

SUBJECT: REQUEST FOR WATER SERVICES IN VARIOUS MANNERS

SOURCE: Public Works Department - Engineering Division

COMMENT: This staff report comments on three separate issues related to the City's water policy and procedures.

Issue #1: Provision of water for commercial use outside Urban Development Boundary. Mr. Chaman Lal, the owner of Hari's Market, 814 E. Date Avenue, requests City approval to connect his market to City water (Attachment 1- Request Letter). Mr. Lal's market is on a private well and he anticipates future water quality problems with the well. Mr. Lal's request for water has been denied at the staff level because the market is located outside City limits and is currently outside the Urban Development Boundary (UDB). The UDB is that boundary outside the City limits where annexation is possible; beyond the UDB, annexation is not an option. The City is currently working on a revision of the UDB and Sphere of Influence (SOI) to be approved by Tulare LAFCo later this calendar year. However, this request is considered in light of the current UDB and SOI (see Attachment 2- Map). Once the updated UDB is approved, 814 E. Date will be located within the UDB and potentially annexable per LAFCo rules and regulations.

Staff relies on the City's "Municipal Services Policy" hereinafter referred to as "the Policy," to authorize or deny connection to City facilities. In summary, the Policy states that it shall be the policy of the City Council to consider annexation proposals only within the Urban Development Boundary and that properties located within the Urban Development Boundary must annex to the City before water service will be provided.

Section II B.1.a) of the Policy states that approval for any type of water connection shall not be granted prior to LAFCo approval of an annexation application submitted by the applicant to the City in accordance with the Annexation Policy and payment of all pertinent fees.

Section II B.1.b) provides two exceptions: 1) Approval for connection to water facilities may be granted for existing structures and/or for a vacant lot that will allow only one single-family residence subject to payment of pertinent fees. Staff has interpreted the phrase "existing structures" to mean an existing residential structure and not any other type of structure such as a commercial building. 2) Approval for connection to water

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Item No. 22

facilities may be granted for those areas of development or potential development where the City has taken over the operation of privately owned water systems.

The Policy administered by staff provides clear direction on staff's authority to approve or deny City services to areas outside City limits. The Policy provides greater authority and flexibility to the City Council on these matters. Besides the two exceptions described above, Ordinance 1564, Section 25-16, states that "the City Council may, at its option and sole discretion, elect to make available water services to inhabitants outside the boundaries of the City and under such rules and regulations as the City Council may, at its discretion, determine, and discontinue such service at its option and election; and at such rates and under such conditions as the City Council may elect; provided, however, that water consumers receiving such service outside of the City shall be required to pay for such service at a service rate fixed and established for such consumers." Simply stated, the City Council has the authority to connect customers outside the UDB if the Council feels that it is in the best interest of the City to allow such connection.

To provide services to a water user outside the City limits requires an Extra Territorial Service Agreement with Tulare LAFCo. While the LAFCo tends to support extension of services by a municipality, the policy and tendency is to annex as a first priority. It should be noted that staff is aware of other interests in the area. It is important that Council recognize the precedence of any action taken on this matter.

Issue #2: Connection of water to a mobile home park within the City, and associated connection fees. A "walk-in" request for water was made by Mr. Michael Colletto, the owner of a nineteen unit mobile home park located at 40 E. Vandalia Avenue. The mobile home park is currently without water due to failure of the private well. The request was made late Friday (5/09/2014) and the Field Services Division provided temporary emergency water through an adjacent fire hydrant.

Water connection fees will be approximately \$82,000. Mr. Colletto informed staff that he could not afford to take on an \$82,000 debt and could not in good conscience pass the cost to his renters who are all low income. Mr. Colletto asked if there were any programs available that might reduce or eliminate the cost to connect to City water. The City's Water Revolving Fund program is a 10%, 3 year payback program but is not applicable to commercial and/or income generating enterprises such as rental properties. Presented with this information, Mr. Colletto informed staff that he would drill a new well to a greater depth.

On May 14, 2014, staff was contacted by Jessi Snyder of Self Help Enterprises. Ms. Snyder informed that the California Department of Public Health (CDPH) was interested in helping Mr. Colletto connect to City water. CDPH informed staff on May 27, 2014, that they (CDPH) should be able to provide a full grant to Mr. Colletto to pay all connection fees. CDPH will know on or about June 13, 2014, if the grant application is successful.

If the grant application is successful, the City will want a letter from CDPH confirming that a grant will pay all connection fees and that the funds will be forthcoming in two to three months. Staff seeks Council's approval to allow the temporary connection to remain in place until the City receives the confirmation letter of pending payment from CDPH. Further, staff will insist in writing that the property owner stay current on his monthly water bill.

Issue #3: Proposed Water System on East Vandalia, west of Plano Street. The drought has caused some private City and County residential wells to go dry. On May 22, 2014, staff received a petition from the residents along E. Vandalia requesting water from the City due to dry wells (copy of petition attached). This area is adjacent to the mobile home park requesting water from the City. (See Issue #2). The cluster of homes along Vandalia Avenue are in the City, but regrettably, there is a 900' gap where there is no water main. A locator map is attached that better describes the area in question. As one can see in the locator map, there are a number of properties located one to two lots away from the Vandalia Avenue frontage and in all likelihood, the owners of these properties will ask that any proposed water main extension be designed to include their properties.

The Engineer's Estimate of Probable cost to extend the water main along Vandalia Avenue is approximately \$88,000. Funding to construct this water main extension is not readily available in the water budget. A possible means could be the formation of a water utility district similar to the Beverly Street Water District. Under this scenario, the beneficiaries agree to pay back the cost to construct the water system through their monthly water utility bill or by other methods deemed appropriate by the City Council.

Issue #4: Councilman Shelton requested that the Council consider the offering of a water delivery station to City and County residents experiencing water well problems. A water delivery station would definitely help those who are purchasing water by the gallon to satisfy their basic needs. If the Council chooses to construct and make available a water delivery station, there are a number of logistical issues that must be addressed prior to constructing the water delivery station. Issues such as, but not limited to, the following include location, cost of service, limitation

(if any) on quantity of water per customer, automated delivery system vs. employee operated system, security, etc.

In summary:

Issue #1 – Does the City Council wish to provide water to 814 E. Date Avenue?

Issue #2 – Will the City provide water to 40 E. Vandalia and be willing to wait two to three months for payment of water connection fees?

Issue #3 – Does the City wish to construct a water main extension along Vandalia Avenue and by what financing means?

Issue #4 - Should the City construct and offer a water delivery station to City and County residents experiencing water well problems?

RECOMMENDATION: That the City Council:

1. Address the four issues addressed in staff's report; and
2. Provide direction to staff on how to proceed on each of the three issues.

ATTACHMENTS:

1. Letter from Chama Lal
2. Map of Issue #1 Subject Area
3. Petition from E. Vandalia Avenue Residents
4. Locator Map

John Hollis
City Manager
City of Porterville.

5-6-14





I wish to be considered
for water service at my
property located at
814 E Date Ave. in Porterville
CA, 93257. Please inform me
of the estimated costs
associated with this hook-up
and any other requirements
or responsibilities that it
will precipitate!

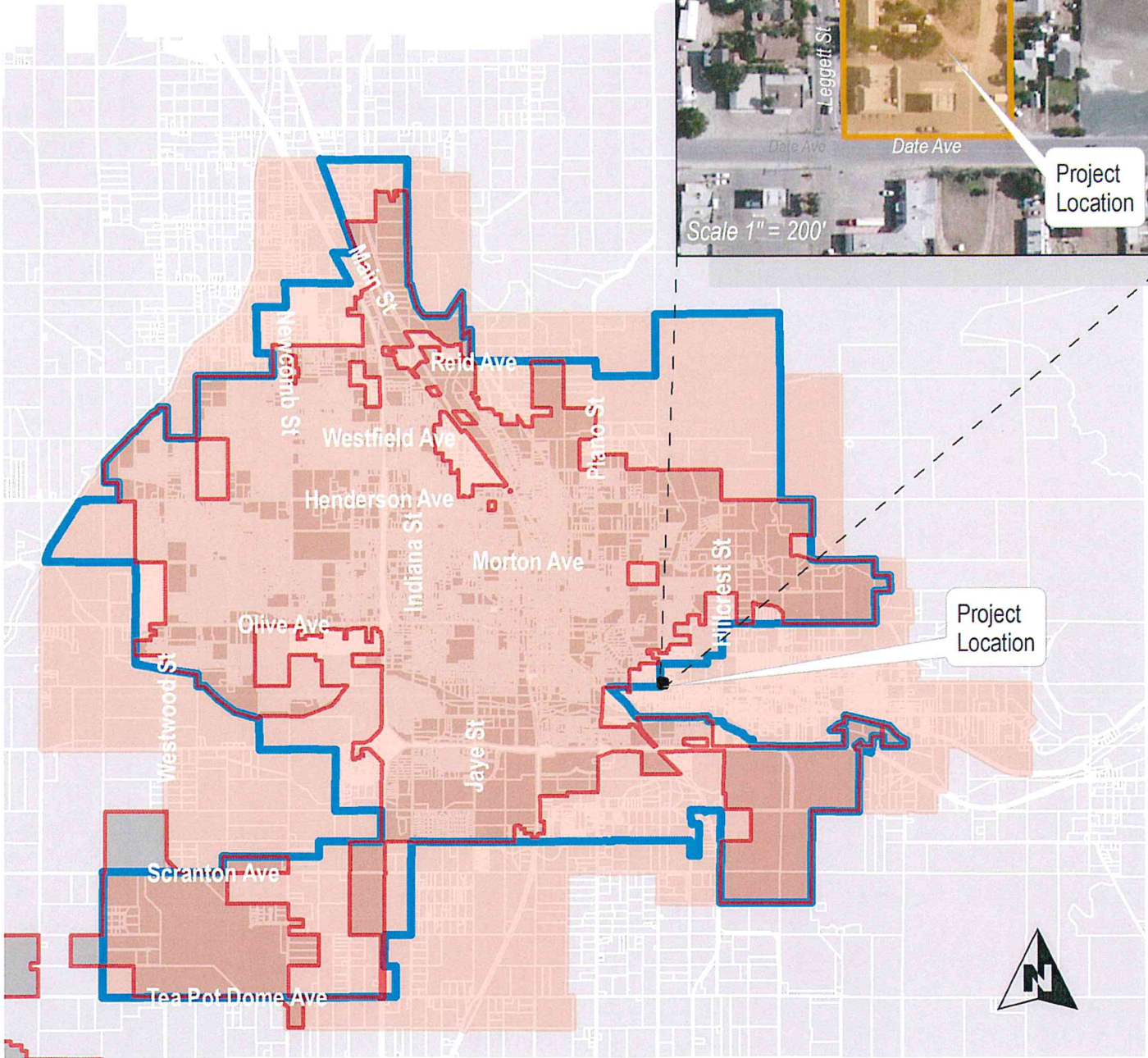
Thank You
X *Chawen*

559-783-0787

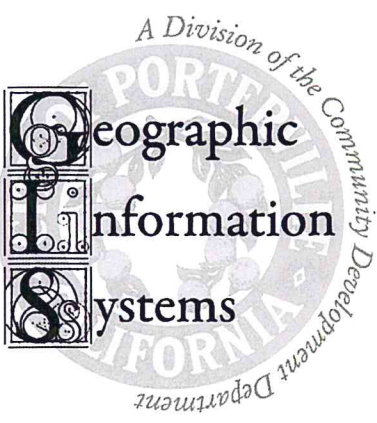
Ps: Please place ~~my~~ my request on the
next available Council meeting. Thanking
you in advance.

Legend

-  Parcel in question
-  City Limits
-  Existing Urban Development Boundary
-  Existing Urban Area Boundary



P:\gis_maps\Projects\General Project Request\814 e date\814 E Date Ave.mxd



814 E Date Ave
APN: 262-010-017
Locator Map
1" = 6,500 ft.

To whom it may concern,

We the people of Vandalia Avenue of Porterville, California 93257 are asking for the City of Porterville to please help us with water. Our street has neighbors that rely on wells to pump water, and they have gone dry. It is extremely expensive for any of us to make changes on our own. We ask that if there is anything that can be done immediately. We are all struggling and are living day to day finding ways to keep ourselves clean. We are taking our children to different restaurants and friends' houses to use the restroom, and shower. This is not something we can keep doing because it is very hard and embarrassing to have to do these everyday things.

We hope to hear from you soon.

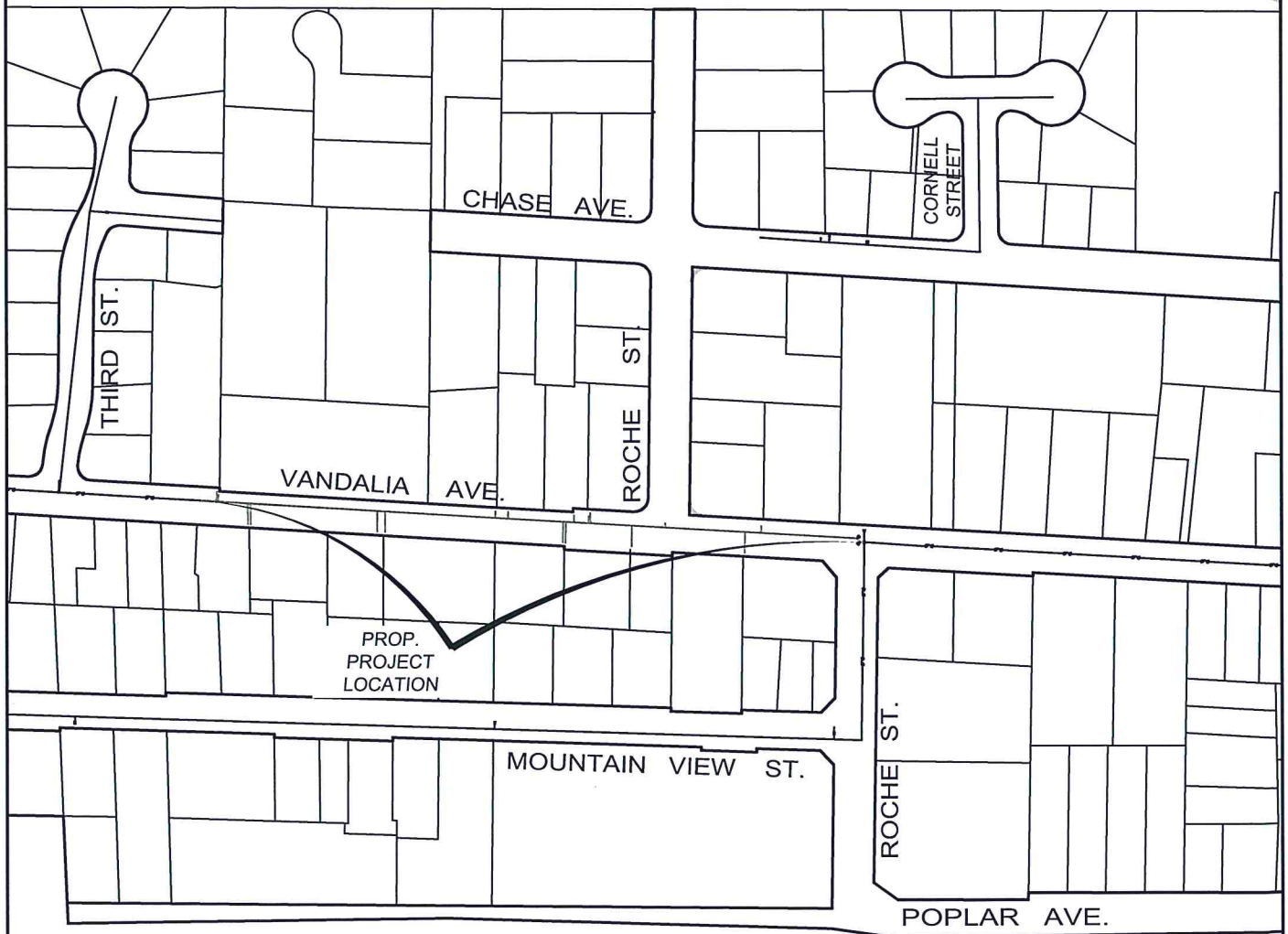
5-22-2014

Sincerely,

Emma Rivera and Residents of Porterville

Emma Rivera 207 E Vandalia Ave (559) 783-2019
Guadalupe Zamudio 223 E Vandalia Ave. (559) 310-9285
Abon's Suarez 165 E VANDALIA AVE. 559 789-4047
Antonio Hernandez 151 E Vandalia (559) 781-2626
LOURDES PEREZ 165 E VANDALIA 559 789-8849
EDUARDO MONTOYA SR 193 E VANDALIA (559) 784-0489
Martha Paniagua-J 204 E vandalia (559) 403-82-73

TULE RIVER



CITY OF PORTERVILLE
ENGINEERING DIVISION
201 NORTH MAIN STREET
PORTERVILLE, CA 95257
(559) 782-7462

CHASE WATER PROJECT
LOCATOR MAP

DRAWN BY	VS
CHECKED BY	BR
SCALE	N.T.S.
DATE	5/29/2014

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OF
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