance and present a poor image; design of renovations 90% complete; project manual needs to be assembled; recommended that funding be reallocated from other projects</td>
<td>Expanded custodial efforts to maintain the existing restrooms has been implemented. No effort has been put into the replacement/renovation.</td>
</tr>
<tr>
<td>NEW GOLF COURSE ANALYSIS 3- Existing Priority</td>
<td>&lt;80&lt;160</td>
<td>03/04</td>
<td>Wastewater</td>
<td>• Enhanced recreational opportunities • Effluent disposal opportunity • Title 22 compliance • Financial viability for ongoing maintenance and operations</td>
<td>Feasibility analysis completed; a presentation to the City Council needs to be scheduled; funding research is needed; direction from Council is required</td>
<td>No effort has been put into this activity.</td>
</tr>
</tbody>
</table>

PRIORITY RATINGS: 1 = Important - Urgent 2 =Important - Not Urgent 3 =Not Important - Urgent 4 =Not Important - Not Urgent

May 11, 2004
<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>ADMIN. EFFORT</th>
<th>PROPOSED YEARS</th>
<th>POTENTIAL FUNDING</th>
<th>OPPORTUNITIES &amp; CHALLENGES</th>
<th>NOVEMBER 2003 COMMENTS</th>
<th>MAY 2004 STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOLF COURSE CART BARN &amp; RESTROOM RENOVATION</td>
<td>&lt;80</td>
<td>03/04</td>
<td>Golf Course fund - (Risk Mgmt. loan)</td>
<td>• Modern protective structure</td>
<td>Plans completed and project manual being assembled; pole relocation needed; bidding and construction anticipated soon.</td>
<td>No effort has been put into this activity, some remedial enhancements have been made to the existing golf cart storage.</td>
</tr>
<tr>
<td>4- Existing Priority</td>
<td></td>
<td></td>
<td></td>
<td>• Enhanced appearance</td>
<td></td>
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<td></td>
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<td></td>
<td>• Improved maintenance</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>• Pole and range fence</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>• Irrigation line routing</td>
<td></td>
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<tr>
<td>GOLF COURSE PARKING LOT OVERLAY</td>
<td>&lt;80</td>
<td>04/05 thru 05/06</td>
<td>Golf Course fund - (Risk Mgmt. loan)</td>
<td>• Improvement to existing facility</td>
<td>Should be performed as part of a future street overlay project.</td>
<td>No effort has been put into this activity.</td>
</tr>
<tr>
<td>4- Existing Priority</td>
<td></td>
<td></td>
<td></td>
<td>• Coordination with other pavement overlay work</td>
<td></td>
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</tr>
<tr>
<td>SOUTH MAIN BEAUTIFICATION</td>
<td>&gt;80&lt;160</td>
<td>04/05 thru 05/06</td>
<td>Private, volunteer efforts</td>
<td>• Aesthetic enhancement to community entrance</td>
<td>Noon Rotary Club has suggested this project; coordination needed with railroad to secure right of way at unknown cost; cost estimate for the project needs to be prepared; bike lane accommodations may be required.</td>
<td>No effort has been put into this activity.</td>
</tr>
<tr>
<td>4- Existing Priority</td>
<td></td>
<td></td>
<td></td>
<td>• Organization willing to provide some funding</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>• R/W needed from Railroad</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>• Bike trail provisions needed</td>
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<td></td>
<td>• Maintenance &amp; operations hasn’t been programmed</td>
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PRIORITY RATINGS: 1 = Important - Urgent  2 = Important - Not Urgent  3 = Not Important - Urgent  4 = Not Important - Not Urgent  

May 11, 2004
SUBJECT: GOLF COURSE ENTERPRISE OPERATION AND OPTIONS

SOURCE: Parks & Leisure Services Department

COMMENT: A review of golf course privatization was called for as a part of the recently developed 18 month budget strategy. The Parks and Leisure Services Director has reviewed the report from last year on the same subject, discussed the course operations with the current and previous PGA golf professionals, met with the Porterville Men's Golf Association (PMGA), researched other agency course lease provisions, and discussed concerns of the course operations with nearby residents. The rationale for considering privatization of the Porterville Municipal Golf Course has been stated as a concern that the current enterprise fund arrangement is not self-supportive.

The Porterville Municipal Golf Course is a 9 hole, 3,000 yard facility with approximately 30,000 rounds of play per year. The course is at the national median for municipal courses in the amount of play that occurs. The facility could accommodate an increased amount of play, however, the course is not of the type that will attract golfers from out of the local area.

Typically, municipal courses operate to provide the most availability to the largest number of citizens for recreational purposes. They are typically either managed and operated by government entities on a nonprofit basis, or leased to private concessionaires, who run them on a profit-oriented basis. Municipal courses are the simplest golf course variety, designed to accommodate heavy daily play to appeal to a wide variety of players.

The largest expenditures for the municipal course are for city maintenance staff, utilities, and the Pro operations. The city staff expenditures equate to approximately 33% of the operations budget, with utilities being another 16% and Pro operations comprising 17%. The City has two maintenance workers assigned full time to the golf course and uses supplemental part time workers as needed. The largest utility cost is for purchase of City water for irrigation, an expenditure of approximately $31,000 per year. The Pro receives percentages of the fees and is responsible to retain club house staffing and supplies, and manage the course operations.

The current golf course enterprise does not generate sufficient revenues to meet regular expenditures, and therefore funding for the capital improvement program, administrative overhead and aggressive maintenance also does not exist. Some drop off in play and potential revenue loss was expected after the fee increase in April 2002. The amount of play may be beginning to pick up and the revenues for 2004 are holding close to or very slightly above the same period in 2003. However, play at the course is down from previous years in which records are available. Attached is a table illustrating the amount of players in various categories over the past four calendar years.

ITEM NO.: 18
Since the year 2000 the amount of adult daily green fee players is down by 3,363, a loss of 24% of the adult daily players in year 2000. Junior players are down by a total of 1,636, a loss of 47% of the junior players in year 2000 when considering the high school junior varsity play and junior daily play combined. The schools no longer have junior varsity golf teams because of budget restrictions.

Monthly and annual ticket holder play is also down by 2,957, a loss of 16% of the similar players in year 2000. The table also illustrates the number of monthly and annual ticket holders. This shows that we have lost 427 ticket holders, or 44% of the ticket holders in year 2000. The PMGA has suggested that monthly tickets be re-established and an evaluation be made into opening the course for play on Mondays to encourage additional play. They have also suggested that a single occupant golf cart fee be established to encourage more cart use.

A second table attached hereto illustrates the revenues and expenditures during the past three fiscal years and the current year through March 31, 2004. For the current fiscal year, total revenues are down by approximately 10% from year 2000-2001, while expenditures are down only 3% for the same time period.

A deficit to the enterprise fund of more than $400,000 has evolved over an undetermined number of years, largely prior to the last fee increase. The City has also deferred constructing capital improvements, which if included in the enterprise operations, could increase the annual enterprise expenditure by an additional 10% to 15%. Additionally, the City has not assessed the golf course enterprise an administrative overhead charge, similar to the 9% charge most other enterprises are assessed.

It therefore appears that the facility is operating on an approximate 60% to 70% cost recovery basis. This rate is well within par for many leisure service facilities, but not adequate for an enterprise operation. Staff have developed, therefore, five options for City Council consideration on the future of the municipal golf course

**OPTIONS:**

1. Keep the golf course operations as currently established and, as time permits, continue to look for supplemental funding, including grant opportunities and local donations to support improvements to the course facilities. Methods to economize in operations, and fee structure enhancements would also be explored under this option. This could include the issue of monthly passes and the days of the week that the facility is open.

2. Similar to the first option, this would continue the current arrangements but also direct staff to prepare a report on the feasibility of alternative water sources for irrigation of the golf course, as well as modifications to the monthly and annual pass programs. In addition to evaluating the re-institution of monthly passes a 'use fee' proposal would be prepared for council consideration. The 'use fee' is envisioned to be accessed to monthly and yearly pass holders for each round of golf play. The
‘use fee’ would be expected to make up the difference between the anticipated operation expense and anticipated revenues. Some effort would also be put into exploration of alternative funding to support capital improvements.

The golf course is faced with the possibility of more than $3,000 increase in water cost this year under the City’s new water conservation program. A preliminary engineering evaluation of alternative irrigation water possibilities has been prepared by the Engineering Department. This evaluation determined that three alternative water sources may be available to partially or wholly eliminate the need for purchase of City water for irrigation. The alternatives include purchase of water from the adjacent Fairway Acres well system, use of the Pioneer Ditch water, and development of wells on the golf course. An order of magnitude capital investment cost ranges between $100,000 and $500,000 for these alternatives. If this option is of interest to the Council staff would request the authorization to retain consulting services to conduct a more detailed analysis, including the potential positive and negative impacts upon the City water enterprise.

3. Prepare and circulate a Request for Proposals for Operations and Management of Porterville Municipal Golf Course, and provide Dale Bartlett with 180 day notice of termination of his contract. Provisions that should be required in a Request for Proposals include: a minimum of five years experience in the operation of a golf course facility, providing evidence of financial capacity to equip and operate the golf course facilities, and supplying sufficient business proposal information for expected green fees, annual gross receipts, maintenance budget, as well as a description of services to be provided.

If the facility is to be privatized the concessionaire/lessee will likely request the ability to modify operations and ensure that fees are sufficient to make the operations profitable. It is likely that annual Capital Improvement Program investments by the City will also be necessary in order to preserve the facility and make it marketable. In addition, a concessionaire/lessee will likely require that the City refrain from developing any other course that would compete with the local golf market during the term of the lease. The City’s future ability to directly support constituent interest in golf recreation would thereby be limited to the option of City subsidy to the private concessionaire/lessee.

Some consideration would need to be given to the existing enterprise fund debt at the time of lease consideration. If the City should not be successful in negotiating a lease it would need to expeditiously recruit and contract with a golf pro to maintain operations. Staff suggests that improvements can be made in the cost efficiency of the course operations, and that a concessionaire/lessee could, to some extent, more easily implement some changes (but not all) without institutional issues that the City would face.

4. Eliminate the golf course enterprise and forgive its debt to the general fund, provide Dale Bartlett with notice of termination of his contract with the intent to retain his
services as an at-will employee, and prepare a new organization plan and budget making the golf facility a general fund component of leisure services, including golf professional services, club house operations staffing, a course superintendent position, and implementation of a capital improvement program; all to be effective October 1, 2004.

Annual cost to the general fund not offset by current revenues is preliminarily estimated to be $80,000 to $100,000. This cost would be primarily for capital improvements and enhanced staffing, and could be partially offset by improvements in operations, slight changes in the fees, and by obtaining other funding. This option would put the golf course in direct competition for funding with other General Fund services. In the event that funding priorities in any given year dictate that the golf course not receive its full operations budget there would need to be consideration of fee increases and/or curtailment of golf course operations.

5. Explore the possibility of selling the majority of the golf course property to a residential developer in exchange for the development of a new 18 hole City course to be located elsewhere on City lands. There has been a question in the past about the restrictions upon the City for the lands upon which the current course exists. In researching the records, staff believe that the conveyance restrictions may not be well established and valid. If this option is of interest to the Council staff would ask for the ability to conduct further record research. It is possible that legal action would be needed to formally resolve the land restriction question.

This option offers potentially the most economical method of the City obtaining an 18 hole golf course. Such a golf course would offer greater play opportunities and be an attraction to golfers in a larger region. A modern designed course could be more operationally efficient and become a facility for holding community events and functions. If placed on the west side of town it would be able to utilize reclaimed wastewater for irrigation, thus benefitting the wastewater treatment enterprise.

Closure of the existing course may be deemed to be more compatible to neighbors who are plagued by property damage and concern with personal injury resulting from errant hit golf balls.

**RECOMMENDATION:** That the Council consider the options presented and provide staff with direction for further development or research on a preferred option.

**ATTACHMENTS:**
- Locator map
- Table 1 - Annual Golf Course Use
- Table 2 - Golf Course Revenue and Expenditures
- Parks & Leisure Services Director's Research Findings of March, 2004
- Golf Course Water Service Options memorandum of April 29, 2004
- Golf Course Funding Strategy staff report of June 3, 2003
- Property Owner Letters
- Golf Course Operations Agreement with Dale Bartlett
<table>
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<tbody>
<tr>
<td>2000</td>
<td>13,797</td>
<td>0</td>
<td>2,778</td>
<td>0</td>
<td>12,696</td>
<td>0</td>
<td>736</td>
<td>0</td>
<td>30,007</td>
<td>0</td>
<td>952</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>2000</td>
</tr>
<tr>
<td>2002</td>
<td>11,313</td>
<td>-2,484</td>
<td>1,981</td>
<td>-797</td>
<td>12,384</td>
<td>-312</td>
<td>648</td>
<td>-88</td>
<td>26,326</td>
<td>-3,681</td>
<td>681</td>
<td>-271</td>
<td>22</td>
<td>14</td>
<td>2002</td>
</tr>
</tbody>
</table>
# Table 2
CITY OF PORTERVILLE
GOLF COURSE
REVENUES AND EXPENDITURES

<table>
<thead>
<tr>
<th></th>
<th>FY 00-01</th>
<th>FY 01-02</th>
<th>FY 02-03</th>
<th>FY 03-04</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td>(thru March)</td>
</tr>
<tr>
<td>Green Fees</td>
<td>150,428.00</td>
<td>140,786.80</td>
<td>145,985.26</td>
<td>101,553.66</td>
</tr>
<tr>
<td>Cart Rentals</td>
<td>47,688.00</td>
<td>46,675.00</td>
<td>49,221.00</td>
<td>36,702.00</td>
</tr>
<tr>
<td>Locker Rentals</td>
<td>1,735.00</td>
<td>5,500.00</td>
<td>2,088.00</td>
<td>1,275.00</td>
</tr>
<tr>
<td>Monthly Tickets</td>
<td>57,325.00</td>
<td>48,435.00</td>
<td>40,730.00</td>
<td>23,445.00</td>
</tr>
<tr>
<td>Annual Passes</td>
<td>3,600.00</td>
<td>13,900.00</td>
<td>23,650.00</td>
<td>12,500.00</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>90.00</td>
<td>55.00</td>
<td>75.00</td>
<td>45.00</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>260,866.00</td>
<td>255,351.80</td>
<td>261,749.26</td>
<td>175,520.66</td>
</tr>
</tbody>
</table>

| **Expenditures**    |            |            |            |             |
| Salaries & Benefits | 80,078.67  | 84,833.97  | 90,894.61  | 75,439.68   |
| Maintenance         | 58,062.61  | 63,965.05  | 67,335.56  | 48,751.97   |
| Services            | 66,342.15  | 63,632.02  | 64,148.21  | 38,269.25   |
| Supplies & Materials| 532.04     |            |            |             |
| Other Operating     | 49,593.34  | 55,511.39  | 51,500.68  | 33,926.17   |
| Risk Management     | 8,114.00   | 8,114.00   | 8,114.00   | 6,086.00    |
| Other Expenses      | 18,099.92  | 18,723.31  | 35,944.51  | 734.50      |
| **Total Expenditures** | 280,290.69 | 295,301.78 | 317,937.57 | 203,207.57 |

| **Net Loss**        | (19,424.69) | (39,949.98) | (56,188.31) | (27,686.91) |

(All figures in dollars)
The Parks & Leisure Services Director made the following findings during investigation for the preparation of this report:

1. The majority of the golf course property was acquired by the City in 1945, already substantially developed as a golf course, but with no apparent restrictions on its use. In 1947 the City sold the land for nominal value with simultaneous reconveyance to the City including restrictions on use of the land.

2. Today, the course is in fair to good condition with some amenities, such as the driving range, being of marginal quality, presenting a poor image, and requiring high operating efforts.

3. Fees were last established in April 2002. Daily green fees are: general at $10.00 ($15.00 for 18 holes), junior at $5.00 ($7.00 for weekend), monthly passes at $60 for seniors, $70 for general, and $85 for family, yearly passes equate to 10 times a monthly pass. Several monthly and yearly pass holders play many rounds almost every week. Only those currently holding monthly passes are eligible for the monthly pass entitlement and the monthly pass program is to be eliminated in 2007.

4. The 1997 Capital Improvement Program has largely been ignored with virtually none of the improvement projects performed, nor have enhancements been made to improve maintenance efficiencies and cost savings.

5. There is little to no buffer for out-of-bounds balls before they reach the public travel and private yard areas; tall screens have been installed in some areas to minimize public risk and nuisance; maintenance of the screens has been largely neglected.

6. The City does not have a designated golf course superintendent staff position to oversee maintenance, and a documented maintenance program does not exist.

7. The City has not sought other funding sources, such as corporate sponsorship, or grant funding.

8. The City has excellent equipment and a well funded equipment replacement account for the equipment needed to maintain and operate the course, but there is not a sufficient number of carts to attract large tournaments.

9. The Pro has a five year contract expiring in February 2007, and is responsible for managing and staffing the club house.

10. The Pro provides a satisfactory level of lessons, junior clinics, and a limited size summer travel league.

11. The Pro is required to spend too much time as a clerk in the club house and therefore cannot expand general lesson, junior clinic, and travel league efforts.

12. The City owns 900 acre feet per year of water rights to the Pioneer Ditch; Murry Park pays for 29 acre feet per year of Pioneer Ditch water which flows through the golf course and Murry Pond; The golf course uses a total of 100 acre feet per year of city water for irrigation with approximately 65 acre feet needed during the summer period.
MEMORANDUM

DATE: April 29, 2004
TO: Jim Perrine, - Director of Parks & Leisure Services
FROM: Baldo Rodriguez - PWD
SUBJECT: Golf Course Water Service Options

On April 7, 2004, you requested that Public Works provide cost estimates for three (3) different options to irrigate the municipal golf course. The options selected and estimate of probable cost to construct are as follows:

Option 1: Connect the Fairway Acres well system (may be up to 2 wells) to the golf course irrigation system with approximately 750' of 6” diameter pipe. Construct a 200,000 gallon reservoir in the vicinity of the #1 Tee box. Provide a 500 gpm booster pump (30 - 40 hp range).

Estimated probable cost - $433,000 (includes design, contingency, project management and inspection).

Option 2: Install 500 gpm booster pump in the vicinity of the Murray Park Pond, pipe to golf course with approximately 500' of 6” diameter pipe and connect to golf course irrigation system in the vicinity of the #7 Tee box.

Estimated probable cost - $112,000 (includes design, contingency, project management and inspection).

Option 3: Construct 3 - 175 gpm wells at the golf course, construct a 5,000 gallon hydro-pneumatic tank at each well site, control valves, controller and other appurtenances.

Estimated probable cost - $480,000 (includes design, contingency, project management and inspection).

Overview/Summation:

Each project has its benefits and disadvantages. Option one relies on external wells of which we know very little about and requires the construction of an expensive reservoir. In lieu of a steel water tank, an excavated pond can be substituted and incorporated into golf play. Option two makes the most sense from a financial standpoint but there is some risk associated with Pioneer Water Company’s ability to deliver a uniform stream of water.

Option 3 is risky and expensive. Our experience in this area strongly suggests that we will not find any substantial amount of water at the golf course. The well idea at the golf course is a big risk in Engineering’s opinion.

cc: John Longley
    Mike Reed
SUBJECT: GOLF COURSE FUNDING STRATEGY

SOURCE: Parks and Leisure Services

COMMENT: On December 17, 2002, the City Council recommended that staff present a funding strategy on the Porterville Municipal Golf Course. Several options are presented for Council's consideration.

1. The Consolidated Annual Financial Report indicated that since the Golf Course is losing money each year the activity may then not continue as an enterprise, but instead be included in the City's General Fund account which should be subsidized if needed each year.

2. City rate adjustments last year have helped. We are at a $2,433.38 deficit as of April 30th, 2003, but the long term consequences must be addressed.

3. A portion of the enterprise determination must be based on the appraised value of the Golf Course and its assets. For example the land for the enterprise is valued at only $102,048. Even if land values may be adjusted to market values for the use, the long term financial picture must be addressed.

4. The major strategic issue is to solve the anticipated deficit at the Golf Course. One option is to lease the entire maintenance and operation of the course to a private operator. Listed are City operation vs. private operation issues.

<table>
<thead>
<tr>
<th>CITY OPERATION</th>
<th>PRIVATE OPERATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff — City staff are trained, responsible and correct problems as they occur. Wage rates and benefits are higher than private sector.</td>
<td>The private sector can offer lower wage and benefit rates. It is more difficult to find management to take over a nine hole course compared to an 18 hole course because profit center normally is less.</td>
</tr>
<tr>
<td>Equipment — City has an equipment replacement program which ensures the equipment is maintained in proper order. The program is expensive to operate.</td>
<td>Private sector can lease back our equipment.</td>
</tr>
<tr>
<td>Control — City has direct control of course.</td>
<td>Private operator would be under contract to perform. City would inspect course only. If a green died it could cost private operator $12,000 to $20,000 to replace.</td>
</tr>
</tbody>
</table>

ITEM NO.: 1
<table>
<thead>
<tr>
<th>Capital Improvement Projects—The City budgets projects as funding allows.</th>
<th>Private operator would pay City a fee for leasing the course. Fees would be set aside for capital improvement projects.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities—City pays regular water rates which equate to $38,000 to $45,000 per year.</td>
<td>Private operator would have to pay City rates, and for all electric and gas meters.</td>
</tr>
<tr>
<td>Contract—City has a contract with Golf Pro, Dale Bartlett, for Professional Services to collect green fees and golf cart revenue, operate concession, and provide golf instruction. He receives 20% of green fees and 25% of golf cart revenue. His contract ends 01/01/07. The Agreement may be terminated without cause by either party, within 90 days written notice. Mr. Bartlett provides basic maintenance to the inside of the club house only, not maintenance on the golf course.</td>
<td>Private operator would be responsible for providing services under a contract requiring operation and maintenance of the course. They would collect all revenue depending on the contract and pay for all services including a lease fee to City.</td>
</tr>
<tr>
<td>Fee Rate Structure—Fees are raised as determined and approved by the City Council.</td>
<td>Fees would be automatically built into private operator’s contract.</td>
</tr>
</tbody>
</table>

5. Competitive Environment—Porterville competes with numerous courses in the surrounding areas. Courses in Visalia, Tulare, Delano, Wasco, Kern River, North Kern, and Buena Vista all compete for play. Although the courses immediate to Porterville have the greatest competitive impacts on Porterville Municipal the conditions of the golf market for Kern County has impact on regional transfer play even on a nine hole golf course. Kern courses recently increased fees and dropped the monthly cards which brought them more in pricing lines with Tulare County. Most competition comes from Tulare and River Island which are both 18 hole courses. For example, River Island has a special on for 18 holes of golf plus a cart for $20, must have four players, after 4:00 p.m. each day. This is lower than our rate on a nine hole course. Since our fees were raised last year there is no recommendation on fee increases this year because we are in line with fees in other areas. Because of the State economy, golf courses in our area are very price sensitive and are experimenting with special pricing to increase play. Another option is to look into using price specials at periods of low play on the golf course.

Overall review suggests that a private operator of the maintenance and operation of the Golf Course may be a more cost-effective operation if they are able to keep up with the maintenance of the course. The savings would be in wages, benefits, and eventually on equipment and lower overhead. Inspection by the City of the private operator’s maintenance and operation of the course is key to the success of a private agreement. If the course is not maintained properly by the operator it could cost the City additional funds to bring the course back to playing shape.
RECOMMENDATION: That the City Council as part of the Golf Course Funding Strategy consider this matter during the annual budget review meeting making the golf course a General Fund Account and/or determine if necessary to begin the process of private operation of the golf course.

ATTACHMENTS: Porterville Municipal Golf Course Fees
RESOLUTION NO. 38-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ADOPTING FEES AND CHARGES FOR THE CITY OF PORTERVILLE MUNICIPAL GOLF COURSE

BE IT HEREBY RESOLVED by the City Council of the City of Porterville that the following Fees and Charges are hereby adopted to become effective on April 1, 2002:

<table>
<thead>
<tr>
<th></th>
<th>9-Hole</th>
<th>18-Hole</th>
<th>Monthly Ticket*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General:</strong></td>
<td></td>
<td></td>
<td>Senior Citizen (62 &amp; over) - $60.00</td>
</tr>
<tr>
<td>Weekday - $10.00</td>
<td>$15.00</td>
<td></td>
<td>Family - $35.00</td>
</tr>
<tr>
<td>Weekend - $10.00</td>
<td>$15.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Juniors:</strong></td>
<td></td>
<td></td>
<td>Annuals:</td>
</tr>
<tr>
<td>Weekday - $5.00</td>
<td>no change</td>
<td>no change</td>
<td>Single - $700.00</td>
</tr>
<tr>
<td>Weekend - $7.00</td>
<td>no change</td>
<td></td>
<td>Senior - $600.00</td>
</tr>
<tr>
<td><strong>Golf Cart Fees:</strong></td>
<td>$9.00</td>
<td>$18.00</td>
<td>Family - $350.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$90 for Ten 9-hole rounds</td>
</tr>
</tbody>
</table>

*Special provisions will be set out to phase out monthly tickets over a five year period, but to participate, a golfer must sign up in June, 2002.

Dated this 19th day of March, 2002.

[Signature]
Gordon T. Woods, Mayor

ATTEST:

[Signature]
John Longley, City Manager
March 4, 2004

Claudia Fox
P.O. Box 1723
Porterville, Ca 93258

Jim Perrine, Dir. of Parks & Leisure
291 North Main
Porterville, CA 93257

Dear Mr. Perrine

As per our conversation on Thursday, 3.04.04 this is the letter that you requested. At your suggestion I would like to remain apprised in regards to this matter as it is addressed by yourself and the City of Porterville. Thank - You.

Today I had a "life threatening" experience, that I never want to experience ever again. I was crossing the lawn in my front yard (located at 766 E. Putnam), when a flying golf ball came whizzing past my head to hit the tree behind me and bounce back missing me (barely) for a second time, to land on the grass in front of me.

In the recent past my personal property has been destroyed, e.g. I have had to replace 2 front windshields and 1 rear window. There are multiple dents in my vehicles caused by flying golf balls and the metal awnings over my front windows have been dented knocking off the protective coating causing them to rust. All of this and more, all due to flying golf balls.

I am looking to you and the City of Porterville for a solution. Myself as well as my neighbors are very hopeful that you, unlike your predecessor, will be able to take action to resolve this constant health hazard as well as the destruction of private property.

Sincerely,

Claudia Fox

P.S. At approximately 2:00 PM, I spoke with "Lee" she said that she would give you this information and ask you to call me.
March 4, 2004

Claudia Fox
P.O. Box 1723
Porterville, Ca 93258

Jim Perrine, Dir. of Parks & Leisure
291 North Main
Porterville, CA 93257

Dear Mr. Jim Perrine

Again I would like to Thank You, for all the information that you gave me in regards to what actions may be taken in the event that this or a similar occurrence were (really, it is just a matter of time) to take place in the future, inflicting bodily harm and/or causing personal property damage.

When my first property loss occurred (the first of 3 windows broken out of my cars etc., refer to my first letter dated 3.4.04) as I stated to you during our phone conversation, today, I was informed at the golf course that it was not their responsibility and then the police officer that responded to my call, said that since the alleged perpetrator denied any guilt, it was “my word against his”. So basically until now I have just been paying out of pocket to fix the damages to my property. I did not, and was not informed that I could file a claim with the City Clerk for damages.

I was and still remain very shaken by this afternoons circumstances. There is no doubt in my mind had I or anyone else been struck by that golf ball, very serious, if not lethal damages would have been inflicted.

Looking forward to a speedy resolution and hearing from you soon.

Sincerely,

Claudia Fox
PORTERVILLE MUNICIPAL GOLF COURSE OPERATIONS

AGREEMENT

THIS AGREEMENT, entered into at Porterville, California, by and between the CITY OF PORTERVILLE, a Municipal Corporation of the State of California, hereinafter called "City," and L. DALE BARTLETT, hereinafter called "Operator."

RECITALS

Whereas, the City is the owner of a public golf course located within the City of Porterville and known generally as the Porterville Municipal Golf Course; and

Whereas, the City maintains said golf course for the purpose of making available to the general public the facilities thereon; and

Whereas, in the operation of said golf course, the City desires to make available public restaurant service, professional golfing instruction and other services related to golfing; and

Whereas, Operator desires to undertake and to perform the services set forth above and other services as hereinafter set forth; and

Whereas, throughout the term of this agreement Operator shall be an accredited Class "A" PGA professional, or apprentice (completion of GPTP Level I), in good standing.

NOW, THEREFORE, it is agreed between the parties hereto as follows:

1. The City grants to Operator, and Operator hereby accepts the exclusive right and obligation to undertake on the Porterville Municipal Golf Course, the following specified duties and uses only:

   a. On site sale of food, soft drinks and beer (Operator is responsible for obtaining requisite ABC License at his or her sole cost and expense).

   b. Sale of golf equipment and miscellaneous merchandise incidental to the game of golf.

   c. Rental of City golf carts (City pays percentage to Operator), golf equipment and other equipment incidental to the game of golf.

   d. Providing golfing services such as professional golf instructions and professional golf lessons, driving
range, conducting of tournaments and similar competitions.

All of the above specified uses hereby granted under the terms of this agreement shall be permitted, carried on and exercised at locations approved by the City Manager of the City of Porterville, or his designated representative, and at no other place or location than the Porterville Municipal Golf Course.

2. The term of this agreement shall be for five years commencing on February 19, 2002. As soon as practicable after the end of the fourth year of the term of this agreement, and provided that Operator is not in default, and provided further that the City Council of the City of Porterville is satisfied with Operator’s performance up to that time, Operator shall have the option to renew this agreement for an additional five (5) years, i.e., from January 1, 2007 to December 31, 2011; and upon notification of same by the parties shall forthwith commence negotiations for the renewal period.

3. Operator agrees to exercise all rights herein granted subject to, and in accordance with, the rules and regulations of the City Council of the City of Porterville that are now, or may hereafter be, in effect; and the City Manager, or his designated representative, shall provide supervisory control, direction and enforcement of such rules and regulations, and other terms and conditions of this agreement, on behalf of the City of Porterville. These rules and regulations will include, but are not limited to:

   a. Enforce proper etiquette including allowing faster players to play through, leave green immediately when completing a hole, no spectators under the age of 12 years be permitted on the course, avoid practice swings which will damage the course, smooth holes and footprints left in sand traps, replace divots, repair damage to greens such as ball marks and spike marks and the movement of riding and/or pull carts. Operator, or his designee, agrees to physically marshal the course by inspecting play from golf cart.

   b. Act as starter in conducting starting times, priority for groups and insuring that all players register prior to playing on the course.

4. At the end of the term of this Agreement, or at its earlier termination for any reason whatsoever, Operator agrees to deliver possession of any part of said Municipal Golf Course utilized by Operator, and to clean and restore said premises in a condition satisfactory to the City of Porterville.

5. Operator agrees that he or she will procure and maintain in force throughout the term of this Agreement an insurance policy or policies insuring Operator and the City against public liability and property damage in the following minimum amounts, to wit:
a. Comprehensive form of commercial general liability, which shall be primary as respect to the City of Porterville, with aggregate limits not being reduced by prior claims, and naming the City of Porterville, its officers, employees, agents and assigns, as additional insured, in at least the following amounts:

1. Bodily injury, including death to one or more persons, each occurrence: $1,000,000.00.

2. Products/completed operations hazard, each occurrence: $1,000,000.00.

3. Damage to property, each occurrence: $100,000.00, with no deductible.

4. Liquor Liability: $1,000,000.00.

b. Workers' compensation insurance, conforming to all applicable statutory limits, and covering all employees of Operator.

All insurance shall be carried with insurance companies having a Best rating of not less than A:VII, and which are admitted and authorized to do business in the State of California by the Insurance Commissioner of California. A renewal policy shall be procured not less than ten (10) days prior to the expiration of any such policy. The policies of insurance as above provided, or certificates of the insurers evidencing insurance carried, shall be deposited with the City Clerk of the City immediately upon the execution of this Agreement. Should the required insurance coverage, for any reason whatsoever, be canceled, the insurer is required to provide the City with thirty (30) days notice of such cancellation.

6. Operator hereby agrees to hold the City, its elective and appointive boards, officers, agents and employees, harmless from any liability for damage, or claims for damage, for personal injury, including death, as well as from claims for property damage which may arise from Operator operations under this Agreement, or by any one or more persons directly or indirectly employed by, or acting as agent for, Operator. Operator agrees to, and shall, indemnify and defend the City and its elective and appointive boards, officers, agents and employees from any suits or actions at law or in equity for damages caused, or alleged to have been caused, by reason of any of the aforesaid operations, provided as follows:

a. That the City does not, and shall not, waive any rights against Operator which it may have by reason of the aforesaid hold harmless agreement or because of the acceptance by the City, or the deposit with the City by Operator, of any of the insurance policies or certificates of insurance described in this agreement; and
b. That the aforesaid hold harmless agreement in favor of City shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reasons of any of the acts of Operator regardless of whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

7. Operator further agrees as follows:

a. Not to assign or sublease this Agreement, or any part thereof, without the written consent of the City first had and obtained, which consent may be withheld by the City at its sole discretion, and the consent to one assignment or one subletting shall not be construed as a consent to any further assignment or subletting.

b. To pay the costs of janitorial services inside the clubhouse and locker room, and the cleaning of windows (inside and outside).

c. Not to violate, permit or suffer the violation of any law, regulation or ordinance of any political subdivision in effect at said premises.

d. To pay the cost of telephone services utilized by Operator at said premises.

e. To pay for water costs for irrigating training area of the golf course driving range, payable on a monthly basis; maintain range to include regular trash and ball pick up, and screen and fence replacement. The City will mow the driving range.

f. Operator shall rent city golf carts to the public. The Operator shall receive 25% of gross revenues for renting the carts. The City shall be responsible for major maintenance of the City owned golf carts. The Operator will be responsible for cleaning of the carts and minor preventative maintenance including checking oil, batteries, tires, general cart condition and reporting cart repair needs to appropriate maintenance staff.

8. Operator shall not commit, or suffer to be committed, any waste upon said premises, or any nuisance, or other act or thing which may disturb the quiet enjoyment of the neighborhood or citizens utilizing said golf course.

9. Operator warrants that he has inspected the premises and accepts them in their present condition and “as is”. Operator may from time to time, at his own cost and expense, make alterations to the premises provided Operator obtains from the City written approval of said alterations and after obtaining any other permits or licenses as required by law.

10. In the exercise of this agreement, Operator will provide food, including, but not limited to, hot sandwich service and beverage service to the public during that period of time which coincides with the hours of golf play at said Municipal Golf Course. Operator may also
provide said food and beverage service at other times in accordance with the regulations and approval of the City. In this regard, Operator shall, at his sole cost, provide all necessary fixtures and equipment for the purpose of supplying said services.

11. Operator shall, at all times when the Golf Course is required to be open to the public, and subject to the supervision of the City Manager of the City of Porterville, or his designated representative, perform those duties required of the professional manager of said Municipal Golf Course; and, in the absence of Operator from the premises, Operator shall provide a qualified starter at said Municipal Golf Course, and shall further conduct himself at all times in a manner that shall reflect credit upon himself and upon the City of Porterville.

12. For the services of Operator as professional-manager of said golf course, the City agrees to pay to Operator as consideration the following:

Twenty percent (20%) of all fees collected for lockers, monthly tickets, green fees.

Twenty-five percent (25%) of all cart fees collected.

Operator is also entitled to three (3) complimentary monthly tickets. This includes the operator and two employees only.

Operator is not an employee of the City of Porterville, and is therefore ineligible for vacation, sick leave or retirement benefits that may now, or hereafter, be available to employees of the City of Porterville. However, Operator will continue to receive the basic consideration as set forth above, although Operator's absence from the premises may occur from time to time for reason of sickness or vacation. Notice of vacation absences shall be given in advance to the City Manager, or his designee, and shall be held at a reasonable time as determined by the City Manager, or his designee. Said consideration provided for in this paragraph shall be paid to Operator by the City monthly on the basis of the revenue as set forth and received from the preceding month. All funds received at the course will be operated through the City's cash register for accounting purposes.

13. Prior to conducting any business as contemplated herein, and at all times during the term of this agreement, Operator shall secure a business license from the City of Porterville and provide proof of such license to the Director of Parks and Leisure Services for the City of Porterville.

14. Operator agrees that the golf course shall be open for use six (6) days a week, and shall be opened every Monday that is declared to be a state and/or local holiday, except the course will not be open on the following holidays, whether falling on a Monday, or otherwise: Thanksgiving Day, Christmas Day and New Year's Day.
15. This Agreement with Operator is in consideration of the services that Operator shall perform as the professional-manager of the Porterville Municipal Golf Course. In the event said services by Operator are terminated, then this Agreement may, at the option of the City, be immediately terminated and canceled. In the event Operator breaches or fails to comply with any terms or conditions of this Agreement, then, at the option of the City, this agreement shall be immediately terminated, and Operator shall immediately surrender possession of any premises and/or rights herein granted.

16. With respect to the performance of the duties and obligations arising under this Agreement, it is mutually understood and agreed that Operator will be acting as an independent contractor. Nothing in this agreement is intended, nor shall be construed, to create a partnership, an employer/employee relationship, a joint venture relationship, or any other relationship between Operator and the City.

17. The Operator will annually transmit to the City an audit, prepared by a CPA, of all golf related revenues received by Operator, within 60 days after the close of each fiscal year during the term of this contract.

18. Alcohol and drug testing is a condition of approval for this agreement. The Operator shall submit to an alcohol and/or drug test conducted by the City Physician at the City’s expense. The Contractor shall submit immediately to an alcohol and/or drug screen test when requested by the City during the term of this Agreement. Refusing to provide a urine specimen as requested by the City Physician will result in the termination of the Agreement.

19. It is contemplated by the parties herein that from time to time there may be required of Operator additional duties not herein specifically set forth. In that event it is agreed that this Agreement shall be supplemented.

20. Except as otherwise herein set forth, the City agrees to provide services and materials to properly maintain the buildings and grounds of said Municipal Golf Course.

21. This Agreement shall be reviewed annually. Operator’s performance will also be evaluated yearly under the guidelines of the Professional Golf Association Performance Appraisal.

22. Notwithstanding any provision of this agreement to the contrary, this Agreement may be terminated by either party, with or without cause, by giving the other party ninety (90) days written notice of termination. Notice shall be given by personal delivery or first class mail, return receipt requested, addressed as follows:
Notwithstanding the foregoing, either party may terminate this Agreement for cause upon thirty (30) days written notice to the other party, in the manner set forth herein.

In the event this Agreement is terminated prior to the conclusion of the term hereof, Operator shall be entitled to retain payments under this Agreement and to receive (1) payment of 20% of green fees and 25% of cart rental fees for that portion of the month in which this agreement is terminated.

23. Neither Operator, nor any agent, servant, or employee of Operator shall willfully discriminate against any employee or patron of the Porterville Municipal Golf Course on any facilities related thereto, and all patrons of the facilities and current employees shall be treated equally without regard to their race, color, age, religion, ancestry, sex, national origin, local custom, habit, or sexual orientation. Violation by Operator of this provision of the State Fair Employment Practices Act shall be cause to terminate this Agreement.

24. If any legal action, arbitration or other proceeding is brought in connection with this Agreement, the prevailing parties shall be entitled to recover their actual attorney's fees and costs, in addition to other costs incurred in such action, arbitration or proceeding, reimbursement of fees advanced in the event of arbitration, and other relief to which they may be entitled.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed at Porterville,

CITY:

CITY OF PORTERVILLE

Gordon T. Woods, Mayor

ATTEST:

John Longley, City Clerk

Approved as to Form:

Thomas T. Watson, City Attorney

OPERATOR:

L. Dale Bartlett, PGA

S/agree/golf
COUNCIL AGENDA: May 18, 2004

SUBJECT: IMPLEMENTATION PLAN FOR OPENING MURRY PARK ROADWAY

SOURCE: Parks and Leisure Services Department

COMMENTS: At the May 4, 2004 regular meeting, the City Council directed the development of an implementation plan for re-opening of the Murry Park roadway loop around the pond for one-way traffic. Staff members have reviewed the site to determine the items of work needing to be performed and associated cost to accomplish the reopening. The largest cost item is for the installation of an additional gate at the creek crossing to prevent unauthorized vehicles from entering the roadway and traversing in a southerly direction through the park. The roadway itself needs only minor pothole repair.

Otherwise, signs will need to be installed to inform motorists of the one-way traffic requirement, parking prohibition, caution children playing, and speed limit. A new barrier will need to be installed at the Putnam Avenue entrance, the current barrier is inoperative. A second barrier is necessary at the crossing of the creek, to prohibit traffic from driving the maintenance road. Staff wishes to seek clarification on whether the parking prohibition was to apply to the paved parking area immediately east of the pond. Staff believes the intent of Council’s direction was to allow for parking in this area in order to enhance park patron access. The cost to make the roadway ready for traffic is estimated to be $8,700. Funds are available in the Veterans Park and Zalud Park budgets to assist the Murry Park budget in covering this cost. The work can be completed with the roadway open for traffic by Friday, May 28, 2004.

To avoid added personnel cost, staff recommends that the roadway (and parking) hours be established the same as the park restroom opening and closing hours. This will allow the same park maintenance worker to open and close the gates at the time the restrooms are opened and closed. The restroom hours are currently:

Summer months (April through September) 7:00 a.m. to 8:00 p.m
Winter months (October through March) 7:00 a.m. to 4:00 p.m.

RECOMMENDATION: Direct staff to implement the plan to prepare the Murry Park loop roadway for opening to one-way traffic by May 28, 2004, with parking to be permitted only in the paved area immediately east of the pond, and the hours of gate opening and parking to be set the same as restroom hours.

ATTACHMENT: Map of Murry Park loop roadway improvements

ITEM NO.: 19
SUBJECT: SKATEBOARD ORDINANCE

SOURCE: Police Department

COMMENT: At the April 6, 2004 council meeting, council directed staff to provide an ordinance for review that was more stringent in limiting the activities or use of such devices by skateboarders in the community. The city's current ordinance reads as follows:

Section 20-1.1 Skateboards prohibited

Any person who rides, propels, pushes or in any other manner uses the vehicle commonly known as a skateboard on any sidewalk, walkway, crosswalk or other area designed primarily for pedestrian travel in the area bounded by Morton and Olive and Second and Hockett in the city shall be guilty of a misdemeanor.

Staff has reviewed various ordinances from small and large municipalities. A majority of them were very basic and brief, generally prohibiting skateboarding in a particular business district. Some included rules and regulations that were applicable to a Skateboard Park in the community. A draft ordinance in basic form is being provided to seek direction, input and intent of the Council. While some of the ordinances specify that it is a violation to ride a skateboard on the street, skateboarding on the street is already a violation pursuant to the California Vehicle Code.

RECOMMENDATION: That City Council provide input and direction relative to the revision of the current ordinance.

Attachment: Draft ordinance
City of Porterville
Proposed Skateboard Ordinance

Riding skateboard, in-line skates, or rollerskates: prohibitions.

The riding of skateboards, in-line skates, rollerskates, or other similar contrivances shall be prohibited on any sidewalk, walkway, crosswalk or other area designed primarily for pedestrian travel in the area bounded by Morton and Olive and Second and “D” in the city shall be guilty of a misdemeanor. Additionally, the riding of these devices shall be prohibited upon any private or public property when such property has been posted pursuant to this section. Property owners and/or their manager are authorized to post or erect signs, at their own expense, prohibiting the riding of skateboards, in-line skates, rollerskates, or similar contrivances in or on those premises.

Warning signs posted.

The property owner or its manager shall erect authorized signs giving notice of the prohibition set forth in ** above. Authorized signs shall be a minimum of seventeen (17) inches x twenty-two (22) inches, with one-inch letters, posted adjacent to the entrances to the subject property. These signs may be erected in such a position to prevent vandalism or theft. The property owner, or manager, shall have on file with the police department a signed consent form authorizing the police department to enforce said ordinance.

Example Sign: “Skateboards, In-line Skates, Rollerskates or Similar Contrivances Prohibited on Posted Property by **, Porterville Police Department 782-7400”
SUBJECT: REPORT OF THE ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENGINEERING NEWS RECORD 20-CITY CONSTRUCTION COST INDEX

SOURCE: Public Works Department - Engineering Division

COMMENT: As established by resolution and in accordance with City Council directives, staff calculates fee adjustments annually using the Engineering News Record 20-City Construction Cost Index. In the past, this has been done by staff without reporting to City Council. The policy as of last year, requires reporting the adjustments to City Council before the new fees become effective. By request, Exhibit “A” and Exhibit “H” of the City of Porterville’s Comprehensive Fee Schedule have been sent to the Building Industry Association along with notification that this item will come before the Council on this date. The proposed fee adjustments will go into effect on July 1, 2004.

RECOMMENDATION: Report Only

ATTACHMENTS: Exhibit “A” Park Impact Fees
Exhibit “H” Connection Fees

Y:\Engineering\Council Items\Report of the Annual Adjustment of Fees for 2004.wpd
EXHIBIT 'A'

PARK IMPACT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single Family (R-1) ▲</td>
<td>08/01/03</td>
<td>07/01/04*</td>
</tr>
<tr>
<td></td>
<td>$497</td>
<td>$525</td>
</tr>
<tr>
<td>2. Multiple Family Per Unit ▲</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$385</td>
<td>$407</td>
</tr>
<tr>
<td>3. Mobile Homes ▲</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>$278</td>
<td>$294</td>
</tr>
</tbody>
</table>

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

▲Resolution #2-99 (most recent establishing ENR annual adjustment)
* Based on ENR Index = 7016.91
### Connection Fees

#### Trunk Line Sewer Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (142-02)</td>
<td>8/1/03</td>
<td>$756</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (94-90)</td>
<td>7/1/04*</td>
<td>$798</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (94-90)</td>
<td></td>
<td>$1,385</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (94-90)</td>
<td></td>
<td>$3,219</td>
</tr>
<tr>
<td>Institutional - per acre**(94-90)</td>
<td></td>
<td>$7,509</td>
</tr>
<tr>
<td>Commercial &amp; Professional Office - per acre**(94-90)</td>
<td></td>
<td>$522</td>
</tr>
<tr>
<td>Industrial - per acre**(94-90)</td>
<td></td>
<td>$1,957</td>
</tr>
</tbody>
</table>

#### Treatment Plant Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family and Multiple Family - per unit (67-03)</td>
<td>8/1/03</td>
<td>$2,183</td>
</tr>
<tr>
<td>Commercial and Industrial - per sewer connection (67-03)</td>
<td>7/1/04*</td>
<td>$2,305</td>
</tr>
<tr>
<td>(per gpd)</td>
<td></td>
<td>$7.80</td>
</tr>
<tr>
<td>($2,183 min)</td>
<td></td>
<td>$8.24</td>
</tr>
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</table>

#### Sewer Connection Charges

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Six Inch or Smaller - per foot</td>
<td>8/1/03</td>
<td>$7.48</td>
</tr>
<tr>
<td>Eight Inch - per foot</td>
<td>7/1/04*</td>
<td>$10.37</td>
</tr>
</tbody>
</table>

#### Water Trunk Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside Development - per acre (142-02)</td>
<td>8/1/03</td>
<td>$1,088</td>
</tr>
<tr>
<td>Single Family (R-1) - per acre (93-90)</td>
<td>7/1/04*</td>
<td>$1,149</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (93-90)</td>
<td></td>
<td>$2,268</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (93-90)</td>
<td></td>
<td>$5,677</td>
</tr>
<tr>
<td>Institutional**(93-90)</td>
<td></td>
<td>$13,255</td>
</tr>
<tr>
<td>Commercial and Professional Office - per acre**(93-90)</td>
<td></td>
<td>$1,480</td>
</tr>
<tr>
<td>Industrial - per acre**(93-90)</td>
<td></td>
<td>$1,704</td>
</tr>
</tbody>
</table>

#### Water Connection Fee

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connection Charges - per foot</td>
<td>8/1/03</td>
<td>$6.40</td>
</tr>
</tbody>
</table>

*Revision: 05-04-04*
### STORM DRAINAGE FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family (R-1) - per acre (inc. Hillside Dev.) (▲ 95-90)</td>
<td>8/1/03</td>
<td>$3,736</td>
<td>$3,945</td>
</tr>
<tr>
<td>Duplex (R-2) - per acre (▲ 95-90)</td>
<td>8/1/03*</td>
<td>$4,983</td>
<td>$5,262</td>
</tr>
<tr>
<td>Multiple Family (R-3 &amp; R-4) - per acre (▲ 95-90)</td>
<td>8/1/03</td>
<td>$7,474</td>
<td>$7,893</td>
</tr>
<tr>
<td>Commercial, Industrial &amp; Institutional - per acre (▲ 95-90)</td>
<td>8/1/03</td>
<td>$9,964</td>
<td>$10,522</td>
</tr>
</tbody>
</table>

### STREET LIGHT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Family - per foot</td>
<td>8/1/03*</td>
<td>$1.94</td>
<td>$2.05</td>
</tr>
<tr>
<td>Commercial/Industrial - per foot</td>
<td>8/1/03</td>
<td>$2.45</td>
<td>$2.59</td>
</tr>
</tbody>
</table>

### FIRE HYDRANT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Family - per foot</td>
<td>8/1/03</td>
<td>$2.54</td>
<td>$2.68</td>
</tr>
<tr>
<td>Commercial/Industrial - per foot</td>
<td>8/1/03</td>
<td>$3.76</td>
<td>$3.97</td>
</tr>
</tbody>
</table>

### TRANSPORTATION IMPACT FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family (R-1) per unit (▲ 50-98)</td>
<td>8/1/03</td>
<td>$799</td>
<td>$844</td>
</tr>
<tr>
<td>Multiple Family (per unit) (▲ 50-98)</td>
<td>8/1/03</td>
<td>$541</td>
<td>$571</td>
</tr>
<tr>
<td>General Office/ Institutional (per 1,000 sq ft of gross floor) (▲ 50-98)</td>
<td>8/1/03</td>
<td>$2,057</td>
<td>$2,172</td>
</tr>
<tr>
<td>Commercial (per 1,000 square feet of gross floor area) (▲ 50-98)</td>
<td>8/1/03</td>
<td>$3,913</td>
<td>$4,132</td>
</tr>
<tr>
<td>Light Industrial (per 1,000 square feet of gross floor area) (▲ 50-98)</td>
<td>8/1/03</td>
<td>$583</td>
<td>$616</td>
</tr>
</tbody>
</table>

### FRONTAGE IMPROVEMENT VALUATION THRESHOLD

<table>
<thead>
<tr>
<th>Description</th>
<th>Effective Date</th>
<th>Rate 1</th>
<th>Rate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage Improvements are required when the</td>
<td>8/1/03</td>
<td>$9,800</td>
<td>$15,000</td>
</tr>
<tr>
<td>Building Permit valuation is over ◆ (Beginning 2/19/04 - over a two-year period)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

▲Most recent resolution establishing ENR annual adjustment
◆Ordinance No. 1644 dated 2-19-04
*Based on ENR Index = 7016.91

**Institutional, Commercial and Industrial water and sewer trunk line fees will be collected based upon the amount stated above, but shall be adjusted after monitoring of actual usage to the following fees:

- Water - $138.84 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

- Sewer - $118.01 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).
SUBJECT: BUILDING FAÇADE RENOVATION GRANT PROGRAM
VARIANCE REQUEST FOR 118 N. MAIN STREET

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On December 7, 1993, the Porterville Redevelopment Agency approved
the financial incentive guidelines for the Building Facade Renovation
Program. This program was developed for those businesses located within
the Porterville Redevelopment Agency Project Area No. 1 to access grant
funds for making improvements to their commercial facades. Conditions
of the program required that the participant: (1) make those improvements
based on the Design Guidelines approved under the program; (2) that the
Agreement bound the Grantor and all successors and assigns in the Real
Property; and (3) that the participants of this program execute a Facade
Easement Agreement by which the City could monitor and require
compliance to this Agreement.

The prior owner of the building at 118 North Main Street participated in
the Redevelopment Agency's Building Facade Renovation Agreement
program in May 1995. The building was recently sold to its new owners.
The new owners have repainted their front building facade with a color not
designated for this Vernacular building constructed in the 1920's. After
painting the building, the owners submitted a written request to retain the
new color and requested a variance to the Downtown Porterville
Architectural Design Guidelines at the February 3, 2004 Porterville
Redevelopment Agency meeting. During that meeting, the Agency
directed that this item be brought back at the first meeting in April.

Staff reviewed Council's action of February 3, 2004, and contacted an
architect specializing in historical architecture, Sherman Williams Paint
Company, and reviewed articles obtained through the local library to
determine whether other options were available. Based on the information
provided from the contacts and research, the color palettes selected
through historical research and the public participation process and
utilized in the approved Architectural Guidelines are correct. Should the
Agency desire to make changes to the color palettes, criteria for the
changes would need to be determined by the Agency. Additionally,
changes to the Building Façade Renovation Program guidelines would
need to have criteria set forth by the Agency.
The owner requested that the April 6, 2004 item be postponed due to a scheduling conflict. The item was then scheduled for closed session on May 4, 2004.

RECOMMENDATION: That the Redevelopment Agency deny the request for a Variance to the Downtown Porterville Architectural Design Guidelines and direct staff to enforce the Façade Easement Agreement executed on May 2, 1995.

ATTACHMENT: Room with a View Variance Request
COMMENT: With the adoption of the Porterville Redevelopment Strategic Plan in February of 1992, the City of Porterville made a concrete commitment to the revitalization of its downtown core. The architectural design guidelines were presented to provide measures for undertaking the preservation of downtown Porterville’s physical fabric and the conservation of its historic character, particularly through the rehabilitation of its commercial and professional office facades. Research by the architectural consultant assisting with the development of the guidelines provided color palettes for four (4) architectural styles for buildings popular from the 1880’s through the 1960’s. Both the Porterville Redevelopment Strategic Plan and Porterville Architectural Design Guidelines were developed utilizing an extensive public participation process.

On December 7, 1993, the Porterville Redevelopment Agency approved the financial incentive guidelines for the Building Facade Renovation Program. This program was developed for those businesses located within the Porterville Redevelopment Agency Project Area No. 1 to access grant funds for making improvements to their commercial facades. This program provides 80% of the funds necessary to make those improvements. The remaining 20% is provided by the property owner. Conditions of the program required that the participant: (1) make those improvements based on the Design Guidelines approved under the program; (2) that the Agreement bound the Grantor and all successors and assigns in the Real Property; and (3) that the participants of this program execute a Facade Easement Agreement by which the City could monitor and require compliance to this Agreement.

Since its inception, the Building Facade Renovation Program provided grant assistance for 14 properties. The funding for this program has been exhausted and it is not anticipated that funds will become available in the immediate future. The terms of the Facade Easement Agreement include the on-going maintenance of the exterior facades and to maintain compliance with the policies provided in the Porterville Architectural Design Guidelines.
The prior owner of the building at 118 North Main Street participated in the Redevelopment Agency's Building Facade Renovation Agreement program in May 1995. The building was recently sold to its new owners. The new owners have repainted their front building facade with a color not designated for this Vernacular building constructed in the 1920's. After painting the building, the owners submitted a written request to retain the new color and requested a variance to the Downtown Porterville Architectural Design Guidelines at the February 3, 2004 Porterville Redevelopment Agency meeting. During that meeting, the Agency directed that this item be brought back at the first meeting in April.

Staff reviewed Council's action of February 3, 2004, and contacted an architect specializing in historical architecture, Sherman Williams Paint Company, and reviewed articles obtained through the local library to determine whether other options were available. Based on the information provided from the contacts and research, the color palettes selected through historical research and the public participation process and utilized in the approved Architectural Guidelines are correct. Should the Agency desire to make changes to the color palettes, criteria for the changes would need to be determined by the Agency. Additionally, changes to the Building Façade Renovation Program guidelines would need to have criteria set forth by the Agency.

The owner requested that the April 6, 2004 item be postponed due to a scheduling conflict. The item was then scheduled for closed session on May 4, 2004.

RECOMMENDATION: That the Redevelopment Agency deny the request for a Variance to the Downtown Porterville Architectural Design Guidelines and direct staff to enforce the Façade Easement Agreement executed on May 2, 1995.
TO THE CITY OF PORTERVILLE,

THIS IS IN RESPONSE TO YOUR LETTER REGARDING OUR CHOICE OF COLOR FOR OUR BUSINESS BUILDING AT 118 N. MAIN STREET PORTERVILLE, CA.


AS A BUSINESS OWNER, I TAKE PRIDE IN MY WORK ETHICS AND SERVICE THAT I HAVE PROVIDED TO ALL MY LOYAL CUSTOMERS. AS I DRIVE DOWNTOWN MAIN STREET, WHAT I HAVE OBSERVED IS THE WONDERFUL IMPROVEMENTS THE CITY HAS MADE WITH THE NICE BRICK SIDEWALKS, THE VERY ORNATE AND CHARMING LIGHT POSTS AND ALSO PLANTERS, JUST TO MENTION A FEW THINGS.

HOWEVER, WHEN I TRY TO SEE WHAT INTRIGUES ME TO STOP AND SHOP, IT'S SAD TO SAY, WITH NO INTENTIONS OF OFFENDING, THERE'S LITTLE THAT I FIND THAT STANDS OUT AS BEING STRIKING AND WELCOMING.

WE HAVE A VERY DIVERSE AND UNIQUE COMMUNITY IN WHICH WE SHOULD TAKE ACTION IN PROVIDING THEM WITH RETAIL AND BUSINESS SERVICES. IF WE ARE CREATIVE AND
ATTENTIVE TO THOSE NEEDS WE HELP IN KEEPING OUR BUSINESS DOLLARS LOCAL.

I FIND IT VERY DIFFICULT TO AGREE WITH ONE OF THE COLOR CHOICES THAT THE CITY HAS GIVEN US. THEY ABSOLUTELY DO NOT MAKE A DISTINCTIVE STATEMENT AND PERSONALLY I FEEL THEY ARE plain AND OUT-OF-DATE.

WE LIVE IN 2004 NOW, AND THERE IS SUCH AN ARRAY OF GORGEOUS AND FASCINATING COLORS, THAT IF THE CITY OF PORTERVILLE WERE TO OFFER US AS BUSINESS OWNERS A NEW COLOR PALETTE, WE COULD BE A VERY IMPRESSIVE MAIN STREET.

IN MY VARIOUS TRAVELS WITH MY HUSBAND I OBSERVED MANY, MANY QUAIN'T AND CHARMING MAIN STREETS. THEIR BUILDINGS ARE ARCHITECTURALLY BEAUTIFUL AND EARLY 1900'S, YET THEIR BUILDING COLORS ARE IMPRESSIVELY DISTINCTIVE AND EYE-CATCHING. I HAVE OBSERVED CREAMS, BEIGES, AND PALE GRAYS ALONG WITH THE COMBINATION OF THE EYE-CATCHING COLORS WHICH STAND OUT WITH ORIGINALLITY AND CHARM.

THE CITY OF PORTERVILLE HAS MANY CREATIVE AND TALENTED PEOPLE. I FEEL IF MAIN STREET WERE MORE VIVID, PICTURESQUE AND DELIGHTFUL IT WOULD IN TURN ENCOURAGE WOMEN AND MEN ALIKE TO BRING THEIR BUSINESSES TO CHARMING DOWNTOWN MAIN STREET.

SINCERELY YOURS,

Gina Blasingame
REDEVELOPMENT AGENCY AGENDA: MAY 18, 2004

SUBJECT: REDEVELOPMENT STRATEGIC PLAN STATUS REPORT

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – ECONOMIC DEVELOPMENT

COMMENT: The Redevelopment Agency has asked for a status report regarding activities within Project Area #1. The work program for Project Area #1 is based on the continued implementation of both the Redevelopment Strategic Plan adopted in 1992 and the Five Year Implementation Plan adopted in 1999.

The Agency also reviews and adopts a work program annually each year with the budget. The most recent work program for the fiscal year 2003-04, included Financing Strategies to reduce the financial impacts of reassessment of properties within the Project Area, a stagnant real estate market, increased operating expenses, and institution of mandated legislative actions.

Included in the attached table are the tasks included in the Redevelopment Strategic Plan, the Five Year Implementation Plan, and the 2003-04 Work Program and the actions taken to complete those tasks.

RECOMMENDATION: Report is for informational purposes only.

ATTACHMENTS:
<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>UPDATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FUNDING STRATEGIES</strong></td>
<td></td>
</tr>
<tr>
<td>Prepare future financing program and feasibility studies for redevelopment projects in Project Area #1.</td>
<td>Strategy 1: Completed 2002/03 fiscal year.</td>
</tr>
<tr>
<td>Strategy 1: Remove all salaries from Redevelopment budget.</td>
<td>Strategy 2: Working with the Finance Department, staff has coordinated notification to the County to remove Agency/City owned properties from the base year. Completed 2002/03 fiscal year.</td>
</tr>
<tr>
<td>Strategy 2: Remove Agency/City owned properties from the Base year calculations.</td>
<td>Strategy 3: Staff has retained GRC Redevelopment Consultants to prepare the feasibility study for removal of properties and to coordinate all tasks related to the removal. Public Hearing set for June 15, 2004. Changes will be effective in the 04/05 fiscal year.</td>
</tr>
<tr>
<td>Strategy 3: Remove two industrial properties from the Project Area.</td>
<td>Strategy 4: Staff continues to petition the State to eliminate proposed ERAF diversions and other financially damaging actions to the Agency. State is currently proposing a $250 million ERAF diversion. The Agency's share would be approximately $81,000.</td>
</tr>
<tr>
<td>Strategy 4: Successfully petition the State to eliminate proposed ERAF diversions.</td>
<td>Strategy 5: Staff continues to market the Agency/City owned properties for private development.</td>
</tr>
<tr>
<td>Strategy 5: Eliminate the remaining property on Fourth Street and promote private development on vacant/underutilized Agency/City owned properties.</td>
<td>Strategy 6: The feasibility of expanding Project Area #1 will be included as part of the GRC Redevelopment Consultants feasibility study.</td>
</tr>
<tr>
<td>Strategy 6: Explore the feasibility of expanding Project Area #1 to blighted areas to encourage redevelopment and growth.</td>
<td></td>
</tr>
</tbody>
</table>

<p>| <strong>ADMINISTRATIVE ACTIONS</strong>                                               |                                                                         |
| Annual review of Redevelopment Plan &amp; Implementation                    | Status reported to Agency during Council meeting in June (Budget) and February (Annual Report). Beginning in 2002-03, the Agency provided funding for the update of the 5-Year Implementation Plan to be completed in 2003-04. The draft has been reviewed by staff. |
| Amend the General Plan &amp; Zoning Ordinance in support of the Redevelopment Area Strategic Plan, including refinements of allowable uses in the City as a whole and the Redevelopment Area in particular. | Complete. The General Plan &amp; Zoning Ordinance was amended to include uses beneficial to the Redevelopment area, including, but not limited to, the allowance of second story residential in the commercially zoned areas. |</p>
<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>UPDATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan Update.</td>
<td>Responsibility of the Planning Department. Funding for the first year effort has been proposed in the General Fund 2004-05 budget. Beginning in 2002-03, the Agency provided funding for the update of the Housing Element of the General Plan with the Analysis of Impediments to Fair Housing Choice (AI) and the Redevelopment Implementation Plan (IP). These updates are scheduled for adoption June 1, 2004.</td>
</tr>
<tr>
<td>Coordinate implementation strategies for the Tule River corridor and Redevelopment Area Plan.</td>
<td>Staff continues to coordinate with Parks &amp; Leisure Services and Engineering to develop the Tule River Parkway and the Rails to Trails project.</td>
</tr>
<tr>
<td>Coordinate Hospital Master Plan with the Redevelopment Area Strategic Plan.</td>
<td>The Planning Department coordinates with the Hospital District regarding growth. Although Sierra View District Hospital is not in the Redevelopment Project Area, the close proximity of the facility contributes to the economics of the Project Area.</td>
</tr>
<tr>
<td>Prepare future finance programs, prepare feasibility studies for construction projects, and identify public sector financial participation.</td>
<td>Examples of the ongoing efforts include the development of the Financing Strategies approved in 2003-04, the feasibility study for the Casas Buena Vista project and the Date Avenue project, and the participation of the County in the Family Support Division offices located on Main Street.</td>
</tr>
<tr>
<td>Identify and establish appropriate centralized management roles on Main Street including maintenance assessment district, leasing and recruitment, promotions, signage, and retailing coordination.</td>
<td>Downtown Porterville Association (DPA), as the administering organization for the Business Improvement Assessment funds, has assumed the lead role for these activities. Current conditions in the downtown area have mandated that staff take a more active role in Main Street activities. Staff keeps a current inventory of properties available in the downtown area in order to assist prospective businesses in selecting a location, attends the DPA board meetings, and coordinates DPA activities with the various City departments.</td>
</tr>
<tr>
<td>Prepare and implement marketing program to include retail mix plan, identify recruitment needs, and focused marketing plan for specific projects in the downtown.</td>
<td>Downtown Porterville Association, as the administering organization for the Business Improvement Assessment funds, has assumed the lead role for these activities. Current conditions in the downtown area have mandated that staff take a more active role in the marketing. In 2004, the Agency approved the addition of entertainment uses in the downtown area to the Strategic Plan. Funding for professional assistance to prepare a marketing plan is not available.</td>
</tr>
<tr>
<td>Refine downtown marketing plan to reflect changes in the RDA and City economies/market share.</td>
<td>Funding not available for professional assistance in preparing marketing plan.</td>
</tr>
<tr>
<td>Revise utility under grounding master plan to reflect the Redevelopment Area Strategic Plan accelerating the schedule for under grounding along Division from Putnam to Olive.</td>
<td>Public Works takes the lead in these types of projects. Staff continues to coordinate Project Area activities with Public Works.</td>
</tr>
<tr>
<td>Define potential community center facility programs, needs, and budgets.</td>
<td>During 2002-03, the City and the Porterville Unified School District held a joint groundbreaking ceremony. Both projects are currently under construction. The school is slated to open in August 2004 and the Community Center should be completed early 2005.</td>
</tr>
<tr>
<td>Study the expansion of the industrial area to the west and southwest, and the connection to Scranton/65 and the airport.</td>
<td>The Planning Department continues to study the annexation of land in these areas.</td>
</tr>
<tr>
<td>ACTIVITIES</td>
<td>UPDATE</td>
</tr>
<tr>
<td>------------</td>
<td>--------</td>
</tr>
<tr>
<td>Coordinate with the County and State the needs for development of the Civic Office Complexes.</td>
<td>With the completion of the two Redevelopment parking lots in the vicinity of the County Courthouse, the County has indicated potential future plans for expansion and renovation of the Courthouse facilities. With the establishment of the Government Complex on Henderson Avenue, the County has not required space for other facilities; however, Family Support Services opened offices in the downtown area to provide services to southeast county residents that were previously only available in Visalia.</td>
</tr>
<tr>
<td>Prepare auto relocation/mall feasibility study.</td>
<td>This project was abandoned due to lack of support by local auto dealers. Additionally, recent legislation (AB1290) limits Redevelopment assistance to auto dealers and big box activities.</td>
</tr>
<tr>
<td>Create Parking District for South Main Area.</td>
<td>Funding not available.</td>
</tr>
<tr>
<td>Assess the future location of the Porterville Fair and use of the Fairgrounds.</td>
<td>Project has not been undertaken. RDA funding to relocate the Fairgrounds is not available. The Fairboard indicates a commitment to remaining in current location.</td>
</tr>
</tbody>
</table>

**INFILL PROJECTS**

Prepare and adopt Downtown Architectural Design Guidelines for new and historic buildings as part of the Implementation Strategy. Guidelines have been completed and are continuously updated.

Establish façade improvement and earthquake retrofit programs, including criteria for use of the loan pool funds. Façade program was implemented with proceeds from Bond funds. Funding has been exhausted. Staff continues to monitor and evaluate the completed façades for compliance with the façade easement maintenance agreement.

Implementation of Infill projects, design, engineering. Infill projects identified in the Strategic Plan are focused on Main Street and were not established as priority for Bond issue. Funding is not available and the project is on hold.

Main Street Façade/Renovations based on use of revolving loan pool. Bond issue prohibits use of funds as loan. Façade program structured as a grant to participating property owners. Funds have been exhausted.

Create a fund for creation/implementation of infill projects on Main Street. Infill projects not established as a priority for Bond funds. Funding not available.

Incorporate a "paseo" from Main Street to Hockett in the block north of Olive Avenue. Assisted the Chamber of Commerce with a new office complex, including a paseo from Main Street to Hockett Street. The project was constructed on the site of the former Frontier building.

NW corner of Olive and Main – 12,000 sf retail and 12,000 sf office. Funding not available.

**STREETSCAPE**

Prepare and adopt Downtown Streetscape plan and Design Guidelines as part of the Implementation Strategy. Complete. During the 2002-03 fiscal year, the Agency adopted the Mural Guidelines into the Architectural Design Guidelines and the Adopt-A-Planter Program Guidelines into the Streetscape Landscape and Site Maintenance Manual. Staff continues to inspect and monitor the streetscape improvements on Main Street, reporting and following up on any items that need attention.
<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>UPDATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Street streetscape design (including the park).</td>
<td>The Main Street streetscape was designed with the Park element removed. In 2003, the Redevelopment Advisory Committee approved the construction of a City-funded park on the site of the &quot;Nelson Building&quot; across the street from City Hall; the environmental process is currently underway.</td>
</tr>
<tr>
<td>Main Street - Morton to Olive.</td>
<td>Complete.</td>
</tr>
<tr>
<td>Olive and Putnam Avenues - Hockett to 2nd Sts.</td>
<td>Lower priority – Funding not available.</td>
</tr>
<tr>
<td>Main Street Park at Oak Avenue.</td>
<td>Removed from streetscape plan in 1992-93.</td>
</tr>
<tr>
<td><strong>PARKING</strong></td>
<td></td>
</tr>
<tr>
<td>Establish a Downtown Parking Management and Enforcement Plan.</td>
<td>Most recent parking study conducted in 2001. Study addressed the current parking conditions and potential future projects. Funding is not currently available for proposed projects. The study documented the lack of support for time limits in the Downtown area. During 2002-03, the agency adopted the 2001 study into the Redevelopment Strategic Plan for Project Area #1.</td>
</tr>
<tr>
<td>Parking lot engineering and design.</td>
<td>Project priorities were revisited after Bond issue. Projects completed to date: 2nd Street @ Olive Avenue; 2nd Street &amp; Thurman Avenue; 4th Street @ Morton Avenue. Staff continues to monitor and maintain all Agency owned parking lots.</td>
</tr>
<tr>
<td>1/2 block west side of Hockett from Cleveland to Thurman.</td>
<td>Redevelopment Agency purchased the Stout building located at 287 Hockett and the vacant lot. The City has purchased the Spencer House. All three properties were purchased for the construction of a parking lot, as part of the formation of Parking District #3; staff continues to pursue funding for the acquisition of additional property and for the construction of parking lots within the area.</td>
</tr>
<tr>
<td>1/2 block south of Oak Ave. from D St. to Hockett.</td>
<td>The parking lot is currently under rehabilitation utilizing Central Valley Infrastructure Grant (CVIG) funds. The building located in the block (Singer Building) was purchased with CVIG funds and there are plans to utilize Transit funds to demolish the building and complete the entire block as a parking lot.</td>
</tr>
<tr>
<td>1/3 block east side of 2nd between Olive and Garden.</td>
<td>Complete.</td>
</tr>
<tr>
<td>1/2 block west of B St. north of Olive to Garden.</td>
<td>Completed as part of the 2nd Street between Olive and Garden parking lot.</td>
</tr>
<tr>
<td>Block west of Hockett between Olive &amp; Vine.</td>
<td>Funding not available.</td>
</tr>
<tr>
<td>In conjunction with CDBG Section 108 Program, reconstruct existing parking lots in Redevelopment Area.</td>
<td>The CDBG Consolidated Plan and Action Plan were amended to remove parking lots from Section 108 funding. Future parking lot reconstruction has been moved to the Business Assistance program.</td>
</tr>
<tr>
<td><strong>STREETS &amp; BRIDGES</strong></td>
<td></td>
</tr>
<tr>
<td>Design D/Sunnyside Street connections north to Main Street at approximately Danner Avenue and south at Date Avenue.</td>
<td>Project on hold until after the conversion of Main Street to 2-way traffic. To date, the need for this connection has not been established, nor is funding available. Staff anticipates arterial designation from Sunnyside to Main Street in the upcoming Circulation Element update.</td>
</tr>
<tr>
<td>ACTIVITIES</td>
<td>UPDATE</td>
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<tr>
<td>Engineer curb and signage modifications for changing Main Street to one way each direction with diagonal parking.</td>
<td>Complete.</td>
</tr>
<tr>
<td>Main Street conversion to one lane each way, retaining diagonal parking.</td>
<td>Complete.</td>
</tr>
<tr>
<td>D Street connection to Main at Date – land acquisition and construction.</td>
<td>Funding not available.</td>
</tr>
<tr>
<td>Coordinate with the City Engineering Division on the planning and reconstruction of the Main Street Bridge, Plano Street Bridge, and Orange Avenue Reconstruction Project.</td>
<td>The Redevelopment Strategic Plan and adopted Streetscape Design for the Redevelopment Area were used extensively in the planning and design of all three of these projects. The Main Street Bridge project is complete. Both the Plano Street Bridge project and the Orange Avenue Reconstruction Project are currently underway with pre-construction activities.</td>
</tr>
<tr>
<td>Coordinate with the City Administrative Services on the planning and construction of the Transit Center.</td>
<td>Complete.</td>
</tr>
</tbody>
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**HOUSING**

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| Coordinate establishment of a "paint-up/fix-up" grant and/or loan program with the existing CDBG housing loan program for neighboring residential area. | Housing Strategic Plan established the First Time Home Buyer Program and Multi-family Programs. Plan also includes historic building rehabilitation program.  
The Agency has been involved with the Casas Buena Vista project which will develop 82 single family residences with affordability covenants. The Agency is also developing the common area of the subdivision and has established a Landscape Maintenance District for the continued maintenance of the common area. (To date, 8 of the 10 homes constructed have been sold, and an additional 10 homes are under construction.)  
Since the adoption of the First Time Low Income Homebuyer Program (FTHB) the agency has assisted 5 families with construction of new homes on vacant lots in or adjacent to the Project Area. The FTHB program funds will now be utilized to assist homebuyers to purchase in the Casas Buena Vista Project.  
The Agency is currently assisting the St. James Place Project which will provide 14 apartments for low and moderate income housing and commercial space to remain on the ground floor fronting Main Street. The Agency is assisting in funding infrastructure for the Date Avenue Family Apartments which provides 78 affordable apartments. |
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<tr>
<td>Support and assist in implementation of the adopted Porterville Economic Development Strategic Plan.</td>
<td>Staff continues to participate in monthly Partners Meetings to continue collaborative efforts with workforce development professionals. Programs such as the Business Call Program and Hotline Program allow for direct assistance to business.</td>
</tr>
<tr>
<td>Pursue the adoption of Redevelopment Project Area #2.</td>
<td>Based on the financial impact to the Redevelopment budget, this project has been postponed.</td>
</tr>
</tbody>
</table>

Activities included in the Strategic Plan Action Plans for the years 2006-2010 and 2011-2020 are not included in this update.