



East Porterville Water Supply Project

June 2016

The purpose of this project is to provide a permanent, safe and reliable household water supply to the community of East Porterville. This project will be constructed by the Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) in several phases. The first phase is to help single-family residences that have emergency water tanks installed and are closest to the City of Porterville water main. All emergency water tanks will be removed in the next several months. Property owners will have the choice to connect or not connect to the City of Porterville Water System.

When will construction begin?

Construction is scheduled to start this summer.

Do residents have any say in the project?

Residents have the opportunity to choose whether to connect any property they own to the new system. The State has prepared a draft Feasibility Study that lays out alternative project scenarios to look for the most cost-effective project over the long term. Residents have the opportunity to review the draft Feasibility Study and comment on it. Also, the connection to the new water system will be voluntary, and this decision can be made independently by each property owner. Acceptance of the project will be through a consent form that the SWRCB has prepared.

Will this project prioritize connections and connect first the people who have gone the longest without water?

The goal of the project is to get water to the residents who are without water. The order of connections is based on a resident's proximity to the improvements and the phasing of the work. However, work will be phased so that all residents who are without water will be connected first before connections begin on homes that still have water.

Will this project only connect East Porterville, or will other areas without water receive this new service?

This project is limited to the East Porterville area, including the Vandalia area, which was annexed in 2006 but is still within the Porter Vista Public Utility District.

How do we ensure that nobody gets left out?

The State's goal is to provide water to all the homes that do not have water. There will be a mailing of notices to each property, but some property owners live elsewhere. The best way for residents to learn about the program is to attend the public meetings.



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Is there a proposal for a 50-gallon per person per day limit on water deliveries to people who connect to the system?

Ultimately, the project plan is to provide water to all the residents of East Porterville who want water. The first connections to the water system are for properties on the Emergency Tank Replacement Project and are geared toward household water, as stated in the consent form. Water usage will be limited initially to what can be supported by the emergency well drilled as part of this project. It is uncertain at this point how much water usage will be allowed; that will depend on how many homes are in need of emergency water. As the project brings on additional water supply wells and all emergency needs are met, the residents of East Porterville will have the same water restrictions and usage limitations as those in the City of Porterville.

Will this project provide local jobs, or will outside contractors be brought in?

The goal is to provide contracts that will attract local contractors, but there is no requirement that they be local.

Where are the existing water lines?

- *Plano Street*
- *Park Street from River Avenue north to Corona Drive*
- *Leggett Street from Date Avenue north to City limits*
- *Ruth Street between Orange and Roby avenues*
- *Hillcrest Street from Roby Avenue north to City limits*
- *Conner Street north of Olive Avenue*
- *Holcomb Street between Tyler and Putnam avenues*
- *Baxley Avenue between Crabtree and Roby avenues*
- *Bennet Street from just south of Cleo Avenue north to Crabtree Avenue*
- *Randy Street*
- *Putnam Avenue west of Hillcrest Street and east of Conner Street*
- *Olive Avenue from Ruth Street east to Holcomb Street*
- *Roby Avenue from Ruth Street east to Baxley Avenue*
- *Orange Avenue*
- *Tyler Avenue east of Holcomb Street*
- *Crabtree Avenue from just east of Page Street to just west of Doyle Street*
- *Date Avenue between Plano and Leggett Streets*
- *River Avenue between Plano and Park Streets*
- *Richard Avenue*
- *Cleo Avenue*

Connecting to the City's Water System

Will local businesses be able to connect to the water system?

Local businesses will be connected if the system's capacity is sufficient. There will be connection fees associated with their connection, whereas residents will be connected at no cost.



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Can commercial properties that also have a residence connect? (These people have had a difficult time getting interim assistance, such as tanks.)

We would need to see the specifics, but yes, they will be able to connect to the system if the capacity is sufficient to allow it.

When and how will I be able to connect? How will I know?

The State will contact you to work on the connection details after you sign the consent form.

What happens if I choose to connect with the City's water system?

If you choose to connect:

- *You will first need to sign the Water Board Consent Form*
- *You will need to sign an Extraterritorial Service Agreement*
- *The emergency tank will be removed from your property*
- *Your property will be annexed into the City of Porterville in the future*
- *Your private well may be permanently abandoned prior to being connected to the City's water system*
- *You will not be responsible for paying any connection costs*
- *You will receive a water bill from the City.*
- *You will have a safe and reliable drinking water supply in your home.*

What happens if I do not want to connect to the City's water system?

If you do not connect, you will:

- *Have your emergency water tank removed from your property*
- *No longer receive emergency bottled drinking water from the State*
- *Have to provide your own drinking water.*

What if I choose to connect at a later time?

If you choose to connect later, you will be responsible for paying the following costs:

- *Installation of a service lateral*
- *Meter connection fee*
- *Local Agency Formation Commission (LAFCo) fee*
- *Extraterritorial Service Agreement fee*
- *Well abandonment costs*

How much will it cost to connect? Is there any assistance with connection fees?

Normally, there would be costs associated with connection. However, for those residences with a dry well, DWR will be paying those fees on behalf of property owners using emergency drought assistance funds. Similarly, for properties without a dry well, State Water Resources Control Board will be paying the connection fees. Commercial properties with a dry well will be allowed to connect during the drought response phase, but funds will not be available to offset the connection fees. Fees



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are based, in part, on parcel size, so there isn't a one-size-fits-all answer. A fee will be calculated for each parcel, and that information will be made available in July 2016.

If I connect, will I be annexed by the City? How do we know if we live in an area that will be annexed?

The area being evaluated in the Feasibility Study includes nearly 1800 parcels and more than 1700 acres (almost three square miles). This area would be too large for the City to annex all at once, so instead, annexation will occur gradually, most likely as new development occurs. In order to provide water service outside the city limits, the City and the property owner sign an Extraterritorial Service Agreement. This includes a recorded, irrevocable agreement to annex the property in the future, such as when an owner wants to develop the property. Annexation involves a series of public outreach meetings, so when an annexation is pending, property owners would be notified.

Will service outside City limits improve? Will residents outside the City pay the same water rates as residents inside City limits?

Standard response times vary based on the issue at hand. Residents outside the City limits actually pay LESS than residents inside the limits, because they don't pay the Utility User Tax.

Well Abandonment

Do I have to abandon my well if I connect? Is connecting mandatory?

Connection is not mandatory, but if you connect, well abandonment is required unless the parcel is 5 acres or larger.

Abandoning a well costs a lot of money, is there assistance to help pay for well abandonment?

The costs associated with well abandonment will be included in the work funded by the State. Those owners agreeing to connect to the system as part of this project will have their well abandonment costs covered for them. Owners choosing to not connect to the water system at this time will have to cover those costs on their own at a later time; just as they will the other future connection costs.

Who can I contact to get more information about this project?

You can contact:

- Ted Thomas, DWR, at (916) 653-9712 or ted.thomas@water.ca.gov
- Marina Pérez (Bilingual), SWRCB, at (916) 322-4265 or marina.perez@waterboards.ca.gov
- Tomás García (Bilingual), East Porterville for Water Justice, at (559) 310-8015

Annexation

Annexation - Taxes

Will my property taxes increase?

No. A portion of the tax agreement would instead be directed to the City rather than the County. This



portion, 0.00118 percent of a property's assessment, would be placed in the City's General Fund and would be used for Capital Projects and other general needs of the City.

What about sales tax?

Sales tax is paid at the point of purchase, so business owners within the annexation area will be required to collect an additional ½ cent (\$0.005) tax for each dollar of sales for Measure H, the local sales tax. Most residents don't change shopping habits as a result of annexation, so it is unlikely that it will be a major change for daily shoppers.

Are there other special assessments in the City?

The City currently collects a 6 percent Utility Users Tax (UUT). Within a few months of annexation, you will notice the UUT on utility bills. On average, this UUT costs an extra \$15- \$20 per month per household. Because it is based on the utility bill itself, it could vary from house to house. This 6 percent tax is applied to phone, electric, gas, cable TV, and municipal water bills. It typically does not apply to cell phones or Internet, but it depends on your service provider.

At the Time of Annexation - Zoning

What about my present use of the property? Will it be allowed in the City?

Yes. Porterville's General Plan and the County of Tulare's General Plan both agree on uses intended for your area. Once an area is annexed by the City, the zoning would change to what is defined by the City of Porterville's zoning map.

What happens if my present use does not conform to City zoning if I annex?

If you have uses that are allowed under the current Tulare County Zoning Ordinance but not by the City, you would be allowed to indefinitely continue those uses, which are considered "legal non-conforming" uses. They cannot be expanded or changed without first obtaining a Conditional Use Permit. Once a "legal non-conforming" use is discontinued for six months or longer, that use could not be re-established on your property. More details are available in Chapter 307 of the Porterville Development Code.

Can I have a business in my house?

A Home Occupation Permit and Business License can be approved for small businesses. Please note that no residential homes are allowed to display signs for businesses approved in an area zoned residential.

What about my animals?

The City of Porterville's Animal Keeping Ordinance permits up to three dogs, three cats and three chickens* not to exceed a total of seven household pets. Livestock and farm animals may also be permitted in certain circumstances, depending on the zoning and size of your parcel. At such time as an annexation is proposed, more details will be presented. *Chickens are permitted in residential zones and are subject to certain conditions.



How can people ensure they have enough water for their animals/livestock, orchards, gardens or other activities on their property?

The drought has changed the way water is used throughout the state. Water conservation must now be a permanent consideration for every household. Flood irrigation of yards and gardens is no longer an option, and everyone needs to use water responsibly. This does not mean you can no longer grow a garden or keep animals on the property (so long as they are allowed per the Tulare County Zoning Ordinance and Animal Control Ordinance). It does mean, though, that keeping an orchard or a garden is going to be different than it was in the past. Watering restrictions will be enforced, the same as they are in the City limits. We are looking for options that could assist home owners in purchasing water efficient fixtures for the interior and exterior of their homes, such as efficient shower heads and drip irrigation.

Annexation - Fire Insurance

If I were annexed, would I receive a break on fire insurance?

Yes. Since you would be located in the City, fire protection and response time would be quicker than County protection. Additionally, even though the City currently assists the Tulare County Fire Department in this area, more equipment and personnel would be dispatched to a fire in the City limits than in the County.

At the Time of Annexation – Water, Sewer, Refuse and Streets

Once I annex, what will the City require me to do?

Nothing. While most properties in the Feasibility Study area are connected to the Porter Vista Public Utilities District (PUD) sewer system and will have a water connection as a result of the project.

If you are presently using a private well and septic tank, you may do so until one or the other fails. At that time, you would be required to connect to City services for the failed system, assuming you are within one-quarter mile of the nearest main line. Failure is defined as an event where a septic tank and/or leach field requires replacement. Maintenance, pumping, etc., are normal and not considered failures.

What services do I expect to receive if I do not connect to City sewer or water systems?

Police and fire protection resources are greater in the City than the County. City streets will be added to a maintenance schedule. Street sweeping will also occur on streets with curb and gutter. Garbage service is available immediately upon annexation. Please note that if your street does not have curb and gutter, the street sweeper cannot effectively sweep, and those routes will not be scheduled.



Will I be required to construct curb, gutter and sidewalk once I annex?

No. The only time you would be required to construct them would be if you decide to develop the land if it's now vacant or upon your request to remodel, reconstruct or add to an existing structure.

Will I have to install curb, gutter and sidewalk if I do any construction on my property?

The City will not require an owner to install curb, gutter or sidewalk for maintaining and keeping structures in good repair, unless the improvements or additions exceed approximately \$20,000 within a two-year period. The exact dollar amount changes each year with the Engineering News Record prescribed increase; effective July 2015, the amount is \$21,569. If your improvements exceed that threshold, then the curb, gutter sidewalk improvements will be required.

Will there be any changes to property taxes and building codes? Does it come with other benefits like better roads or sidewalks?

Property taxes and building codes do not change from the County to the City. Property tax assessments would be the same, but a portion of the taxes you already pay would be directed to the City instead of the County. Building Codes are written by the State of California, so they should be the same regardless of whether or not the area is annexed. However, once annexed a Building Permit would be issued by the City rather than the County. With annexation, some immediate improvements would include City of Porterville Police Department and Fire Department response, which is often more immediate than County emergency services can offer; street sweeping for streets with curb and gutter, and Porterville solid waste disposal, which is often less expensive than Waste Management. Road re-construction and new sidewalks are expensive projects, so those take a bit longer to achieve, but road maintenance would be another benefit of annexation. The City of Porterville does have a local sales tax, Measure H, which would need to be charged by businesses after they are annexed. That tax is charged at the point of sale, so if you are shopping at stores in the City, you're already paying it. The City also has a 6 percent Utility User Tax, which is charged for certain utilities, such as city utilities (water & sewer), cable and some phone bills (depending on the carrier). On average, a total of between \$15 and \$20 per month in additional tax is charged as a portion of each subject utility. The Utility User Tax is only assessed for properties within the City of Porterville.

The general statements above are for informational purposes only. They do not express a legal opinion or legal advice to any party and should not be considered as definitive or conclusive. Because your property's setting and circumstances are unique to you, we strongly advise consulting with any applicable agency – including the city and county where your property is located – and legal counsel to ensure you receive proper, adequate and specific information germane to your property and circumstances.