

Regular Meeting Agenda

Visalia City Council



Mayor: Bob Link
Vice Mayor: Amy Shuklian
Council Member: Warren Gubler
Council Member: Mike Lane
Council Member: Steve Nelsen

Monday, April 18, 2011

Location: Visalia Convention Center, 303 E. Acequia, Visalia CA 93291
Work Session 4:00 ; Closed Session 6:00 p.m. (or immediately following Work Session)
Regular Session 7:00 p.m.

4:00 p.m. WORK SESSION AND ACTION ITEMS (as described)

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council. Each speaker will be allowed three minutes (timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your street name and city.*



1. Retiree Healthcare Funding Policy. **Resolution 2011-17 required.**
2. Update and presentation from Phil Mirwald regarding California Water Service Company.
3. *Item removed at the request of staff.*
4. Adoption of the Neighborhood Traffic Management Program (NTMP) Policy and consider program funding in an amount not to exceed \$50,000 to be funded out of the Gas Tax Fund.

The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.

ITEMS OF INTEREST

6:00 p.m. CLOSED SESSION (or immediately following Work Session)

5. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: two potential cases

7:00 p.m. CALL TO ORDER REGULAR SESSION

PLEDGE OF ALLEGIANCE

INVOCATION – Dr. Majzoubi, Baha'i Faith

SPECIAL PRESENTATIONS/RECOGNITION

- Proclaim April 27, 2011 as Veteran's Opportunity Day

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council.*

This is also the time for citizens to comment on items listed on the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Regular or Public Hearing Items that are listed on this agenda will be heard at the time that item is discussed or at the time the Public Hearing is opened for comment.

In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your street name and city.

6. CONSENT CALENDAR - *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 and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

- a) Authorization to read ordinances by title only.
- b) Authorize purchase of an Agenda Management System, appropriate licenses and e-readers from LR Hines at a cost not to exceed \$100,000 to be paid with funds from the Energy Efficiency and Conservation Block Grant (EECBG).
- c) Authorization to file a Notice of Completion for the construction of the Jefferson Park, Phase II park improvement project located at South Watson Street and Myrtle Avenue in southeast Visalia, Project No. 1811-61623-720000-0-8194, at a final construction cost of \$49,657.20
- d) Second reading and adoption of Ordinance 2011-06 to remove local amendments regarding fire sprinklers in non-residential buildings and apply fire sprinkler standards contained in the 2010 or most recently adopted California Fire Code. **Ordinance 2011-06 required.**
- e) Second reading and adoption of Ordinance 2011-07 for Zoning Text Amendment 2011-05: A request by the City of Visalia to revoke the portion of previously-adopted Zoning Text Amendment No. 2010-10B wherein the Zoning Use Matrix (VMC 17.18.050) was changed to allow supermarkets/grocery stores 30,000 square feet or smaller in the C-R (Regional Retail Commercial) Zone as a Permitted Use. **Ordinance 2011-07 required.**
- f) Authorization to declare the conversion of Willis Street, between Noble Avenue and Kaweah Avenue, to one-way traffic (in the south bound direction only). **Resolution 2011-15 required.**

- g) Accept the Preliminary Engineer’s Report, notice of reimbursement, set a public hearing for June 6, 2011 and authorize the filing of the Proposed Boundaries Assessment District Map for Assessment District 2011-1 “Orchard Walk East/West Utility Undergrounding Assessment District”. **Resolution No. 2011-16 required.**
- h) Award contract for the purchase of one (1) Kenworth ten-yard dump truck to Pape Trucks, Inc. of Fresno in the amount of \$111,479.01 for the Water Conservation Plant.

Convene jointly as the Visalia City Council and Visalia Redevelopment Agency Board:

7. CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- a. Authorize contract for \$22,400 for downtown parking structure studies by WRNS Studio with costs to be appropriated from the Central Redevelopment Fund and the Downtown Parking Fund.

Adjourn as Visalia Redevelopment Agency Board and remain seated as Visalia City Council.

REGULAR ITEMS AND PUBLIC HEARINGS - *Comments related to Regular Items and Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Mayor.*

- 8. Update on the bike lanes on Mineral King and Noble Avenues between Mooney Boulevard and Akers Street. (Project No. 1611-00000-720000-0-8052)
- 9. **PUBLIC HEARING** of 2011/2012 Action Plan for the use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership Funds administered by the City of Visalia’s Housing and Economic Development Department; and Public Hearing of 2nd Amendment to 2010/11 Action Plan, and 3rd Amendment to the 2009/10 Action Plan.
- 10. Status report on Tulare County Economic Development Corporation (TCEDC).

Closed Session Report: (If any)

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Bennett, Stanley & Tamra	081-130-013 (portion)	Plaza/Rd 80	Right of Way	3/29/11	Fred Lampe
City of Visalia	Bennett, Stanley & Tamra	081-160-011	Plaza/Rd 80	Right of Way	3/29/11	Fred Lampe

Upcoming Council Meetings

- Monday, April 25, 2011, 5:00 p.m. Joint Meeting with Parks and Recreation Commission, Convention Center, 303 E. Acequia.
- Monday, May 2, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia
- Monday, May 16, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia

Note: Meeting dates/times are subject to change, check posted agenda for correct details.

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.

The City's newsletter, Inside City Hall, is published after all regular City Council meetings. To self-subscribe, go to http://www.ci.visalia.ca.us/about/inside_city_hall_newsletter.asp. For more information, contact Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.

Veteran's Opportunity Day April 27, 2011

WHEREAS, April 27, 2011 marks the 10th annual Veteran's Opportunity Day in remembrance of those who served and sacrificed in the military and past wars; and

WHEREAS, the veterans of Tulare County are asked to "stand down," for services on this day, which mirrors the Vietnam War custom of "standing down" for a two or three day respite from the battlefield in order to provide care for the sick, change into clean clothing, and get a good meal; and


WHEREAS, the 23,000 veterans of Tulare County have dedicated many years in service for our community, our Nation, and our very freedom; and

WHEREAS, the veterans of Tulare County deserve our recognition for their continuing efforts and good citizenship throughout our community; and

NOW, THEREFORE, the City Council of the City of Visalia does hereby proclaim April 27, 2011 as Veteran's Opportunity Day, and ask the citizens of our city to show their support and gratitude to this very worthy occasion.

Dated: April 18, 2011


Bob Link, Mayor


Amy Shuklian, Vice-Mayor


E. Warren Gubler, Councilmember


Michael Lane, Councilmember


Steven A. Nelsen, Councilmember

**City of Visalia
Agenda Item Transmittal**

UPDATED STAFF REPORT

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Retiree Health Funding Policy

Deadline for Action: None

Submitting Department: Administrative Services

Contact Name and Phone Number: Eric Frost, 713-4474

Department Recommendation:

That the City Council state the City's financial contribution to retiree health care premiums starting with the 2012 calendar year, as follows:

- Continue to provide all retirees with access to the City's employee health plan, at a cost to the retiree as set forth below.
- Full cost of the retiree health care will be determined on a three-tier basis of single, two party, and family divided into under age 65 retirees and over age 65 retiree groups, as recommended by the City's actuaries;
- Eventually, the City will offer retirees access to the City's health plan at full cost to the retiree. A phase-out of the City's contribution will occur as follows:
 1. In the 2012 Calendar Year, actively at-work retirees may participate in the City's health plan at full cost. Actively at-work retiree is defined as earning wage income in excess of \$50,000 in the previous calendar year. No retirement or non-earned income will be included in the wage income.
 2. The City contribution would be phased out over a four-year period as follows:
 - 50% of the difference between the 2011 premium and the full cost of the 2012 health care cost will be added to the 2012 premium;
 - The remaining difference between the 2012 premium's full cost and the retirees' 2012 health care contribution will be phased out over 3 years until the 2015 retirees' health care contribution is at full cost.

For action by:
 City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

3. For qualifying retirees of lesser income defined as:

- Having provided the City with 15 years of service;
- Having reached Medicare Age; and,
- Having household income less than the Federal Social Security Earnings limit

These qualifying retirees will be offered the same health plan at 50% of the standard premium until calendar year 2015. The remaining City contribution will be phased out over 10 years, from 2015 until 2025.

These several actions are expected to save \$625,000 in FY 2011/12, \$1.4 million in FY 2012/13 and \$2.0 million by FY 2014/15.

The above actions would be consistent with, and in furtherance of, the City's existing Administrative Policy 301. This policy provides City of Visalia retirees with access to the City's health care plan, at a cost to be determined by the City. As noted above, access will continue to be provided, and the actions described above are intended to specify the cost of that access. A resolution enacting the above actions is attached and is recommended for adoption at this time in the event the City Council elects to proceed with these recommendations.

Discussion

Since the 2007/08 fiscal year, the City of Visalia has faced dramatically declining revenues. The City General Fund has seen its revenues decline from \$62 million to \$52 million. The City's ability to provide basic services has greatly declined. Positions have been kept vacant, departmental reorganizations have occurred, services have been outsourced, furloughs have been implemented, employee wage concessions have been implemented, and operational budgets have been sliced.

The 2011/12 Fiscal Year promises additional challenges. The projected deficit without actions by the State of California or the Federal Government is \$1.4 million. Actions that might be taken buy the State to balance its budget may result in further financial "hits" to the City. Over the next three years, the City will need to increase pension contributions by over \$3 million to keep current retiree and employee pension plans sound. This additional contribution is expected to continue for 20 years. As a result, at the March 21, 2011 City Council meeting, staff discussed the need to reduce costs in all funds. In particular, the Measure T Police fund is incapable of funding the plan's original goal of 28 officers. Two officer positions are currently vacant, but an additional 4 officers' positions would need to be kept vacant to bring expenses to the current level of Measure T sales tax. This does not address the \$1.4 million General Fund deficit.

With this backdrop, Council directed staff to return to Council with options to phase out the City's contribution for retiree health care. While Visalia's retirees will still have access to the City's health plan, the intent of this funding phase out proposal is to provide retirees access to the City's health plan at the City's full cost.

Even at full cost, the City's PPO plan remains less expensive than the comparable plan offered by PERS with the City plan costing as much as \$452 a month less than the PERS plan for a retiree over age 65's family.

The recommendation does the following:

1. Continues to provide retirees access to the City's health plan but at full cost. Policy 301 states that the City determines what the cost will be to the retirees. Council would be restating that the price shall be cost. Development of future rates would be handled by staff as directed by this policy unless the Council directed staff to bring the matter back to Council.
2. The City would move from a two-tier to three-tier pricing policy which is more common among health plans. Tiered pricing would be by under age 65 retirees and over age 65 retirees. Some anticipated that the cost to employees over 65 would drop more dramatically once the retiree was eligible for Medicare. Although medical costs do drop, this is mostly offset by increased costs for prescription drugs.

Nevertheless, Medicare age retirees' costs are much less than retirees not on Medicare. The City's health plan document requires that retirees participate in Medicare if they can. Since the plan started, retirees have been asked to participate in Part A and B of Medicare. All U.S. citizens can participate in Medicare. For those with sufficient work quarters, part A is without cost. Otherwise there is a premium for those who do not have enough work quarters. The proposed pricing takes into account the health care costs being paid by Medicare.

3. A phase out process would be implemented over 4 years providing:
 - a. Retirees currently earning wages in excess of \$50,000 would pay the full cost of the health plan in the 2012 year. This action is expected to save about \$125,000 in fiscal year 2011/12 and \$250,000 in calendar 2012.

The retirees would be asked to certify under penalty of perjury that in the preceeding year they did not have earned income in excess of \$50,000. The City could also ask for a copy of the participants 1040 form to verify earnings in order for the individual to receive the lower cost premiums.

- b. Retirees not earning \$50,000 in earned wages would increase their premium contributions by 50% of the difference between full cost and current contribution levels with the 2012 premiums. This action will reduce the City's cost by \$500,000 in fiscal year 2011/12 and \$1 million for calendar year 2012. Thereafter, the City's subsidy will decrease by additional \$300,000 a year until 2015 at which time the premium paid by retirees would be the City's cost.
 - c. For lesser income retirees who have:
 - provided the City with 15 years of service;
 - reached Medicare age and;
 - have a household income less than the Federal Social Security Earnings limit,

staff recommends that their rates increase by ½ of the general retiree group's rates until 2015. Thereafter, the program would be phased out

over 10 years. The cost of this program is about \$200,000 in 2012 and will reduce to nothing over the life of the program.

Staff recommends this approach despite the length of the proposal because this recommendation will help the most at-risk City of Visalia retirees who probably retired under the less generous retirement formulas given to workers prior to the earlier part of the last decade.

If Council adopts these recommendations, the contribution rates, without a general rate increase, would be as shown on Table I, Potential Monthly Retiree Health Care Rates.

The changes will be difficult; however, any choice to reduce costs will be difficult somewhere and the choice is being forced upon the City due to the continued economically difficult times. For example, the increased pension assessments, which benefit current employees and retirees, will cost the City \$1 million a year more than can be saved in retiree health care.

To offset these difficult times, the City has developed a high-deductible health plan which provides coverage for major medical costs. The City also now offers Health Savings Accounts to both retirees under age 65 and active employees. The phase-out recommendation is designed to cushion the impact for current retirees. Current employees may be able to work with the City to find additional ways to reduce plan costs.

Again, these recommendations are drastic. But, the challenges are great because:

- The City has faced an unparalleled number of years of declining revenues which has led the City to have layoffs, reduce employee compensation, reduce positions and implement numerous other cost savings;
- The City faces the very real possibility of further position reductions, including public safety reductions in Measure T and;
- The City faces dramatically higher employee and retiree pension costs partly due to enhanced benefits granted to employees in the last 10 years.

Full Implementation Rate Schedule for All Plans*
Table 1

Monthly Retiree Health Rates on Three Tier Basis					
(Does Not include any potential general rate increase)					
	2011	2012	2013	2014	2015
Retiree					
Under 65					
EPO					
Single	280.69	540.77	627.47	714.16	800.86
Two	468.74	1,035.22	1,224.05	1,412.87	1,601.70
Family	468.74	1,343.55	1,635.15	1,926.75	2,218.36
PPO					
Single	280.69	532.77	616.79	700.82	784.84
Two	468.74	1,019.20	1,202.69	1,386.18	1,569.67
Family	468.74	1,321.37	1,605.57	1,889.78	2,173.99
HD					
Single	114.59	375.07	461.90	548.73	635.56
Two	229.69	750.40	923.97	1,097.55	1,271.12
Family	229.69	995.10	1,250.23	1,505.37	1,760.50
Retiree					
Over 65					
EPO					
Single	244.95	437.23	501.33	565.42	629.52
Two	397.26	828.14	971.77	1,115.39	1,259.02
Family	397.26	1,070.50	1,294.92	1,519.33	1,743.75
PPO					
Single	244.95	430.94	492.93	554.93	616.93
Two	397.26	815.55	954.98	1,094.41	1,233.84
Family	397.26	1,053.07	1,271.67	1,490.27	1,708.87
HD					
Single	78.85	289.22	359.34	429.46	499.58
Two	158.21	578.69	718.85	859.01	999.17
Family	158.21	771.03	975.30	1,179.57	1,383.85
* Note: Rates do not include any potential general rate increase.					

***Prior Council/Board Actions:**

Committee/Commission Review and Actions:

Alternatives: Any combination or phasing in period which the Council deems appropriate

Attachments: Questions and comments presented until Thursday, April 14, 2011

Recommended Motion (and Alternative Motions if expected): I move that City Council adopt resolution 2011- 17 (with the following modifications, if appropriate).

Environmental Assessment Status

CEQA Review:

NEPA Review:

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

Staff has endeavored to provide a draft of the staff report to employee bargaining groups and all retirees. Since it was released, relatively minor modifications have been made for clarity, but have not substantially change the information in the report.

Summation of questions and comments received up to Thursday, April 14, 2011

- The City has provided health benefits at a reasonable rate for many years. The implied agreement to City employees was that this practice would continue.

Response: The Council has the right to set the City's health care rate for retirees.

- Those that retired under a disability have typically retired with a smaller pension. Shouldn't the City do something for us?

Response: The Council could treat those that retired under a disability like qualifying retirees, providing a longer phase out period. The number that would be affected would be small, particularly if the disabled retiree had to meet the 15 years of service and less than Federal Social Security earnings amount, costing the City something like \$25,000 to \$50,000 a year.

- The proposed change is too abrupt.

Response: Council may lengthen out the health contribution phase out period. The current proposal is to reduce the subsidy by one-half in 2012. This change greatly addresses the City's budget shortfall. The Council many wish to extend the phase out period after that from 3 years to something much longer. This contribution, about \$1 million a year, would then be carried fully or partly by the City for whatever period the Council so determined.

- Long time employees worked for the City for many years. They should be given something better than the proposed rate schedule. Can't we be left alone?

Response: If the Council wanted to provide a contribution for long time employees, they could establish a required number of years of service and credit those retirees with a set credit or a declining credit over time. More than ½ of the retirees in the health plan have over 15 years of service. For example, if 15 years of service were required to receive such a credit, for each \$100 a month credit, the City would pay approximately \$150,000 year.

- Retirees have not had time to prepare for increased insurance costs. Most retirees do not have options so they can save more money for health care costs in the future.

Response: The proposed longer phase out of City health care contribution for lesser income retirees is designed to help those most impacted by the proposal. The Council could remove the age 65 requirement which would add another 10 or so retirees to the qualifying retiree program for lesser income, costing the City approximately \$120,000 in 2012 and declining there after.

- If the City acts upon the proposed health insurance premiums, the health plans would be unaffordable.

Response: Health care is expensive. The City has tried to control costs and still provides a plan that costs less than comparable PERS plans. Further, the City has tried to provide alternatives such as the high deductible health plan. If Council directed, staff could seek additional alternatives but benefits would also be less.

- What happens to surviving spouses of retirees?

Response: Surviving Spouses will follow the tiered rate of retirees.

- The City has represented to some employees in writing that there was retiree health care benefits.

Response: In some employment agreements, the City has stated the City's retiree health care as follows:

Medical and vision insurance is afforded with surviving spouse benefits based upon established retiree contribution schedules. Dental not included. Different contribution rates depending upon plan.

- It appears the City has not being honest with its retirees. The City is changing the cost of retiree benefits after retirees have left the City's employ.

Response: The City's policy states that the City determines the premium. Legally, it has been established that the Council set health care rates. Now, the Council is weighing the value of providing this benefit against services the City provides because the City has fewer resources today than in the past.

City of Visalia
Resolution 2011 - 17

Whereas, the City of Visalia maintains a health plan for the benefit of its employees; and,

Whereas, the City of Visalia has adopted a policy by which retirees may participate in the City's health plan, namely Administrative Policy 301 which states that "retirees and their dependents are eligible for medical and vision benefits at a cost determined each year by the City"; and,

Whereas, consistent with Administrative Policy 301, the City Council of the City of Visalia has from time to time determined the cost of participation in the City's health plan for City of Visalia retirees; and

Whereas, in setting the cost of participation for retirees, the City Council has in the past subsidized the cost to retirees of participation in the City's health plan by setting the cost at a level that is less than the full cost of the plan; and

Whereas, also consistent with Administrative Policy 301, the City Council finds it appropriate to specify the cost of participation in the City's health plan for City of Visalia retirees on an ongoing basis in a manner that decreases and ultimately phases out the amount of subsidy provided by the City; and

Therefore the City Council of the City Visalia establishes the following provisions for determining the cost of participation in the City of Visalia health plan for City of Visalia retirees:

- All retirees will continue to be eligible for participating in the City's health plan, provided they pay the cost of participation as determined hereby.
- The full cost of retiree health care will be determined on a three tier basis of single, two party and family, each divided into retirees under the age of 65 and retirees over age of 65, as recommended by the City's actuaries;
- A transition to requiring payment of full cost for participation in the City's health plan for retirees will occur as follows:
 1. In the 2012 Calendar Year, actively at work retirees may participate in the City's health plan at full cost. "Actively at work" retiree is defined as earning wage income in excess of \$50,000 in Calendar Year 2010. No retirement or non-earned income will be included in the wage income.
 2. The transition to payment of full cost of participation by retirees will occur over a 4 year period as follows:
 - 50% of the difference between the 2011 premium and the full cost of the 2012 health care cost will be added to the 2012 premium;
 - The remaining difference between the 2012 premium's full cost and the retirees' 2012 health care contribution will be phased out over 3 years until the 2015 retirees' health care contribution is at full cost.
 3. Qualifying retirees of lesser income will be offered the ability to participate in the same health plan at 50% of the full cost for the respective group until calendar

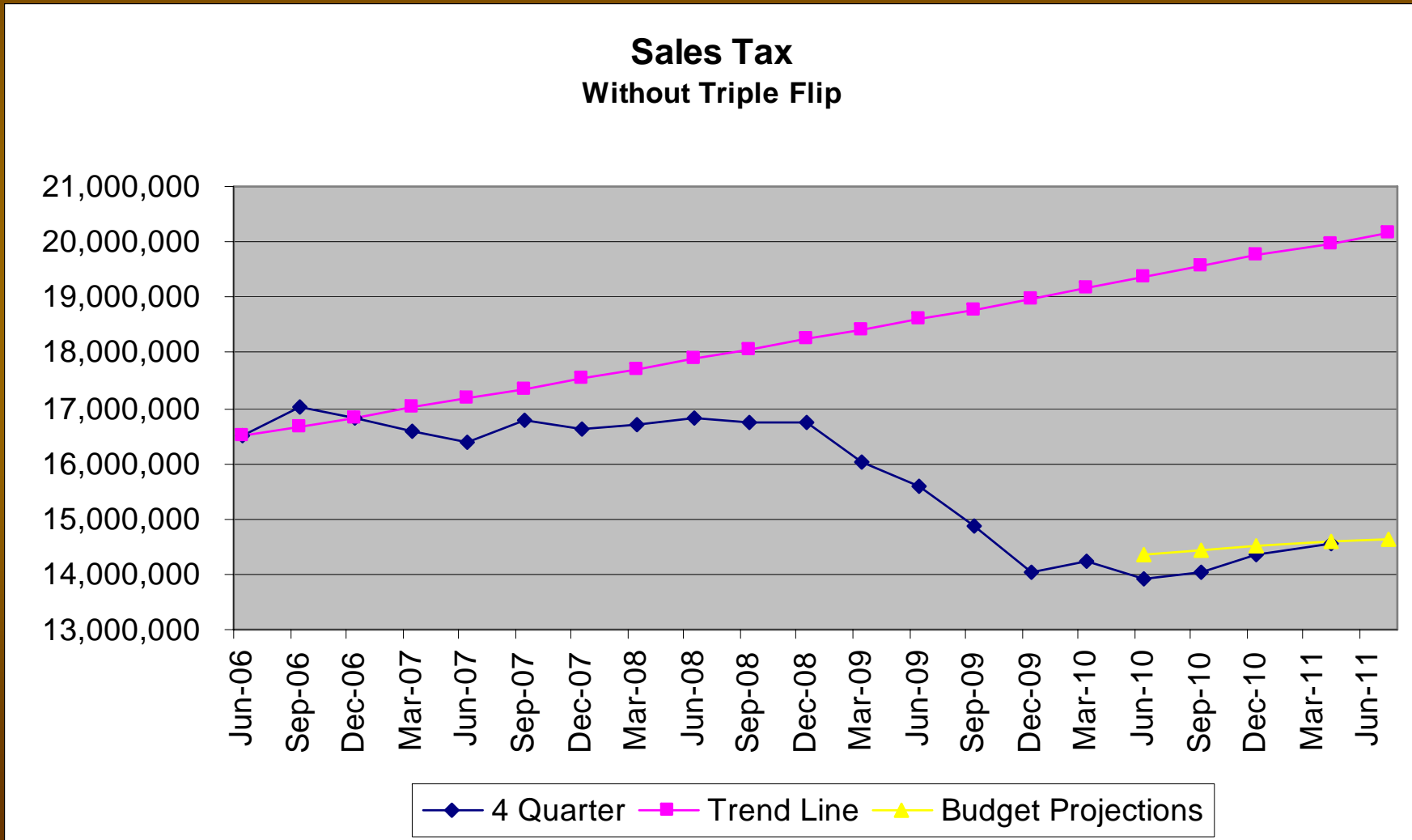
year 2015. From 2015 until 2025, the remaining City contribution will be phased out over 10 years. "Qualifying retirees" shall be defined as:

- Having provided the City with 15 year's of service;
- Having reached Medicare Age; and,
- Having household income less than the Federal Social Security Earnings limit

Retiree Health Care

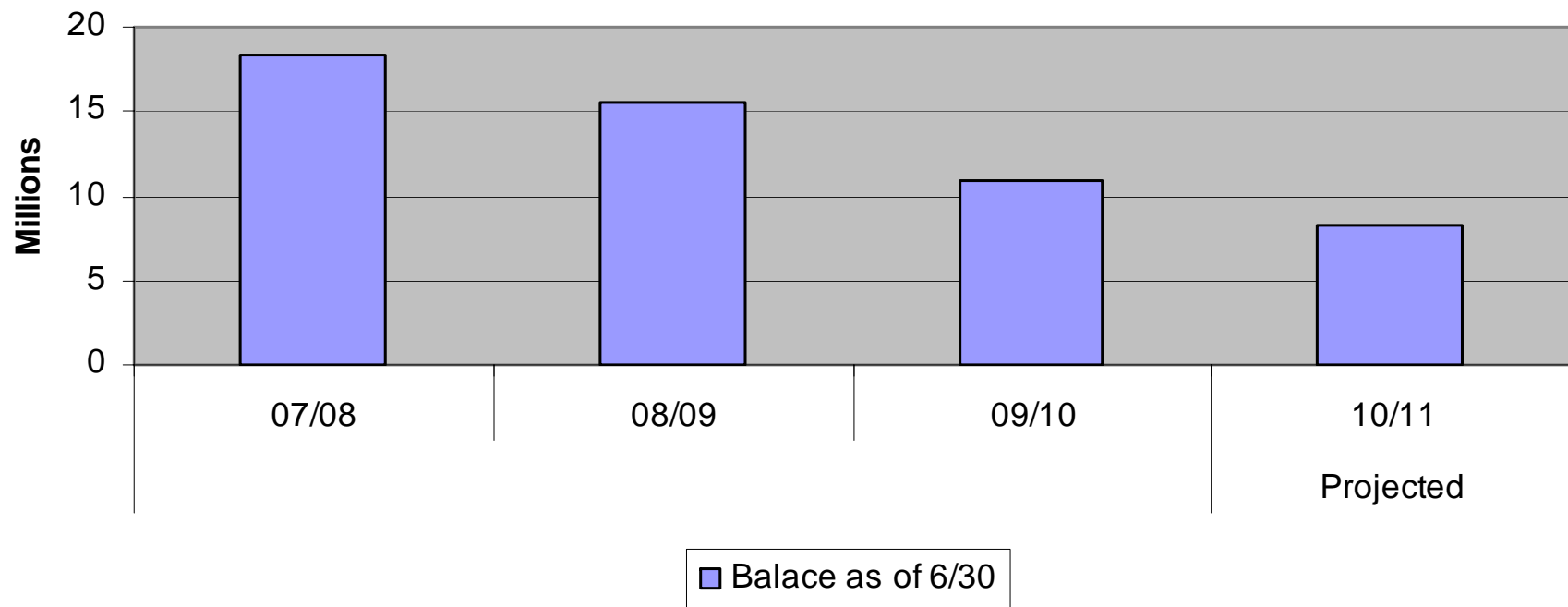


Why are we discussing the City's retiree health care contribution?



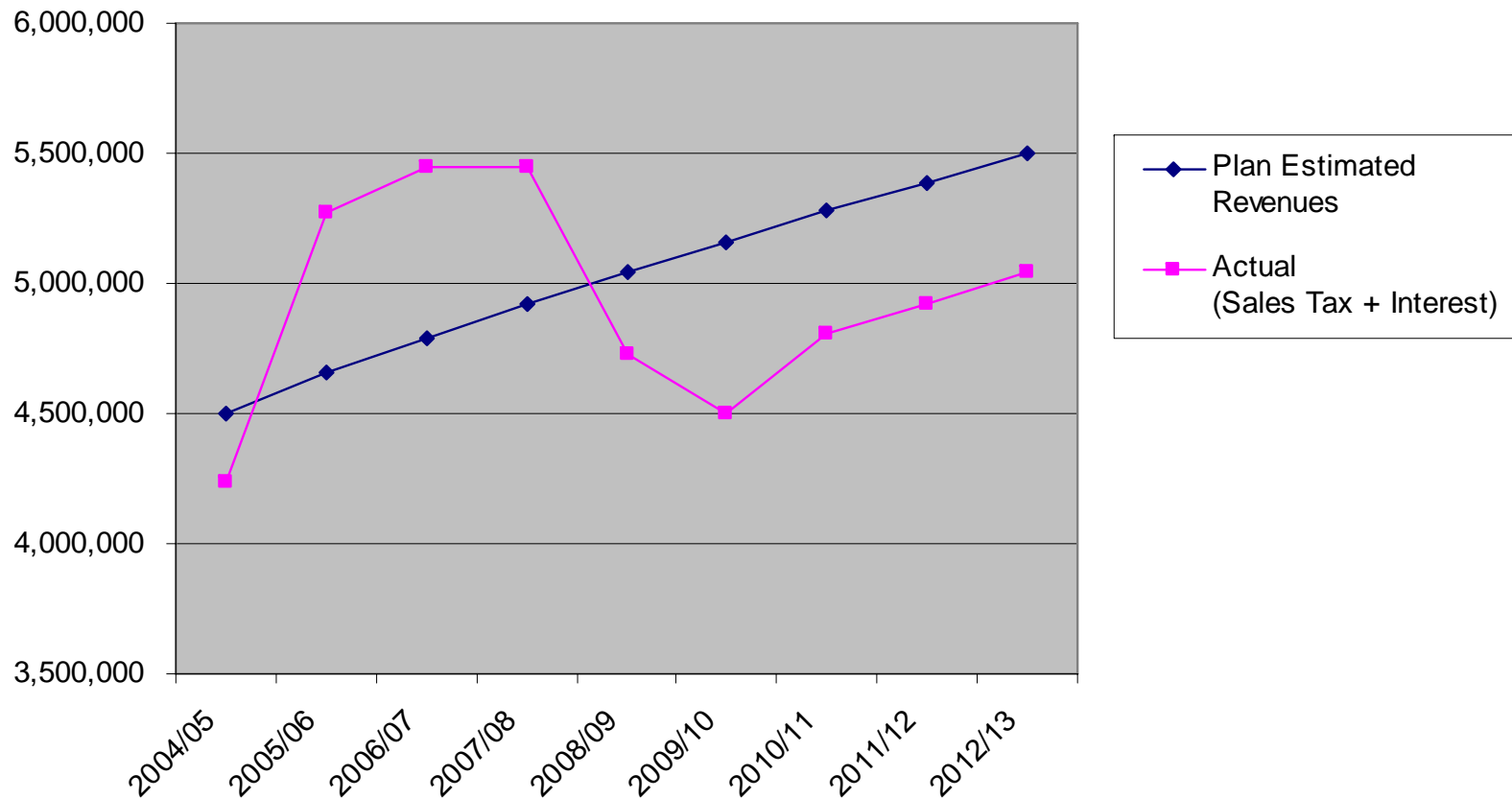
General Fund Revenues Down Drawing Down Emergency Reserves

General Fund Emergency Reserves and Undesignated Balance

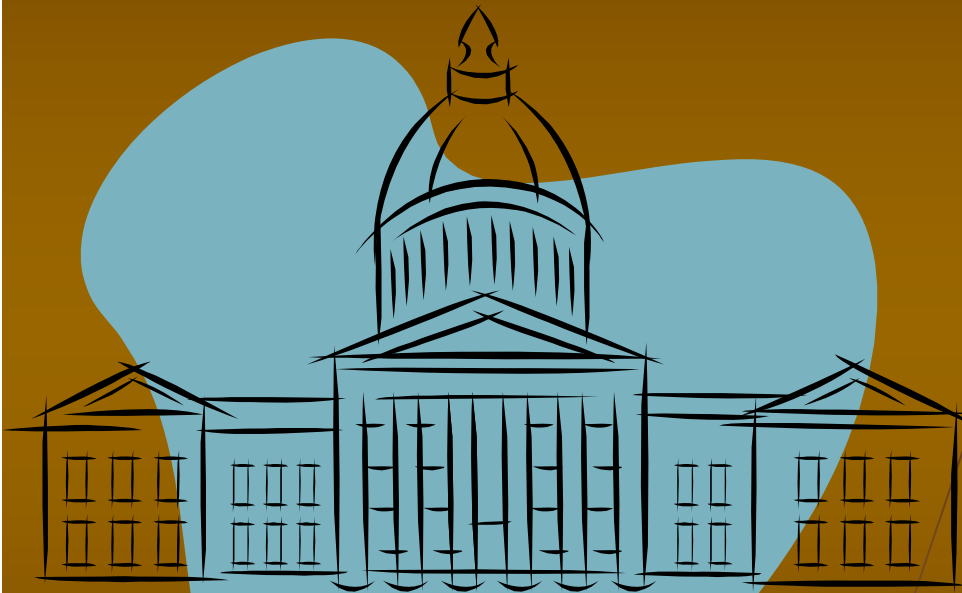


Why such a dramatic change?

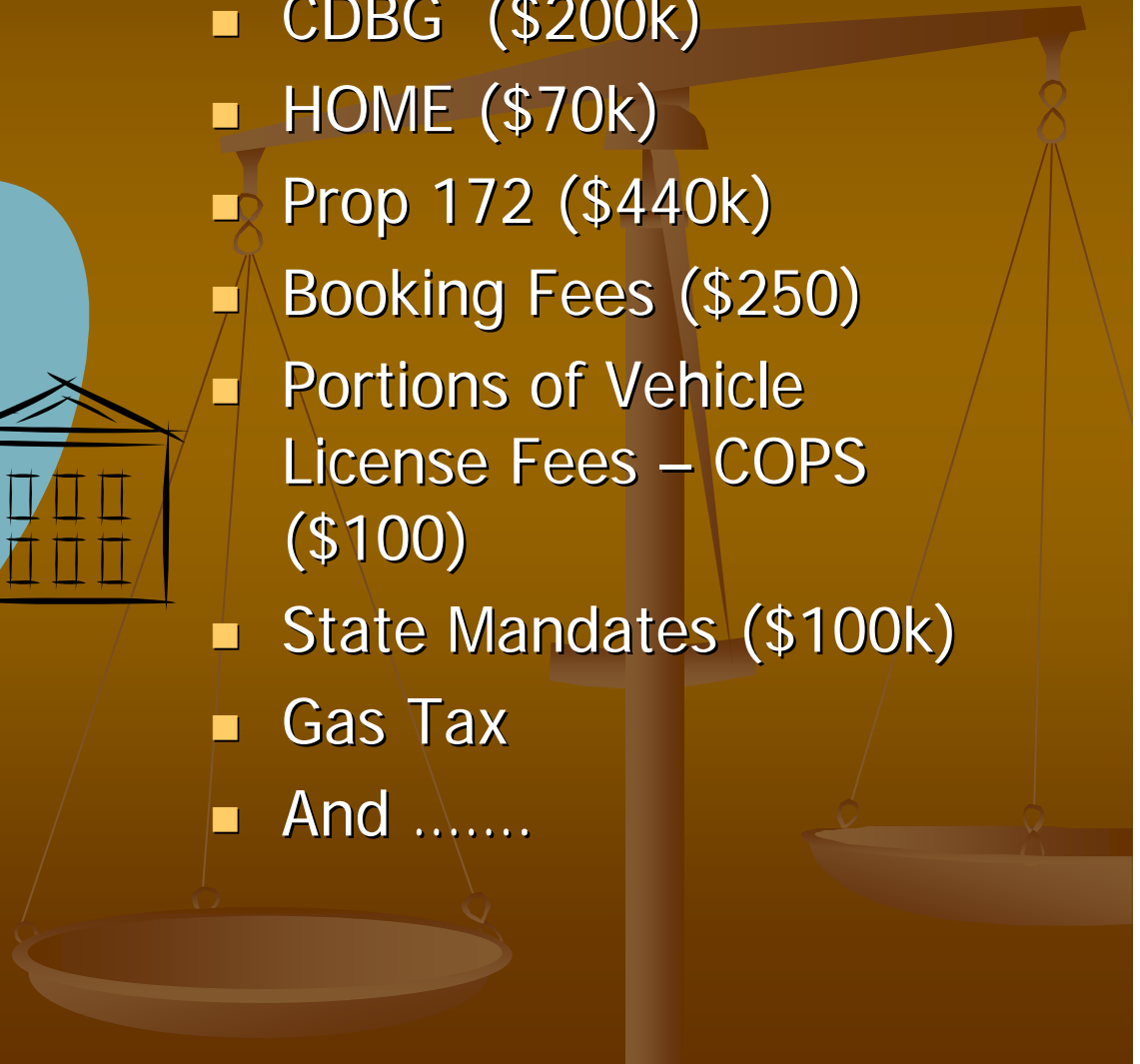
Measure T Revenues



State and Federal Cuts - \$1.2 mm

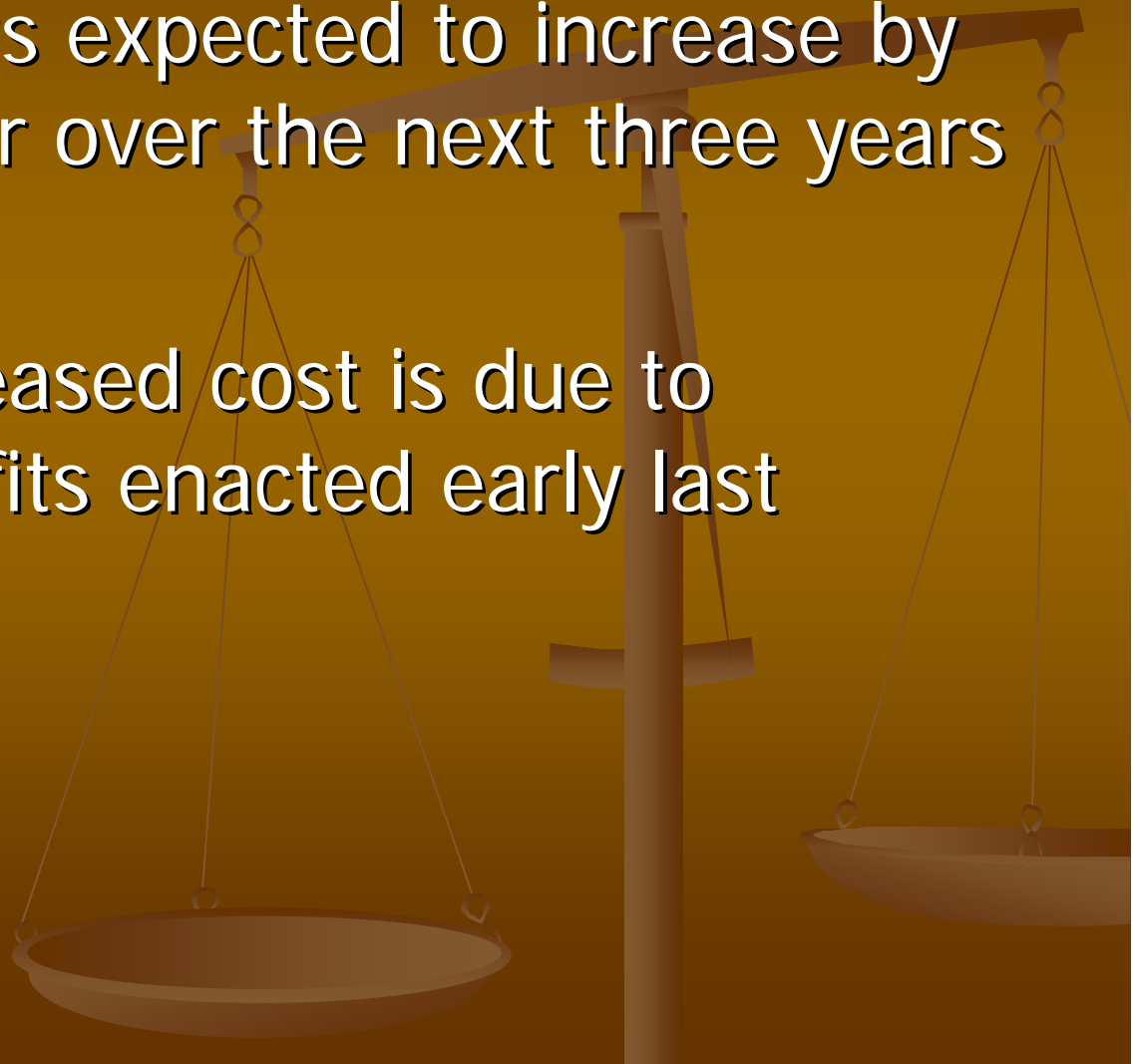


- CDBG (\$200k)
- HOME (\$70k)
- Prop 172 (\$440k)
- Booking Fees (\$250)
- Portions of Vehicle License Fees – COPS (\$100)
- State Mandates (\$100k)
- Gas Tax
- And



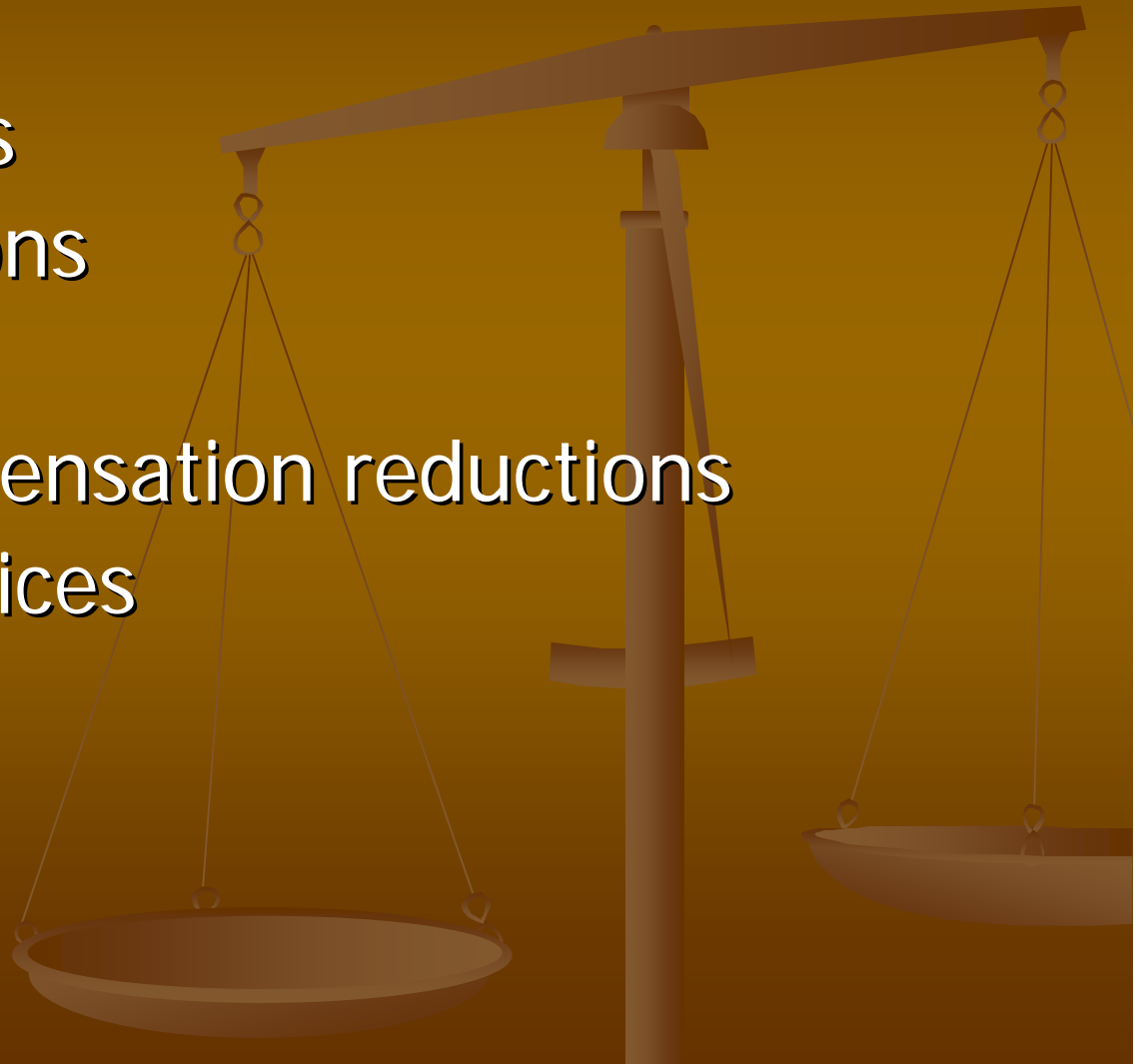
Pension Costs will rise dramatically

- City's PERS costs expected to increase by \$3 million a year over the next three years
- Half of the increased cost is due to enhanced benefits enacted early last decade

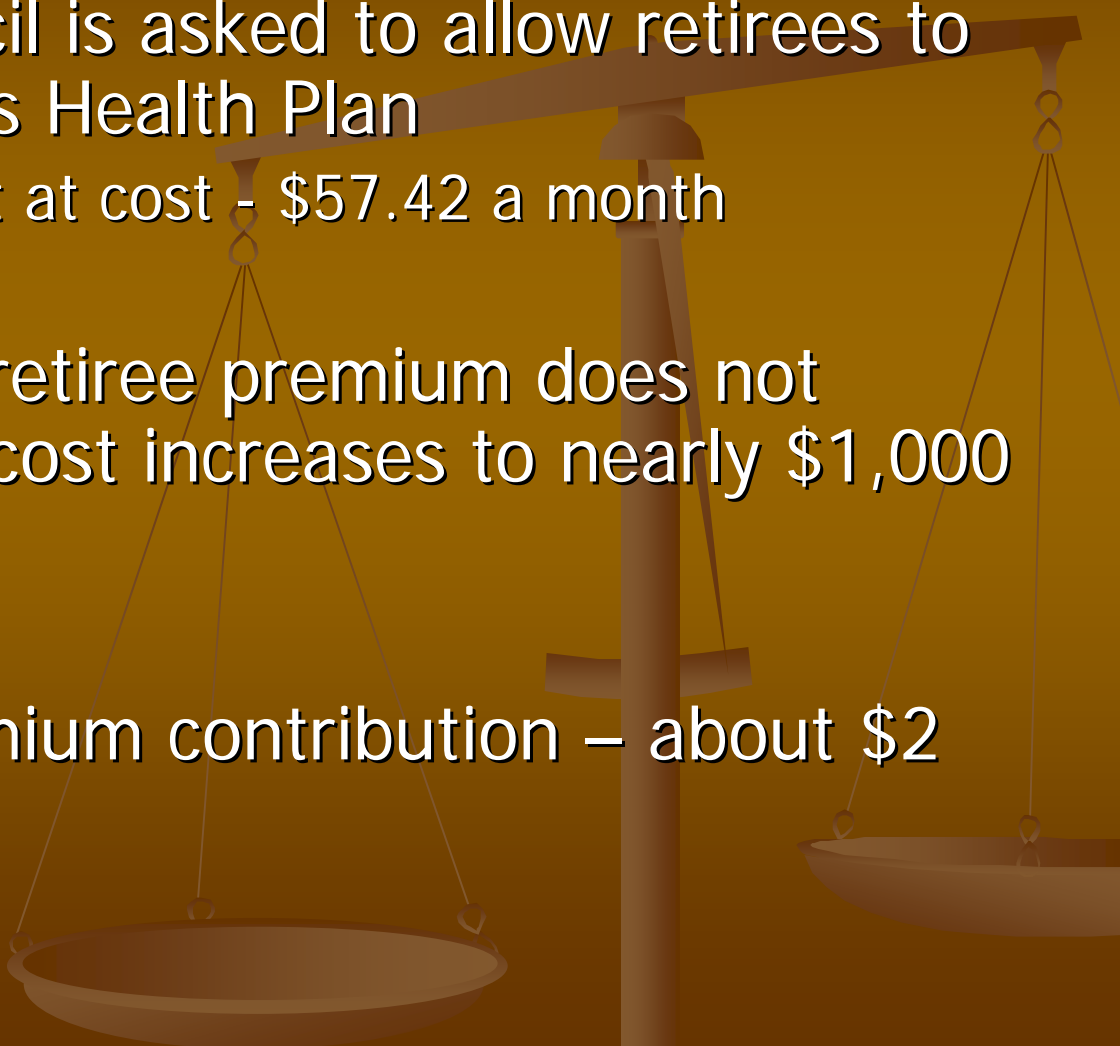


Actions Taken So Far

- Layoffs
- Staff Reductions
- Service reductions
- Furloughs
- Employee compensation reductions
- Out source services
- Reorganizations
- Reassignments



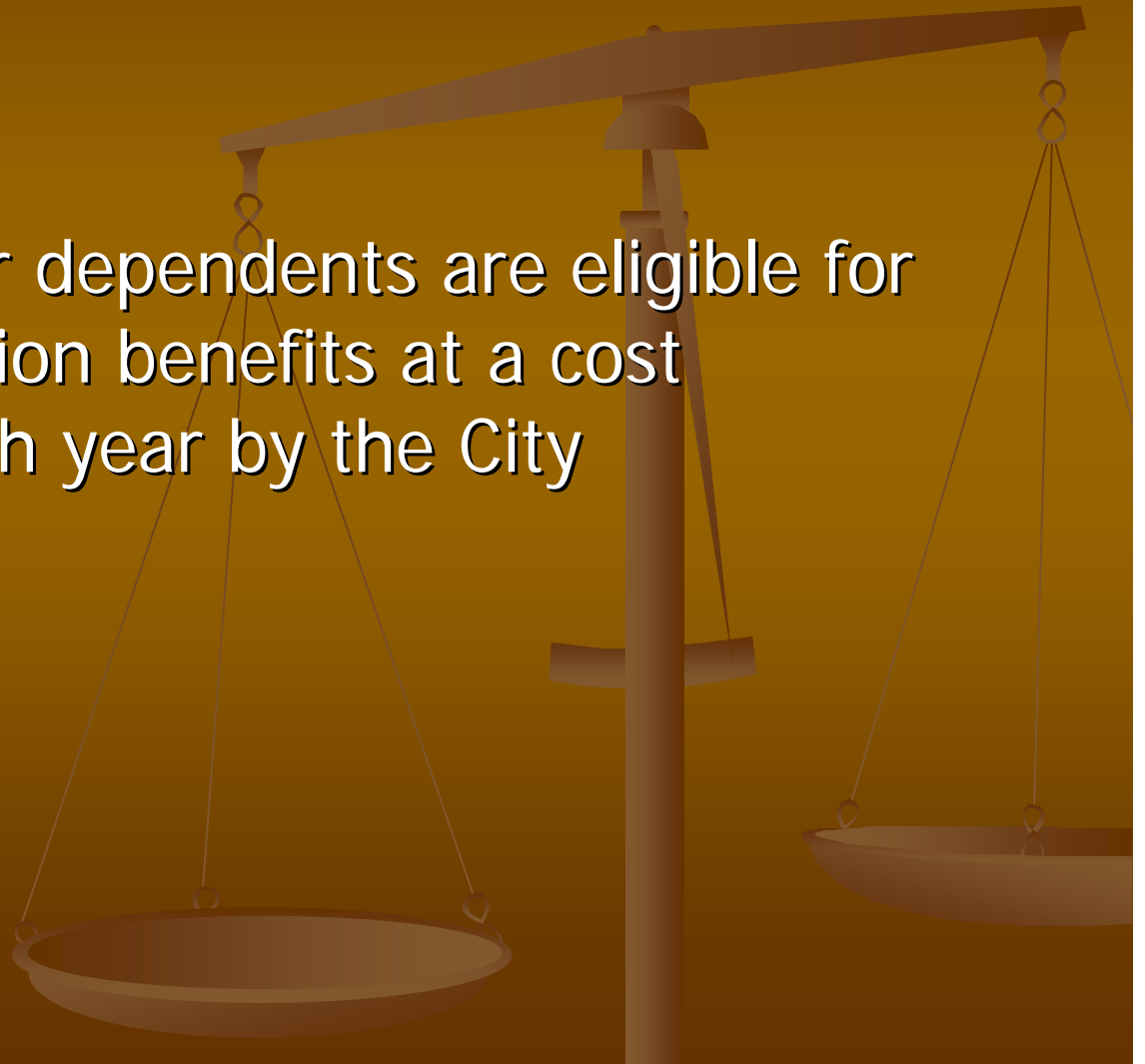
Retiree Health Care History

- 1982 - City Council is asked to allow retirees to participate in City's Health Plan
 - Council agrees but at cost - \$57.42 a month
 - For 20 years, the retiree premium does not change but City's cost increases to nearly \$1,000 a month
 - City's current premium contribution – about \$2 million a year
- 

Policy for Health Care

- Policy 301

Retirees and their dependents are eligible for medical and vision benefits at a cost determined each year by the City

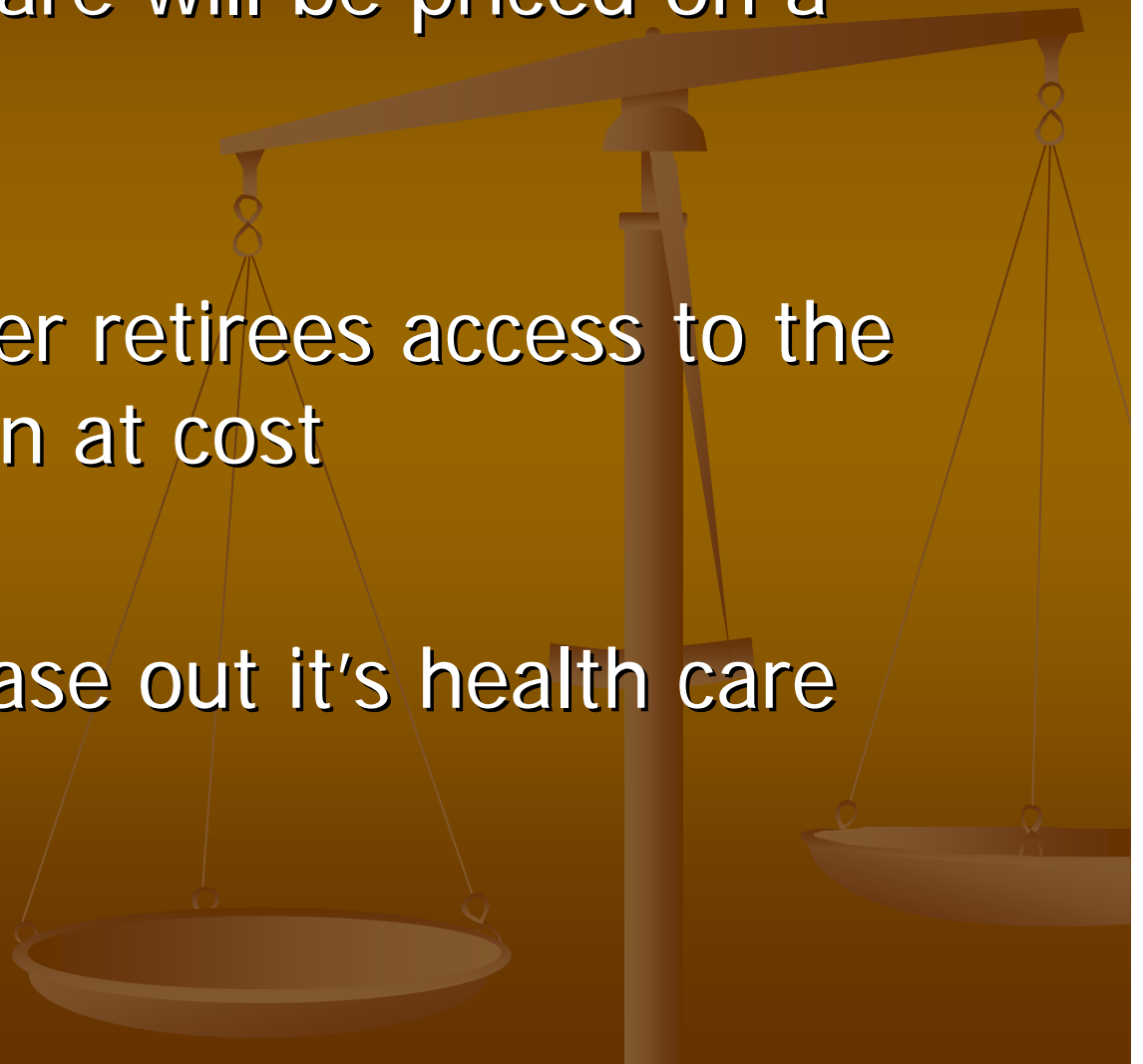


Council Options

- Determine cost each year; or,
- Develop a policy which:
 - Continues to offer access to health care
 - Provides three tier recognizing Medicare Contribution
 - Determines level of City Contribution
 - Allows for exceptions, if any

Proposal

- Retiree health care will be priced on a three tier basis
- The City will offer retirees access to the City's health plan at cost
- The City will phase out it's health care contribution

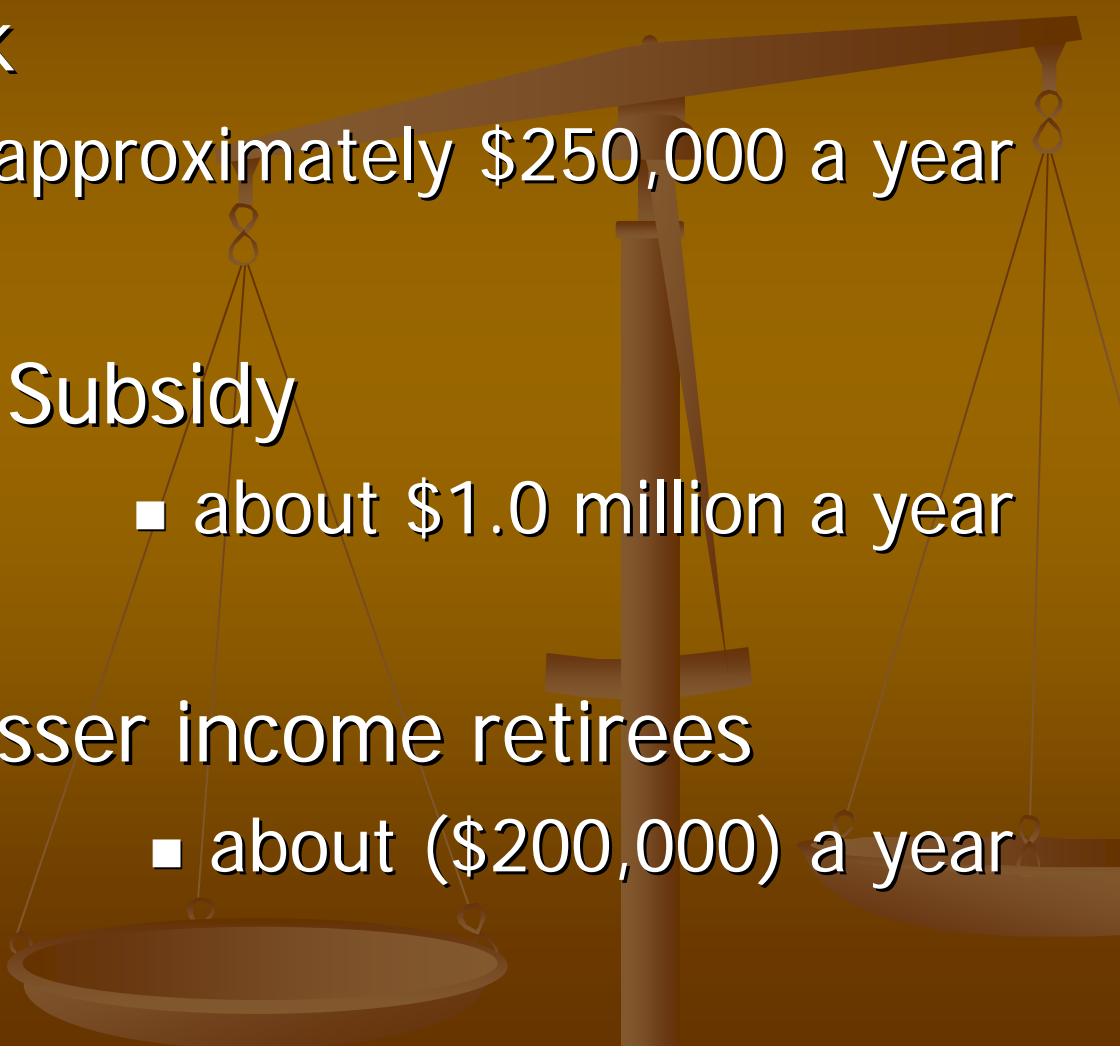


Phase Out Plan



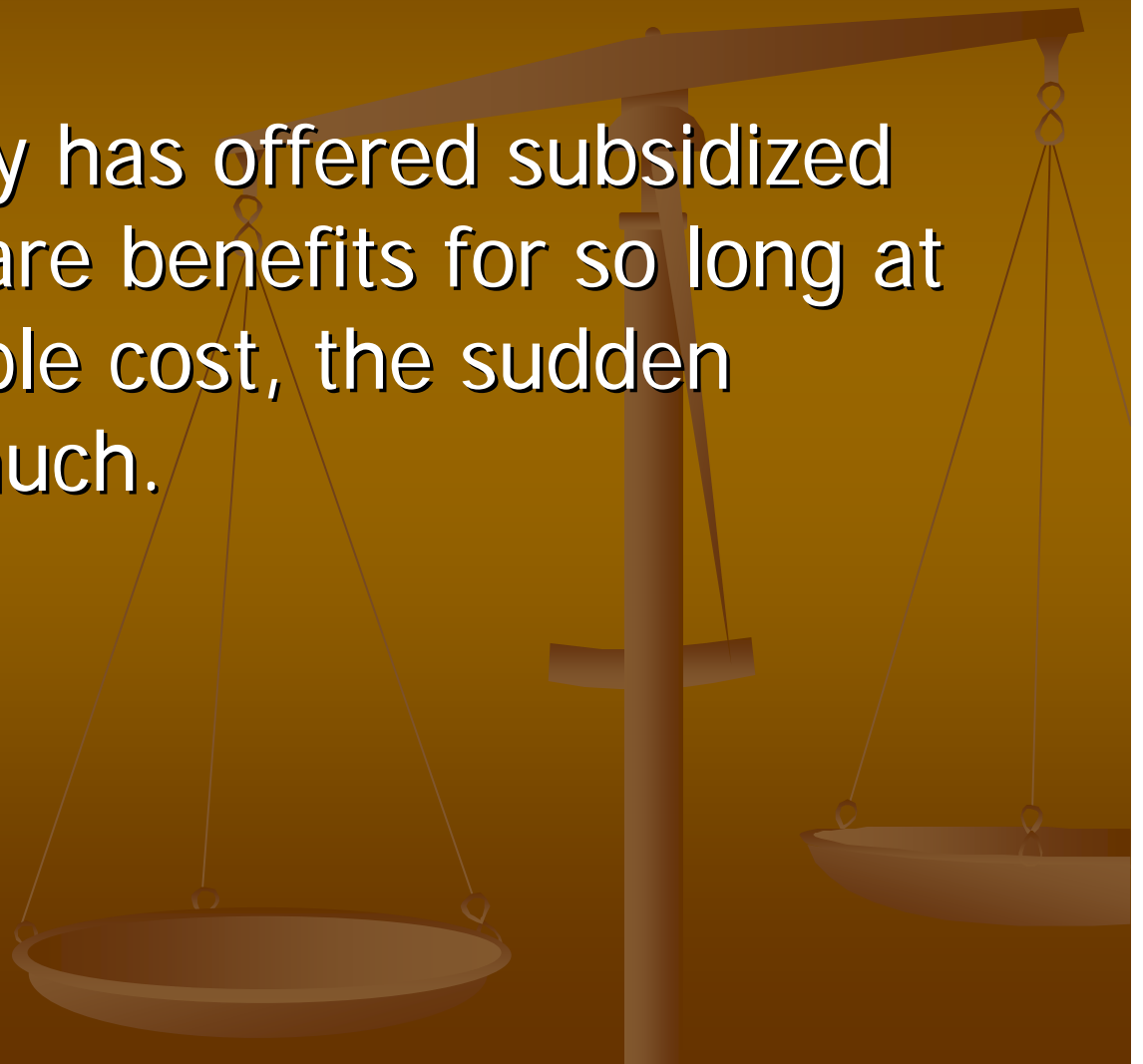
- In the 2012 Calendar Year, actively at work retirees may participate at cost – wages of \$50,000 or more
- All others, the City contribution would be phased out over a 4 year period
- For qualifying retirees of lesser income defined as:
 - 15 year's of service;
 - Medicare Age; and,
 - Household income less than the Federal Social Security Earnings limit
- will be offered the same health plan at 50% of the standard premium until calendar year 2015. From 2015 until 2025, the remaining City contribution will be phased out over 10 years.

First Full Year City Savings/(Cost)

- Actively At Work
 - approximately \$250,000 a year
 - General Retiree Subsidy
 - about \$1.0 million a year
 - Allowance for lesser income retirees
 - about (\$200,000) a year
- 

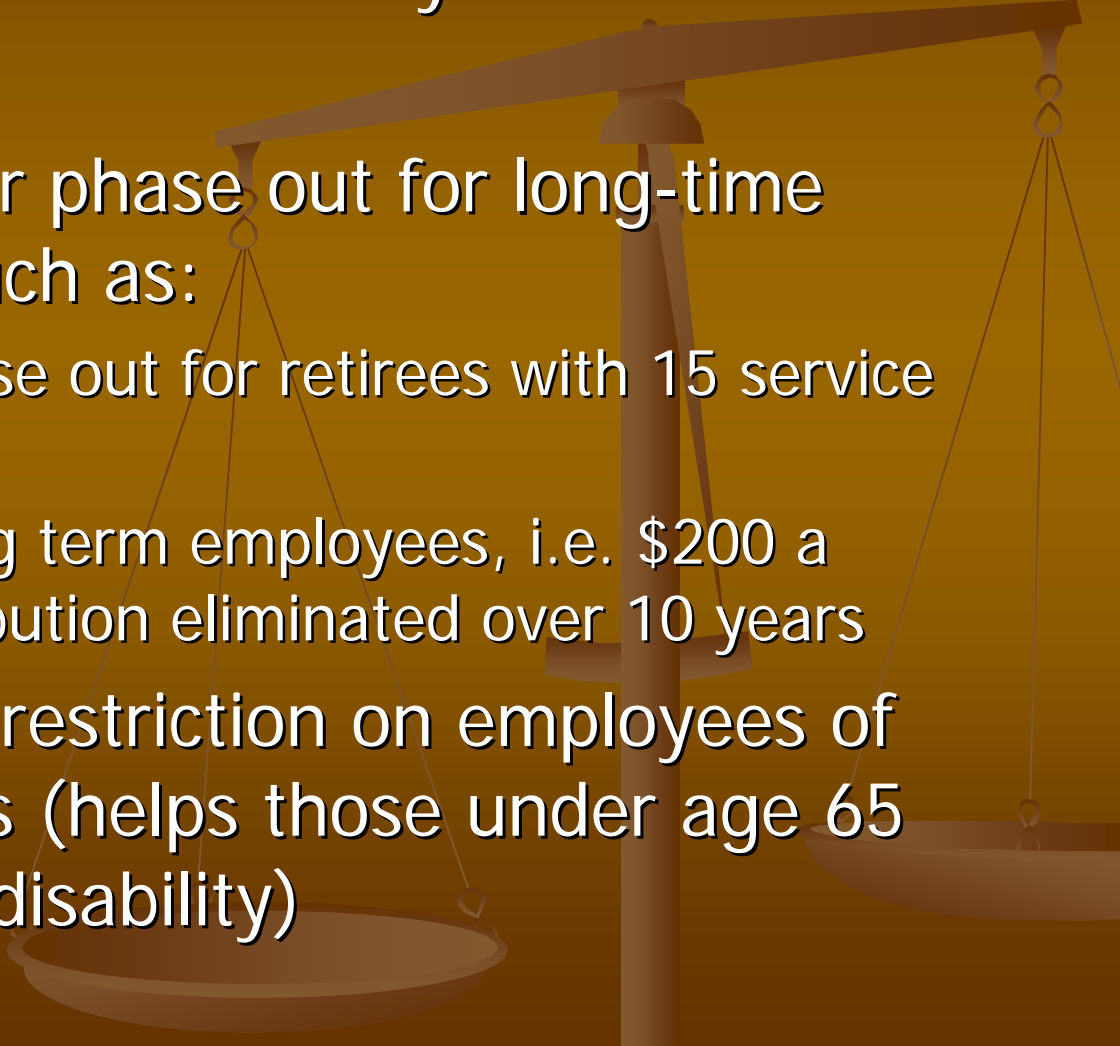
Biggest Complaint

- Because the City has offered subsidized retiree health care benefits for so long at such a reasonable cost, the sudden change is too much.



Options

If the decision is to phase out City Contribution:

1. Limited, longer phase out for long-time employees, such as:
 - Ten year phase out for retirees with 15 service years; or,
 - Credit for long term employees, i.e. \$200 a month contribution eliminated over 10 years
 2. Eliminate age restriction on employees of lesser incomes (helps those under age 65 and those on disability)
- 

Questions





California Water Service Company

Proudly providing high-quality water service to our customers in Visalia since 1927.

Phil Mirwald, District Manager
Visalia City Council
April 18, 2011



Cal Water is committed to maintaining the water system infrastructure in Visalia to ensure each resident receives a safe, reliable, and high-quality supply of water.



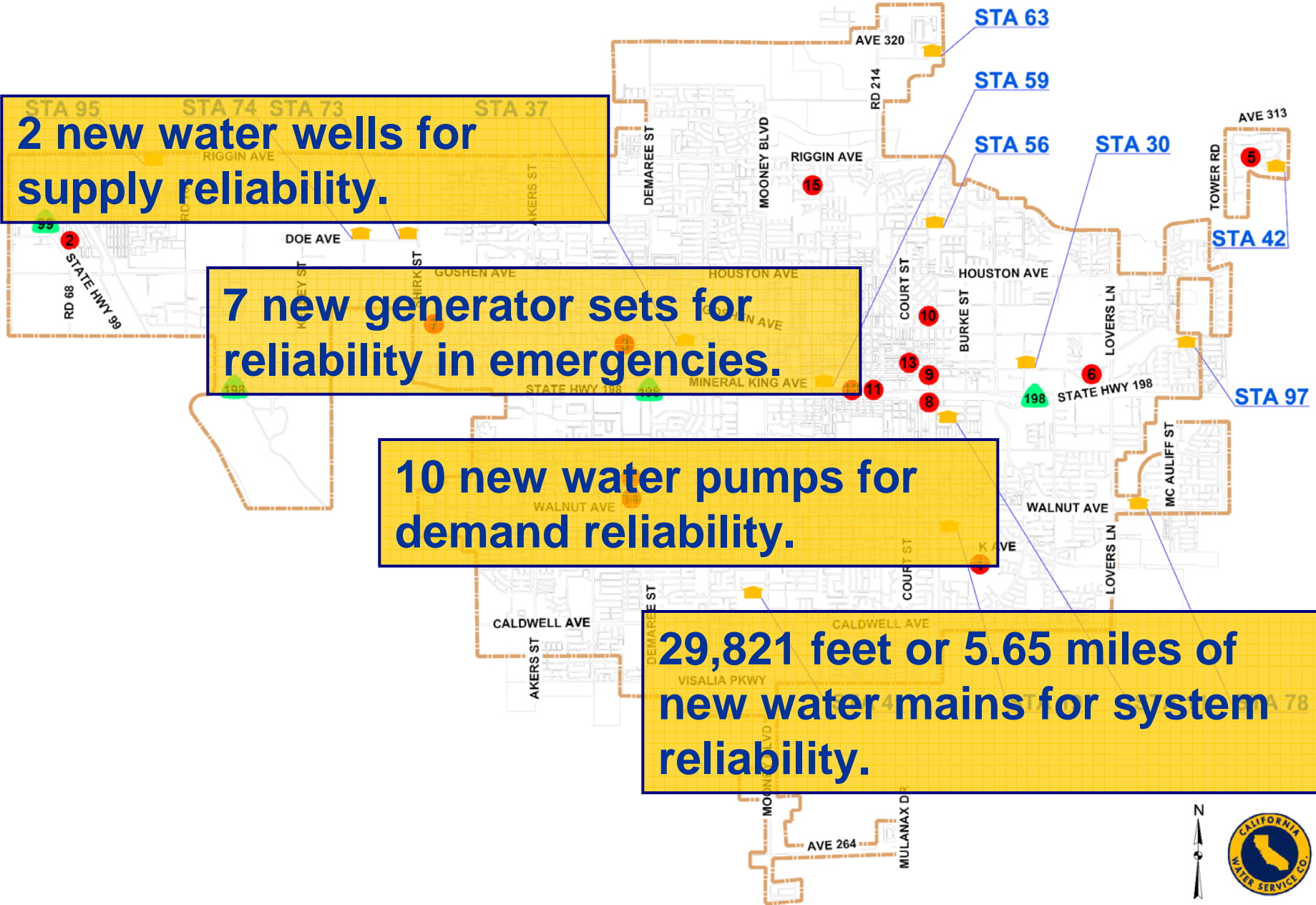
2009-2012 Supply Projects

2 new water wells for supply reliability.

7 new generator sets for reliability in emergencies.

10 new water pumps for demand reliability.

29,821 feet or 5.65 miles of new water mains for system reliability.





Cal Water is also committed to planning for the future water needs of Visalia to ensure residents receive a safe, reliable, and high-quality supply of water for many years to come.





Our Water Supply & Facilities Master Plan will be completed by September, 2011 and will guide our facility improvements and water supply decisions over the next 20 years.





Our Urban Water Management Plan will be sent to the Department of Water Resources in July and will support our long-term resource planning to ensure adequate water supplies are available to meet future water demand.





Cal Water is committed to helping our customers conserve water to assist in ensuring that there are sufficient supplies of water well into the future.





Our Conservation Master Plan is scheduled for completion in April, 2011 and will provide the framework for our water conservation efforts in Visalia.





Like water-efficient plumbing fixtures . . .

Customer Information

Please send me water-efficient plumbing retrofit items!



Simply complete and return this card to a Cal Water representative to receive these plumbing retrofit items at no charge. Please remember to complete your customer information on the reverse side of this card. Items will be shipped within four to six weeks to the service address provided on the reverse side.

Circle the number of items you would like: *(limit two items per service address per calendar year)*

High-efficiency showerhead (uses 2 gpm)	0	1	2
Kitchen sink aerator (uses 1.5 gpm)	0	1	2
Bathroom faucet aerator (uses 1.0 gpm)	0	1	2
Hose nozzle with shut-off	0	1	2
Toilet leak detection tablets	0	1	2





... and residential water use survey programs ...

Cal Water is pleased to provide residential water-use surveys at no charge to our customers.

California's population continues to grow, but the amount of water available to Californians does not. Water supplies throughout the state have become more constrained due to periodic drought, aging infrastructure, and heightened environmental concerns.

That's why your efforts to use water wisely are critical to ensuring that we have enough water for you and for future generations.

We are offering a Residential Water Use Survey Program to help you identify opportunities to save water at home. By participating in this free program, you will be taking the first step to a more water-efficient household.

Visit www.calwater.com/conservation to learn about other programs available in your area, apply for an appliance rebate, and find other ways Cal Water can help you conserve water.



xxxxx District
xxxxxxxxxxxxxxxxxxxx
xxxxxx, CA xxxxx
(xxx) xxx-xxxx
www.calwater.com



Residential Water Use Survey Program

FREE residential water use survey! Details inside...



...ry water leaks at the water
...ntroller to review
...chedule and run
...nd recommend
...ods and schedules
...cklers and/or lateral
...nity is affected by
...verage, plant
...lers, clogged
...r problems
... determine soil
...pray nozzles
...sting devices

Use Water Wisely.
It's Essential.
Please consider the environment and recycle this paper.





Conversion of flat rate services to meters will show customers how much water they are using.

Water meters are coming!

How will having one affect you?

Water Meter Workshop

September 10, 2008 • 5:30-7 p.m.

Cal Water Customer Center

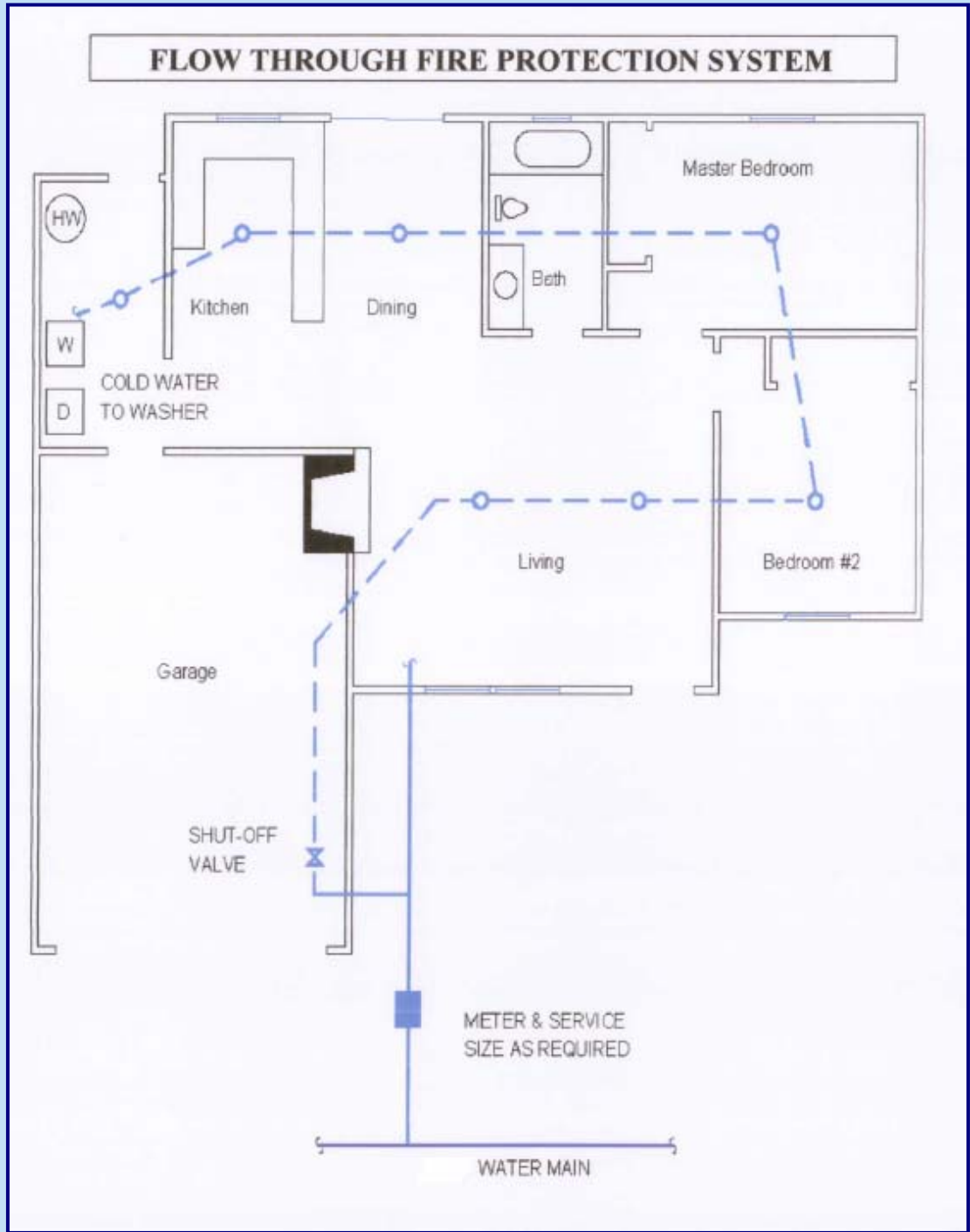
(216 North Valley Oaks Drive, Visalia, CA 93292-6717)





Cal Water is committed to keeping our customers safe by working with the Visalia Fire Department to provide metered service to support the use of residential fire sprinklers and flow through fire protection systems.







Cal Water is committed to helping the building industry recover by adopting equitable infrastructure cost sharing where per lot fees are \$1,100 per residential lot if they are smaller than 12,000 square feet.





Cal Water is committed to providing Visalia with high-quality water and excellent customer service at the lowest possible cost.





**We'd be happy to answer
any questions you may
have.**



2009 SUPPLY PROJECTS

- TBD Land - Downtown Well Site
- STA 95 Building & Site Improvements
 - Drill and Develop Well
- STA 97 Building & Improvements
- STA 59 Replace Booster Can & Site Improvements
 - Replace Booster Pump
- STA 30 Landscape
- STA 41 Replace Gen-Set
- STA 78 Replace Pump
- STA 19 Replace Pump
- 1 Replace 800' of 4" Steel W/8" PVC - Burke & K Road
- 2 Replace 1,700' of 4" Transite W/8" PVC - Road 68 & Harvest
- 3 Replace 4,000' of 4" Transite W/8"PVC - Hurley & Bollinger
- 4 Replace 3,332' of 4" Transite W/8" PVC - Paradise & Judy, Demaree to Chinowth
- 5 Install 7,500'+ of 12" DI – McAuliff N/of St Johns River
- 6 Emergency Back-Up Generator for CWS Offices
- 7 Install 350' of 12" DI - Shirk N/of Hurley
- 8 Replace 600' of 4" Steel W/8"PVC – Santa Fe, Nobel to Myrtle
- 9 Replace 180' of 6" Transite W/12" DI - Mineral King @ Santa Fe Avenue
- 10 Replace 820' 2", 6" & 8" CI W/8" PVC – Santa Fe & Douglas

2010 SUPPLY PROJECTS

- STA 63 Replace Pumps
- STA 37 Replace Pump & Gen-Set
- STA 95 Install 2,000' 12" DI – Riggins W/of VF
- STA 42 Replace Gen-Set
- 11 Replace 3,502' of 4", 6", 8" Transite; 2", 6" & 8" Steel & CI - Mineral King, Locust to Conyer
- 12 HDPE bore 200' - Mineral King, Locust to Conyer
- 13 Replace 828' of 8" CI, 10" Steel & 12" Transite W/12" DI - Main St, Santa Fe to Bridge; Santa Fe, Main to Center

2011 SUPPLY PROJECTS

- STA 11 Replace Pump and Motor
- STA 74 Install Gen-Set & Install Energy Efficiency Monitoring Equipment
- STA 73 Install Gen-Set
- STA 56 Replace Pump
- 14 Replace 1,800' of 6" Transite W/8" PVC – Cambridge, Demaree to Chinowth
- 15 Replace 2,209' of 4" & 6" Transite W/8" PVC - Wren & Canary

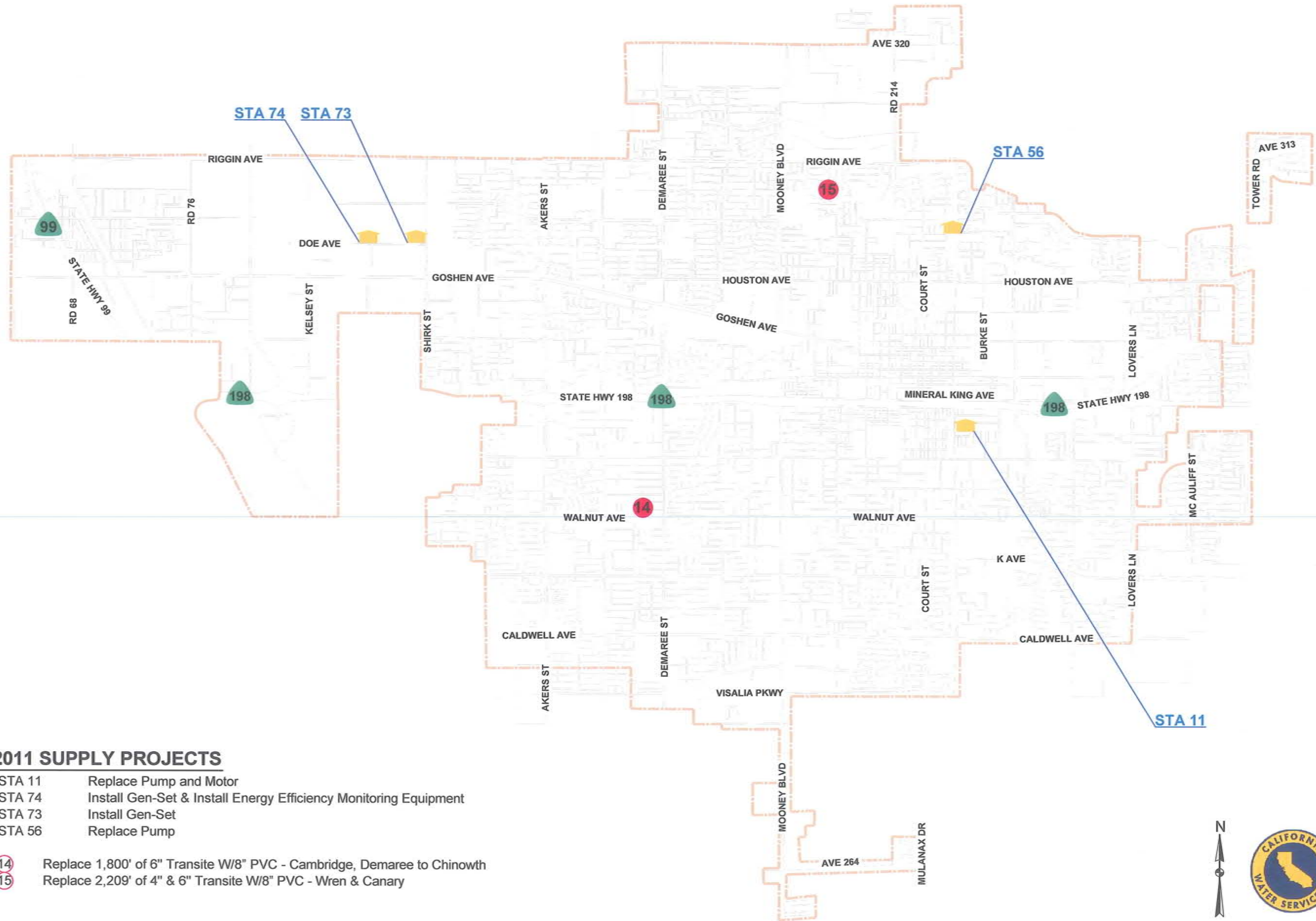
2012 SUPPLY PROJECTS

- STA 74 Replace Pump & Gen-Set
- STA 11 Replace Pump
- Replace +/- 5,000 feet of undersized main

SUMMARIZED

Property	1 complete & 1 TBD
Wells	1 complete & 1 to start
Improvements	1 complete, 1 in progress & 1 to start
Pumps	6 complete & 4 to start
Landscape	1 in progress
Gen-Sets	3 complete, 1 in progress & 3 to start
Main	14,610' complete, 7,500' in progress & 7,711 to start

VISALIA 2011 SUPPLY PROJECTS



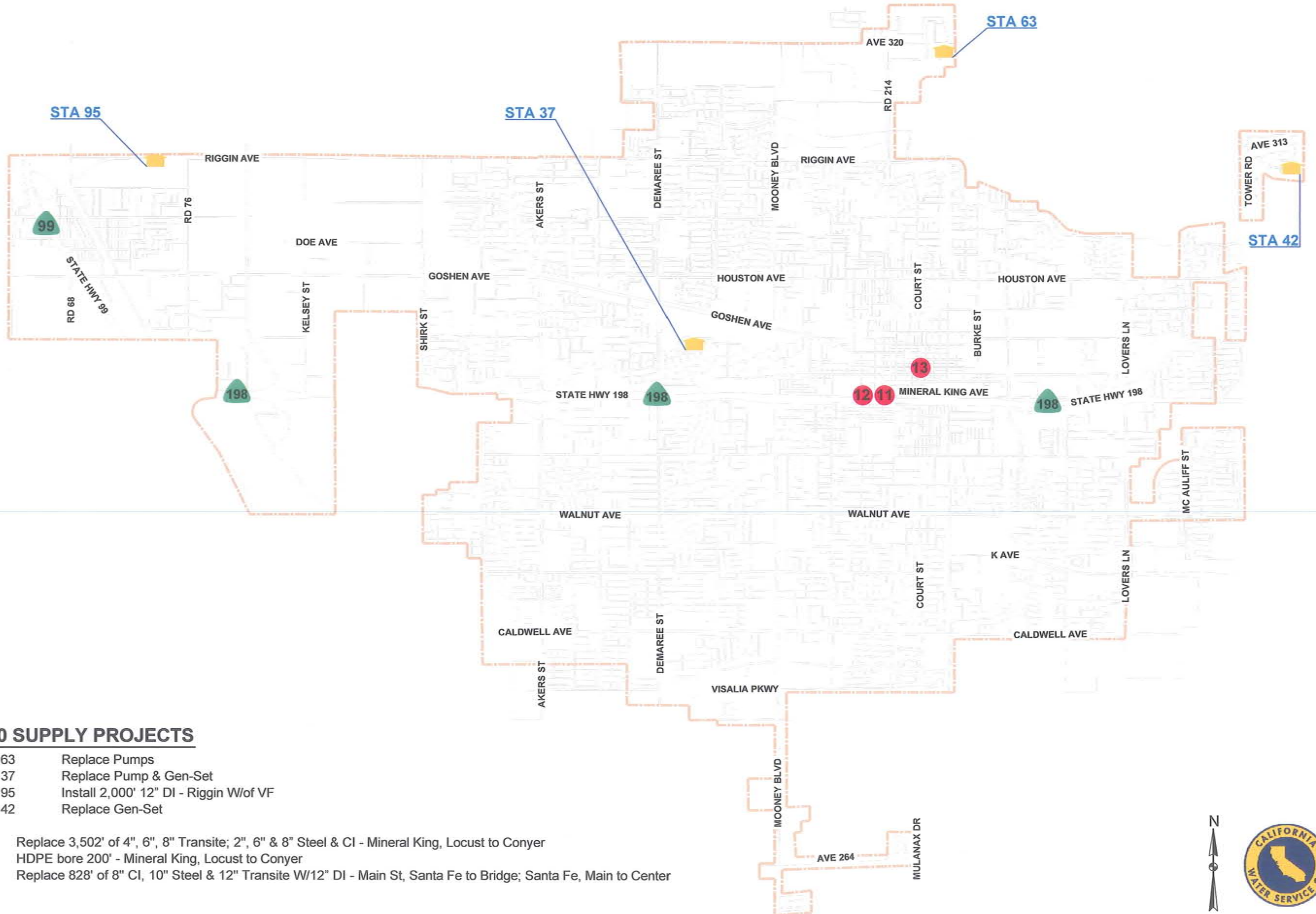
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VISALIA 2010 SUPPLY PROJECTS



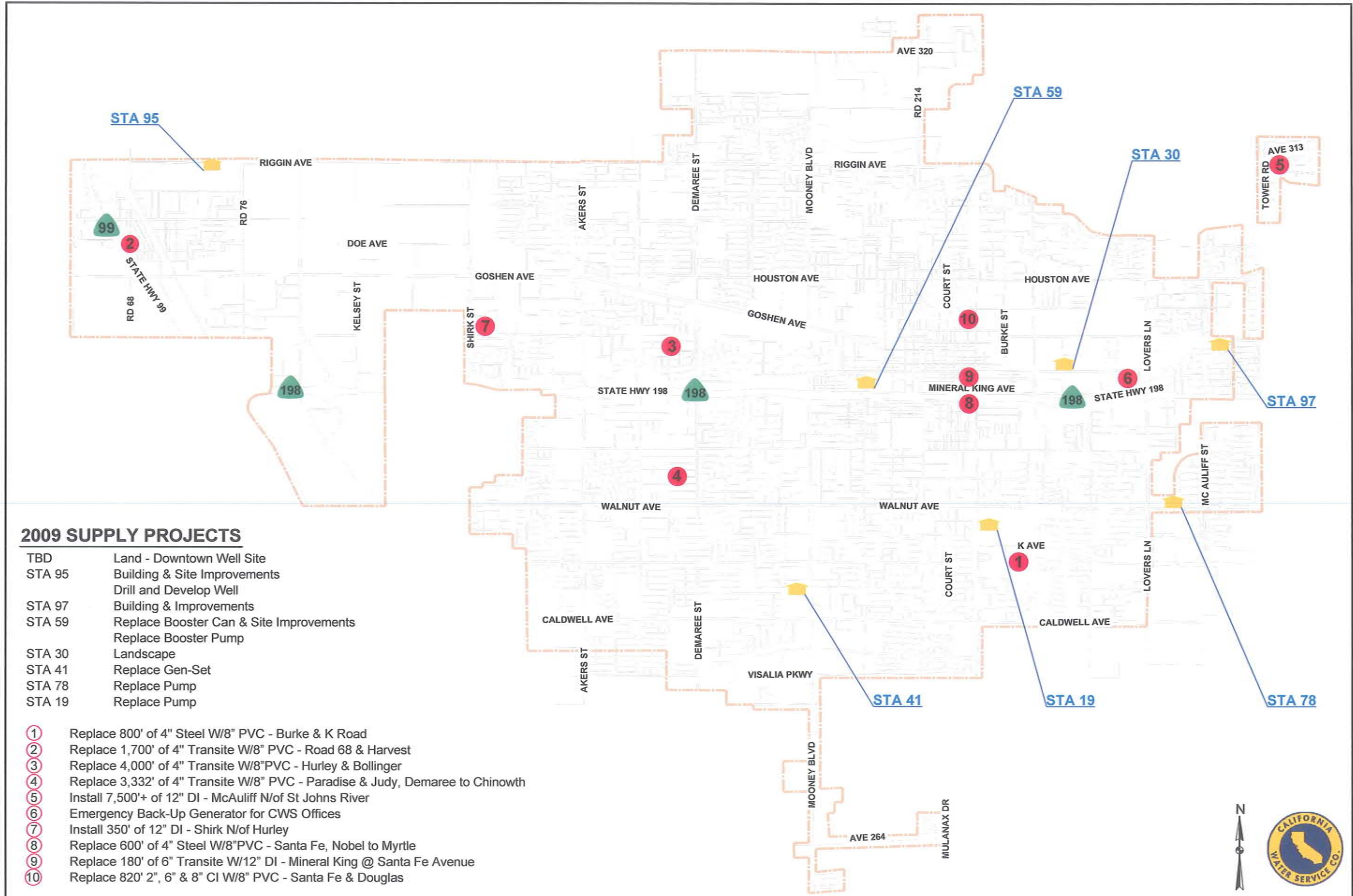
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VISALIA 2009 SUPPLY PROJECTS



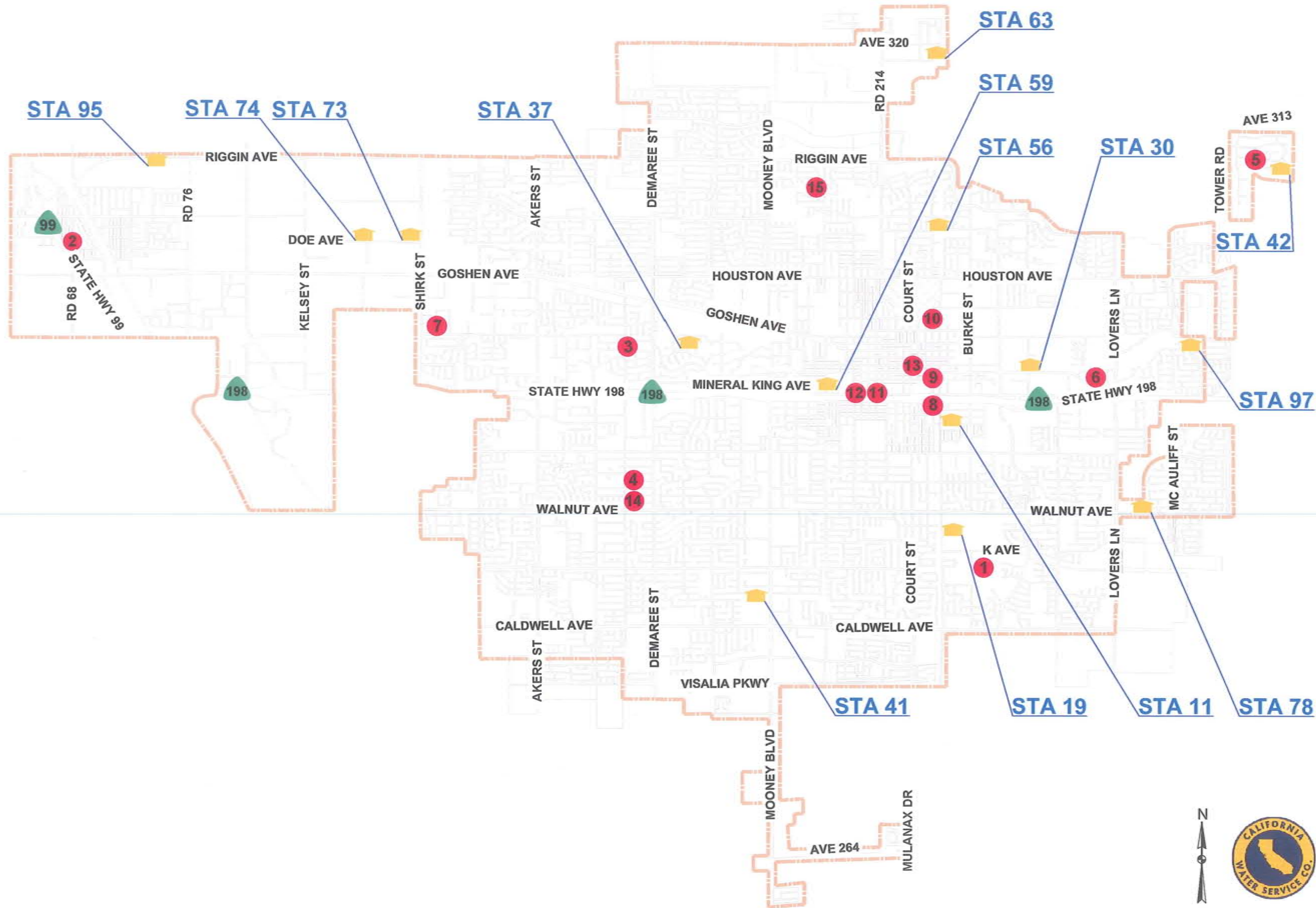
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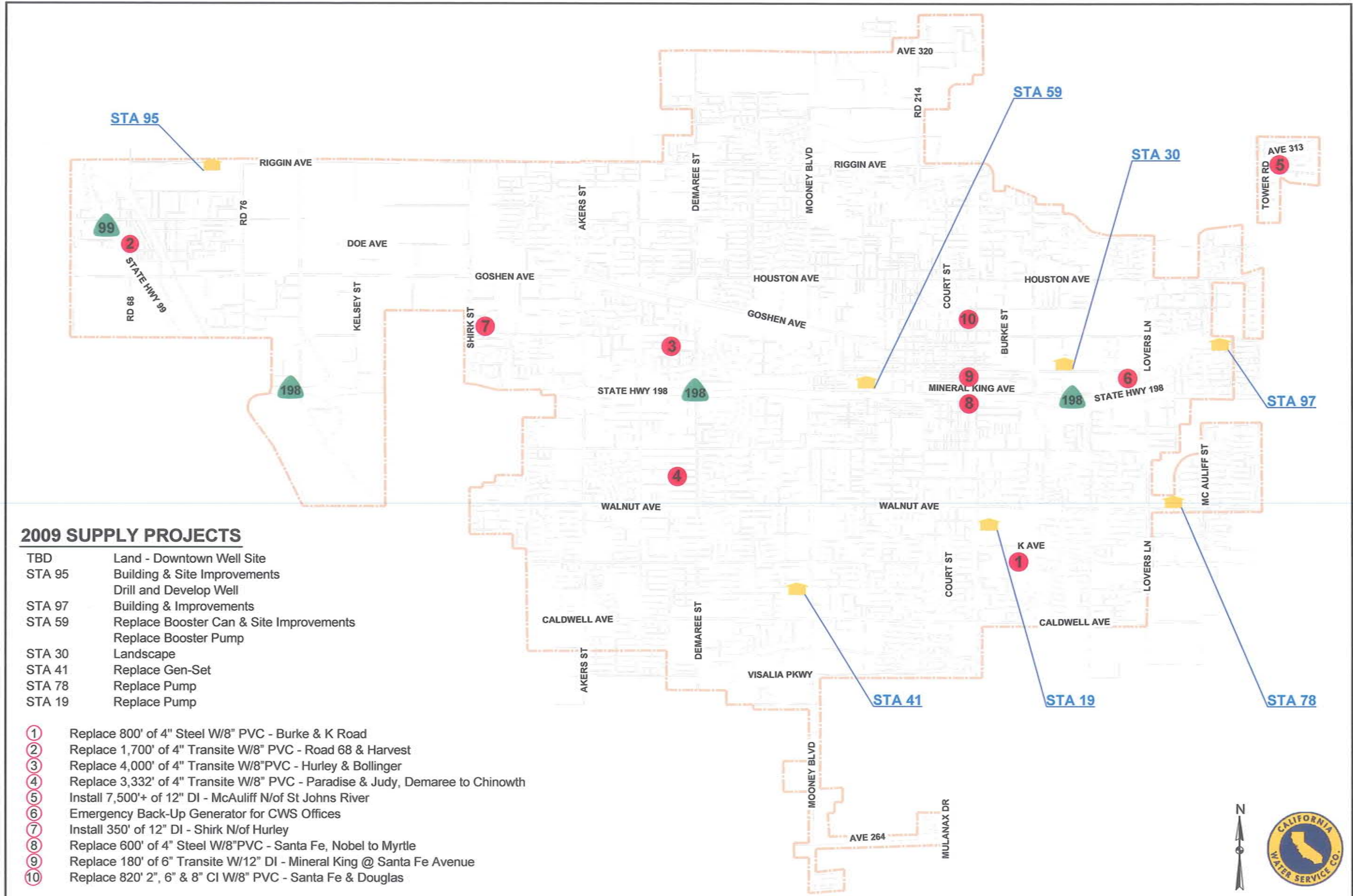
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VISALIA 2009-2012 SUPPLY PROJECTS



VISALIA 2009 SUPPLY PROJECTS



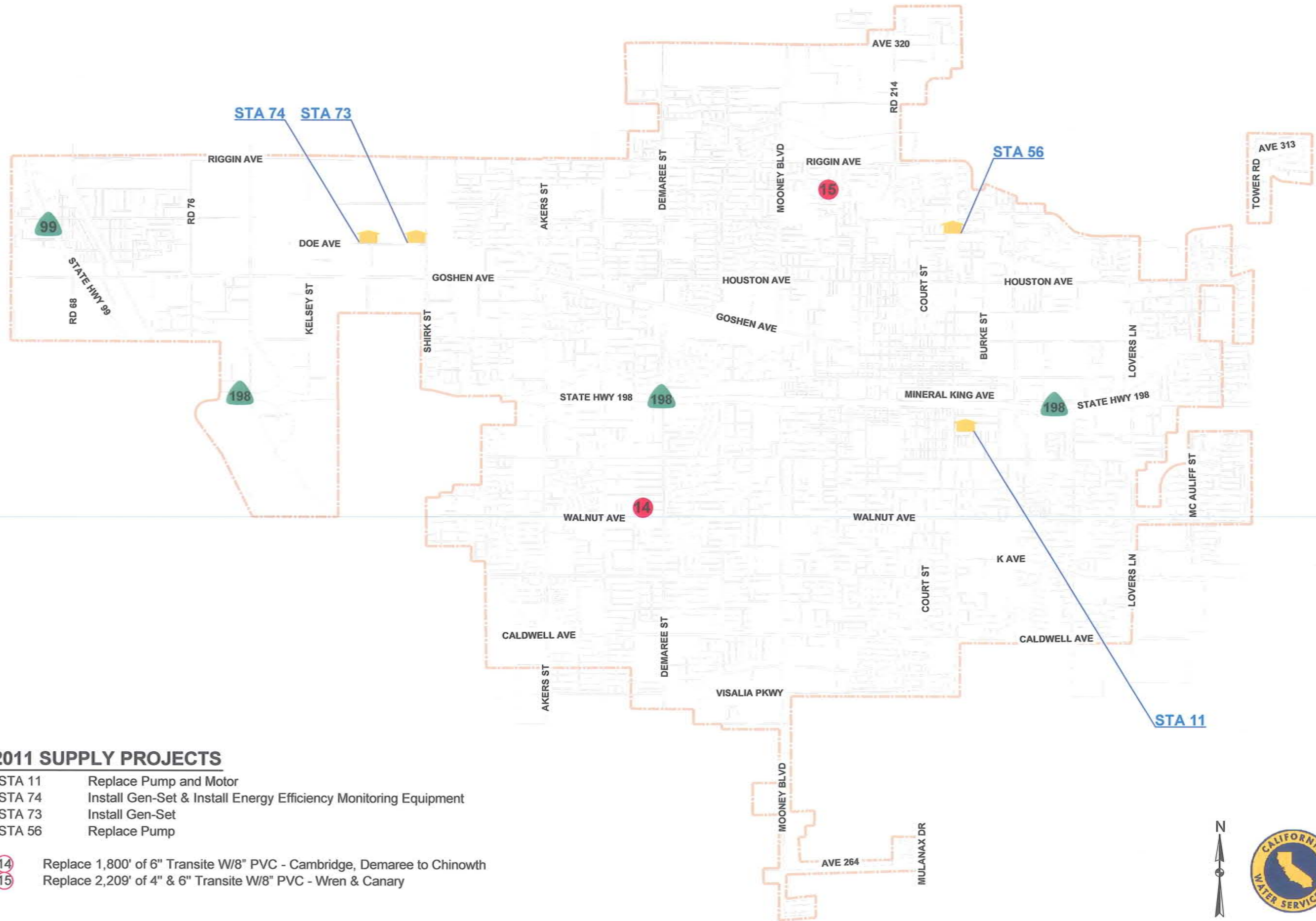
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VISALIA 2011 SUPPLY PROJECTS



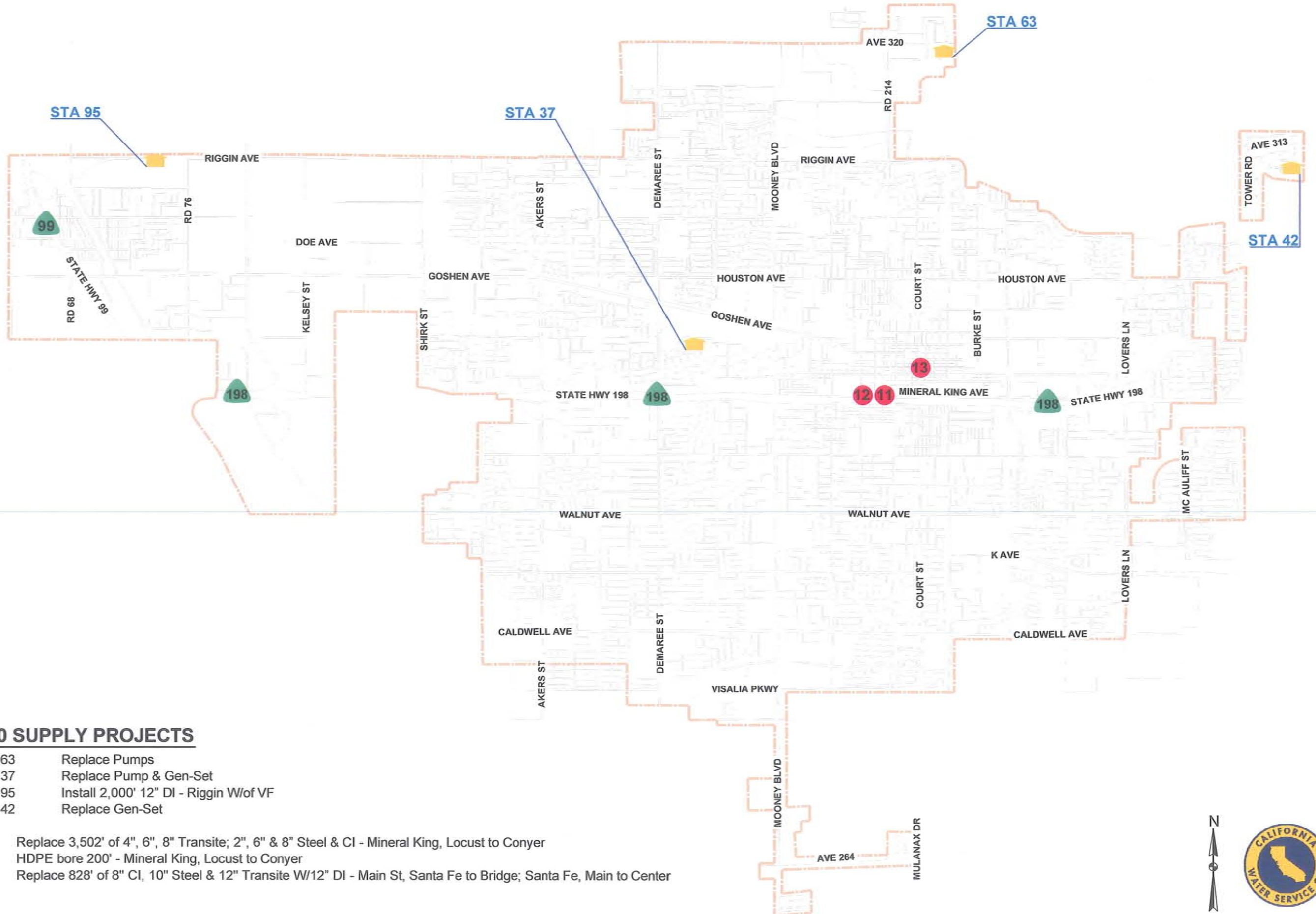
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VISALIA 2010 SUPPLY PROJECTS



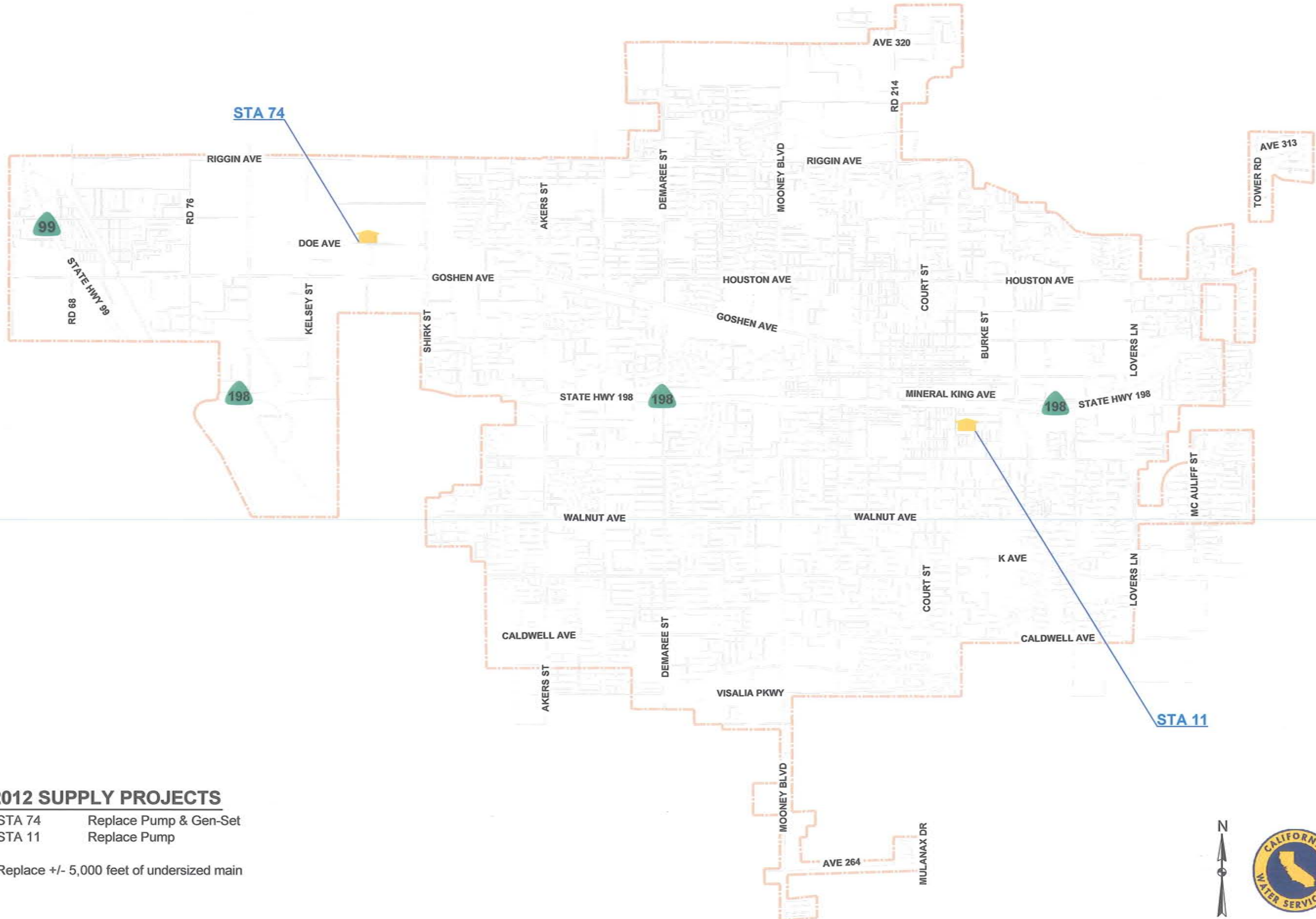
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VISALIA 2012 SUPPLY PROJECTS



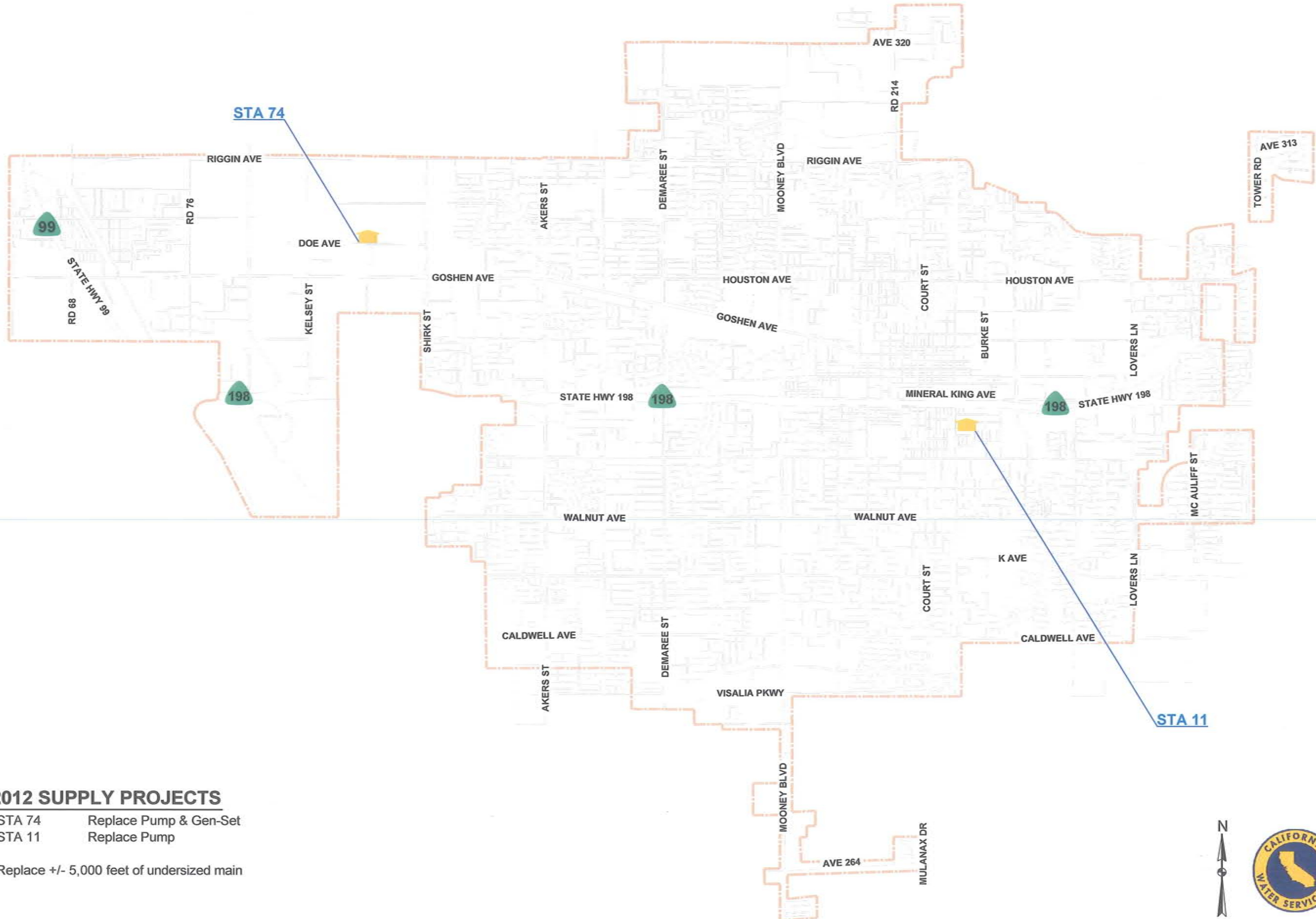
2012 SUPPLY PROJECTS

- STA 74 Replace Pump & Gen-Set
- STA 11 Replace Pump

Replace +/- 5,000 feet of undersized main



VISALIA 2012 SUPPLY PROJECTS



2012 SUPPLY PROJECTS

- STA 74 Replace Pump & Gen-Set
- STA 11 Replace Pump

Replace +/- 5,000 feet of undersized main



**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 4

Agenda Item Wording: Council to consider the adoption of the Neighborhood Traffic Management Program (NTMP) Policy and to consider program funding in an amount not to exceed \$50,000 to be funded out of the Gas Tax Fund.

Deadline for Action: N/A

Submitting Department: Community Development Department

Contact Name and Phone Number:

Chris Young, Community Development Director, 713-4392

Department Recommendation: Staff requests that the City Council adopts the Neighborhood Traffic Management Program Policy and approves program funding in an amount not to exceed \$50,000 to be funded out of the Gas Tax Fund.

Summary/Background: Members of the City Council and staff frequently hear the concern from residents that “too many cars are going too fast by my house or thru my neighborhood”. Related requests are received for the installation of stop signs or street closures to provide a “traffic calming effect” or to “increase safety”. Often, these issues can be substantially resolved utilizing a combination of traffic calming and traffic enforcement “tools”.

Staff believes that it is important to address all of these concerns consistently thru the application of the appropriate laws, standards and/or policies. These include the Manual on Uniform Traffic Control Devices (MUTCD), the California Vehicle Code, the Street and Highways Code, City Code, related City Policies and a “Neighborhood Traffic Management Program” Policy.

To guide the implementation of an effective and efficient traffic calming program, staff presented Council with a draft NTMP Policy during a Council Work Session on January 18, 2011. At that meeting, Council received public comment and then directed staff to return to Council with a NTMP Policy that incorporated the Council comments and direction (**policy is attached**). This program outlines a policy to address resident’s concerns regarding excessive vehicle speed and traffic volumes on neighborhood streets. The NTMP Policy outlines a process for neighborhood groups (experiencing these concerns) to work with the City to improve their quality of life. It is extremely important that representatives from the requesting neighborhoods work closely with City staff throughout this process.

Important Note: Community Development staff will work closely with the Police and Fire Departments and other entities to ensure that the installation of traffic calming devices and any potential road closures do not negatively impact emergency response times.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives: N/A

Attachments: Neighborhood Traffic Management Program Policy

Recommended Motion (and Alternative Motions if expected): I move to adopt the Neighborhood Traffic Management Program Policy and authorized the funding of the program in a not to exceed amount of \$50,000 out of the Gas Tax Fund.

Environmental Assessment Status

CEQA Review: N/A

NEPA Review: N/A

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

The Buena Vista Neighborhood Group (Representative Scott Jacobsen)

CITY OF VISALIA

Neighborhood Traffic Management Program (NTMP) Policy

Information Booklet

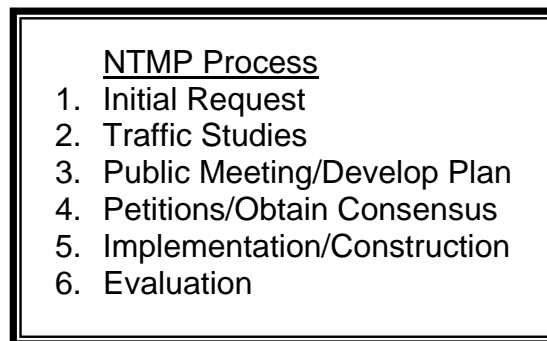


CITY OF VISALIA
Engineering Department
Traffic Engineering Division
315 E Acequia Avenue (City Hall East)
Visalia, CA 93291
559-713-4350

Neighborhood Traffic Management Program Policy (NTMP Policy)

Overview: The NTMP Policy was first approved and adopted by the Visalia City Council **April 18, 2011**. The NTMP is to be used as a tool to uniformly address traffic calming related issues in neighborhoods within the City of Visalia.

The goal of the program is to reduce excessive traffic volume and vehicular speeding to improve residents' quality of life. As the name suggests, the Neighborhood Traffic Management Program (NTMP) is a process that includes the efforts and involvement of the effected neighborhood. Staff from the City's Traffic Engineering Division will guide the representatives from the requesting neighborhood through the process which can be described in six steps:



1. **Initial request.** Any City of Visalia property owner is eligible to inquire about on-going neighborhood traffic concerns, traffic calming in their neighborhood. Upon receiving a request for assistance with on-going neighborhood traffic concerns, Visalia's Traffic Engineering Division will provide this booklet and additional information to the concerned property owner(s). This information booklet and a request form can also be downloaded from the City's website at: **insert webpage**. After reading this information, if a homeowner is interested in the NTMP and is willing to be a volunteer liaison, they should complete the "NTMP Request Form" and return it to the City. This will initiate the process for participating in the NTMP.

Important Note: *Only public roadways that are paved and maintained by the City are eligible for the NTMP. New subdivision developments must be completely "built out" before they are eligible since the true traffic patterns cannot be determined until this occurs.*

2. **Traffic study:** Upon receipt of a completed Neighborhood Traffic Request Form, a traffic study will be scheduled in the neighborhood. Requests for traffic studies will

be conducted in the order they are received and depending on the availability of staff and funding. Traffic studies are usually conducted during the school year unless unique circumstances exist, as determined by City Traffic Engineering Division staff. The study area will be determined by City staff using engineering judgment to include the area most likely to be affected by the implementation of traffic calming measures requested. The location and type of any traffic calming measure is subject to the review of the City's Police and Fire Departments for potential impact to response times.

Since the NTMP is intended for neighborhood streets that typically have speed limits of 25 MPH, any street with a speed limit greater than 30 MPH is not eligible for traffic calming measures. Streets designated as "collectors" (secondary streets that "collect" traffic from arterial roadways and funnel it into neighborhoods) may only be eligible if in addition to all of the NTMP program criteria, all of the following apply:

- They have no more than one travel lane in each direction
- The posted speed limit is 30 MPH or less
- They go through a residential neighborhood
- The City of Visalia Fire Department approves based on primary emergency response access routes

MINIMUM NTMP CRITERIA

Neighborhoods streets that meet one of the following criteria are eligible to participate in the NTMP:

NTMP Criteria Table

Street Classification (posted speed limit)	Average Daily Traffic Volume (vehicles per day)	85th Percentile Speed (mph)
Residential (25 MPH)	Greater than 750	30 or greater
Collector (30 MPH)	Greater than 3000	35 or greater

3. **Public Meeting/Develop Plan:** If the results of the traffic study show the neighborhood meets the NTMP criteria, a public meeting with residents in the neighborhood may be held by City staff. Requests for meetings are scheduled in the order they are received. Meeting notices are prepared by City staff and mailed to residents and property owners through the U.S. Postal Service according to the Tulare County Assessor's address records. At the meeting, City staff will discuss traffic calming and the NTMP process, the results of the traffic study, and potential alternatives for traffic projects in the neighborhood. This step can be conducted in a variety of ways including the following:

- A public meeting or open house meeting
- A survey of homeowners in the neighborhood
- Through the Homeowner's Association Board on behalf of the neighborhood
- Homeowners can volunteer to form a traffic calming committee that can work with City staff on preferences

4. **Petitions/Obtain Consensus:** After the public meeting, residents may request the City of Visalia to prepare petitions for specific traffic calming features on specific roadways. A list of traffic calming measures available through the NTMP is included at the back of this information booklet and can be viewed in greater detail at **Website address** on the “Traffic Calming Measures” link.

Traffic calming measures, except for signs, are first to be installed on a temporary basis for a 90-day test period. If after the 90-day test period no objections are received or if City staff has not observed any negative effects of the traffic calming measure(s), then the traffic calming measure(s) will be permanently installed. Requests for signs for traffic restrictions may be either temporary for a 90-day test period or permanent. **Complete roadway closures are not allowed through the NTMP.**

All petition forms shall be prepared by City staff and provided to residents. A map showing the location of the traffic calming measures and the petition boundary area shall also be included. City staff shall determine all petition boundaries on a case by case basis for the individual measures requested by residents. Boundaries can be enlarged or reduced where applicable as determined by City’s Traffic Engineering staff.

Consensus from homeowners must be obtained in order to proceed with the installation of the traffic calming measures. Consensus is sought in writing through a petitioning process. In order to move on to the construction phase, the petition must be approved (by petition signature) by at least 80% of the property owners within the designated study area. In the case of multiple owners of one parcel, only one owner’s signature per parcel will be counted.

Homeowners will be provided four months from the date the petitions are issued by the City to the neighborhood for the petitions to be circulated and returned. The petitions will expire after four months. However, a one time, one month extension can be requested by the neighborhood in writing. If the neighborhood fails to return the petitions within the four months or the petitions are returned with an inadequate number of valid signatures, the process will stop and the neighborhood will have to wait one year after the petition expires before they may reapply.

5. **Implementation:** A minimum of 80% of the signatures within a petition boundary is required for any petition to be approved.

Funding for permanent NTMP measures is based on a first come, first serve basis and subject to funding availability. The neighborhood shall pay for a minimum of 50% of the cost of the permanent traffic calming measure(s). A neighborhood can provide the funds for the purchasing of the materials and the cost of installation if they so choose. The criteria set forth in this program will govern whether any traffic calming measures are installed.

For signs and temporary traffic calming features (other than speed humps), the City of Visalia will pay 100% of the cost provided a minimum of 80% of the signatures within the petition boundary is obtained.

6. **Evaluation.** After the installation, a secondary traffic study will be completed to evaluate the effectiveness of the NTMP measures. Based on the results, residents may decide if they want to try another temporary NTMP measure, install permanent NTMP measures, or remove the temporary measures altogether.

CITY OF VISALIA

Example of NTMP Measures

Turn Prohibitions



No Parking Signs



Speed Humps



Speed Tables



Traffic Circles



Chicane



Median Island



Island Diverter



Diagonal Diverter



Right-Turn Diverter



Semi-Diverter



City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6b

Agenda Item Wording: Authorize the purchase of Agenda Management System, appropriate licenses and e-readers (iPads, Kindle, etc.) from LR Hines (RFP #09-10-49) at a cost not to exceed \$100,000 to be paid with funds from the Energy Efficiency and Conservation Block Grant (EECBG).

Deadline for Action: May 2, 2011

Submitting Department: City Clerk's Office

Contact Name and Phone Number:

Donjia Huffmon, Chief Deputy City Clerk 713-4512
Leslie Caviglia, Deputy City Clerk 713-4317

Department Recommendation: To begin implementation of a paperless agenda approval process and ultimately the production of a paperless agenda, staff is asking for authorization to purchase an Agenda Management System and 18 e-readers from LR Hines in Roseville, CA, to be paid for with funds from the EECBG grant at a cost not to exceed \$100,000. These grant funds must be committed by the middle of May, and expended within the next 18 months.

Summary/background: At the Council's direction, the City Clerk's Office prepared and circulated an RFP for an Agenda Management System last summer. The purpose on an agenda management system is to save time, as well as natural resources such as energy and paper, and to make the entire agenda more readily accessible to the public and staff on the internet.

Five vendors responded to the RFP. A committee consisting of representatives from the City Clerk's Office, Community Development, and Information Services was formed to evaluate the five products. The committee evaluated each proposal and narrowed the list down to two vendors. An on-site demonstration and presentation from the two top vendors was scheduled last fall. Department Heads, the City Attorney, and management staff were invited to attend the presentations and rate the two vendors. The vendor that was top-rated by those in attendance was LR Hines for their SIRE Agenda Management System product.

The City Clerk's Office researched the SIRE Agenda Management System, and discussed the system with other cities who are currently using SIRE and feel this product is best suited for the needs of our city,

For action by:

City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head LBC 32011
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required
or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

The Agenda Management System will provide the City with technology to manage the agenda process more efficiently, and to eventually create a paperless agenda package for distribution and to conduct paperless meetings. The initial emphasis of this project is for the agenda preparation for City Council meetings although it is anticipated, in subsequent phases, to offer the application for other public meetings such as Planning Commission and other committees and commissions.

The agenda management system includes an agenda item approval process with workflows, the ability to publish agendas, including all attachments, to the city's webpage, ability to search the legislative history for each agenda item, and automation of the production and distribution of agenda packets. Optional components which may be added at a later date, and at an additional cost, include video streaming capabilities and meeting management tools.

Implementation of the Agenda Management System will involve the City Clerk's Office working closely with LR Hines to develop the appropriate workflows and to train users. It is expected that it may take 6 months to 1 year to fully implement the system. We would like to purchase the e-readers for City Council members and Department Heads in a bundled package from LR Hines, and distribute them when the system is operational.

Prior Council/Board Actions:

Committee/Commission Review and Actions: n/a

Alternatives: Delay purchase of agenda management system, with the understanding that the funds would need to be committed to another project by May 2, 2011.

Attachments: Proposal from LR Hines

Recommended Motion (and Alternative Motions if expected):

I move to approve the purchase of the SIRE Agenda Management System and 18 e-readers from LR Hines to be paid for with funds from the EECBG grant at a cost not to exceed \$100,000.

Environmental Assessment Status

CEQA Review:

NEPA Review:

Tracking Information: (*Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date*)

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6c

Agenda Item Wording: Request authorization to file a Notice of Completion for the construction of Jefferson Park, Phase II Park Improvement Project, located at South Watson Street and Myrtle Avenue in southeast Visalia, Project No. 1811-61623-720000-0-8194, at a final construction cost of \$49,657.20

Deadline for Action: None

Submitting Department: Parks and Recreation Department

Contact Name and Phone Number: Jim Bean, Parks and Urban Forestry Manager, 713-4564, Jeff Fultz, Park Supervisor, 713-4426

Department Recommendation: Authorize staff to file a Notice of Completion on Project No.1811-61623-720000-0-8194 for the completion of park improvements at Jefferson Park located at South Watson Street and Myrtle Avenue in southeast Visalia, for a final construction cost of \$49,657.20

Project Summary:

On December 3, 2010, the City of Visalia awarded a contract to Dawson Maulden Construction Incorporated of Huntington Beach to improve Jefferson neighborhood Park located in southeast Visalia at South Watson Street and Myrtle Avenue.

The improvements included removing an existing blacktop basketball court and construct a new concrete basketball court, install energy efficient lighting on the basketball court, install a sidewalk on the south end of the park and install a new handicap accessible drinking fountain. The low bid amount for the project was \$49,657.20. The project was financed using Community Development Block Grant (CDBG) fees. Dawson Maulden along with several sub-contractors completed the work.

The park improvements were opened to the general public on Thursday, March 31, 2011.

There were no change orders for this project.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

Alternatives: None

Attachments: None

Recommended Motion (and Alternative Motions if expected): I hereby move to authorize City staff to file a Notice of Completion for Project # 1811-61623-720000-0-8194 for Park Improvements at Jefferson Park.

Copies of this report have been provided to:

City of Visalia
Agenda Item Transmittal

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6d

Agenda Item Wording: Second reading and adoption of Ordinance No. 2011-06 to remove local amendments regarding fire sprinklers in non-residential buildings and apply fire sprinkler standards contained in the 2010 or most recently adopted California Fire Code.

Deadline for Action: None

Submitting Department: Administration

Contact Name and Phone Number: Mike Olmos 713-4332

Department Recommendation: Adopt Ordinance No. 2011-06 removing local amendments for fire sprinklers in non-residential buildings and apply fire sprinkler standards contained in the 2010 or most recently adopted State of California Fire Code.

The purpose of this ordinance is to remove local requirements for fire sprinklers in new or substantially remodeled non-residential buildings that are more stringent than fire sprinkler standards in the 2010 California Fire Code. After adoption of this ordinance, fire sprinklers requirements for non-residential buildings must comply with the most recently adopted California Fire Code as is the practice in most cities and counties in the state. In doing so, the cost of development or remodel of many non-residential structures will be reduced. This change will also increase the City's economic competitiveness in the region because fire sprinkler standards for non-residential buildings in the City of Visalia will be consistent with nearby communities. Though fire protection equipment will be reduced, fire safety will be adequately maintained, as the California Fire Code serves as the industry standard for fire improvements in new construction and remodels throughout California.

Summary/background: The State of California maintains and periodically updates the California Building Code, California Fire Code, and other building codes. Cities and

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.):__

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

counties in our state are mandated to utilize the California Building Codes (or equivalent) and can impose more restrictive codes requirements as needed to serve local needs.

The current 2010 California Building Code and the 2010 California Fire Code have been adopted by the City of Visalia. Sections of these Codes relate to fire protection systems (including fire sprinklers) and specify where they are required. The relevant sections apply to the design, installation and operation of fire protection systems. These systems must be installed, repaired, operated and maintained in accordance with these Codes. These Codes are applied based on such factors as Occupancy Group, Occupant Load, building height and area, mixed occupancy, etc.

Since about the mid-1990s, the City of Visalia has implemented a more stringent set of standards for non-residential fire sprinklers than required in the California Fire Code (previously the Uniform Fire Code). Our local ordinance requires that fire sprinklers be installed in new and reoccupation/remodel of existing non-residential buildings over 5,000 sq. ft. in size, instead of using the 2010 California Fire Code standard of 9,000 sq. ft. (Note: Some building classifications in the California Fire Code utilize the 5,000 sq. ft. standard, including restaurants and buildings with high numbers of occupants). Visalia's local fire sprinkler ordinance has resulted in increased costs for many property owners due to our more stringent fire sprinkler requirements.

During the City Council Strategic Planning Workshop on February 4-5, 2011 and the Joint City Council/Planning Commission Workshop on February 22, 2011, discussion occurred regarding the impact of fire sprinkler standards exceeding the California Fire Code upon costs of constructing new buildings and reoccupation/remodel of vacant buildings. Council directed that an ordinance be prepared to delete the more stringent local fire sprinkler requirements and implement the sprinkler standards contained in the California Fire Code. This change will result in cost savings to property owners, developers and building tenants, while retaining adequate fire safety through reliance on comprehensive California Fire Code standards.

Fire sprinklers are required by the 2010 California Fire Code for all new residential structures, hotels/motels, and uses with high occupant loads. Sprinkler requirements for these uses will not change under the proposed ordinance. The ordinance will primarily affect non-residential, low occupancy structures, such as offices and retail commercial businesses.

Prior Council/Board Actions: Council introduced and waived first reading of Ordinance 2011-06 on April 4, 2010.

Council discussion during Annual Workshop on February 4-5, 2011 and during joint meeting with Planning Commission on February 22, 2011.

Committee/Commission Review and Actions: Planning Commission discussion with Council during joint meeting on February 22, 2011.

Alternatives: None recommended.

Attachments: Ordinance 2011-06

Recommended Motion (and Alternative Motions if expected): Move to adopt Ordinance No. 2011-06.

Environmental Assessment Status

CEQA Review: NA

NEPA Review: NA

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to: NA

ORDINANCE NO. 2011- 06

**AN ORDINANCE OF THE CITY OF VISALIA TO AMEND PORTIONS OF CHAPTER 8.16
OF THE VISALIA MUNICIPAL CODE PERTAINING TO
AUTOMATIC FIRE-EXTINGUISHING SYSTEMS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

Section 1: Consistent with its control over municipal affairs and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized to secure and promote the public health, comfort, safety and welfare of its citizenry. Therefore, the City Council of the City of Visalia hereby amends Chapter 8.16 of the Municipal Code as provided in the following Sections.

Section 2: Chapter 8.16 of the Visalia Municipal Code is hereby amended to read as follows:

8.16.010 Purpose.

The purpose of this chapter is to specify when automatic fire-extinguishing systems are required and the requirements pertaining to their design, installation, maintenance and operation. (Prior code § 4550)

8.16.020 General.

A. All automatic fire extinguishing systems shall be required and installed in accordance with the requirements set forth in the most recently adopted edition of the California Building Code ("CBC") and the California Fire Code ("CFC") as published by the International Conference of Building Officials (I.C.B.O.), Whittier, California.

B. Exception.

1. The standard shall be the appropriate National Fire Protection Association (NFPA) pamphlet and shall be the edition that corresponds with the most recently adopted CBC and CFC. (Prior code § 4551)

8.16.030 Approvals.

All automatic fire-extinguishing systems shall be approved by the building department and the fire department and shall be subject to such periodic tests as may be required by the authority having jurisdiction. The location of all fire department hose connections shall be approved by the fire department. (Prior code § 4552)

8.16.040 Definitions.

For the purpose of this chapter "Automatic fire-extinguishing system" means an approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

8.16.50 Stricter requirements.

Nothing in this chapter shall be construed as abrogating stricter requirements for automatic fire-extinguishing systems where required by the CBC or the CFC. (Prior code § 4560)

8.16.60 Testing, inspection and installation.

A. Automatic fire-extinguishing system plans, installation, inspection, testing and maintenance shall comply with the applicable National Fire Protection Association (NFPA) pamphlets.

B. Automatic fire-extinguishing system plan checks shall be completed and approved prior to any framing inspection.

C. A pressure test shall be conducted prior to covering the automatic fire-extinguishing system with any material, e.g., insulation, dry wall, etc. (Prior code § 4562)

8.16.70 Maintenance.

The installing contractor shall provide the owner with:

A. Instruction charts describing the operation and proper maintenance of the sprinkler devices;

B. A current publication of NFPA 13A, Inspection, Testing and Maintenance of Sprinkler Systems. (Prior code § 4563)

8.16.80 Penalties.

Any person who shall violate any of the provisions of this chapter or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the city attorney or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be guilty of a misdemeanor or infraction as charged by the city attorney, punishable by a fine of not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00) or by imprisonment for not less than five days nor more than six months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense. (Prior code § 4564)

8.16.90 Validity.

If any portion of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such

provision to other persons or circumstances shall not be affected thereby. (Prior code § 4565)

Section 3: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not effect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 4: Construction. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section 5: Effective Date. This Ordinance shall take effect thirty days after its adoption.

Section 6: Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED AND ADOPTED:

Bob Link, Mayor

ATTEST:

Steven M. Salomon, City Clerk

APPROVED AS TO FORM
BY CITY ATTORNEY:

City Attorney

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6e

Agenda Item Wording: Second reading and adoption of **Ordinance No. 2011-07 for Zoning Text Amendment 2011-05:** A request by the City of Visalia to revoke the portion of previously-adopted Zoning Text Amendment No. 2010-10B wherein the Zoning Use Matrix (VMC 17.18.050) was changed to allow supermarkets/grocery stores 30,000 square feet or smaller in the C-R (Regional Retail Commercial) Zone as a Permitted Use.

Deadline for Action: None

Submitting Department: Community Development Department
Planning Division

Contact Name and Phone Number:

Brandon Smith, AICP, Senior Planner 713-4636
Chris Young, P.E. Community Development Director/City
Engineer 713-4392

Department Recommendation: Staff recommends that the City Council conduct the second reading and adoption of Ordinance 2011-07.

Project Background: The second reading of Ordinance 2011-07 is the final action that the City Council must approve in order for the revocation of supermarkets 30,000 sq. ft. or less as a permitted use in the C-R zone to take effect. This Ordinance has not changed since the City Council approved the first reading for adoption of the Ordinance on April 4, 2011.

The change to the zoning matrix of allowed uses was initiated by the City so that the issue of the most appropriate location for supermarkets in Visalia could be more thoroughly evaluated with the ongoing city-wide General Plan Update. Furthermore, the issue of whether to allow supermarkets in the C-R zone does not have a clear consensus by the public, and analysis with respect to all commercial zones in Visalia seems warranted before making changes to one segment of the City.

Approval of the Zone Text Amendment would result in no supermarkets or grocery stores of any size in the C-R zone – the same circumstance which applied prior to the Council's implementation of recommendations in the Mooney Boulevard Corridor Zoning Study.

The balance of the zoning and design standard changes on Mooney will remain intact since the changes were more limited in scope and appear to have more broad community acceptance.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance n/a
City Atty _____
(Initials & date required
or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

After holding a public hearing, the City Council accepted the Planning Commission's recommendation to approve the CEQA Negative Declaration with First Addendum, and the COZ by introduction of the first reading of the Ordinance.

If the COZ is approved, this change would take effect on May 18, 2011, which is 30 days from adoption.

Environmental Review: Negative Declaration No. 2010-073 was prepared for the series of entitlements related to the Mooney Boulevard Corridor Zoning Study, including the amendment which permitted supermarkets 30,000 sq. ft. and less in the C-R zone. The Negative Declaration was adopted by the City Council on November 15, 2010, per City Council Resolution No. 2010-70. An Addendum has been prepared to incorporate the actions of this project approval to the adopted Negative Declaration's project description.

California Environmental Quality Act (CEQA) Guidelines, Section 15164(b), allows for an addendum to an adopted Negative Declaration if only minor technical changes or additions are necessary, or none of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred. Findings relating to the decision to prepare an Addendum are contained within the Addendum and Ordinance.

The City Council certified Negative Declaration No. 2010-73 with First Addendum on April 4, 2011.

Prior Council/Board Actions: On April 4, 2011, the City Council held a public hearing and approved on a 5-0 vote ZTA No. 2011-05 by adoption of the first reading of Ordinance.

Committee/Commission Review and Actions: The Planning Commission held a public hearing on March 28, 2011, and on a 5-0 vote recommended that Council approve ZTA No. 2011-05.

Alternatives: None.

Attachments:

- Ordinance No. 2011-07
- Exhibit "A" of Ordinance: Zoning Matrix

Recommended Motion: I move to approve the second reading for adoption of Ordinance No. 2011-07, for Change of Zone No. 2011-05.

Environmental Assessment Status

CEQA Review: An Addendum has been prepared consistent with the California Environmental Quality Act (CEQA) to incorporate the actions of this project approval to the Negative Declaration prepared for the original Zone Text Amendment considered by the City Council in November and December 2010.

Negative Declaration No. 2010-73 with First Addendum was certified by the City Council on April 4, 2011. No further environmental review is needed.

NEPA Review: Not Required

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

ORDINANCE NO. 2011-07

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA
APPROVING ZONING TEXT AMENDMENT NO. 2011-05, A REQUEST BY THE CITY OF
VISALIA TO AMEND PORTIONS OF SECTION 17.18.050 OF THE VISALIA MUNICIPAL CODE
(ZONING ORDINANCE) TO REVISE THE LIST OF PERMITTED AND CONDITIONAL USES IN
THE REGIONAL RETAIL COMMERCIAL (C-R) ZONE**

WHEREAS, the City Council of the City of Visalia finds as follows:

1. That the Zoning Text Amendment (2011-05) enacted hereby is an amendment to the previously-approved Zoning Text Amendment No. 2010-10B, consisting of a single amendment to the Zoning Use Matrix found in Section 17.18.050 of the Zoning Ordinance. The single amendment is the deletion of the permitted use "*Supermarket / Grocery Stores 30,000 sq. ft. or smaller*" from the C-R zone. The amendment would also remove the separate line item for "*Supermarket / Grocery Stores 30,000 sq. ft. or smaller*", and remove the words "*over 30,000 sq. ft.*" from the Supermarkets / Grocery Stores line item so that there is one category for supermarkets / grocery stores regardless of size.
2. That the proposed Zoning Text Amendment enacted hereby would result in no supermarkets or grocery stores of any size permitted or conditionally allowed in the C-R zone – the same condition which applied prior to implementation of recommendations in the Mooney Boulevard Corridor Zoning Study dated August 2010, and enacted by various actions of the City Council in November and December of 2010, including Zoning Text Amendment No. 2010-10B.
3. That an Initial Study was prepared for Zoning Text Amendment No. 2010-10B consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2010-073 was adopted by the Visalia City Council on November 15, 2010.
4. That an Addendum to Initial Study and Negative Declaration No. 2010-073 has been prepared for this project consistent with necessary requirements and findings set forth in CEQA Guidelines Section 15164(b), and recommend that the City Council adopt the Addendum along with Zoning Text Amendment No. 2011-05.
5. That the City Council considered the Zoning Text Amendment 2011-05 in accordance with Section 17.44.090 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff reports and testimony presented at the public hearing.
6. That the proposed Zoning Text Amendment is consistent with the goals, objectives and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the city.
7. That the proposed amendment is consistent with the objectives, purpose and intent of Zoning Ordinance Section 17.02.020 by fostering a workable relationship among land uses, promoting the stability of existing land uses which conform to the district in which they occur, and ensuring that public and private lands ultimately are used for purposes which are appropriate and most beneficial for the city.
8. That the proposed amendment will retain the zone's overall focus and purpose of including uses that are primarily a regional commercial draw.

9. That the proposed amendment will not have a significant impact on the ability of supermarkets / grocery stores to locate within the City of Visalia, as there are already multiple commercial-oriented zones located throughout the City of Visalia where such uses are able to locate.

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice, held a public hearing before said Council on April 4, 2011, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:

SECTION 1: On March 28, 2011, the Planning Commission recommended that the City Council of the City of Visalia approve Zoning Text Amendment No. 2011-05.

SECTION 2 - List of uses as permit (P), conditional (C), and temporary conditional (T):
Section 17.18.050 of the Visalia Municipal Code, pertaining to the list of permitted, conditional, and temporary conditional uses, shall be amended to read as follows:

The following matrix represents all the permitted and conditional uses in the commercial, office, and industrial zone districts.

See Attached Exhibit A

EXHIBIT A
Page 1 of 15
Ordinance No. 2011-07

	COMMERCIAL								OFFICE				INDUSTRIAL	
	C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
	NOTE: Numbering of lines in the following table of uses is provided for ease of reference only, and is subject to													
	administrative adjustment without need of an amending ordinance. Any discrepancy in such numbering shall													
	have no bearing on the substantive provisions of the table of uses.													

EXHIBIT A
Page 2 of 15
Ordinance No. 2011-07

		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
1	A														
2	AGRICULTURAL-FARMING (see also Agricultural and Rural Residential Zones)														
3	Beekeeping														
4	Farmers' Market					T	T								
5	Grain Elevators/Silos														C
6	Greenhouses (commercial growers)												P	P	
7	Horse stables/Ranch (3 or more horses)														
8	Limited Raising of Small Animals, Livestock, and fowl on a Domestic Noncommercial Scale (2 cows, 4 sheep, goats, no pigs)* *not permitted 1/2 acre and less														
9	Raising of Livestock and Fowl, except Stockyards (commercial)														
10	Raising of Field, Truck or Orchard Crop & Horticultural Specialties													P	
11	Riding Academies/Stables														
12	Roadside Stands Selling Produce Grown on Site														
13	ANIMAL SHELTERS/HUMANE SOCIETIES													C	C
14	AUDITORIUMS (see THEATERS)														
15	AUTOMOTIVE (for gas stations see SERVICE STATIONS)														
16	Auto Leasing/Renting			C			C		P						
17	Auto Dismantling/Wrecking														C
18	Auto Machine Shops								P					P	
19	Auto Oil/Lube Shops		C	P	P	C	C		P						
20	Auto Repairs, Major-Overhauling, Rebuilding, Painting					C	C		P						
21	Automotive Supplies, Parts & Accessories		C	P	P	P	P		P						
22	Automotive Upholsterers								P						
23	Boat Sales/Service								P						
24	Car Washing														
25	- self service		C	C	C	C	C	C	P						
26	- automated		C	C	C	C	C	C	P					C	
27	Car Sales - New & Used														
28	- excluding major service/repairs						C		P						
29	- including major service/repairs						C		P						
30	Motorcycles, Sales and Service								P						
31	RV/Boat Storage Yards								P					P	
32	Recreational Vehicles Sales and Service								P					P	

EXHIBIT A
Page 4 of 15
Ordinance No. 2011-07

		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
66	COMMUNICATIONS														
67	Communication Equipment Building	C	C	C	P		C		P		C	C		P	P
68	Radio and TV Broadcasting Studios														
69	- with antenna off-site			P		P	P		P			C		P	P
70	- with antenna on-site			C					C					P	P
71	D														
72	DAYCARE, LICENSED														
73	Adult														
74	- six or few adults	P	P	P	P	P	P		P	P	P	P	P	P	P
75	- 7 to 12 adults	P	P	P	P	P	P		P	P	P	P	P	P	P
76	- 13 or more adults	C	C	C	C	C	C		C	C	C	C	C	C	C
77	Children														
78	- eight or fewer children	P	P	P	P	P	P		P	P	P	P	P	P	P
79	- 9 to 14 children	P	P	P	P	P	P		P	P	P	P	P	P	P
80	- 15 or more children	C	C	C	C	C	C		C	C	C	C	C	C	C
81	In Conjunction with Primary Use	P	P	P	P	P	P	P	P	P	P	P		P	P
82	E														
83	EATING & DRINKING ESTABLISHMENTS														
84	Bars/Taverns														
85	- within 300 feet of any residence/public use		C	C	C	C									
86	- not within 300 feet of any residence/public use		C	C	C	P									
87	- microbreweries/restaurant: brewing, limited bottling or packaging. Consumption on premises or distribution locally in kegs (not for resale)		C	C	C	P	C		C						
88	Cafeterias		P	P	P	P	P	P		C	P			C	C
89	Pizza/Sandwich Shops														
90	- serving wine/beer	C	P	P	P	P	P	P		C	C	P			
91	- no alcohol	P	P	P	P	P	P	P	P	C	C	P		C	C
92	Fast Food without Drive-Thru		P	P	P	P	P	P			C	P			
93	Fast Food without Drive-Thru Subject to Section 17.32.161													C	
94	Fast Food with Drive-Thru		C	C	C	C		C	C		C	C			
95	Fast Food with Drive-Thru Subject to Section 17.32.161													C	
96	Ice Cream Shop	P	P	P	P	P	P	P		C	C	P			
97	Night Clubs/Discotheques					C	C								
98	Sit-Down Restaurant/Cafe														
99	- with or without full bar using less than 25% of public area	C	P	P	P	P	P	P	P	C	C	P	C	C	C
100	- full bar using greater than 25% of public area		C	C	C	C	C	P		C	C	C			
101	Speciality food store					C									
102	ENCLOSED SOLID WASTE TRANSFER STATIONS								C					C	P
103	F														
104	FLORIST	P	P	P	P	P	P						C		

EXHIBIT A
Page 5 of 15
Ordinance No. 2011-07

		COMMERCIAL								OFFICE				INDUSTRIAL	
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
105	FORTUNETELLING/ PALM READER (see Municipal Code)			P											
106	FUEL STORAGE														
107	Propane/Butane				P			P						P	P
108	Propane/Butane (maximum 2000 gallons)					P			P						
109	Propane/Butane within 50 feet of Residential				C			C						C	C
110	Propane/Butane within 50 feet of Residential (maximum 2000 gallons)					C			C						
111	Above Ground Tanks - Installation of above ground tanks within 100 feet of a residential use or residential zoned property to dispense Class I, II, and III-A liquids complying with the special	C	C	C	C	C	C	C	C			C		C	C
112	Above Ground Tanks - installation of above ground tanks more than 100 feet from a residential use or residential zoned property to dispense Class I, II, and III-A liquids complying with the special	C	P	P	P	P	P	P	P			P		P	P
113	Pump & Underground Storage Tank														
114	- 500 gallons or less							P						P	P
115	- more than 500 gallons							C						P	P
116	Petroleum & Petroleum Products Storage													C	C
117	Public Fuel Dispensing (see SERVICE STATIONS)														
118	FUNERAL HOME/MORTUARY			C			C		C		C				
119	G														
120	GALLERIES-ART/PHOTOGRAPHY/CRAFTS		P	P	P	P	P	C	P		C				
121	H														
122	HOME BUSINESSES (see Chapter 17.32, Section 17.32.030)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
123	HOTELS AND MOTELS			C		C	C	P				C			
124	I														
125	J														
126	K														
127	KENNELS (located 500 feet or more from a residential zone)								C					C	
128	L														
129	LAUNDRY/DRY CLEANERS														
130	Dry Cleaners (cleaning plant)	P	P	P	P	P	P		P			P			
131	Dry Cleaners (cleaning plant including carpet/rug cleaning and dyeing)			P					P					P	
132	Pick-up Point	P	P	P	P	P	P		P	P		P			
133	Diaper Supply Service			P					P					P	
134	Linen & Uniform Supply			P					P					P	
135	Self service	P	P	P	P	P	P	P	P						

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		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
136	M														
137	MANUFACTURING/ ASSEMBLING														
138	Building & Construction Trade														
139	- building materials yards (storage & distribution)								P					P	P
140	- cabinetmaker/carpenter shops								P					P	P
141	- concrete & readymix manufacture & distribution													C	C
142	- contractors equipment storage yards								P					P	P
143	- drilling/dredging/ditching service								P						P
144	- lumberyard (see also RETAIL)								P					P	
145	- sheet metal shop								P					P	
146	Chemical Products (manufacturing, compounding, packaging, bottling)														
147	- agricultural chemicals (insecticides, fertilizer, herbicides)													P	P
148	- blending/compounding perfumes, cosmetics, etc.													P	P
149	- industrial chemicals (acids, alkalis, chlorine)													P	P
150	- ink manufacture														P
151	- laboratories (i.e., organic/inorganic)											C		P	P
152	- paint, dye & glue manufacturers													C	P
153	- pharmaceuticals											C		P	P
154	- manufacture of raw plastic materials, colorants, liquids, powders, resins													C	P
155	- soap detergent & other cleaning preparations													C	P
156	Food & Beverage - Preparation & Bottling/Packing & Distribution														
157	- animal & marine fats & oils (refining & rendering)														C
158	- beer & ale distributors								P					P	P
159	- breweries and wineries														C
160	- commercial bakeries								C					P	P
161	- dairy products processing & packaging													C	C
162	- fruit & vegetable brokers & shippers													P	P
163	- grain, feed & flour mills														C
164	- ice manufacturers & storage								P					P	P
165	- meat & poultry product processing including slaughtering														C
166	- meat and food locker, butchering, packaging								P					P	P

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		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
252	- individuals			P		C	P				P		P		
253	- groups			P		C	C				P				
254	Office Associated with Industrial Uses								P			P		P	P
255	Temporary Trailers (construction)	T	T	T	T	T	T	T	T	T	T	T	T	T	T
256	P														
257	PARCEL DELIVERY SERVICES/PARCEL DISTRIBUTION (UPS, Federal Express, etc.)			P					P	C		C		P	P
258	PARKING FACILITIES - FOR OFF-SITE USES			P	P	C	C	C	P	C	C	C		C	C
259	PARK & RIDE	C	C				C	C				C		P	P
260	PHOTOCOPY SERVICES/DESKTOP PUBLISHING														
261	With Printing Press			C	C	P	C			C	P			P	
262	Without Printing Press	P	P	P	P	P	P			P	P	P	P	P	
263	PHOTOGRAPHY/PHOTO SERVICES														
264	Photography Studio	C	P	P	P	P	P	C	C	C	C		C		
265	Photography Labs/Blue Printing/Microfilming (developing, printing - no retail on site)			P			C		P	C	C	P		P	
266	Photography labs (developing, printing - no retail on site)			P			C		P			P		P	
267	Photography Labs with Retail on Site		P	P	P	P	P	P	P						
268	Retail - Drop-off/Pick-up	P	P	P	P	P	P	P							
269	PLANNED CONVENIENCE CENTERS														
270	PLANNED UNIT DEVELOPMENTS (Subject to Chapter 17.26)	C	C	C	C	C	C	C	C	C	C	C	C	C	C
271	PRIVATE CLUBS AND LODGES			C		C*	C				C				
272	PRIVATE POSTAL SERVICE (Mail Boxes, Mailing Service) (see also PARCEL DELIVERY SERVICES)	C	P				P	P				P		P	
273	PUBLIC COMMUNITY SERVICES														
274	Community & Recreation Centers		C	C			C								
275	Fire Stations			C	C	P	C	C	C		P	C		P	P
276	Police Stations & Substations		C	P	P	P	P	P	P		P	P		P	P
277	Post Offices						C				P				
278	Public Buildings, Offices & Grounds	C	C	C	C	P	P	P			C	C			
279	Public Golf Courses/Driving Ranges							C							
280	Public Libraries	C	C	C			P				C	C			
281	Public Parks/Playgrounds			C			P	C							
282	Post Office Substations	C	C	P	P	P	P	P		P	P	P		P	

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		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
320	RETAIL														
321	General Merchandise														
322	- less/equal to 4,000 sq. ft.	P						P				C			
323	- greater than 4,000 sq. ft.	C													
324	- less/equal to 6,000 sq. ft.		P												
325	- greater than 6,000 sq. ft.		C												
326	- less/equal to 40,000 sq. ft.			P				P							
327	- greater than 40,000 sq. ft.			C				C							
328	- less/equal to 60,000 sq. ft.				P	P									
329	- greater than 60,000 sq. ft.				C	P									
330	Building/Landscape Materials														
331	- lumberyards (see MANUFACTURING/ ASSEMBLING)														
332	- fencing stores/yards								P					P	
333	- floor & wall coverings		C	P		P	P		P						
334	Garden Centers/Nurseries														
335	- located within primary use		P	P	P				P						
336	- stand alone		C	C	C				P					P	
337	Glass Stores (windows, etc. for auto, residential, commercial)			P	P				P						
338	Hardware Stores including lumberyards								P						
339	Hardware Stores					P									
340	Hardware Stores less than 10,000 square feet	C	P	P	P		P		P						
341	Paint Stores			P	P	P			P						
342	Home Improvement			P	C	P			P						
343	Department Stores/Discount Stores (greater than 40,000 sq. ft.)			P	C	P	C								
344	Drugstore/Pharmacy														
345	- including general retail merchandise		P	P	P	P	P								
346	- not including general retail merchandise		P	P	P	P	P			C	P	P			
347	- not including general retail merchandise, up to 1,500 sq. ft.	P	P		P	P		P			P				
348	- with general retail merchandise, with restrictions: *parcel must be corner property at arterial/arterial or arterial/collector intersections. Parcel size not to exceed 60,000 sq. ft. Building size not to exceed 14,000 sq. ft.										C				
349	Farm Equipment Sales								P					P	
350	Feed Stores			C					P						

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		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
351	Food Stores														
352	- convenience store - 7000 sq. ft. or less	C	C	C	C	C	C	C	C			C		C	C
353	- liquor store within 300 feet of residential/public use			C	C		C								
354	- liquor store not within 300 feet of residential/public use	C	C	P	P		C								
355	- specialty food stores, i.e. bakery, delicatessen, butcher shop, meat market, health food, gourmet/imported food, etc.	P	P	P	P	P	P			C		C			
356	supermarkets/grocery stores 30,000 sq.ft. or smaller	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								
357	supermarkets/grocery stores over 30,000 sq.ft.	C	P	P	P		P								
358	Wine Tasting			C	C	C	C	C							
359	Appliances														
360	- small	P	P	P	P	P	P								
361	- large			P	P	P	C								
362	Furniture & Furnishings														
363	- new			P	P	P	P		P						
364	- secondhand *up to 10,000 square feet		P	P	P	P	P		P						
365	Gun Shops														
366	- within primary use		P	P	P	P	P								
367	- stand alone			P	C	P	P								
368	Magazine/Newspaper Sales (Freestanding Booth/Stand/Kiosk)														
369	- indoor	P	P	P	P	P	P	P	P	P	P	P			
370	- outdoor	C	C	C	C	C	C	C	C	C	C	C			
371	Outlet Stores														
372	- bakery			P											
373	- apparel			P	P	P									
374	- furnishings			P	P										
375	Pawnshops			P			C								
376	Pet Stores		P	P	P	P	P								
377	Pool/Spa Supplies/Equipment			P	P	P	P		P					P	
378	Secondhand Store/Thrift Shops														
379	- up to 2,000 square feet			P	P	P	P								
380	- greater than 2,000 square feet			P	C	P	C								
381	S														
382	SCHOOLS, PUBLIC AND PRIVATE (see also Quasi-Public and Residential Zones)														
383	Preschool/After-School Care			C	C		C			C	C	C	C		
384	Elementary Schools, K-6 or K-8														
385	Middle Schools														
386	High Schools														
387	Colleges/Universities (academic)					C						C			
388	Business, Trade, Vocational, or other Specialized Schools			C		C	C		C		C	C		C	
389	After Hours Academic Education Facilities (After 6:00 p.m.)			C	C	C	C			P	P	P			

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		COMMERCIAL							OFFICE				INDUSTRIAL		
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
390	SERVICE, COMMERCIAL														
391	Air Conditioning Shops							P						P	
392	Appliance, Electrical Equipment, Tools (disassemble & repair)														
393	- small	C	P	P			P	P							
394	- large			P			C	P						P	
395	Check-Cashing Service		C	P	C		C								
396	Chemical Stripping/Powder Coating							P						P	P
397	Chrome & Anodizing Shops							P						P	P
398	Courier Services			P			P	P	C		P				
399	Equipment Rental														
400	- construction			C				P						P	
401	- domestic			P	P		P	P							
402	Exterminators/Fumigators							P						P	
403	Gunsmith Shops, including incidental retail			P			C	P						P	
404	Heavy Machinery and Equipment (welding, cutting, grinding, casting, etc.)							P						P	P
405	Janitorial Service							P							
406	Lawn Maintenance & Tree Trimming							P						P	
407	Locksmiths	P	P	P	P	P	P	P							
408	Other Household & Maintenance Services							P						C	
409	Pet Grooming	P	P	P	P	P	P	P							
410	Printing Service (see also PHOTOCOPY SERVICES)		C		P		C								
411	Repair Shops							P						P	
412	Sharpening Service														
413	- tools, knives, saw blades, lawn mowers, etc.							P						P	
414	- small tools not including	C	P	P			P	P						P	
415	Sheltered Workshops	C	C	C				P			C			P	
416	Shoe Repair Shops	P	P	P	P	P	P	P							
417	Sign Painting & Fabrication							P						P	
418	Taxidermists			P			C	P						P	
419	Tailor, Dressmaking, & Alterations	P	P	P	P	P	P	P							
420	Upholstering Shops (furniture only)			P				P						P	
421	- Showroom with minimum 35% of gross receipts to be retail sales						C								
422	SERVICE STATIONS														
423	Fuel dispensing only - not including major auto repair services of any kind (Ord. 2382)	C	C	C	C	C	C	P	P			C		P	
424	Also including major auto repair services			C	C	C		C	P					C	
425	<u>Also</u> including light servicing of trucks							C	P					C	

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		COMMERCIAL								OFFICE				INDUSTRIAL	
		C-C	C-N	C-SO	C-CM	C-R	C-DT	C-H	C-S	OG	PA	B-R-P	OC	I-L	I-H
463	Businesses which Initially Employ more than 750 Employees					C	C			C	C	C		C	C

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6f

Agenda Item Wording: Resolution No. 2011-15, converting Willis Street, between Noble Avenue and Kaweah Avenue to one-way traffic (south bound only).

Deadline for Action: April 18, 2011

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:

Adam Ennis, Assistant Director – Engineering, 713-4323
Chris Young, Community Development Director, 713-4392

Department Recommendation: Approve Resolution No. 2011-15, to convert Willis Street, between Noble Avenue and Kaweah Avenue to one-way traffic (south bound only).

Summary/background: The one-way conversion of Willis Street is being requested by the California Department of Transportation (Caltrans). The one-way conversion is required to facilitate the upcoming Caltrans improvements to the State Route 198 eastbound off ramp at the intersection of Noble Avenue and Watson Street. To improve safety and operation, the Caltrans project proposes to widen the off-ramp, install traffic signals at the intersection of the off-ramp and Noble Avenue and at Noble Avenue west of Willis Street and convert a section of Willis Street to southbound one-way.

The off-ramp traffic from SR-198 merges onto Noble Avenue approximately 390' west of the signalized intersection of Watson Street and Noble Avenue. Traffic on the off-ramp must yield to traffic on Noble Avenue and merge within a short distance. This causes weaving problems at the off-ramp and Noble Avenue and a long line of vehicles on the off-ramp that at times extends back to SR-198.

Caltrans is proposing to widen the off-ramp to allow for more stacking capacity on the ramp. An exhibit showing the proposed improvements is attached for reference. Caltrans has expressed concern that without converting this section of Willis to one-way, vehicles turning east from Willis to Noble would interfere with eastbound traffic on Noble Avenue and vehicles from the wider SR-198 off-ramp. As shown in the exhibit, the intersection of Willis and Noble is near the off-ramp. City staff recommends complying with the request by Caltrans and closing this section of Willis to northbound traffic. Earlier discussions between staff and Caltrans discussed the City completely closing or vacating this section of Willis, however the proposed alternative to

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

only prevent traffic from Willis to turn east on Noble was agreed upon. This will allow businesses and residents within this block to access their driveways and parking areas after the conversion. Southbound traffic from Noble to Willis should not interfere with any proposed improvements by Caltrans.

In anticipation of the proposed improvements and changes requested by Caltrans, City Staff held a Public Informational Meeting on Tuesday, March 22, 2011, between the hours of 5:30 and 7:30 p.m. The notices were mailed to over 100 residents and property owners within the affected area. City Staff was available at the meeting to discuss the project and answer questions. A copy of the Notice of Public Informational Meeting, and the Project Exhibit displayed at the meeting are attached. Only one resident attended the meeting and he was in favor of the project. No comments against the proposed improvements and requested changes have been received.

Prior Council/Board Actions:

None

Committee/Commission Review and Actions:

None

Alternatives: Council may elect to deny the request for the one-way conversion of Willis Street. Council may also revise or add conditions to be fulfilled prior to the recording of the resolution ordering the one-way conversion of Willis Street.

Attachments:

- 1.) Vicinity Map
- 2.) Project Exhibit
- 3.) Notification Letter for Public Meeting
- 4.) Letter from Caltrans requesting one-way traffic conversion on Willis Street
- 5.) Caltrans Environmental Determination
- 6.) Proposed Resolution for One-Way Conversion

Recommended Motion (and Alternative Motions if expected):

I move to adopt Resolution No 2011 - 15, designating that the section of Willis Street between Noble Avenue and Kaweah Avenue be converted to one-way traffic in the southbound direction only.

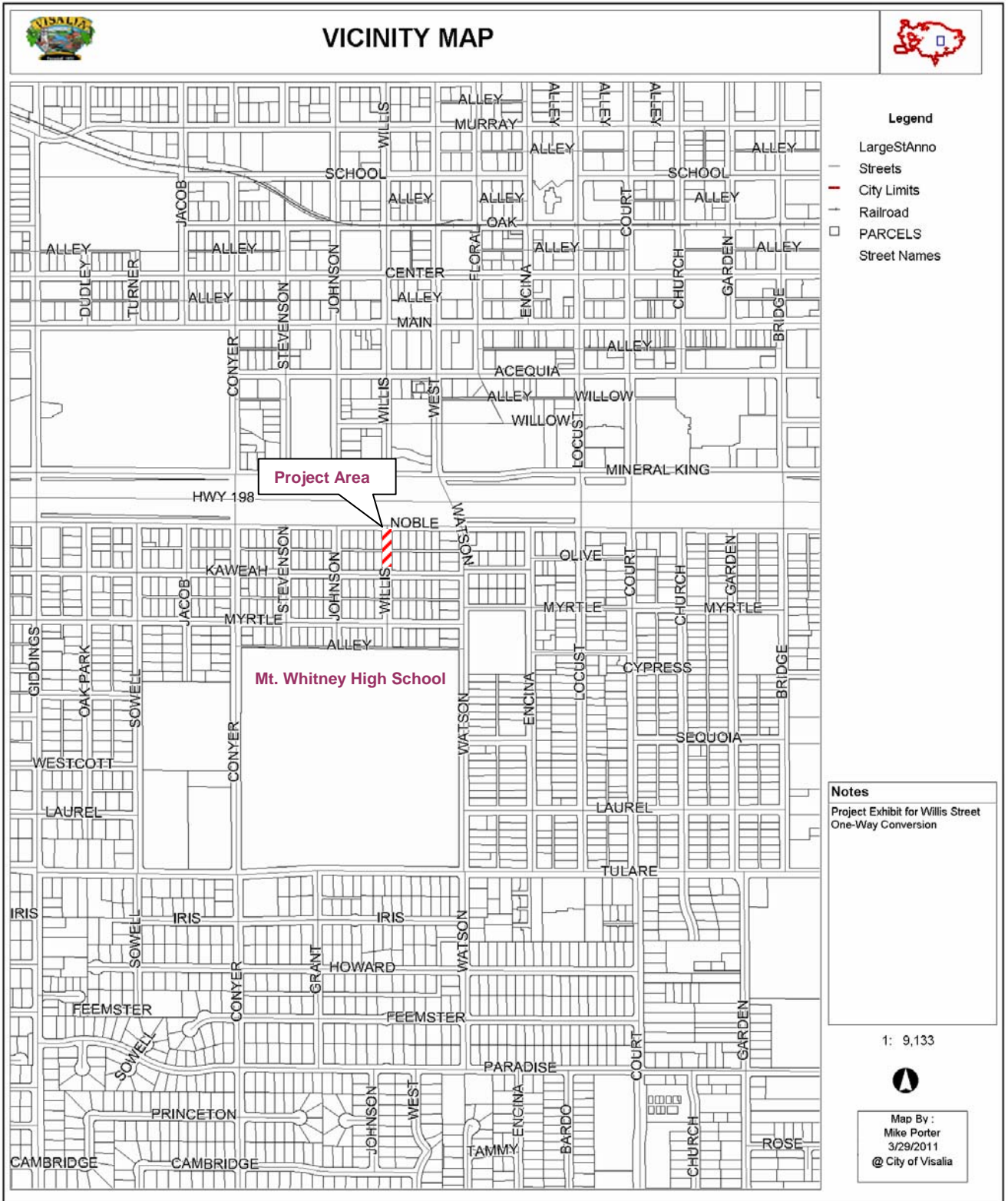
Environmental Assessment Status

CEQA Review: Categorically Exempt under Class (2) of the Sate CEQA guidelines

NEPA Review: Categorically excluded under NEPA

Tracking Information: (*Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date*)

Copies of this report have been provided to:



Willis Street One-Way Conversion

NOTICE OF PUBLIC INFORMATIONAL MEETING

Subject: Proposed plan to convert Willis Street between Noble Avenue and Kaweah Avenue from two-way traffic to one-way traffic. The one-way traffic would be in the southbound direction only. The one-way conversion is requested by the California State Department of Transportation (CalTrans), in conjunction with the widening of the Eastbound Highway 198 exit ramp at Watson Street.

Format: An exhibit of the proposed plan will be displayed for your review. Questionnaire forms will be provided for the public to provide responses regarding the proposed plan. City staff will be available for questions.

Location: City of Visalia Council Chambers
707 West Acequia Avenue

Date: Tuesday, March 22, 2011

Time: 5:30 p.m. to 7:30 p.m.

Questions: Please contact:

Mike Porter
Project Manager
City Of Visalia
315 East Acequia
Visalia, CA 93291
Phone (559) 713-4412
Fax (559) 713-4833
E-mail: Mike.Porter@ci.visalia.ca.us

Notification Letter

DEPARTMENT OF TRANSPORTATION

DISTRICT 6
 2015 EAST SHIELDS AVENUE, SUITE A 100
 FRESNO, CA 93726-5428
 PHONE (559) 243-5167
 FAX (559) 243-6306
 TTY (559) 488-4056



*Use your power!
 Be every official!*

March 17, 2011

Mr. Steve Salomon
 City Manager
 425 L. Oak Ave, Suite 301
 Visalia, CA 93291

Dear Mr. Salomon:

This letter is written in response to a telephone conversation with Mr. Adam Ennis of your Public Works Division on March 7, 2011 and our Project Manager, Jim Heinen. It is intended to describe the proposed Caltrans Safety project to widen State Route 198 eastbound off-ramp to Watson Ave (EA 06-0F0001) so that you may initiate the process with your City Council in pursuant to California Streets and Highways Code Section 8332.

At present the project which will also widen State Route 63 (Noble Avenue) between the off-ramp and the intersection with Watson Avenue, will require a **change to traffic flow** on Willis Street between Kuweah and Noble Avenues. Currently traffic is permitted in both the NB and SB directions but due to conflicts with Noble Avenue in the new configuration, NB traffic will no longer be able to proceed from Willis Street to Noble Avenue. One way SB traffic flow from Noble Avenue will still be permitted.

The project is currently scheduled to vote this month at the March 23/24 CTC meeting. Contract award is anticipated for the mid May timeframe. Caltrans is committed to ensure the City continues to be successful in the development of its transportation program and needs. We look forward to a successful groundbreaking and completion of this project. If you have any questions, please contact the Project Manager, Jim Heinen at (559) 243-3467.

Sincerely,


 MIKE R. RASTEGAR
 Deputy District Director
 Program/Project Management

c: Mr. Adam Ennis

"Caltrans improves mobility across California"

Total P.001

Letter from Caltrans

10. COMMUNITY INVOLVEMENT

Given the non-controversial nature of the project no community involvement is anticipated.

11. ENVIRONMENTAL DETERMINATION/DOCUMENT

The project is Categorically Exempt under Class (2) of the State CEQA guidelines. The project is Categorically Excluded under NEPA (Attachment E).

12. FUNDING

12A. CAPITAL COST

Funding will be from the Safety Program (201.010 HB-1) in the 2010/2011 fiscal year.

Fiscal Year	Right of Way Capital	Construction Capital
2009/2010	\$ 6	
2010/2011		\$ 1,030

Construction Capital cost is escalated at 3%. RW cost is escalated at 5%.

12B. CAPITAL SUPPORT ESTIMATE

(Capital Cost Estimate provided by Design & R/W, Support Cost Estimate from XPM.)

Project Cost Component	Fiscal Years				Total
	07/08	08/09	09/10	10/11	
PA&ED*	\$220				\$220
PS&E*	\$176				\$176
R/W Support*	\$45				\$45
Const. Support*				\$147	\$147
Total	\$441			\$147	\$588

All Costs X \$1000. Support Categories are the same as those identified by SB 45. Support cost is escalated at 3.1%. Support Cost ratio: 48% [All Support Costs () divided by the sum of the escalated Construction Capital cost and the escalated R/W Capital cost]*

13. SCHEDULE

M200 - PA & ED	10/15/2009
M224 - RIGHT OF WAY MAPS	10/15/2009
M225 - REGULAR RIGHT OF WAY	11/15/2009
M377 - PS&E TO DOE	12/15/2009
M380 - PROJECT PS&E	02/19/2010
M410 - RIGHT OF WAY CERTIFICATION	04/05/2010
M460 - READY TO LIST	04/19/2010
M500 - APPROVE CONSTRUCTION CONTRACT	09/14/2010
M600 - CONTRACT ACCEPTANCE	10/31/2011

Caltrans Environmental Determination

RESOLUTION NO. 2011- 15

**Resolution Designating a Portion of Willis Street
to be Converted to a One-Way Street in the
Southbound Direction Only Between Noble
Avenue and Kaweah Avenue**

WHEREAS, Consistent with its control over municipal affairs and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized pursuant to City Charter Article III Section 2 to establish boulevards and regulate traffic and in addition under California Streets and Highways Code Section 1800 et. seq. has broad powers over streets within its jurisdiction including the authority to close any streets within its jurisdiction at or near the point of its intersection with any freeway; and

WHEREAS, the California Department of Transportation has requested that the City of Visalia agree to convert Willis Street, between Noble Avenue and Kaweah Avenue to one-way traffic, specifically, south-bound vehicular traffic; and

WHEREAS, this area of Willis Street is at or near the point of intersection of Willis Street with State Route 198, a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access, otherwise defined as a freeway under the California Streets and Highways Code ;

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Visalia does hereby designate the above-described portion of Willis Street to only permit south-bound vehicular traffic and authorizes staff to make all necessary changes to this portion of Willis Street.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6g

Agenda Item Wording: Accept the Preliminary Engineer's Report, notice of reimbursement, set a public hearing for June 6, 2011 and authorize the filing of the Proposed Boundaries Assessment District Map for Assessment District 2011-1 "Orchard Walk East/West Utility Undergrounding Assessment District".
RESOLUTION NO. 2011- 16.

Deadline for Action:

Submitting Department: Engineering and Finance

Contact Name and Phone Number: Eric Frost, x4474; Doug Damko, x 4268

Department Recommendation: That the City Council take the following actions:

- 1) Accept the Preliminary Engineer's Report for Assessment District 2011-1 "Orchard Walk East/West Utility Undergrounding Assessment District";
- 2) Set a public hearing for Monday, June 6, 2011 to consider public testimony on the formation of the assessment district to reimburse for utility undergrounding;
- 3) Direct the City Clerk to mail notice of the hearing to the affected parties; and,
- 4) Authorize the City Clerk to file the Proposed Boundaries Assessment District Map with the County Recorder.

Summary/background:

Donahue/Schriber developed the Orchard Walk East/West commercial shopping center on Dinuba Boulevard (SR-63) between Riggin Avenue and Shannon Parkway. In the process of developing that shopping center, the City required that electrical utilities be placed underground. In the process of negotiations, the developer requested that Council form an assessment district to reimburse the developer for approximately \$600,000 in utility undergrounding improvements at the shopping center. Specifically, the items to put in the assessment district are the following:

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

A. The installation of the electrical and communication systems (SCE and Comcast) consisting of the following:

- (i) The trenching excavation, installation of electrical conduits ranging from 1-1/2-inches to 5-inches in diameter, and for 2-inch and 3-inch cable conduits; together with associated utility vaults, equipment pads, connections to riser poles, borings across Dinuba Boulevard and Riggan Avenue, and appurtenant work such as concrete replacement and conduit encasement, asphalt concrete resurfacing and traffic control.
- (ii) Construction and design services performed by SCE and Comcast in conjunction with installation of cables for electrical, telephone and cable services and with the removal of existing utility poles and related utility structures.
- (iii) The payment of SCE transfer, facility relocation and street lighting fees.
- (iv) The payment of Comcast pole relocation and transfer fees.
- (v) Incidental costs and financing costs.

Council approved the formation of a district on October 19, 2009. City staff soon afterwards engaged Scothorn Consulting Services to prepare the Preliminary Engineer's Report which is attached. The report describes the project, process to date, affected parcels and estimated costs. The formation of the district has taken more time than usual because of a number of factors. Resolution between the developer and City staff regarding the scope and cost documentation for the utility undergrounding took a number of months. The developer also processed a subsequent parcel map and two lot line adjustments to make changes to the configuration of the parcels that resulted in additional delays with the County for issuing assessor's parcel numbers. The assessor's parcel number are required for the assessments to be placed on the tax roll.

The next steps in the process are to:

- Accept the Preliminary Engineer's Report on the Orchard Walk East/West Utility Undergrounding Assessment District;
- Set a public hearing for Monday, June 6, 2011 to consider public testimony on the formation of the assessment district to reimburse for utility undergrounding;
- Direct the City Clerk to mail notice of the hearing to the affected parties; and,
- Authorize the City Clerk to file the Proposed Boundaries Assessment District Map with the County Recorder.

Prior Council/Board Actions:

On October 19, 2009, Council approved the initial steps necessary to form an assessment district for the Orchard Walk shopping center by 1) accepting a petition by 60% of the property owners; 2) appointing several professionals to form the district; 3) adopting a notice of intention to reimburse the cost of construction of the utility undergrounding; and 4) authorizing the formation of the district to proceed

Committee/Commission Review and Actions:

Alternatives:

Attachments: Location Map, Preliminary Engineer’s Report, Assessment District 2011-1

Recommended Motion (and Alternative Motions if expected):

- 1) Accept the Preliminary Engineer’s Report for Assessment District 2011-1 “Orchard Walk East/West Utility Undergrounding Assessment District”;
- 2) Set a public hearing for Monday, June 6, 2011 to consider public testimony on the formation of the assessment district to reimburse for utility undergrounding;
- 3) Direct the City Clerk to mail notice of the hearing to the affected parties; and,
- 4) Authorize the City Clerk to file the Proposed Boundaries Assessment District Map with the County Recorder.

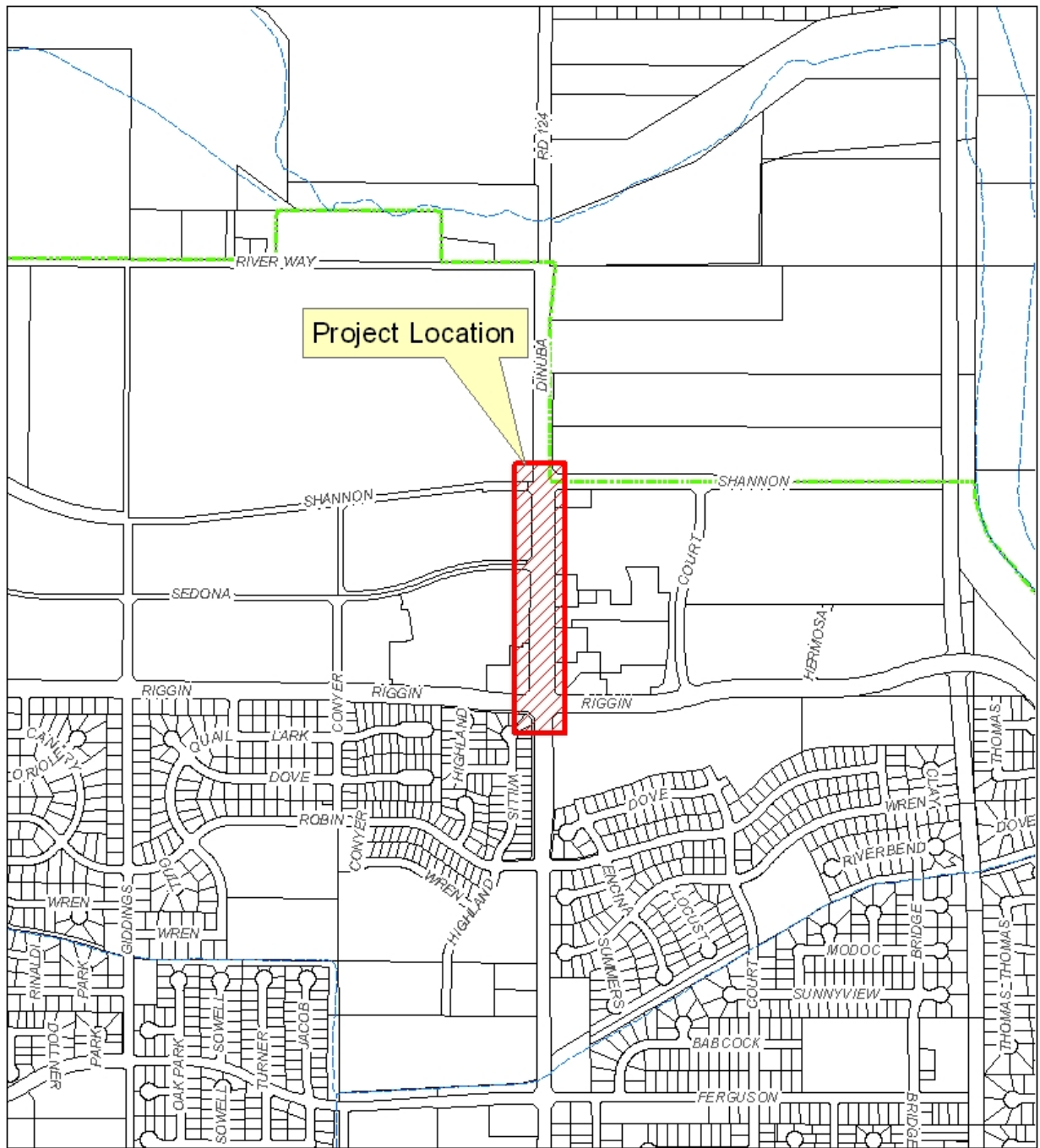
Environmental Assessment Status

CEQA Review:

NEPA Review:

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:



Assessment District 2011-1
 Orchard Walk East/West
 Utility Undergrounding District



Scale: 1"=800'

RESOLUTION NO. 2011-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA PRELIMINARILY APPROVING ENGINEER'S REPORT, SETTING HEARING AND ELECTION, PROVIDING NOTICE, APPROVING BOUNDARY MAP AND DIRECTING ACTIONS WITH RESPECT THERETO

ASSESSMENT DISTRICT 2011-1
ORCHARD WALK EAST/WEST
UTILITY UNDERGROUNDING ASSESSMENT DISTRICT

WHEREAS, on October 19, 2009, the City Council of the City of Visalia ("City") adopted its Resolution of Intention No. 2009-49 to Reimburse the Cost to Construct Improvements and Determining to Proceed (the "Resolution of Intention") under the Municipal Improvement Act of 1913, being Division 12 of the Streets and Highways Code of California (the "Act"), to initiate proceedings under the Act in and for Assessment District 2011-1, Orchard Walk East/West Utility Undergrounding Assessment District (the "Assessment District").

WHEREAS, the Resolution of Intention referred the improvements described therein to the person designated therein as the Assessment Engineer and directed the Assessment Engineer to prepare and file with the City Clerk a report (the "Engineer's Report") pursuant to the Act and containing information set forth in the Resolution of Intention, to which reference is hereby made for further particulars.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VISALIA, CALIFORNIA, AS FOLLOWS:

SECTION 1. Engineer's Report Preliminarily Approved

The Assessment Engineer has prepared and filed the Engineer's Report with the City Clerk, and this City Council, with the aid of staff, has reviewed the Engineer's Report and hereby finds it to be sufficient for, and that it shall stand for, purposes of subsequent proceedings for the Assessment District, and the Engineer's Report is hereby preliminarily approved.

SECTION 2. Public Hearing

Pursuant to the Act, this City Council hereby orders that a public hearing shall be held before this City Council, in the regular meeting place thereof, City Council Chambers, 707 West Acequia, Visalia, California, at the hour of 7:00 p.m. on Monday, June 6, 2011, for the purposes of this City Council's determination whether the public interest, convenience and necessity require the acquisitions and improvements, whether the properties in the Assessment District are specially benefited by the underground utilities improvements, the tabulation of special assessment ballots and the determination of the existence of any

majority protest, and this City Council's final action upon the Engineer's Report and the assessments therein. The public hearing may be continued from time to time as determined by the City Council.

SECTION 3. Notice

The City Clerk is hereby authorized and directed to cause notice of the hearing to be given by mailing, postage prepaid, in the United States mail, and such notice shall be deemed to have been given when so deposited in such mail. The envelope or cover of the mailing shall include the name of the City and the return address of the City Clerk as the sender. The mailed notice shall be given to all property owners within the Assessment District as shown in the Engineer's Report and whose names and addresses appear on the last equalized assessment roll of the County of Tulare or the State Board of Equalization assessment roll, or as known to the City Clerk, as the case may be. The amount of the proposed assessment for each parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire Assessment District, the amount chargeable to the owner's particular parcel, the anticipated duration of payment for the assessment if bonded or otherwise collected, the reason for such assessment and the basis upon which the amount of the proposed assessment was calculated. Each such mailed notice to owners shall contain a ballot, which includes the City's address for receipt of completed ballots showing the owner's name, identification of the parcel and support or opposition to the proposed assessment. Each ballot shall contain a declaration under penalty of perjury to be signed by the person submitting it that the person is authorized to vote the ballot. Each notice shall include, in a conspicuous place, a summary of the procedures applicable to the completion, return and tabulation of ballots, including a disclosure that the existence of a majority protest (whereby ballots submitted in opposition exceed those submitted in favor of the assessment, with ballots weighted according to proportional financial obligation of the affected property) will result in the assessment not being imposed. The notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing ordered under Section 2 hereof.

SECTION 4. Boundary Map

The proposed boundaries of the proposed Assessment District are hereby described as shown on a map thereof on file in the Office of the City Clerk (the "Boundary Map"), which indicates by a boundary line the extent of the territory to be included in the proposed Assessment District and which Boundary Map shall govern for all details for further purposes of the proceedings for the Assessment District and to which reference is hereby made for further particulars. The City Clerk is hereby authorized and directed to endorse upon the original and at least one copy of the Boundary Map the date of the filing thereof and date and adoption of this resolution and to cause a copy of the Boundary Map to be filed with the County Recorder of the County of Tulare, in which all of the proposed Assessment District is located, within fifteen (15) days of the adoption of this resolution, but in no event later than fifteen (15) days before the date of the public hearing ordered under Section 3 hereof. The County Recorder shall endorse upon the Boundary Map the

time and date of filing and shall fasten the same securely in a book of maps of assessment and community facilities districts that the County Recorder shall keep in his or her office. The County Recorder shall index the Boundary Map by the name of the city and by the distinctive designation of the proposed assessment district.

PASSED AND ADOPTED

Preliminary Engineer's Report

ASSESSMENT DISTRICT NO. 2011-1 Orchard Walk East/West Utility Undergrounding Project

City of Visalia
Tulare County, California

February 2011

Prepared under the provisions of the Municipal Improvement Act of 1913

City of Visalia
Tulare County, California

City Council

Robert R. Link, Mayor
Amy Shuklian, Vice Mayor
Council Member E. Warren Gubler
Council Member Mike Lane
Council Member Steven Nelsen

Steve Salomon
City Manager

Professional Services

Robert M. Haight – Bond Counsel
Scothorn Consulting Services – Assessment Engineer

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EXECUTIVE SUMMARY

Background

The proposed assessment district grew out of the desire of the City of Visalia to underground utility lines along the Dinuba Boulevard frontage of commercial properties within the City's Orchard Walk Specific Plan Area. Agreement was reached with the project developer, Donahue Schriber Realty Group (DSRG), for the cost of the undergrounding to be reimbursed through creation of a benefit assessment district.

A petition containing signatures from landowners representing 65% of the land area within the proposed district was submitted to the City in February, 2009. In October 2009, the City Council approved a Resolution of Intention to pursue formation of the district under the provisions of the Municipal Improvement Act of 1913 ("the Act").

In the interim, DSRG proceeded with development of the commercial properties, undertaking construction of the associated public improvements (including the utility undergrounding work). On-site construction on the commercial properties along the easterly side of Dinuba Boulevard also proceeded and currently nearly 252,000 square-feet of retail floor space is constructed and occupied.

Limits of the Assessment District

The proposed assessment district includes a total of twelve parcels. Ten of these are located in the area bounded by Dinuba Boulevard, Riggin Avenue, Court Street and Shannon Parkway. This area is referred to as Orchard Walk East. The Orchard Park West area, containing the remaining two parcels, extends roughly 800-feet west of Dinuba Boulevard between Sedona and Riggin Avenues.

The boundaries of the district and the individual parcels are shown more specifically on the Boundary Map included on Pages 3 and 4 of this report.

Improvements to be Acquired

The undergrounding improvements to be acquired consist of electrical distribution and communications service facilities constructed within the public right-of-way for Dinuba Boulevard. They extend generally from Shannon Parkway to Riggin Avenue. The details of these improvements are shown on the plans and construction documents on file with the City Engineer.

Estimated Project Cost

The construction cost of the improvements totaled \$485,048. Additional costs for incidental expenses and financing costs are estimated at \$189,952, making the total project cost \$675,000. Further detail on these costs is provided in Table 4-1 on Page 7 of the report.

Method of Assessment

It is proposed that the project costs be distributed in direct proportion to the land area of the twelve benefiting properties. This method of spread was adopted following a comprehensive evaluation of the specific and special benefits received by each parcel. This approach was compared with alternative assessment methodologies to assure compliance with the requirements of Article 13 of the State Constitution.

Assessment Diagram

An Assessment Diagram consistent with the requirements of the Act has been prepared and is on file with the City Clerk. The diagram identifies the properties to be assessed, together with their dimensions, and the current APNs assigned by the Tulare County Assessor. Each parcel is assigned a unique, 2-digit assessment number. A reduced copy of the diagram is included on Pages 25 and 26.

Debt Limitation and Property Valuations

The total amount of the proposed assessment to be levied is currently projected as \$675,000. No prior assessments are known to exist on the properties within the district.

The “true value” of the land and improvements thereon (as defined by §2980 of the Streets & Highways Code) is the full cash value shown on the latest equalized assessment roll of the County. As of the time of the preparation of this report, the Assessor had not posted an amended roll providing current valuations on all parcels in the district. However, based on preliminary data provided by the Assessor’s Office, the total value of land and improvements is estimated to exceed \$37-million.

Based on the above, it is likely that the principal sum of the levied assessments will be comfortably within the statutory debt limitation of “not more than one-half” of the total true value of the properties. It is anticipated that the updated assessment roll for all properties within the Assessment District will be available prior to the City Council’s consideration of the Final Engineer’s Report.

Assessment Roll and Provision for Administrative Expense

Table A-1 on Page 23 of this report presents the assessment for each parcel in the district as recommended for preliminary approval of the City Council.

Resolutions proposed for adoption by the Council also provide for an additional annual assessment not to exceed 2% of the annual installment of principal and interest to offset the cost of administration and debt service collection.

Required Certifications

The Engineer’s Report incorporates the certifications required of City staff and the Assessment Engineer as required by the Act or the provisions of Article 13 of the California Constitution. These include:

- Right-of-Way Certificate
- Environmental Certificate
- Certification of the Assessment Engineer
- Certifications of the City Clerk

◇ ◇ ◇

SECTION 1 – INTRODUCTION AND BACKGROUND

Section 1.1 – Proposed Assessment District 2011-1

The City Council of the City of Visalia is proposing the formation of Assessment District 2011-1 under the provisions of Section 10100 of the Municipal Improvement Act of 1913 (the “Act”).

Section 1.2 – Background

The properties within the proposed Assessment District include two retail commercial sites located on either side of Dinuba Boulevard (a major north-south thoroughfare) between Riggin Avenue and Shannon Parkway in the north-central part of the City. The commercial development of these sites is part of the City’s Orchard Walk Specific Plan.

The commercial site on the east side of Dinuba Boulevard is comprised of 21.8 acres devoted to commercial/retail uses. This area is bounded by Riggin Avenue on the south, Dinuba Boulevard on the west, Shannon Parkway on the north and Court Street on the east. This community shopping center, known as “*Orchard Walk East*,” will ultimately provide nearly 300,000 square feet of leasable space offering a wide range of merchandise and services. The mix of uses is consistent with the Specific Plan’s intention to create a high intensity center providing daily essentials, specialty shops and restaurants for residents in the north Visalia.

The completed initial phase of this shopping center includes nearly 252,000 square-feet of retail floor space, anchored by a 142,279 square-foot Target general merchandise superstore. Other major tenants in the center are Ross Dress for Less and Vallarta Supermarket. The complex contains several other national chains, including McDonald’s and Subway restaurants, and Radio Shack and Famous Footwear stores. These are complemented by a variety of local and regional retailers and service providers. Additional food service establishments include Mountain Mike’s Pizza, Figaro’s Mexican Grill, and Yodigity Yogurt. A second phase of construction is slated to add another 41,000 square-feet of leasable space. Further detail on the floor area and tenant mix for this center is provided in Appendix C, Table C-1.

The future commercial site on the west side of Dinuba Boulevard is referred to as “*Orchard Walk West*.” This portion of the assessment district consists of three parcels with a land area totaling 13.5 acres. This center is planned for commercial/retail/office uses. The site extends some 800-feet westerly from Dinuba Boulevard; and is bounded on by Sedona Avenue on the north and by Riggin Avenue on the south. No development proposals are currently pending on this area.

Section 1.3 – History of the Undergrounding Project

In the course of the development review of the Orchard Park East commercial project, the City staff requested that the developer, Donahue Schriber Realty Group, LP (DSRG), install underground utilities. Following negotiations between the parties, City staff recommended to the City Council that the cost of utility undergrounding be reimbursed to DSRG through formation of a benefit assessment district.

Discussions continued into the winter of 2008, and in January of 2009 a draft petition for formation of an assessment district was forwarded to DSRG. A petition signed on behalf of Donahue Schriber Realty Group, Inc. and its affiliate company Donahue Schriber Asset Management Corporation (DSAMC) as tenants in common was submitted on February 20, 2009.

On October 19, 2009 the City Council adopted Resolution No. 2009-49 expressing that it was in the public interest for the City to reimburse the improvement cost and to form an assessment district pursuant to the provisions of the Municipal Improvement Act of 1913.

SECTION 2 – BOUNDARIES OF THE ASSESSMENT DISTRICT

Section 2.1 – General Description of Limits of the Assessment District

The twelve properties proposed to be included in the Assessment District are within the boundaries of the City of Visalia. The total land area of the parcels included is approximately 36.1-acres¹ and all are zoned for commercial use. In general terms, the limits of the Assessment District can be described as follows:

- Southerly along the easterly line of Dinuba Boulevard from Shannon Parkway to the extension of the southerly line of Sedona Avenue;
- Westerly along Sedona Avenue to a point approximately 834-feet westerly of Dinuba Boulevard;
- Southerly along the westerly boundary line of Parcel 1 as shown on Parcel Map 4928 to the northerly line of Riggins Avenue;
- Easterly along Riggins Avenue (crossing Dinuba Boulevard) to the westerly line of Court Street;
- Northerly along Court Street to the southerly line of Shannon Parkway; and
- Westerly along Shannon Parkway to the easterly line of Dinuba Boulevard.

Section 2.2 – Proposed Boundaries of Assessment District 2011-1

The boundaries of the area to be included in the Assessment District are depicted in detail on the Boundary Map, a reduced size copy of which is included herein on Pages 3 and 4. The Boundary Map (if approved by the City Council) will be filed for record in the Book of Maps of Assessment and Community Facilities Districts with the Tulare County Recorder in accordance with the provisions of Section 3310 of the California Streets and Highway Code. A full-sized copy of the Boundary Map is on file in the office of the City Clerk of the City of Visalia.

As required under the code, the Boundary Map shows the exterior limits of the proposed Assessment District and identifies the affected parcels. The map also identifies the properties by the Assessor's Parcel Numbers (APNs) currently assigned by Tulare County Assessor.

¹ Exclusive of public street rights-of-way

ASSESSMENT DIAGRAM ASSESSMENT DISTRICT NO. 2011-1 ORCHARD WALK EAST/WEST · UTILITY UNDERGROUNDING DISTRICT

City of Visalia
County of Tulare · State of California

BOUNDARIES OF THE ASSESSMENT DISTRICT

THE BOUNDARIES OF THE ASSESSMENT DISTRICT NO. 2011-1 ARE IDENTIFIED ON THE HEREBIN ASSESSMENT DIAGRAM WITH A DISTINCTIVE BOUNDARY LINE AND ARE CONSISTENT WITH THOSE SHOWN ON THE BOUNDARY MAP APPROVED BY THE CITY COUNCIL OF THE CITY OF VISALIA AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2011, BY ITS RESOLUTION NO. 2011-____.

THE PROPERTIES SUBJECT TO ASSESSMENT ARE IDENTIFIED BY THE ASSESSOR'S PARCEL NUMBERS SHOWN ON SAID BOUNDARY MAP AND INCLUDE: PARCELS 1, 2, 3 AND 5 AS SHOWN ON PARCEL MAP 4928 FILED IN BOOK 50 OF MAPS AT PAGE 37; PARCELS 1, 2, 4 AND 5 AS SHOWN AS SHOWN ON PARCEL MAP 4916 FILED IN BOOK 50 OF MAPS AT PAGE 37; AND PARCELS 3 THROUGH 6 AS SHOWN ON PARCEL MAP 4989 FILED IN BOOK 50 OF MAPS AT PAGE 34. THE CITY CLERK OF THE COUNTY OF TULARE HAS REVIEWED THE BOUNDARY MAP AND SUCH PARCELS ARE CORRECTLY CONFIGURED AND IDENTIFIED BY THE TULARE COUNTY ASSESSOR AS HAVING ACTIVE ASSESSOR'S PARCEL NUMBERS.

CERTIFICATE OF CITY CLERK

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF VISALIA THIS _____ DAY OF _____, 2011.

STEVE SALOMON
CITY CLERK
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

BY: _____
DONIA HUFFRON
CHIEF DEPUTY CITY CLERK

CERTIFICATE OF CITY ENGINEER

RECORDED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF VISALIA THIS _____ DAY OF _____, 2011.

FOR CITY ENGINEER,
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

DOUGLAS S. DAMKO, RCE 59445
FOR CITY ENGINEER

CERTIFICATION OF ASSESSMENT LEVY AND RECORDATION

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF VISALIA ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____, 2011, BY THE COUNCIL'S RESOLUTION NO. 2011-____.

THE ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF VISALIA ON THE _____ DAY OF _____, 2011.

REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE CITY ENGINEER FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

STEVE SALOMON
CITY CLERK
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

BY: _____
DONIA HUFFRON
CHIEF DEPUTY CITY CLERK

CERTIFICATE OF COUNTY RECORDER

FILED THIS _____ DAY OF _____, 2011, AT THE HOUR OF _____ O'CLOCK IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ AND AS INSTRUMENT NO. 2011-____ IN THE OFFICE OF THE COUNTY CLERK-RECORDER FOR THE COUNTY OF TULARE, STATE OF CALIFORNIA.

ROLAND P. HELL
ASSESSOR/CLERK-RECORDER
COUNTY OF TULARE, CALIFORNIA

BY: _____
DEPUTY

Scothorn Consulting Services

Engineering · Planning · Management

28 Deerfield Drive
Scotts Valley, CA 95066-2748
(831) 451-8049 (831) 713-5015 (fax)
c2jens@comcast.net

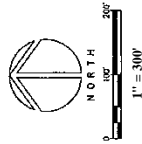
PROPOSED BOUNDARIES ASSESSMENT DISTRICT NO. 2011-1

City of Visalia
County of Tulare • State of California

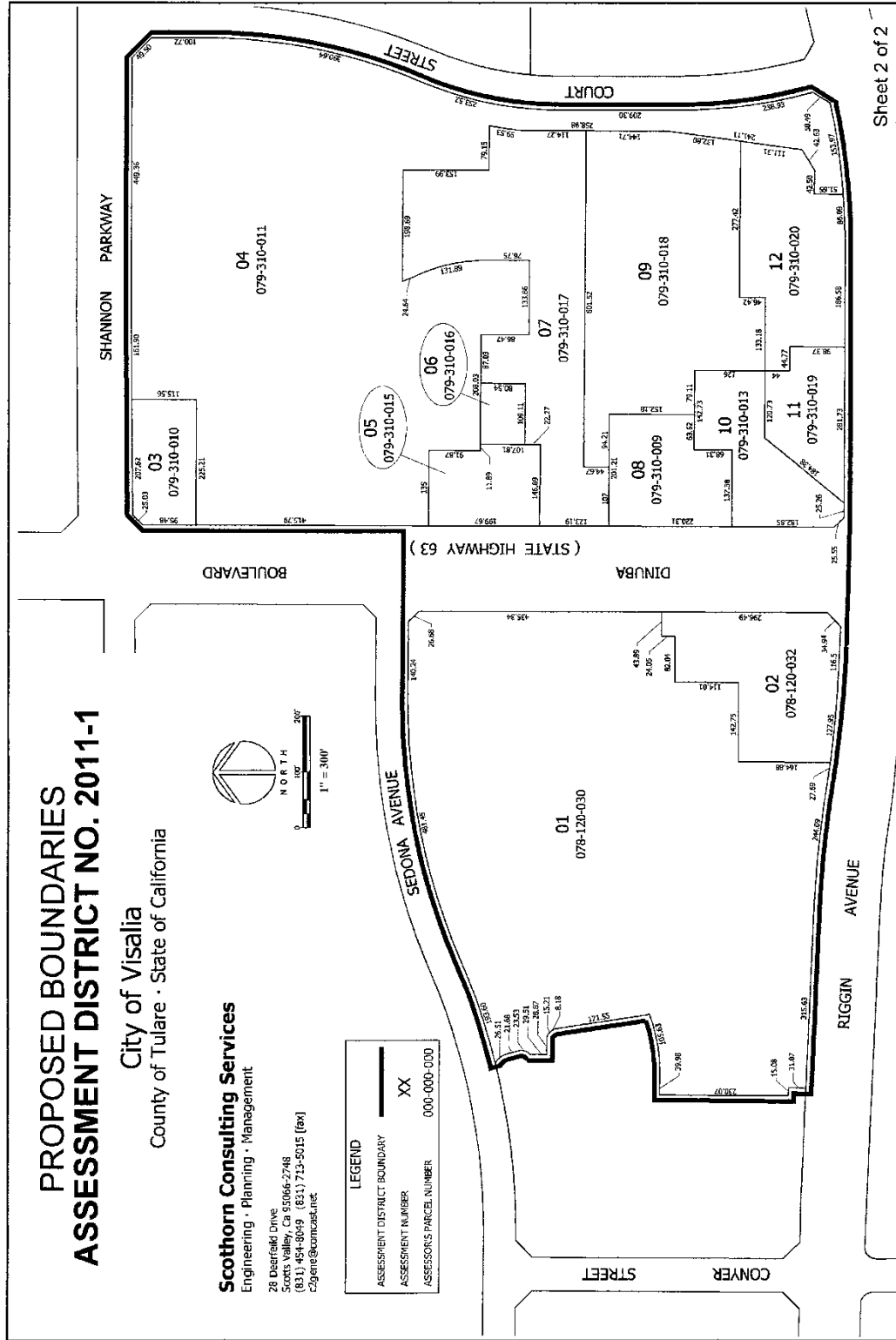
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Engineering • Planning • Management

28 Deerfield Drive
Sears Valley, Ca 95066-2748
(831) 454-8049 • (831) 713-5015 [fax]
c2gene@scothorn.net



LEGEND	
ASSESSMENT DISTRICT BOUNDARY	XX
ASSESSMENT NUMBER	000-000-000
ASSESSORS PARCEL NUMBER	



Sheet 2 of 2

SECTION 3 – DESCRIPTION OF THE IMPROVEMENTS TO BE ACQUIRED

Section 3.1 – Improvements

Section 10100 of the Municipal Improvement Act of 1913 (the “Act”) provides for the legislative body of any county, city or special purpose district to finance certain capital facilities and services within or along any public right-of-way or easement. The following is a list of the proposed improvements to be acquired by the City of Visalia under provisions of the Act.

The definitive scope of improvements proposed to be acquired under this Assessment District is detailed in the plans and specifications described in Section 3.2 herein. The cost reimbursement for the improvements to be acquired relates to underground utilities along Dinuba Boulevard between Shannon Parkway and Riggan Avenue within the area known as Orchard Walk East and West. The improvements, facilities and services to be acquired include the following:

- The trenching excavation, installation of electrical conduits ranging from 1½-inches to 5-inches in diameter, and for 2-inch and 3-inch cable conduits; together with associated utility vaults, equipment pads, connections to riser poles, borings across Dinuba Boulevard and Riggan Avenue, installation of a traffic signal at Shannon Parkway and appurtenant work such as concrete replacement and conduit encasement, asphalt concrete resurfacing and traffic control.
- Construction and design services by performed Southern California Edison (SCE) in conjunction with installation of cables for electrical, telephone and cable services and with the relocation of utility poles and related utility structures.
- The payment of SCE transfer, facility relocation, and street lighting fees.
- The payment of AT&T pole relocation and Comcast transfer fees.

Section 3.2 – Improvement Plans

The nature, location and extent of the improvements contemplated for the area within the Assessment District are described greater specificity on the improvement plans and related construction documents prepared by on file in the offices of the City Clerk and the City Engineer.

Said plans, specifications and related construction documents are voluminous and are not bound herein, but by this reference are incorporated as if attached to and are hereby made a part of this Engineer’s Report.

SECTION 4 – ESTIMATES OF COST

Section 4.1 – Construction Cost

The net construction cost for underground utility infrastructure benefiting properties within the boundaries of the Assessment District has been established as \$485,048. This amount was accepted by the City staff following a thorough review of cost documentation provided by DSRG and its consultants. The net cost includes adjustments made by City staff and reflects a prior reimbursement to DSRG.

A letter from Douglas S. Damko dated September 28, 2010 indicating the City's acceptance of the submitted data and an accompanying summary of the cost allocation are included in Appendix C to this report.

The accepted net construction cost is reflected in Table 4-1 on Page 7.

Section 4.2 – Total Project Cost

The total project cost, which combines both construction and incidental costs, is estimated to be \$585,000. Because much of the incidental services remain to be completed, a reasonable contingency allowance has been included for these items. The costs are also shown in Table 4-1.

Section 4.3 – Balance to Assessment

The balance to be assessed to the properties in the District is preliminarily estimated to be \$675,000. The total includes the previously mentioned construction and incidental costs, plus the anticipated costs of bond underwriting and reserve of a ten percent of the total bond amount. These finance related costs are also included in Table 4-1.

TABLE 4-1
ESTIMATED PROJECT COST
 Assessment District 2011-1
 City of Visalia

	As Preliminarily Approved	As Confirmed
Construction Cost		
Utility Undergrounding	\$271,603	
Southern California Edison	232,595	
Comcast Fee	7,619	
Subtotal	\$511,817	
Less Reibursement to DSRG	(26,769)	
Net Construction Cost		\$485,048
Incidental Costs		
Construction Management	\$18,951	
Project Administration	23,103	
Assessment Engineering	13,000	
Bond Counsel	17,500	
Disclosure Counsel	12,500	
Auditor's Records	2,500	
Paying Agent	1,500	
Other Direct Expenses	1,812	
Subtotal	\$90,866	
Contingencies @ ±10%	\$9,086	
Total Incidental Cost		\$99,952
TOTAL PROJECT COST		\$585,000
Financing Costs		
Bond Underwriter @ ±3%	\$20,000	
Bond Reserve @ ±10%	70,000	
Total Financing Cost		\$90,000
BALANCE TO ASSESSMENT		\$675,000

SECTION 5 – METHOD OF ASSESSMENT

Section 5.1 – General Background

Since the improvements to be acquired are to be funded by the levying of assessments, the “Municipal Improvement Act of 1913” (“the Act”) and Article XIID of the State Constitution require that assessments must be based on the special benefit that the properties receive from the Works of Improvement. In addition, Section 4 of Article XIID (“CSC Section 4”) stipulates that a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel.

CSC Section 4 further provides that only special benefits are assessable and the local agency levying the assessment must separate the general benefits from the special benefits. CSC Section 4 also provides that parcels within a district that are owned or used by any public agency, the State of California, or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels receive no special benefit. Neither the Act nor the State Constitution specifies the method or formula that should be used to apportion the costs to properties.

Section 5.2 – Specific and Special Benefit

In conducting the evaluation of benefits received by the parcels within the boundaries of the Assessment District, considerable effort was devoted to assuring that the amount of each assessment be directly proportional to the property’s benefit from the improvements; and that the special benefit be specific, direct and clearly distinguishable from general benefits that might otherwise be conferred on the public at large.

It was determined that the special benefit to each property resulting from the proposed improvements lies principally in the enhancement of the street frontage serving the commercial properties within the Assessment District boundaries. This enhancement is largely aesthetic in nature, offering an appealing streetscape along Dinuba Boulevard which serves as the primary entry to the shopping center.

Section 5.3 – Tests of Special vs. General Benefit

In the conduct of this analysis, it was necessary to conclusively determine whether the properties receive a special benefit, as distinguished from general benefits conferred on real property within in the District or to the public at large. To this end, it is important to consider the manner in which the project improvements satisfy the criteria for “special,” “specific” and “direct” benefit; or under which they are more legitimately categorization as being of a “general” or “public” benefit.

The findings of these analyses are that the benefits enumerated in Section 5.2 are specific and directly associated with the parcels included within the Assessment District boundaries. The most significant factor in this determination is the nature of the land use within the district.

All of the properties within the district are commercially zoned and their development is principally retail oriented. As such, the success of tenants and landowners is highly dependent on the ability to attract customers to stores. An important component of this attraction lies in providing a convenient and attractive atmosphere for patrons.

The added aesthetic gain resulting from the utility undergrounding offers both “curb appeal” and added marketing advantage in comparison with older or less attractive shopping areas. Without the project improvements this competitive advantage would clearly be lessened.

Another factor that provides benefit to the parcels within the assessment district is the inclusion of street lighting along Dinuba Boulevard. Street lighting improves safety and gives added opportunity for customers to identify the commercial nature of the project area.

There is also some basis to consider the improvements as having general benefit. It can be argued that the undergrounding of utilities and installation of street lighting does provide some collateral general benefit in terms of aesthetics and safety to the community. The nature of these benefits is, however, much less tangible than that for specific benefit. Moreover, the extent of public benefit is difficult to assign since the improvements were a specific condition of the project approvals required for developmental entitlements.

Based on the above, it is concluded that the project improvements provide sufficient specific benefit to the properties within the district boundaries and that they meet the test as being distinguishable from general or public benefit.

Section 5.4 – Assessment Methodology

The responsibility for apportionment of the costs to benefiting properties rests directly with the City Council and indirectly with the Assessment Engineer, who has been appointed for the purpose of evaluating the facts and making recommendations to the City Council with respect to an accurate and equitable apportionment of the costs of improvements.

This Preliminary Engineer's Report summarizes such an analysis and proposes a distribution of costs that the Assessment Engineer recommends as satisfying both the requirements of statute and equity.

Based on the findings described in Sections 5.2 and 5.3, the special benefit received by the properties within the boundaries of the Assessment District is the provision of commercial value resulting from enhanced aesthetics, site recognition and customer safety.

Section 5.5 – Basis of Benefit

The twelve properties within the boundaries of the Assessment District are similar in some respects and quite different in others. Their similarities are that all the parcels are commercially zoned and located within areas master planned for retail use. The differences lie in significant disparities in parcel size, configuration and location with respect to surrounding public streets.

In this instance, the improvements to be funded have been constructed within the right-of-way of Dinuba Boulevard, a public street. Methodologies commonly utilized for establishing relative benefit for improvements which are located within adjunct public streets is commonly distributed either on the basis of the relative frontage of the parcels or in proportion to parcel area. In some instances the distribution is based on a combination of these (and/or other) factors.

In developing a mechanism to distribute the improvement, incidental and financing cost for this project; the following approaches were considered:

1. **Frontage as a Basis of Benefit** – The discussions between DSRG (the project developer) and City staff in the latter part of 2008 and early in 2009 assumed that a cost distribution formula based on parcel frontage along Dinuba Boulevard would be equitable. This was a straightforward and logical approach given the longitudinal nature of the undergrounding improvements together and the (then smaller) number of properties.

At that point, eight parcels existed within the proposed district boundaries and all but one fronted directly on Dinuba Boulevard. The exception had frontage only on Riggan Avenue. This fact weakened the case for using street frontage as a sole criterion for assessment

distribution, but did not necessarily invalidate frontage as a consideration. This circumstance still existed when the assessment process was formally initiated with the approval by the City Council in October, 2009.

However, the process experienced extensive delays for a variety of reasons, most notably the inability of DSRG to provide the City with verifiable project cost data. As a result, assessment engineering efforts were suspended in January, 2010 pending resolution of this and other significant issues. The cost accounting issues were resolved with City staff in September, 2010 (see Section 4.1 of this report) and authorization to reinstate the assessment work was issued in late October.

In the interim, additional subdivision occurred within the properties lying to the east of Dinuba Boulevard. Parcel Map No. 4989 was filed with the County Recorder on February 25, 2010. This map created five new parcels and modified a sixth.

This new configuration left four parcels without frontage on Dinuba Boulevard. The setback of these parcels from Dinuba Avenue ranges between 44-feet and 280-feet. This reconfiguration made the utilization of a “frontage-only” distribution method even less appropriate.

Another factor that called the use of Dinuba Boulevard frontage into question was that only three of the twelve properties (Assessment Parcels 01, 04 & 07) have direct vehicular access from Dinuba Boulevard. In the case of Parcels 04 and 07 the access is not exclusive, but provides a common entry driveway serving all of the properties on the east side of Dinuba Boulevard.

It was determined that the combination of these issues effectively precludes the use of parcel frontage as an appropriate basis for distribution of basis.

2. **Land Area as a Basis of Benefit** – The assignment of benefit in relation to the relative land area of the various parcels is a mechanism that is also commonly utilized in assessment proceedings. This approach is appropriate where a nexus can be shown between the benefits resulting from the improvements and the size of the parcels to be assessed.

The areal distribution method is especially useful where there is no direct or immediate relationship between the position of the improvements of work and the perimeter of the individual parcels; and/or where there is sufficient disparity in size and dimensions of the parcels to render a “unit” benefit inappropriate. Since these conditions both exist in the Orchard Walk project area, consideration of parcel area in apportionment of benefit was deemed appropriate.

An additional factor that is present in community shopping centers such as Orchard Walk is that the individual parcels are highly interdependent. This interdependency extends to the infrastructure supporting the project. Thus, the benefit resulting from public improvements (including utility undergrounding) to parcels adjacent to Dinuba Boulevard are not markedly different from those derived by other parcels within the district.

This concept of interdependency is exemplified in the improvements devoted to vehicular circulation in and around the shopping center. All of the parcels, regardless of their location within the project limits, benefit from improvements to Dinuba Boulevard. However, they are also highly dependent on a common internal circulation and parking system.

Review of the traffic impact study² for the Orchard Walk commercial project suggests that more than 70% of the inbound vehicular traffic to the properties in the Assessment District enters from Dinuba Boulevard. This demonstrates that most users utilize the internal driveway and parking aisles to reach specific stores within the center. Table 6 of the traffic report also indicates that vehicle trips are generally uniformly distributed within the shopping centers.

In many ways the benefit from undergrounding of utilities is analogous to those related to offsite street and transportation improvements. Their location within the Dinuba Boulevard right-of-way is an accepted design convention that provides consistency with the general distribution networks of the utility companies, while providing utility services to the shopping centers. However, the benefits derived by the parcels within the centers have little (if any) relationship to their proximity to the utility trench.

Accordingly, this analysis concludes that all of the parcels within the Assessment District boundaries are of common land use and that the only basis for differentiating benefit is parcel size.

3. **Combination of Area and Frontage as a Basis of Benefit** – Based on the evaluations summarized in Paragraphs 1 and 2 above, it was concluded that the use of parcel frontage as a criterion in distributing benefit was not appropriate.
4. **Provision for Potentially Subdividable Parcels** – The potential exists that one or more parcels within the Assessment District may be further subdivided in the future. Such a possibility would require approval of the City of Visalia. Such an eventuality is provided for in §8730-§8734 and in §8740 of the California Streets and Highways Code. These sections establish procedures under which segregation and apportionment of any unpaid installments of the original assessment are to be made for any parcel of land affected by such a division.
5. **Provision for Publicly Owned Parcels** – Section 4(a) of Proposition 218 specifically requires assessments to be levied on publically owned parcels within an assessment district unless the agency which owns the parcel can “*demonstrate by clear and convincing evidence*” that its parcel will receive no benefit. There are no publically owned parcels within the proposed Assessment District and no assessment or finding of non-benefit is required.
6. **Assignment of Exemptions and Credits** – No exemptions or credits are applicable or proposed for any parcel of land within the proposed Assessment District.

Based on the foregoing, the distribution of benefit to each parcel, improved or vacant, will be made in proportion to the ratio that the area of each parcel bears to the total area of all parcels within the Assessment District. This approach provides an equitable means for distribution of the cost of improvements that reflects the direct and special benefit conferred each of the properties within the Assessment District.

² Impact Study, North Park Promenade, Visalia, CA, IPG Consulting, Inc., March 2007

SECTION 6 – ASSESSMENT DIAGRAM

Section 6.1 – General

A reduced copy of the Assessment Diagram is included in Appendix B. Full-sized copies of the Boundary Map and Assessment Diagram are also on file in the Office of the City Clerk of the City of Visalia.

As required by the Act, the Assessment Diagram shows the exterior boundaries of the Assessment District and the assessment number assigned to each parcel of land corresponding to its number as it appears in the Assessment Roll attached as Appendix A hereto. The Assessor's Parcel Number is also shown for each parcel as they existed at the time of preparation of this report.

Reference is hereby made to the Assessor's Parcel Maps of the County of Tulare for the boundaries and dimensions of each parcel of land.

Section 6.2 – Assessment Numbers

In the assignment of assessment numbers, a sequential convention of two-digit numbers has been utilized, with "leading zeros" preceding parcel numbers 1 through 9.

SECTION 7 – DEBT LIMITATION AND PROPERTY VALUATION

Section 7.1 – Estimated Amount of Proposed Assessments

The total amount of assessment proposed to be levied on parcels within the Assessment District is estimated to be \$675,000.

Section 7.2 – Amount of Other Unpaid Assessments

The total principal amount of all unpaid assessments levied on properties within the Assessment District other than the assessments proposed by this Assessment District is reported to be \$0.00.

Section 7.3 – Total of Current and Proposed Assessment Debt

The estimated total principal amount of proposed and currently unpaid assessments levied on properties within the Assessment District boundaries to be \$675,000

Section 7.4 – True Value of Parcels to be Assessed

Section 2825 of the Streets and Highways Code requires that this report contain statements of both the total “true value” of all parcels of land to be assessed for the improvements to be acquired; and of each parcel individually. “True value” is defined in § 2980 (a) as “the fair market value of the land and improvements thereon.”

It is recommended that the City Council determine that the fair market value be the full cash value shown on the last equalized assessment roll of the County of Tulare. This means of determination is permitted under Street and Highways Code § 2980 (b). On this basis, the total true value of land and improvements within the district is \$37,365,250.³ The true value of land and improvements for the individual parcels is shown in Table 7-1 on Page 14.

Section 7.5 – Certification of the Assessment Engineer

For the purpose of demonstrating compliance with Part 7.5 of Division 4 of the California Streets and Highways Code, I the undersigned Assessment Engineer, do hereby certify that the total amount of the principal sum of the assessments proposed to be levied for the Assessment District, together with the principal amount of all other assessments levied or proposed to be levied on the properties within the Assessment District, as set forth in Section 7.3 above, does not exceed one-half (½) of the total True Value of the parcels to be assessed in the Assessment District.

Date: _____, 2011



Gene B. Scothorn, PE
RCE 14760

³ At the time of submittal of this Preliminary Engineer’s Report, the Tulare County Assessor had not posted an amended roll providing current valuations on a majority of properties within the proposed Assessment District. The total values shown are based on preliminary estimates provided by the Assessor’s Office. These estimates are subject to further processing and adjustment by the Assessor’s Office and cannot be considered definitive or final. It is anticipated that an updated assessment roll for all properties within the Assessment District will be available prior to the public hearing before the City Council and the Council’s consideration of the Final Engineer’s Report.

TABLE 7-1
TRUE VALUE OF LAND AND IMPROVEMENTS
Assessment District 2011-1

Orchard Walk East/West Utility Undergrounding Assessment District
 City of Visalia, California

Assmt Number	Assessor's Parcel No.	Property Owner	Mailing Address	Preliminary Estimates of AV		
				Land	Improvements	Total
01	078-120-030	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	\$4,924,317	\$0	\$4,924,317
02	078-120-032	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	618,069	0	618,069
03	079-310-010	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	353,099	748,440	1,101,539
04	079-310-011	Target Corporation	1000 Nicollet Mall #12, Minneapolis, MN 55403	5,805,322	10,474,800	16,280,122
05	079-310-015	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	387,493	0	387,493
06	079-310-016	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	119,386	0	119,386
07	079-310-017	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	1,285,178	3,641,960	4,927,138
08	079-310-009	MKR Associates	15721 S. Western Avenue #200, Gardena, CA 90247	1,159,000	825,000	1,984,000
09	079-310-018	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	1,479,228	2,778,848	4,258,076
10	079-310-013	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	547,057	79,808	626,865
11	079-310-019	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	407,010	968,212	1,375,222
12	079-310-020	Donahue Schriber Realty Group	200 E. Baker Street #100, Costa Mesa, CA 92626	688,203	74,820	763,023
Total Assessed Valuation				\$17,773,362	\$19,591,888	\$37,365,250

¹ The values indicated in this table for Assessment Nos. 03 - 12 are estimates provided by the Tulare County Assessor's Office based on preliminary valuation and segregation of costs to the resubdivided parcels. These values are subject to further evaluation and processing by the Assessor's Office and should not be considered as final.

At the time of this report, the Assessor's office was engaged in preparation of the amended roll for these properties. Although no specific date for posting of the amended roll was available, the Assessor's Office has indicated that it had been given priority status.

SECTION 8 – RIGHTS OF WAY

Section 8.1 – General

The Act requires that the proposed Works of Improvement must be located within public rights-of-way, or within land or easements owned by or licensed to the agency conducting the assessment district proceedings.

Section 8.2 – Right-of-Way Certificate

The below certificate, executed on behalf of the Community Development Director/City Engineer of the City of Visalia certifies that all rights-of-way and easements necessary for the Works of Improvement to be acquired by Assessment District No. 2011-1 were under public ownership prior to the City's action to acquire the improvements.

The undersigned hereby certifies that the following is all true and correct:

That at all times herein mentioned, the undersigned was, and now is, the authorized representative of the Community Development Director/City Engineer of the City of Visalia, Tulare, County, State of California.

That there have now been instituted proceedings under the provisions of Article XIID of the California Constitution, and the "Municipal Improvements Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, for the acquisition of certain public improvements in a special assessment district known and designated as Assessment District No. 2011-1 (hereinafter referred to as the "Assessment District").

The undersigned further states and certifies as follows:

It is hereby acknowledged that the Works of Improvement to be acquired under this Assessment District must be located within public rights-of-way, or within land or easements owned or controlled by a public entity. The undersigned hereby certifies that, based on his research, he has determined that all necessary rights-of-way and easements were under the ownership and/or control of the State of California prior to final action by the Visalia City Council in approving the assessment district.

Date: _____, 2011

Chris R. Young
Community Development Director/City Engineer
City of Visalia
Tulare County, California

Douglas S, Damko, RCE 59445

SECTION 9 – ENVIRONMENTAL PROCEEDINGS

Section 9.1 – General

California law requires that the lead agency for any “project,” including construction projects financed through assessment proceedings, must comply with the provisions and processes of the California Environmental Quality Act (CEQA).

Section 9.2 – Environmental Certification

The following is the certificate executed on behalf of the City of Visalia stating that the specific environmental proceedings required under CEQA as they related to this Assessment District have been completed in accordance with CEQA compliance.

The undersigned CERTIFIES as follows:

1. That I am the person who authorized to prepare and process all environmental documentation as needed as it relates to the formation of the special Assessment District being formed pursuant to the provisions of the “municipal Improvement Act of 1913” being Division 12 of the Streets and Highways Code of the State of California, said special Assessment District known and designated as ASSESSMENT DISTRICT NO. 2011-1 (hereinafter referred to as the “Assessment District”).
2. The specific environmental proceedings relating to this Assessment District that have been completed and the City of Visalia has determined that it has complied with the California Environmental Quality Act (CEQA) for the project identified above and that the project is described in adequate and sufficient detail to allow the project’s acquisition.
3. That the CEQA analysis for this project encompasses all aspects of the improvements to be acquired.

Date: _____, 2011

Paul Scheibel, AICP
Principal Planner
City of Visalia
Tulare County, California

SECTION 10 – ADMINISTRATIVE COST

Section 10.1 – General

In addition to the assessment lien levied against each parcel of land within the Assessment District, each parcel of land shall also be subject to an annual assessment to pay for costs incurred by the City of Visalia which result from the administration or registration of any bonds and/or reserve or other related funds.

Section 10.2 – Maximum Annual Administrative Assessment

The City Council of the CITY shall annually, at the time of preparation of annual auditor's records, establish the amount of such administrative cost. The total amount of such annual administrative assessment will not exceed two-percent (2%) of the annual installment of principal and interest, and shall be posted to the tax rolls for assessment collection.

SECTION 11 – ASSESSMENT CALCULATION

Section 11.1 – General

An assessment of the total amount of the costs and expenses of the improvements upon the subdivisions of land within the Assessment in proportion to the estimated special benefit to be received by the subdivisions from the improvements is set forth upon the Assessment Roll attached hereto as Appendix A.

Table A-1 in Appendix A shows the amounts proposed to be assessed to each and every parcel within the Assessment District, both as preliminarily approved and as confirmed by the City Council.

SECTION 12 – CERTIFICICATIONS

Section 12.1 – General

An assessment of the total amount of the costs and expenses of the improvements upon the subdivisions of land within the Assessment in proportion to the estimated special benefit to be received by the subdivisions from the improvements is set forth upon the Assessment Roll attached hereto as Appendix A.

Section 12.2 – Submittal by Assessment Engineer

The undersigned respectfully submits this Preliminary Engineer’s Report on Assessment District No. 2011-1 as directed by the City Council of the City of Visalia.

Date: _____, 2011



Gene B. Scothorn, PE
RCE 14760

Section 12.3 – Certification of Assessment Engineer

WHEREAS, on the 19th day of October, 2009, the City Council of the City of Visalia, located in the County of Tulare, State of California (hereinafter referred to as the “COUNCIL CITY”) did, pursuant to the provisions of the Municipal Improvement Act of 1913 which is Division 12 of the Streets and Highways Code of the State of California (hereinafter referred to as the “Act”) as amended, and Article XIID of the State Constitution and Article 4.6 of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53750 (“Article XIID”), adopt its Resolution of Intention for the financing, acquisition, and construction of certain public improvements, together with appurtenances and appurtenant work in connection therewith, in a special assessment district known, and designated as: CITY OF VISALIA ASSESSMENT DISTRICT NO. 2011-1 (hereinafter referred to as the “Assessment District”); and

WHEREAS, with respect to the Improvements, the Resolution of Intention directed the undersigned to make and file a report presenting a general description of any works and appliances already installed and any other property necessary or convenient for the operation of the Improvements, plans and specifications for the proposed construction, estimate of costs, maps and descriptions of lands and easements to be acquired, and diagram and assessment of and upon the parcels of land within the Assessment District, to which Resolution and the description of the Improvements therein contained reference is hereby made for further particulars;

NOW, THEREFORE, I do hereby assess and apportion the Balance to Assessment of the Total Cost of the acquisitions, work and improvements upon the several lots, pieces or parcel or portions of lots or subdivisions of land liable therefore and benefited thereby, and do herein submit the following:

1. The improvements to be provided within the Assessment District are generally described as Utility Undergrounding Improvements (hereinafter referred to as the “Improvements”) which include electrical, communications and street lighting improvements. Reference is

made to Section 3, Description of the Improvements, for additional detail on the proposed Improvements.

2. Pursuant to the provisions of the law and the Resolution of Intention, the costs and expenses of the Improvements have been assessed upon each of the parcels and lots of land benefited in direct proportion and relation to the estimated special benefits to be received by each of the parcels. For particulars of identification of the parcels, reference is made to the Assessment Diagram a reduced copy of which is included in Appendix B.
3. There are no publicly owned parcels in the proposed Assessment District that are receiving an assessment.
4. An Assessment Diagram showing the boundaries of the proposed Assessment District, as well as the lines and dimensions of each parcel of land within the Assessment District as they existed at the time of the preparation of this report. Each parcel of land has been given a separate number on the Assessment Diagram.
5. The subdivisions and parcels of land and their numbers shown within the Assessment Diagram correspond with the numbers appearing in the Assessment Roll.
6. In addition to, or as a part of, the assessment lien levied against each parcel of land within the Assessment District, each parcel of land shall also be subject to an annual assessment to pay for costs incurred by the CITY which result from the administration and collection of assessments or from the administration or registration of any bonds and/or reserve or other related funds. The total amount of such annual administrative assessment will not exceed two-percent (2%) of the annual installment of principal and interest, and shall be posted to the tax rolls for assessment collection.
7. Each parcel's share of the administrative cost add-on shall be computed based on the parcel's proportionate share of its annual assessment.
8. The parcels and assessments included herein do not include any prior unpaid special assessments.

NOTICE IS HEREBY GIVEN that bonds may be issued in accordance with Division 10 of the Streets and Highways Code of the State of California (The Improvement Bond Act of 1915), to represent all unpaid assessments, and the last installments of said bonds shall mature a maximum of forty (40) years from the second day of September next succeeding twelve (12) months from their date. Said bonds bear interest at a rate not to exceed the current legal maximum rate of twelve (12) percent per annum.

For particulars of the individual assessments and their descriptions, reference is made to the Assessment Roll contained in Appendix A. All costs and expenses of the Improvements have been assessed to all parcels and lots of land within the Assessment District in a manner, which is more comprehensively defined in the Method of Assessment described in Section 5 herein.

Date: _____, 2011



Gene B. Scothorn, PE
RCE 14760

Scothorn Consulting Services

Section 12.4 – Certification of City Clerk

I HEREBY CERTIFY that the enclosed Engineer’s Report, together with the Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Visalia, California, on the _____ day of _____, 2011.

Date: _____, 2011

Steve Salomon
City Clerk
City of Visalia
Tulare County, California

Donjia Huffmon
Chief Deputy City Clerk

Section 12.5 – Certification of City Clerk

I HEREBY CERTIFY that the enclosed Engineer’s Report, together with the Assessments and the Assessment Diagram thereto attached was filed in my office on the _____ day of _____, 2011.

Date: _____, 2011

Steve Salomon
City Clerk
City of Visalia
Tulare County, California

Donjia Huffmon
Chief Deputy City Clerk

APPENDIX A

ASSESSMENT ROLL Assessment District 2011-1

Orchard Walk East/West
Utility Undergrounding Assessment District

City of Visalia
Tulare County, California

TABLE A-1
ASSESSMENT ROLL
Assessment District 2011-1
 Orchard Walk East/West Utility Undergrounding Assessment District
 City of Visalia, California

Assmt Number	Assessor's Parcel No.	Property Owner	Parcel Area		As	
			(Acres)	(ft ²)	Preliminarily Approved	Confirmed & Approved
01	078-120-030	Donahue Schriber Realty Group	11.47	499,423	\$214,266.29	
02	078-120-032	Donahue Schriber Realty Group	1.44	62,544	26,833.11	
03	079-310-010	Donahue Schriber Realty Group	0.59	25,700	11,026.01	
04	079-310-011	Target Corporation	11.73	510,959	219,215.56	
05	079-310-015	Donahue Schriber Realty Group	0.65	28,227	12,110.16	
06	079-310-016	Donahue Schriber Realty Group	0.20	8,788	3,770.30	
07	079-310-017	Donahue Schriber Realty Group	2.86	124,407	53,374.05	
08	079-310-009	MKR Associates	0.92	39,971	17,148.67	
09	079-310-012	Donahue Schriber Realty Group	3.29	143,138	61,410.17	
10	079-310-013	Donahue Schriber Realty Group	0.92	40,260	17,272.66	
11	079-310-019	Donahue Schriber Realty Group	0.69	29,926	12,839.08	
12	079-310-020	Donahue Schriber Realty Group	1.38	59,982	25,733.94	
Totals			36.14	1,573,325	\$675,000.00	

APPENDIX B

ASSESSMENT DIAGRAM Assessment District 2011-1

Orchard Walk East/West
Utility Undergrounding Assessment District

City of Visalia
Tulare County, California

ASSESSMENT DIAGRAM ASSESSMENT DISTRICT NO. 2011-1 ORCHARD WALK EAST/WEST · UTILITY UNDERGROUNDING DISTRICT

City of Visalia
County of Tulare · State of California

BOUNDARIES OF THE ASSESSMENT DISTRICT

THE BOUNDARIES OF THE ASSESSMENT DISTRICT NO. 2011-1 ARE IDENTIFIED ON THE HEREIN ASSESSMENT DIAGRAM WITH A DISTINCTIVE BOUNDARY LINE AND ARE CONSISTENT WITH THOSE SHOWN ON THE BOUNDARY MAP APPROVED BY THE CITY COUNCIL OF THE CITY OF VISALIA AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2011, BY ITS RESOLUTION NO. 2011-_____.

THE PROPERTIES SUBJECT TO ASSESSMENT ARE IDENTIFIED BY THE ASSESSOR'S PARCEL NUMBERS SHOWN ON SAID BOUNDARY MAP AND INCLUDE PARCELS 1 AND 3 AS SHOWN ON PARCEL MAP 4628 FILED IN BOOK 50 OF MAPS AT PAGE 33; PARCELS 1, 2, 4 AND 5 AS SHOWN AS SHOWN ON PARCEL MAP 4916 FILED IN BOOK 50 OF MAPS AT PAGE 33; PARCELS 1, 2, 4 AND 5 AS SHOWN AS SHOWN ON PARCEL MAP 4689 FILED IN BOOK 50 OF MAPS AT PAGE 34; AND PARCELS 1, 2, 4 AND 5 AS SHOWN AS SHOWN ON PARCEL MAP 4689 FILED IN BOOK 50 OF MAPS AT PAGE 34. ALL SAID PARCELS ARE CURRENTLY CONFIGURED AND IDENTIFIED BY THE TULARE COUNTY ASSESSOR AS HAVING ACTIVE ASSESSOR'S PARCEL NUMBERS.

CERTIFICATE OF CITY CLERK

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF VISALIA THIS _____ DAY OF _____, 2011.

STEVE SALOMON
CITY CLERK
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

BY: _____
DONLIA HUFFKON
CHIEF DEPUTY CITY CLERK

CERTIFICATE OF CITY ENGINEER

RECORDED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF VISALIA THIS _____ DAY OF _____, 2011.

FOR CITY ENGINEER
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

DOUGLAS S. DAMKO, RCE 59445
FOR CITY ENGINEER

CERTIFICATION OF ASSESSMENT LEVY AND RECORDATION

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF VISALIA ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM. THE ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____, 2011, BY THE COUNCIL'S RESOLUTION NO. 2011-_____.

THE ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF VISALIA ON THE _____ DAY OF _____, 2011.

REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE CITY ENGINEER FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

STEVE SALOMON
CITY CLERK
CITY OF VISALIA
TULARE COUNTY, CALIFORNIA

BY: _____
DONLIA HUFFKON
CHIEF DEPUTY CITY CLERK

CERTIFICATE OF COUNTY RECORDER

FILED THIS _____ DAY OF _____, 2011, AT THE HOUR OF _____ O'CLOCK IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ AND AS INSTRUMENT NO. 2011-_____ IN THE OFFICE OF THE COUNTY CLERK-RECORDER FOR THE COUNTY OF TULARE, STATE OF CALIFORNIA.

ROLAND P. HILL
ASSESSOR/ CLERK-RECORDER
COUNTY OF TULARE, CALIFORNIA

BY: _____
DEPUTY

Scothorn Consulting Services

Engineering · Planning · Management

28 Deerfield Drive
Scotts Valley, Ca 95066-2748
(831) 454-8049 (831) 713-5015 (fax)
c2j@scas.com

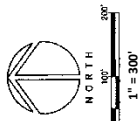
ASSESSMENT DIAGRAM ASSESSMENT DISTRICT NO. 2011-1

City of Visalia
County of Tulare · State of California

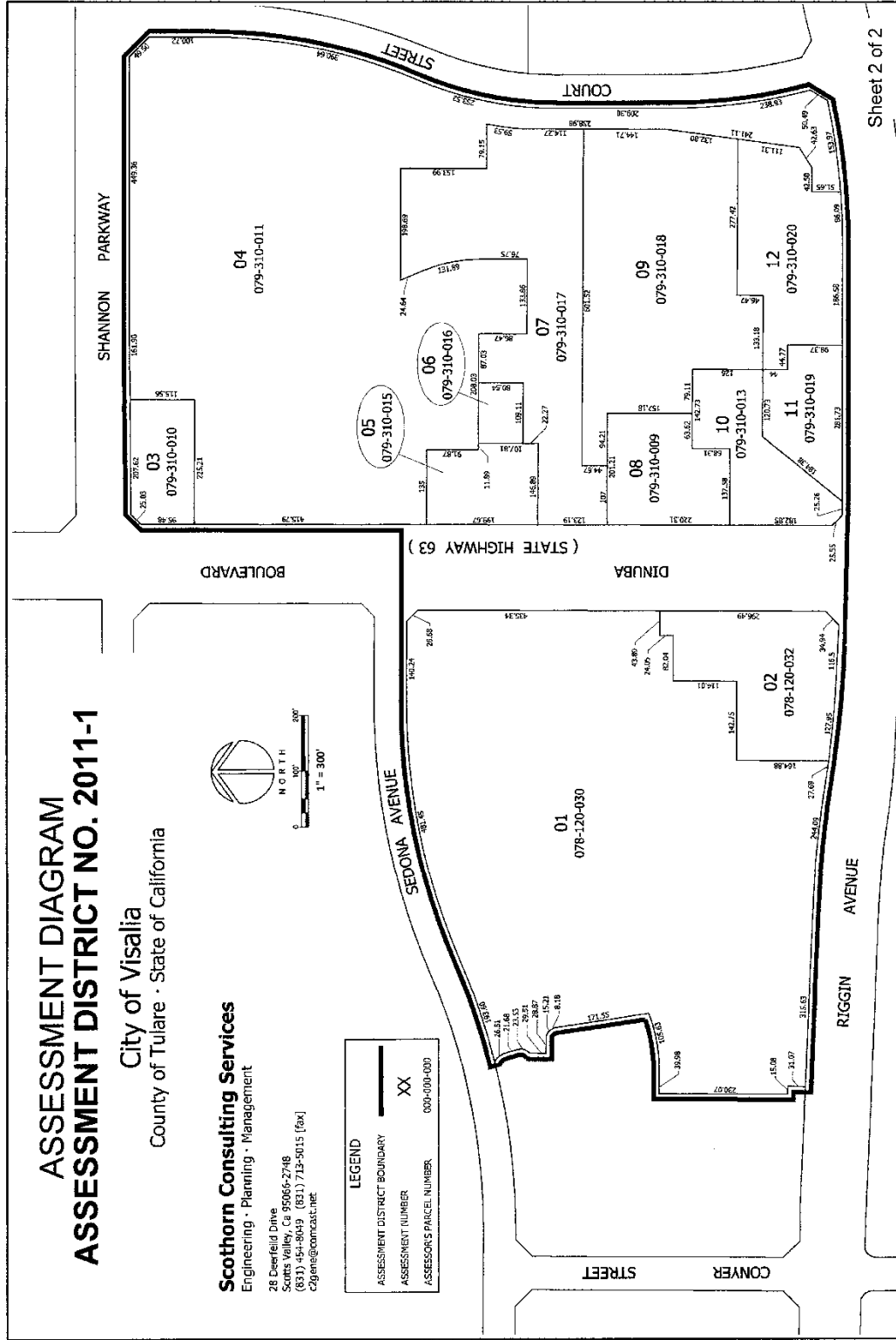
Scothorn Consulting Services

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Scotts Valley, Ca 95066-2748
(831) 454-8149 (831) 713-4015 (fax)
c2j@scot.comcast.net



LEGEND	
ASSESSMENT DISTRICT BOUNDARY	XX
ASSESSMENT NUMBER	009-000-000
ASSESSOR'S PARCEL NUMBER	



APPENDIX C

REFERENCE DOCUMENTS **Assessment District 2011-1**

Orchard Walk East/West
Utility Undergrounding Assessment District

City of Visalia
Tulare County, California

TABLE C-1
BUILDING SIZE & OCCUPANCY
Assessment District 2011-1

Orchard Walk East Shopping Center
City of Visalia, California

Assmt Number	Property Owner	Category	Pad	Unit	Tenant	Building Area (ft ²)
03	Donahue Schriber Realty Group	Shops	1	A	Game Shop	1,485
03	Donahue Schriber Realty Group	Shops	1	B	(Vacant)	1,350
03	Donahue Schriber Realty Group	Shops	1	C	Sally Beauty	1,350
03	Donahue Schriber Realty Group	Shops	1	D	Supercuts	1,265
03	Donahue Schriber Realty Group	Shops	1	E & F	Radio Shack	1,980
04	Target Corporation	Major	A	--	Target	142,279
05	Donahue Schriber Realty	Shops	2	--	Undeveloped	10,032
06	Donahue Schriber Realty	Shops	3	--	Undeveloped	3,000
07	Donahue Schriber Realty Group	Shops	B	1	Famous Footware	6,000
07	Donahue Schriber Realty Group	Shops	B	2	Vibe	3,000
07	Donahue Schriber Realty Group	Shops	B	3	Maurice's	5,000
07	Donahue Schriber Realty Group	Major	C	--	Ross Dress for Less	27,683
08	MKR Associates	Shops	4	--	McDonald's Restaurant	3,915
09	Donahue Schriber Realty Group	Major	D & E	--	Vallarta Supermarket	47,973
10	Donahue Schriber Realty	Shops	5	--	Undeveloped	8,000
11	Donahue Schriber Realty Group	Shops	6	A & B	Figaro's Mexican Grill	3,502
11	Donahue Schriber Realty Group	Shops	6	C	Yodigity Yogurt	1,249
11	Donahue Schriber Realty Group	Shops	6	D	Subway Restaurant	1,447
11	Donahue Schriber Realty Group	Shops	6	E	Fiesta Insurance	1,699
11	Donahue Schriber Realty Group	Shops	6	F & G	Mountain Mike's Pizza	2,100
12	Donahue Schriber Realty	Major	F	--	Undeveloped	20,087
Total Building Area						294,396



September 28, 2010

ROBERT M. HAIGHT
ATTORNEY AT LAW
Municipal Bond Counsel
5435 Scotts Valley Drive, Suite D
Scotts Valley, CA 95066

RE: Orchard Walk East and West Underground Utilities Assessment District

Dear Robert,

Attached to this letter as Exhibit A is the City's summary and acceptance of the costs that were submitted by Donahue Schriber Realty Group for consideration and inclusion in the Orchard Walk East and West Underground Utilities Assessment District. In summary, the total construction costs are \$485,048, the DSRG administrative costs are \$23,106 and the Tolladay Corp construction management costs are \$18,951.

Respectfully,

A handwritten signature in blue ink, appearing to read "Douglas S. Damko".

Douglas S. Damko
Senior Civil Engineer

EXHIBIT A

08-Dec-08
 09:11 AM
 MICHAEL R. TOLLADAY CORPORATION
 7080 N. MARKS, SUITE 118
 FRESNO, CALIFORNIA 93711

CONTRACTOR CHARGES AND COST DESIGNATION

RULE 20 UNDERGROUNDING
 (SCE, AT&T AND COMCAST)

DESCRIPTION	TYPE	DATE	NUMBER	MEMO	ITEM	AMOUNT
BROWNING CONSTRUCTION						
	BILL	2/2/08	48197	UTILITY UNDERGROUND SCE, AT&T AND COMCAST		74,677
	BILL	3/20/08	48283	UTILITY UNDERGROUND SCE, AT&T AND COMCAST		283,270
	BILL	4/20/08	48419	UTILITY UNDERGROUND SCE, AT&T AND COMCAST		1,672
	BILL	4/20/08	48401	UTILITY UNDERGROUND SCE, AT&T AND COMCAST		111,987
	BILL	5/27/08	48493	UTILITY UNDERGROUND SCE, AT&T AND COMCAST		7,032
				DEDUCT FOR WORK ON ADJACENT STREETS		(207,915)
						270,723
TOLLADAY CORPORATION						
	BILL	12/8/08		CONST FEE	CONST FEE	18,951
						18,951
COMCAST						
	BILL	5/2/08	6VT17	COMCAST FEE	COMCAST FEE	7,619
						7,619
SCE						
	BILL	3/3/08	23967	STREET LIGHT INSTALL	SCE FEE	20,059
	BILL	3/4/08	24101	UTILITY UNDERGROUND	SCE FEE	208,637
	BILL	6/30/08	35543	RELOCATE FACILITIES	RELOCATE FACILITIES	3,899
						232,595
				TOTAL		\$ 528,888

CITY ADJUSTMENTS:

BROWNING CONSTRUCTION

ERROR ADJUSTMENT ON DEDUCT FOR WORK ON ADJACENT STREETS - REDUCE BY \$880 TO \$207,035

DSRG

COMPLETED CITY REIMBURSEMENT FOR DINUBA BLVD EAST SIDE STREET LIGHTS - DEDUCT \$26,769

SUMMARY:

FINAL TOTAL CONSTRUCTION COSTS WITH CITY ADJUSTMENTS = **\$485,048**

BROWNING = \$478,638 - \$207,035 = \$271,603

COMCAST = \$7,619

SCE = \$232,595

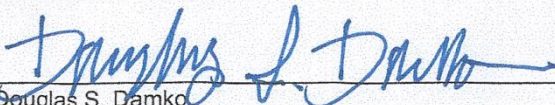
DSRG REIMBURSEMENT = (\$26,769)

FINAL TOTAL SOFT COSTS = **\$42,054**

TOLLADAY CORP = \$18,951 (7% CONSTRUCTION MANAGEMENT)

DSRG = \$23,103 (6% ADMINISTRATION)

CITY ACCEPTANCE:


 Douglas S. Damko
 for City Engineer

8/4/10
 Date

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 6h

Agenda Item Wording: Award contract for the purchase of one (1) Kenworth ten-yard dump truck to Pape Trucks, Inc. of Fresno in the amount of \$111,479.01 for the Water Conservation Plant.

Deadline for Action: None

Submitting Department: Public Works

Contact Name and Phone Number: Jim Ross, Public Works Manager, 713-4466

Department Recommendation:

The Public Works Department recommends that the City Council award a contract for the purchase of one (1) Kenworth ten-yard dump truck to Pape Trucks, Inc. of Fresno in the amount of \$111,479.01.

Summary/background:

The handling of biosolids at the water conservation plant (WCP) requires the use of a dump truck. The current vehicle is a 1988 six-yard Ford dump truck with 17,423 miles. While the mileage is very low, the vehicle is operated exclusively on-site at the WCP in very harsh, off-road conditions. The run-time hour meter installed in late 2000 has 5767 hours, which is considered heavy use.

Fleet Maintenance has indicated that replacement parts for this vehicle are difficult or impossible to obtain. In addition, current and future use of this vehicle exceeds, and will continue to exceed, the California Air Resources Board's Low Use rule exemption. Therefore, continued use of this vehicle requires the installation of a universal particulate filter at a cost of \$30,000.

In light of these facts, Fleet Maintenance has determined that this vehicle should be replaced.

RFP 10-11-42 was issued to supply a Kenworth ten-yard dump truck. Bidders were permitted to submit multiple bids for trucks with different manufacturer's dump beds. Submitting bids for two or three different beds gives the bidders and the City a second option in case the low-bid truck is disqualified for not meeting the specifications outlined in the bid document. The following six bids were received:

For action by:

City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head AJB, 4/12
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

Pape Trucks	Fresno	\$111,479.01
Pape Trucks	Fresno	\$114,069.59
Gibbs International	Fresno	\$115,646.01
Pape Trucks	Fresno	\$116,652.89
EM Tharp	Porterville	\$121,785.37
EM Tharp	Porterville	\$126,521.42

The two lowest bids were from Pape Trucks, Inc. of Fresno. Staff is recommending the low-bid truck. Fleet Maintenance has reviewed the bid and is satisfied that it will meet the needs of all public works divisions, including Streets and Wastewater.

This dump truck will be purchased by the wastewater enterprise fund. It was included in the 2009-2010 CIP budget as project number 4311-0-72-70510-9223. Staff postponed replacement of this vehicle until certain that it would be needed after the WCP upgrades were completed. It is now clear that the need for this vehicle will actually be greater with the upgraded plant than it is currently.

The San Joaquin Valley Air Pollution Control District is not currently offering any grant or rebate programs that would apply to this vehicle.

Prior Council/Board Actions: none

Committee/Commission Review and Actions: none

Alternatives: none

Attachments: none

Recommended Motion (and Alternative Motions if expected):

Move to award contract for the purchase of one (1) Kenworth ten-yard dump truck to Pape Trucks, Inc. of Fresno in the amount of \$111,479.01 for the Water Conservation Plant.

Environmental Assessment Status

CEQA Review:

NEPA Review:

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 7a

Agenda Item Wording:

Authorize contract for \$22,400 for downtown parking structure studies by WRNS Studio with costs to be appropriated from the Central Redevelopment Fund and the Downtown Parking Fund.

Deadline for Action: none

Submitting Department: Community Development Department, Administration

Contact Name and Phone Number:

Chris Tavarez, Management Analyst, 713-4540
Michael Olmos, Assistant City Manager, 713-4332

Recommendation:

Staff recommends authorization to enter into a contract for \$22,400 with WRNS Studio (WRNS) for downtown parking structure studies to include feasibility studies for future parking structures and reviewing feasibility for improvements at existing parking structures. It is requested funds be appropriated from the Central Redevelopment Fund (\$12,000) and the Downtown Parking Fund (\$10,400).

Summary:

WRNS Studio is an architecture firm that has specialized background in parking structure design and development. Sam Nunes and Pauline Souza, two partners of the firm, were involved in the design of both City owned parking structures on Acequia Avenue. WRNS architects are recognized experts in design and operation of parking structures and are responsible for design of many parking structures throughout the State.

Staff recently engaged the firm's services for a site visit for preliminary discussion and to develop a scope of work to include:

- a) New Parking Garage Study: Site feasibility study for future parking structures in anticipation of future downtown parking needs in relation to expansion of Kaweah Delta Health Care District and other west downtown development
- b) West Acequia Parking Structure: Design strategy of ways to improve signage configuration and traffic inflow and outflow due to change of Acequia Avenue from one-way to two-way street.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head MO 4/8/11
(Initials & date required)

Finance RN 4/6/11
City Atty N/A
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

c) East Acequia Parking Structure: Design implementation plans for conversion of the 1st floor for owned and leased hotel parking to reduce driver confusion

Staff recommends that the proposal for the above work at a cost of \$22,400 be authorized by The Board and City Council. The Central Redevelopment Fund (1931) will pay for \$12,000 of costs relating to the feasibility study for future parking structures and the Downtown Parking Fund (6111) will pay for the parking improvement studies at a cost of \$10,400.

Discussion:

To maintain a positive downtown experience, parking in downtown is a primary consideration for future growth. Structured Parking is more efficient than surface parking in a downtown setting and parking structures enable a downtown to develop at high densities creating vibrant urban environments. In addition with plans by Kaweah Delta Health Care District to expand their downtown hospital campus with high density, multi-story structures in the future, a long term look including feasible parking structure sites is warranted. Preliminary planning and construction of a parking structure can take many years and staff believes it is important to begin planning now.

Kaweah Delta's 2030 plan outlines growth from their current locations expanding west to just east of Johnson Street. Staff anticipates the growth of Kaweah Delta will bring about development of new auxiliary medical offices and other uses in the surrounding downtown area. Additional parking will be important for the viability of this downtown development. Parking Structures are an important, cost effective asset in developing downtown to support growth while not requiring as much space as surface parking spots would require for the same amount of parking spaces. Use of redevelopment funds for the feasibility study for future parking structures will serve to address redevelopment needs in downtown Visalia and spur economic development.

During the firm's visit to the downtown area, staff discussed studying best approaches to improve the functionality of the existing parking structures on Acequia Avenue. Several factors have changed conditions of use in the parking structures since their original design. There have been concerns about improving the functionality of traffic moving in and out of the West Acequia Parking Structure as well as concerns to improve the functionality of signage advising where restricted and unrestricted parking are available. Due to the change in Acequia Avenue's conversion from one-way traffic to two-way traffic staff believes another look at how signage is setup could be beneficial to parking structure users.

In addition, Comfort Suites and Downtown Visalians, in consultation with the Convention Center, recently proposed conversion of the 1st floor of the East Parking Structure to simplify parking and help reduce confusion to all hotel and public guests. After internal discussion with Convention Center, Engineering and Police staff and preliminary discussion with WRNS, staff agrees there could be benefit to this proposal if done properly with improved signage making clear where hotel guests and public users may park.

Therefore, staff recommends that professional services be engaged to research the most suitable design configuration(s) for improvement of signage (to be approved by City Traffic Engineering and Police Department staff) at both City owned parking structures. Prior to implementation of any change to the East Parking Structure parking, Staff would draft an amendment to Comfort Suites' Parking Agreement for City Council approval and investigate a cost sharing arrangement.

Due to the firm's specialized knowledge of parking structures, in depth knowledge of the existing parking structures from past work and understanding of future needs, staff recommends

that WRNS be retained for parking structure studies as proposed to research feasibility of future parking structure sites and improve functionality at existing parking structures.

Prior Council/Board Actions:

None

Alternatives:

None suggested

Attachments:

Kaweah Delta Health Care District 2030 Vision Site Plan
Proposal from WRNS Studio dated 3-28-2011

Recommended Motion (and Alternative Motions if expected):

Authorize staff to engage services of WRNS Studio for downtown parking structure studies at a cost of \$22,400 with funds to be appropriated from the Central Redevelopment Fund (1931 - \$12,000) for the future parking structure studies and the Downtown Parking Fund (6111 - \$10,400) for the improvement studies

Environmental Assessment Status

CEQA Review: not applicable

NEPA Review: not applicable

KEY:

- Acute Care
- Administration
- Ancillary Support
- Facility Support
- Leased Out
- Mental Health
- Outpatient
- Outreach
- Public Areas
- Rehabilitation
- Skilled Nursing



Main Campus
Study Area 3



The Innova Group

WRNSSTUDIO^{LLP}

March 28, 2011

Chris Tavarez
Management Analyst, C.P.A.
City of Visalia, Community Development
315 E. Acequia Avenue
Visalia, CA 93291

Re Various Projects – Engagement and Proposal Letter

Dear Chris,

WRNS Studio is pleased to submit our proposal for professional services for a new downtown Visalia parking garage study and for alterations to the existing West and East Acequia garages. The parking garage study will include preliminary design schemes for a new parking garage at 7 alternative locations in downtown Visalia. The existing garage alterations will delineate reserved spaces for the Comfort Suites Hotel at the East Acequia Garage. At the West Acequia Garage alterations will indicate newly reserved spaces and reorganize existing data signs. Study diagrams will be produced for the East Acequia Garage entry/exit switching.

PROJECT UNDERSTANDING

New Parking Garage Study

The City of Visalia intends to build a new parking structure in the downtown area within the next several years.

WRNS Studio will test the feasibility of developing a parking structure on seven possible sites within the downtown core. The work products of these feasibility studies will take the form of plans, sections and statistical information such as parking capacity, building area, building height and cost.

East Acequia Garage Parking Space Striping and Signage Alterations

The City of Visalia intends to reserve the existing ground floor parking spaces of the East Acequia Garage for use by the Comfort Suites Hotel. WRNS will produce striping and signage plans strategies and plans.

West Acequia Garage Alterations and Studies

West Acequia Reserved Parking Space Striping and Signage Alterations

Visalia will reserve a number of existing parking spaces of West Acequia Garage for various adjacent businesses and for lease. WRNS will produce striping and signage strategies and plans. Signage plans will include temporary signs to alert West Acequia Garage patrons of the change.

The City also intends to reconfigure existing informational signs to reduce confusion at the garage entry. WRNS will produce a plan to reconfigure these existing signs.

501 SECOND STREET
4TH FLOOR, STE. 402
SAN FRANCISCO
CALIFORNIA 94107
415.489.2224 TEL
415.358.9100 FAX
WWW.WRNSSTUDIO.COM

West Acequia Entry / Exit Switch Study

The City of Visalia is considering switching the entry and exit locations to the existing garage. WRNS will study and diagram options for this change.

PROJECT TEAM

Architect	WRNS Studio
Graphic Designer	WRNS Studio

SCOPE OF WORK

1. New Parking Garage Study

- WRNS Studio will develop an exhibit for each of 7 possible parking structure locations. Each diagram will include a site/floor plan and building section. Each diagram will show a parking space count estimate, building square footage, building height, parking efficiency ratio (sf/car) and probable cost of construction.

Deliverables:	Exhibit drawing for each scheme, 1 sheet each (11x17, black and white)
Duration:	3 Weeks
Meetings:	1
Fee:	\$12,000

2. East Acequia Garage Parking Space Striping and Signage Alterations

- WRNS Studio will develop schematic plans and diagrams indicating the proposed reserved parking space striping and signage changes for review and comment.

Deliverables:	Design Strategy and Drawings
Duration:	3 Weeks
Meetings:	1
Fee:	\$6,000

3. West Acequia Garage Alterations and Studies

3a. West Acequia Garage Reserved Parking Space Striping and Signage Alterations

- WRNS Studio will develop schematic plans and diagrams indicating the proposed reserved parking space striping and signage changes as well as data sign reconfiguration for review and comment by the City of Visalia.

Deliverables: Design Strategy and Drawings
Duration: 3 Weeks
Meetings: 1
Fee: \$3,600

3b. West Acequia Garage Entry / Exit Switch Study

- WRNS Studio will study reconfiguring the existing entry and exit locations.

Deliverables: Design Strategy and Drawings
Duration: 2 Weeks
Meetings: 1
Fee: \$800

BASIC SERVICES COMPENSATION SUMMARY

As full compensation for all services preformed, WRNS Studio shall be paid a lump sum not to exceed Twenty Two Thousand Four Hundred Dollars Thousand Dollars.

SCHEDULE

The parking structure feasibility study and graphic design drawings will be completed; within 3 weeks.

ADDITIONAL SERVICES

When approved in writing by the Owner, effort expended for additional services will be billed on an hourly basis or for a mutually agreed-upon lump-sum fee.

REIMBURSABLE EXPENSES

Reimbursable expenses are billed in addition to the not-to-exceed fee proposed, and include only actual expenditures made in the interest of the project. Allowable reimbursable expenses include, but are not limited to cost of travel, plotting/reproduction, photography and express delivery. Reimbursable expenses are billed at 1.1 times actual expense.

BILLING

Upon acceptance of this proposal and your authorization to proceed, the fees for services referred to above will be billed monthly and are due within 30 days of submission of the invoice to the Owner.

Please confirm acceptance of this proposal by emailing us an authorization to proceed based upon our proposal pending the execution of a formal contract or work order.

Chris Tavarez
March 28, 2011
Page 4

This proposal/engagement can be terminated upon seven days written notice by the Owner. Upon receipt of the notice to terminate, WRNS Studio shall stop work . Within 10 days of stopping work, WRNS Studio will issue its final invoice and the Owner shall pay the invoice within 30 days of receipt.

ASSUMPTIONS AND EXCLUSIONS

- a. The construction portions of this project will be reviewed and permitted by the City of Visalia.
- b. The Owner is responsible for all building permit fees, utility connection fees, plan filing fees, or any other unforeseen fees required for approvals or construction of the project.
- c. If the existence of hazardous materials is not known, these materials will be identified and removed be the Owner under separate contract independent of these services if necessary.
- d. A topographic, boundary and utility survey will be provided by the Owner.

I want to thank you for this terrific opportunity and I hope this proposal meets with your approval. Please contact me should you have any questions. We are available to review assumptions and fees at your convenience. We look forward to working with you and your team on this very exciting project.

Sincerely,

Sam Nunes, AIA, CA License C-22114
LEED Accredited Professional
Partner

cc: Pauline Souza

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 8

Agenda Item Wording: Update on the bike lanes on Mineral King and Noble Avenues between Mooney Boulevard and Akers Street. (Project #1611-00000-720000-0-8052)

Deadline for Action: None

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:

Adam Ennis, Assistant Director of Engineering, 713-4323
Chris Young, Community Development Director, 713-4392

Department Recommendation: Staff makes the following recommendations to the City Council:

- 1) That they accept this update on the Bike Lanes on Mineral King and Noble Avenues (between Mooney Boulevard and Akers Street) and receive public comment
- 2) That Council approves the installation of the bike lanes per the approved bikeway plan (Project #1611-00000-720000-0-8052)
- 3) That Council direct staff to work with those property owners who are interested in developing alternative "off-street" parking options along these bike routes. These parking alternatives would be designed, constructed and paid for by the property owners.

Summary: These bike lanes were installed on Mineral King and Noble Avenues (between Mooney Boulevard and Akers Street) in March 2011 (see Attachment #1 for bike lane locations). Four business owners expressed concern about the removal of the on-street parking at the March 21, 2011 City Council meeting. Council directed staff to place this item on the next meeting's agenda and to provide an opportunity for public comment regarding this topic. Staff provides the following summary information:

- The bike lanes were installed to improve connectivity and coverage for bicycles
- These bike routes were originally adopted as part of the February 2006 Bikeway Plan. They were recently reaffirmed in the 2011 City of Visalia Bikeway Plan adopted by Council.
- The bike lanes were installed using a Bicycle Transportation Account (BTA) grant obtained in October of 2008.
- If the bike lanes are removed from these roadways a General Plan amendment may be required, the City will have to return the \$65,000 to the BTA grant funding source and future BTA bicycle funding may be jeopardized.
- Elimination of on-street parking for the bike lanes solves existing sight-distance issues raised by some nearby business owners and residents.

For action by:

City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):_20_

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- Most on-street parking will need to be eliminated to solve sight-distance issues even if on-street parking is allowed
- Business owners have the ability to make off-street adjustments to accommodate their operations
- The business owners were given notice (in writing) during site plan review process of their facilities that on-street parking could be eliminated at some point in the future
- Based on random parking lot counts, off-street parking appears to be adequate for current uses

Pros of Current Bike Lane Design

- Improved bike lane connectivity with better access to freeway overcrossings
- Improved bike lane coverage through the City
- Improved sight-distances along higher volume/speed collectors
- Installation of bike lanes paid for by grant
- Provides “complete” streets with multimodal transportation opportunities

Cons of Current Bike Lane Design

- On-street parking would be eliminated
- Inconvenience to businesses

History and Background: In January of 1993, the City of Visalia developed and adopted a Bikeway Plan to provide for an organized bikeway system throughout the City. In February 2006, the bikeway plan was updated to add new bicycle facilities for better connectivity and to meet the Bicycle Transportation Account (BTA) funding requirement that only bicycle facilities included in a bikeway plan less than five years old could receive funding. The Mineral King/Noble Avenue Class II bike lanes between Mooney Boulevard and Akers Street were added to the bikeway plan in the 2006 Bikeway Plan Update and in October 2008 the City applied for and received a Bicycle Transportation Account (BTA) grant for installation of these bike lanes. Implementation of the Bikeway Plan will provide a bikeway system with connectivity and coverage throughout the City. Attachment #2 includes copies of the 2006 and 2011 Bikeway Plans.

The class II bike lanes consist of painted stripes on the edge of the paved roadway including appropriate signage and pavement stencil markings. One of the biggest bicycle facility concerns of the City Of Visalia’s Waterways and Trails Committee is providing access to State Highway 198 overcrossings ensuring that bicyclists can cross the freeway safely in bike lanes. The Mineral King/Noble Avenue bike lanes provide that access by allowing bicyclists to enter these frontage roads the same as vehicles and parallel the freeway until the desired overcrossing is reached. The same as for vehicles, the Mineral King/Noble Avenue one-way street couplet system is an efficient means for providing transportation access to these overcrossings.

Consideration of Design Alternatives

Several alternates for the bicycle lanes and on-street parking were explored to determine if a suitable alternative existed. The alternatives explored were:

- reduction of vehicle lane widths to accommodate on-street parking and bicycle lanes
- reduction of number of vehicle lanes
- alternate bicycle Class II routes
- bicycles directed onto sidewalks
- bicycles sharing the vehicle lanes

The first two alternatives involve the layout of the existing roadways. The roadway width on Mineral King and Noble Avenues is not wide enough to accommodate the existing vehicle lanes, bicycle lanes and on-street parking. The existing pavement width, curb face to curb face, is 33 feet. A parking lane requires 8 feet from the “face of curb” and a minimum bicycle lane of 5 feet is needed when on-street parking is allowed per the Manual of Uniform Traffic Control Devices (MUTCD). That would leave only 20 feet for two traffic lanes. For a 45 mile per hour roadway, 10 feet is too narrow for a vehicular lane, especially with one of those lanes directly adjacent to a median type curb (see Attachment #3 for the Street Width Layout). City staff also reviewed the number of vehicular traffic lanes. However, the volume of traffic on these roadways varies from about 4,000 to 10,000 vehicles per day depending on the segment. With these traffic volumes and the traffic lane changing that occurs (weaving motions) between SR198 overcrossings and on/off ramps, two traffic lanes are warranted and would most likely be required by Cal Trans within their jurisdiction near the freeway ramps.

The last three alternatives consider possible bicycle routes. First, City staff considered diverting the bicycle lanes to other adjacent streets or trails. However, the nearest through roadways parallel and adjacent to State Highway 198 are Tulare Avenue to the south and Hurley and Goshen Avenues to the north. Each of these adjacent roadways are at least ½ mile from the highway, and could require bicyclists to go up to 1 mile extra “out of their way” to use the bike lanes and do not provide good connectivity for the highway overcrossings. There are sections of a trail along Mill Creek to the north. However, this trail is intermittent and is more appropriate for recreational biking than commuter biking. Since this trail is intermittent and does not provide the connectivity needed for the bikeway network, it is not considered a feasible alternative. The bicycles could be routed through adjacent local City streets but these routes would be very discontinuous, hard to follow, and require a much longer route to accomplish the same connectivity as using through collector and arterial streets (see Attachment #4 for Alternate Route Locations).

Diverting bicycle traffic to the sidewalks has been suggested. This alternative presents a dangerous situation to bicyclists and pedestrians including a high degree of liability to the City. The Highway Design Manual does not recognize standard city sidewalks as acceptable bike paths or lanes and is typically discouraged. Bicycle traffic on sidewalks is also often overlooked by motorists pulling in and out of driveways and side streets since the motorists are typically more focused on street traffic. Due to this, bicyclists are more visible on bike lanes within the roadway and tend to be seen by drivers entering the roadway.

Noble and Mineral King have higher volumes of traffic which travel at much higher speeds than those in a typical neighborhood. Typically, traffic volumes of 4,000 vehicles per day or more on a two-lane roadway are considered the threshold for requiring designated, striped bike lanes (Class II bike lanes). The traffic on these roadways ranges from about 4,000 to 10,000 vehicles per day. Since these roads are adjacent to SR 198’s on and off-ramps, and connect directly to its “overcrossings”, there are complex and frequent lane changes being made (weaving motions) that would make shared vehicle/bicycle lanes fundamentally unsafe.

The bikeway plan was intended to complement the collector and arterial street system throughout the city to provide “complete” streets allowing for multi-modal transportation. The complete street system provides facilities for vehicular, bicycle, pedestrian and transit traffic. Many agencies have indicated that future transportation funding will require that “complete” streets and multi-modal opportunities be provided by the City. The intent of the collector and arterial street system is not to provide for business parking and operations. These streets are typically used to facilitate higher levels of traffic at higher speeds than local streets. Due to the higher speeds and traffic volumes, clear sight distances at driveways and intersecting streets need to be longer. For this reason parking on collectors and arterials is typically restricted to provide the longer sight-distances needed at these locations. Many complaints have been received from property owners, residents and business owners due to on-street parking of cars blocking sight-distances at intersecting streets and driveways. Based on a sight-distance

analysis, the current on-street parking would be essentially eliminated at three of the four businesses whether bike lanes are installed or not (see Attachment 35 for Sight Distance Red Curbing Examples).

In older parts of the City, on-street parking has been allowed due to residences and businesses without off-street parking fronting on the arterials and collectors. Due to the higher traffic volumes, higher speeds and sight distance issues mentioned above, on-street parking on collectors and arterials is not desirable. Therefore, collector and arterial on-street parking has been phased out for many years by not allowing “new” residential development to front on these streets and requiring that “new” businesses fronting on collectors and arterials provide their own off-street parking and facilities needed for their business operations.

Concerns of Business Owners

Four business owners have expressed concerns regarding the recently installed bike lanes on Mineral and Noble Avenues between Mooney Boulevard and Akers Street. These businesses are TPM, Inc. at 4320 West Mineral King Avenue, Pipkin Detective Agency at 4318 West Mineral King Avenue, RE Max at 4840 West Mineral King Avenue and Eye Surgical & Medical at 5021 West Noble Avenue. Their concerns include not enough parking, inconvenience for business operations such as towing for repossession of vehicles, UPS and Federal Express deliveries, preventing use of main entrance by delivery trucks and “unsafe” parking on local or “side” streets (see Attachment #6 for the Four Business Site Location Aerials).

When each of the above business sites were being processed through the City’s site plan review process, staff included site plan review comments which indicated that future on-street parking would be restricted as deemed necessary. These comments are always provided for development on collectors and arterials since most of these roadways are intended to include additional vehicular lanes or bike lanes in the future. In addition, as additional side streets and driveway approaches are developed along a collector or arterial the sight distance issues associated with on-street parking as mentioned above become a major safety issue requiring the prohibition of on-street parking to provide the clear sight distances needed for the higher volume and speed roadways. When the TPM, Inc. and Pipkin Detective agency site came in for site plan review the owners requested that they receive a variance to reduce their required on-site parking by two spaces, which was allowed by City staff. In addition, the site plan review comments for Eye Surgical and Medical included comments regarding the typical higher parking need of a medical office and that on-street parking would be limited or entirely eliminated (see Attachment #7 for Site Plan Review Comments).

Addressing the Concerns of Business Owners

Due to the concerns of the business owners, City staff began looking for possible solutions to satisfy these concerns and provide for the complete streets usage of Mineral King and Noble Avenues as presented in the bike plan. The City determined that the roadway widths of Mineral King and Noble Avenues were not wide enough to provide for the vehicular lanes, bicycle lanes and on-street parking. Also, due to the increasing number of driveways from the development, sight-distance issues are also limiting the on-street parking to provide safe sight-distances for motorists entering the roadways. City staff evaluated the parking situation at the businesses by conducting parking space counts to determine the parking needs of the businesses. The parking space counts were conducted at varying days and times to determine the “worst case” parking situation. However, during the counts it was determined that even during the heaviest parking situations there were more parking spaces available in the business off street parking lots and on adjacent local streets than there were cars parking on Mineral King/Noble Avenues. So, it appears that with improved off-street parking management, the businesses should be able to have adequate off street parking for their business operations (see Attachment #8 for Results of Random Parking Space Counts).

To provide for the needs of tow truck and delivery truck parking at TPM, Inc. and Pipkin Detective agency, City staff proposed allowing these businesses to construct a “turnout” in their front landscaping setback area. The right-of-way would be dedicated to the City and the property owners would pay for the turnout design and construction (see Attachment #9 for Potential Turnout Solution). However, the business owners have continued to oppose the elimination of on-street parking on Mineral King and Noble Avenues.

Prior Council/Board Actions: City Council approval of February 2011 Bikeway Plan Update on March 7, 2011.

Committee/Commission Review and Actions: None

Alternatives: None recommended

Attachments: Attachment 1 - Bike Lane Locations
Attachment 2 - 2006 and 2011 Bikeway Plans
Attachment 3 - Street Width Layout
Attachment 4 - Alternate Route Locations
Attachment 5 - Sight Distance Red Curbing Examples
Attachment 6 - Four Business Site Aerials
Attachment 7 - Site Plan Review Comments
Attachment 8 - Results of Random Parking Space Counts
Attachment 9 - Potential Turnout Solution

Recommended Motion (and Alternative Motions if expected):

I move to:

- 1) To accept this update
- 2) Approve the installation of the bike lanes per the approved bikeway plan (Project #1611-00000-720000-0-8052)
- 3) Direct staff to work with those property owners along these bike routes who are interested in developing "off-street" parking options. These parking alternatives would be designed, constructed and paid for by the property owners

Financial Impact

Funding Source:

Account Number: 1611-00000-720000-0-8052

Budget Recap:

Total Estimated cost: \$65,000	New Revenue:	\$
Amount Budgeted: \$120,000	Lost Revenue:	\$
New funding required: \$0	New Personnel:	\$
Council Policy Change: Yes_____	No__ <u>X</u>	

Copies of this report have been provided to:

Environmental Assessment Status

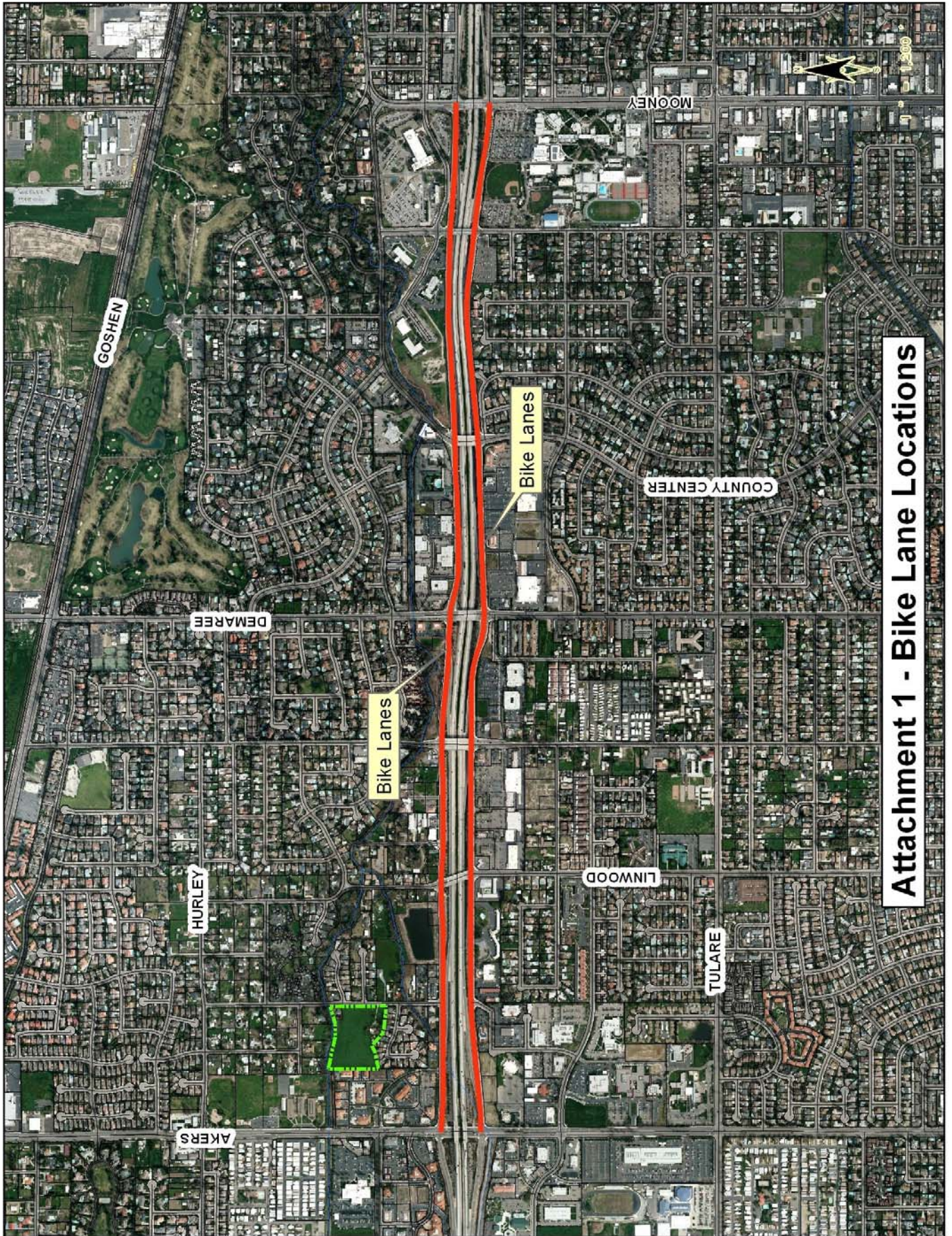
CEQA Review: Negative Declaration adopted by City Council March 7, 2011

NEPA Review: N/A

- Michael Tellian
- Rocky Pipkin
- Ed Evans
- Barry Smith
- Larry Lee
- Herb Simmons
- Dominique Niccoli Messchaert

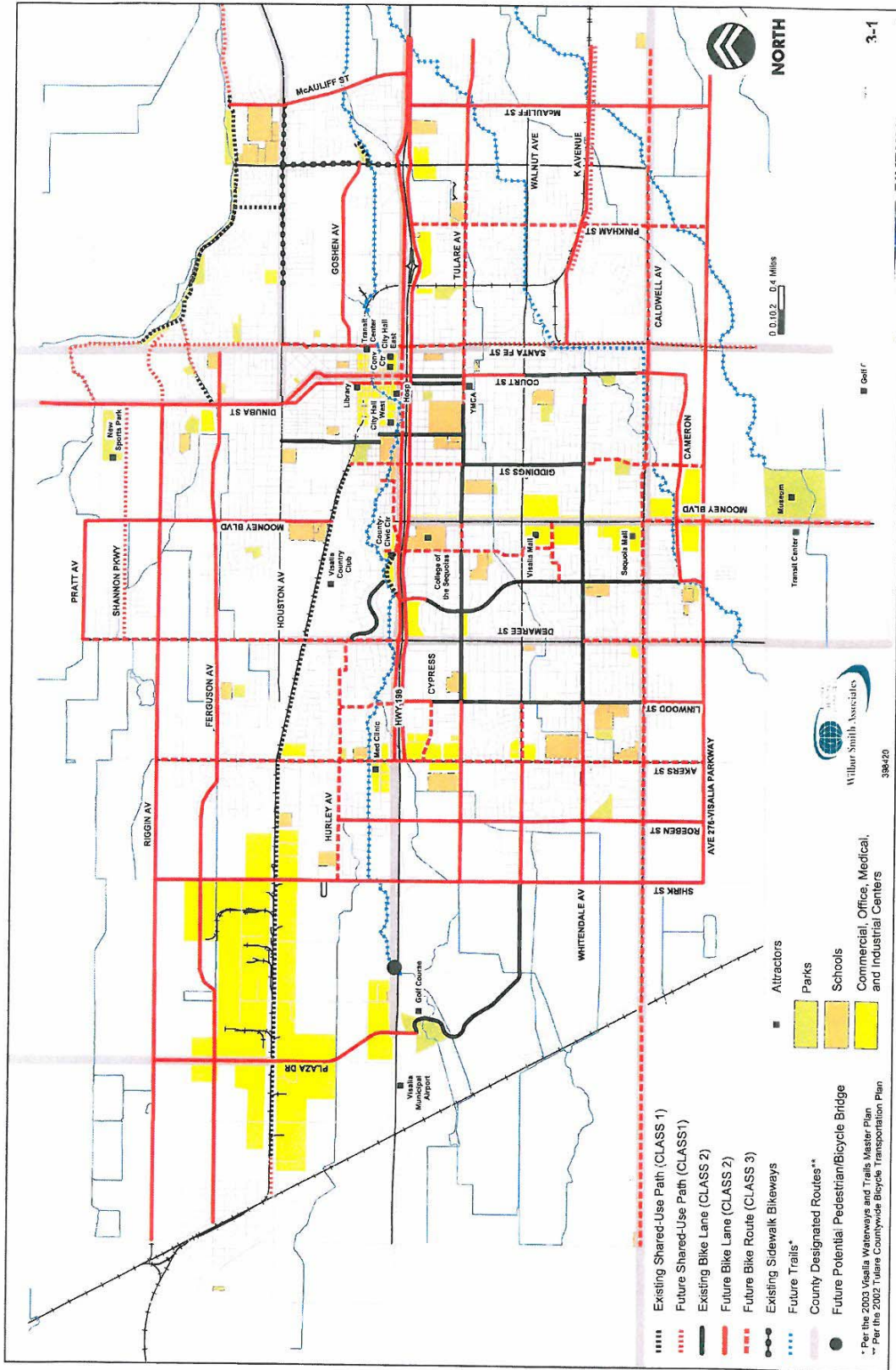
Tracking Information: (Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)

ATTACHMENT 1

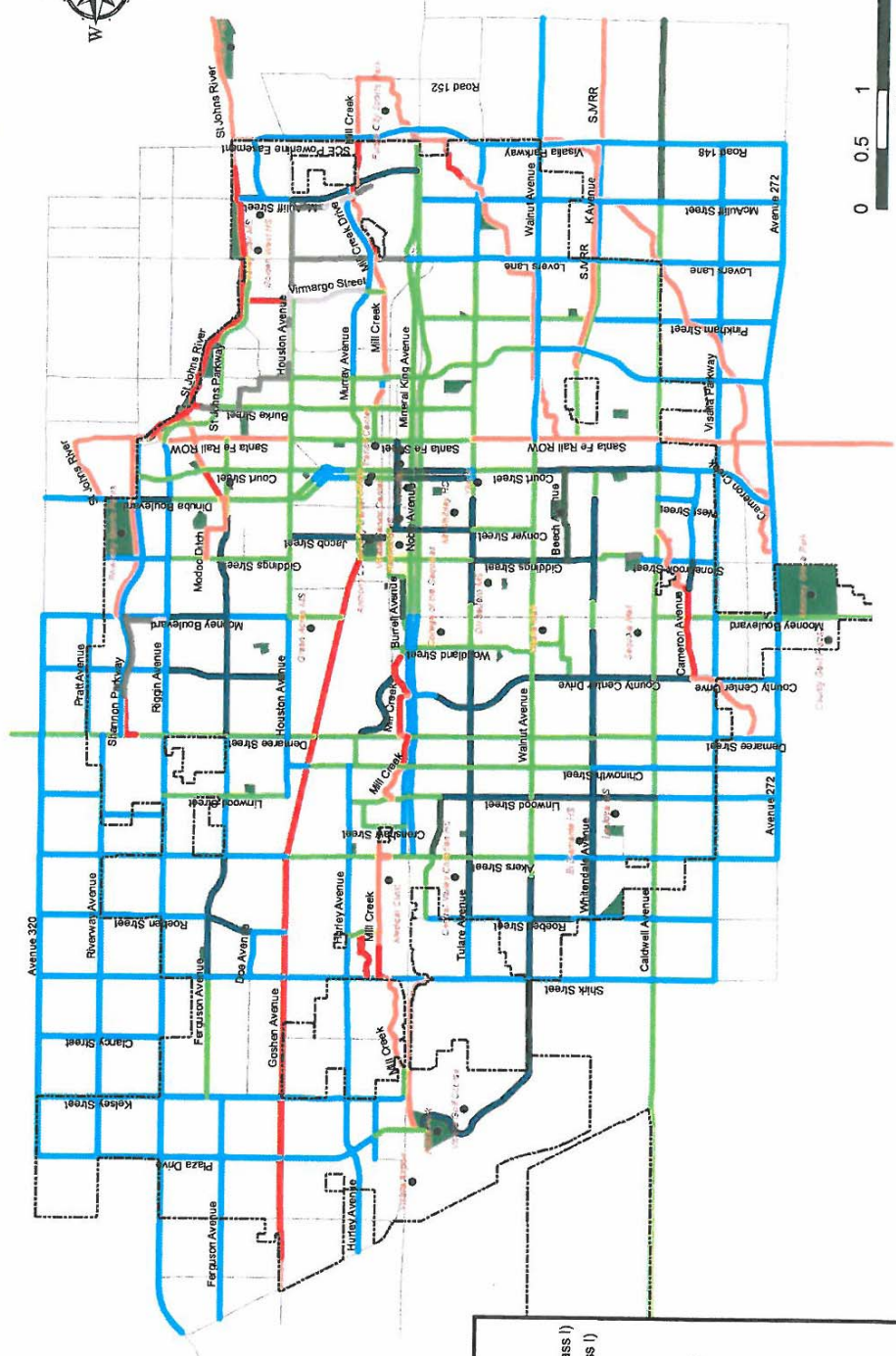
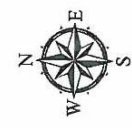


Attachment 1 - Bike Lane Locations

ATTACHMENT 2



Attachment # 2 2006 Adopted Bikeway Plan



Legend

- Attractors
- City Limits
- Existing Shared-Use Path (Class I)
- Future Shared-Use Path (Class I)
- Existing Bike Lane (Class II)
- Future Bike Lane (Class II)
- Existing Bike Route (Class III)
- Future Bike Route (Class III)
- Existing Sidewalk Bikeway
- Future Sidewalk Bikeway
- Parks
- Schools
- Commercial and Industrial Areas

Figure 4-1

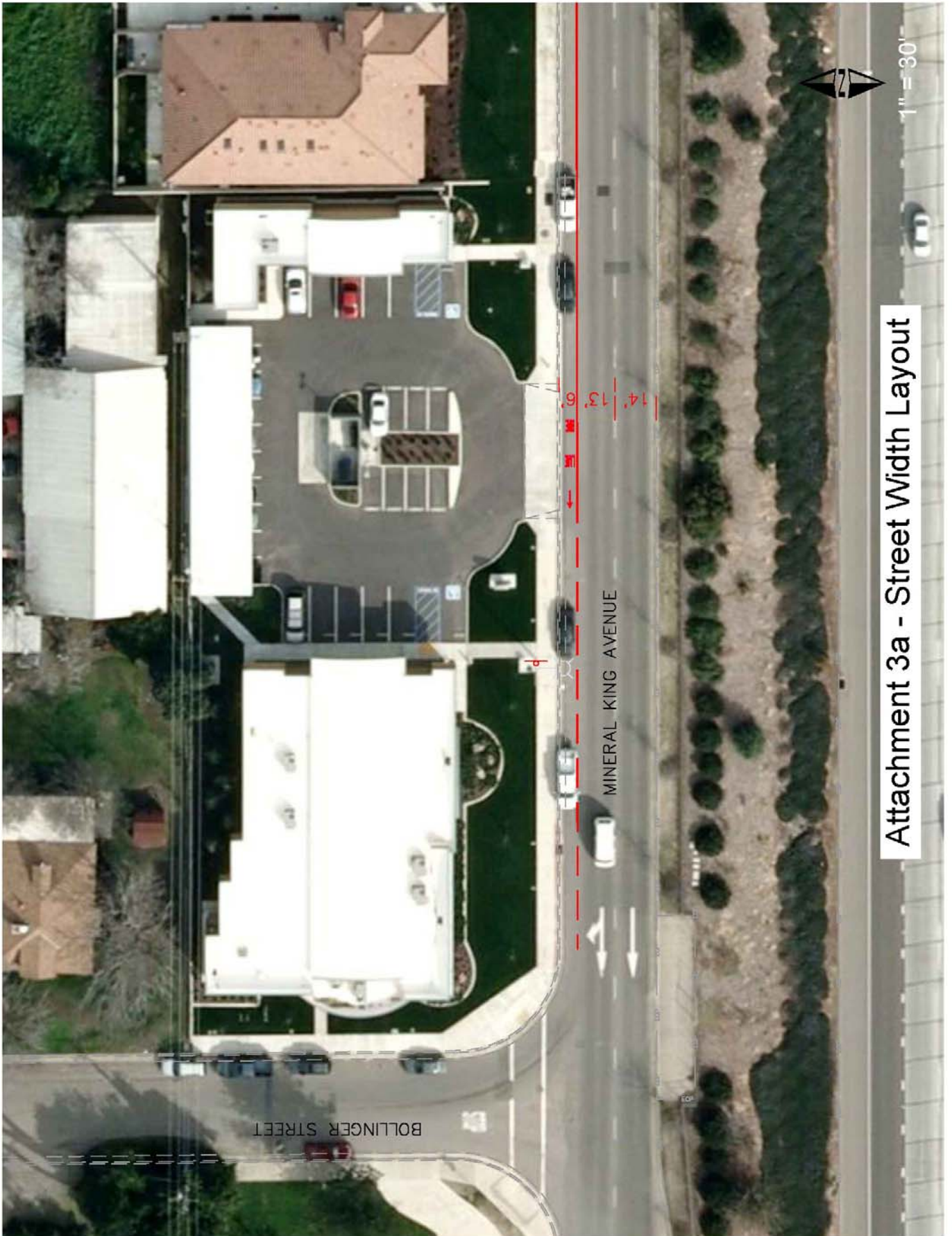
February 2011
4 - 9

Attachment # 2 2011 Adopted Bikeway Plan



City of Visalia
Bikeway Plan Update

ATTACHMENT 3

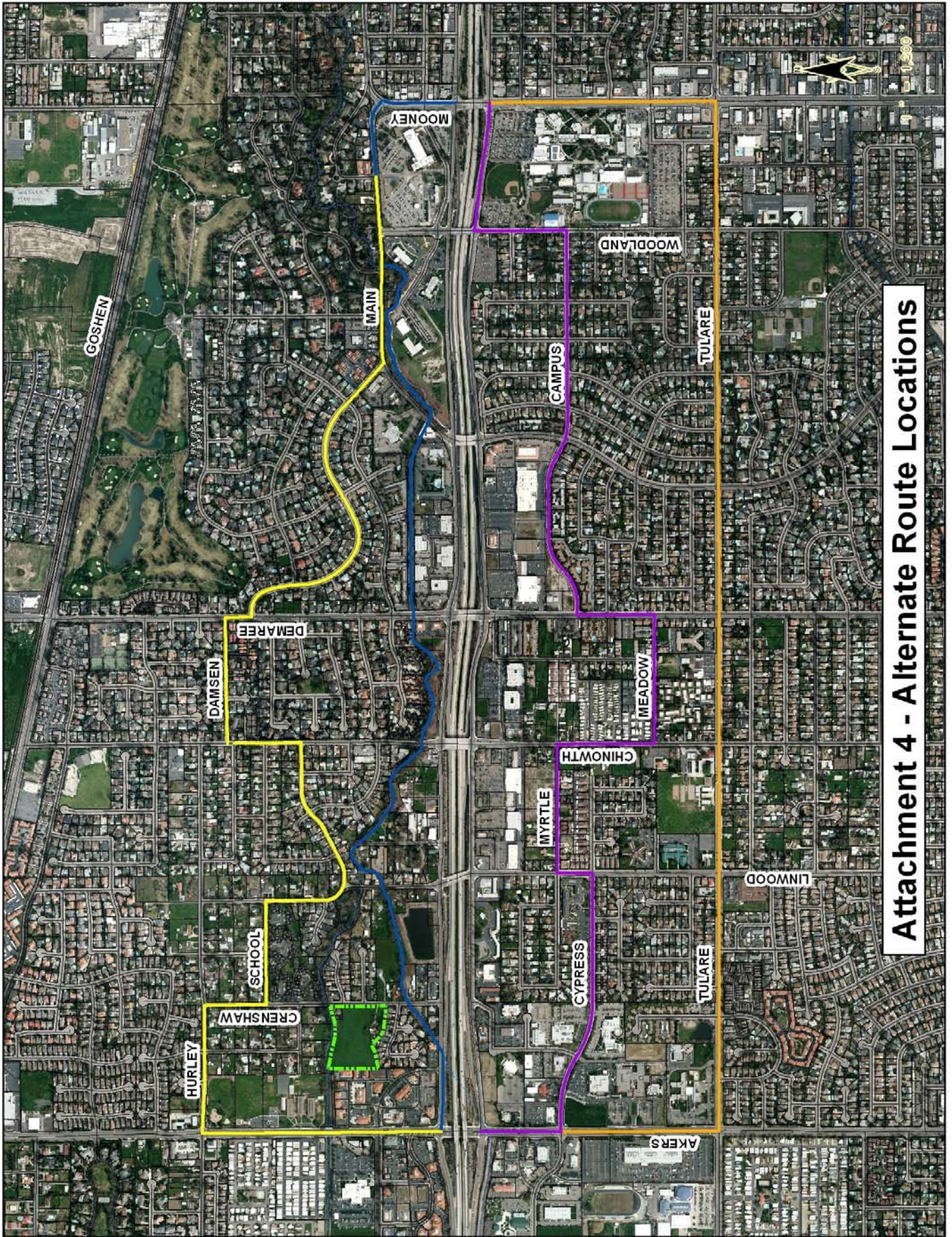


Attachment 3a - Street Width Layout



Attachment 3b - Street Width Layout

ATTACHMENT 4

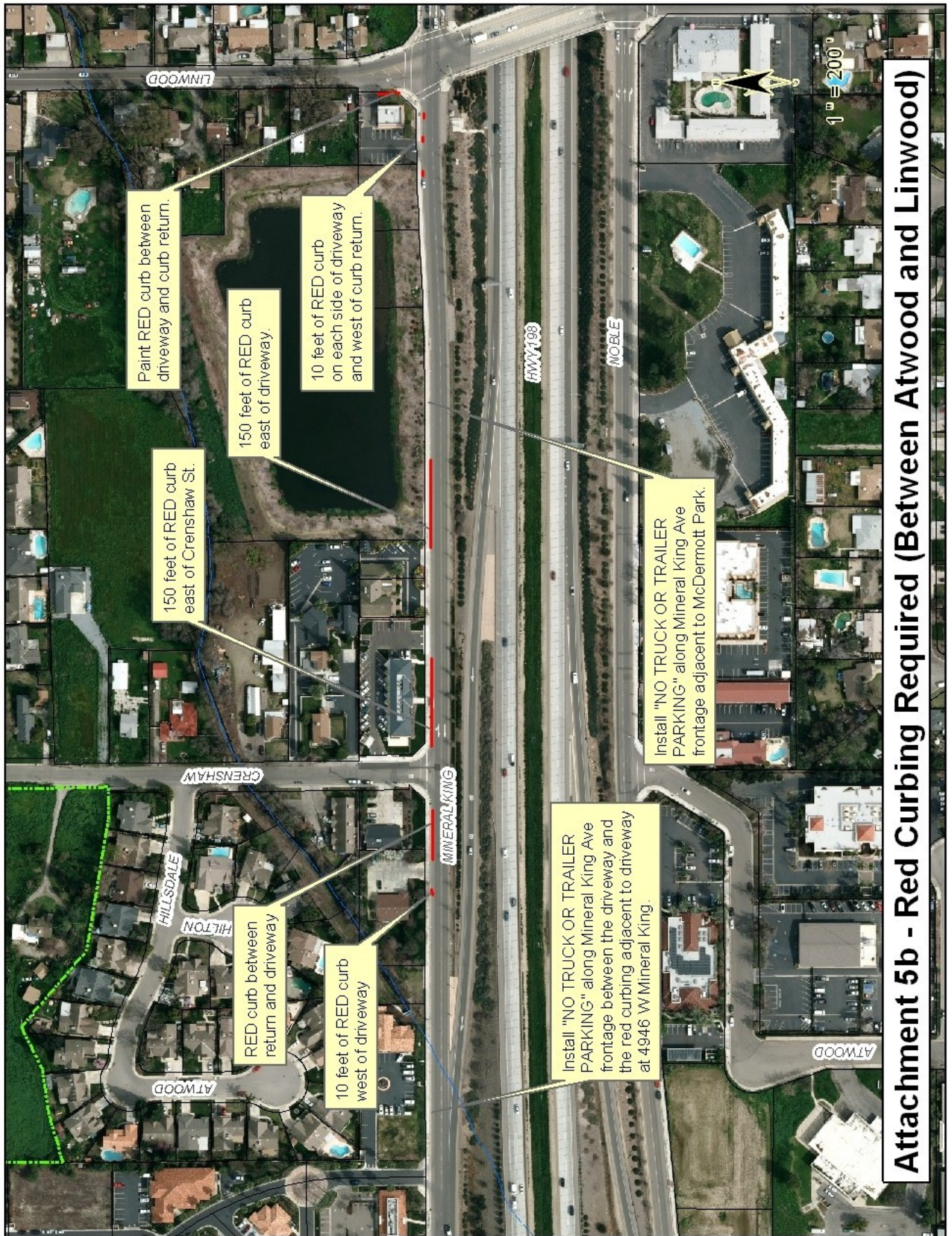


Attachment 4 - Alternate Route Locations

ATTACHMENT 5



Attachment 5a - Red Curbing Required (Between Linwood and Chinowth)



Attachment 5b - Red Curbing Required (Between Atwood and Linwood)

ATTACHMENT 6



Pipkin
Detective
Agency
4318 West
Mineral King

TPM Inc.
4320 West Mineral King

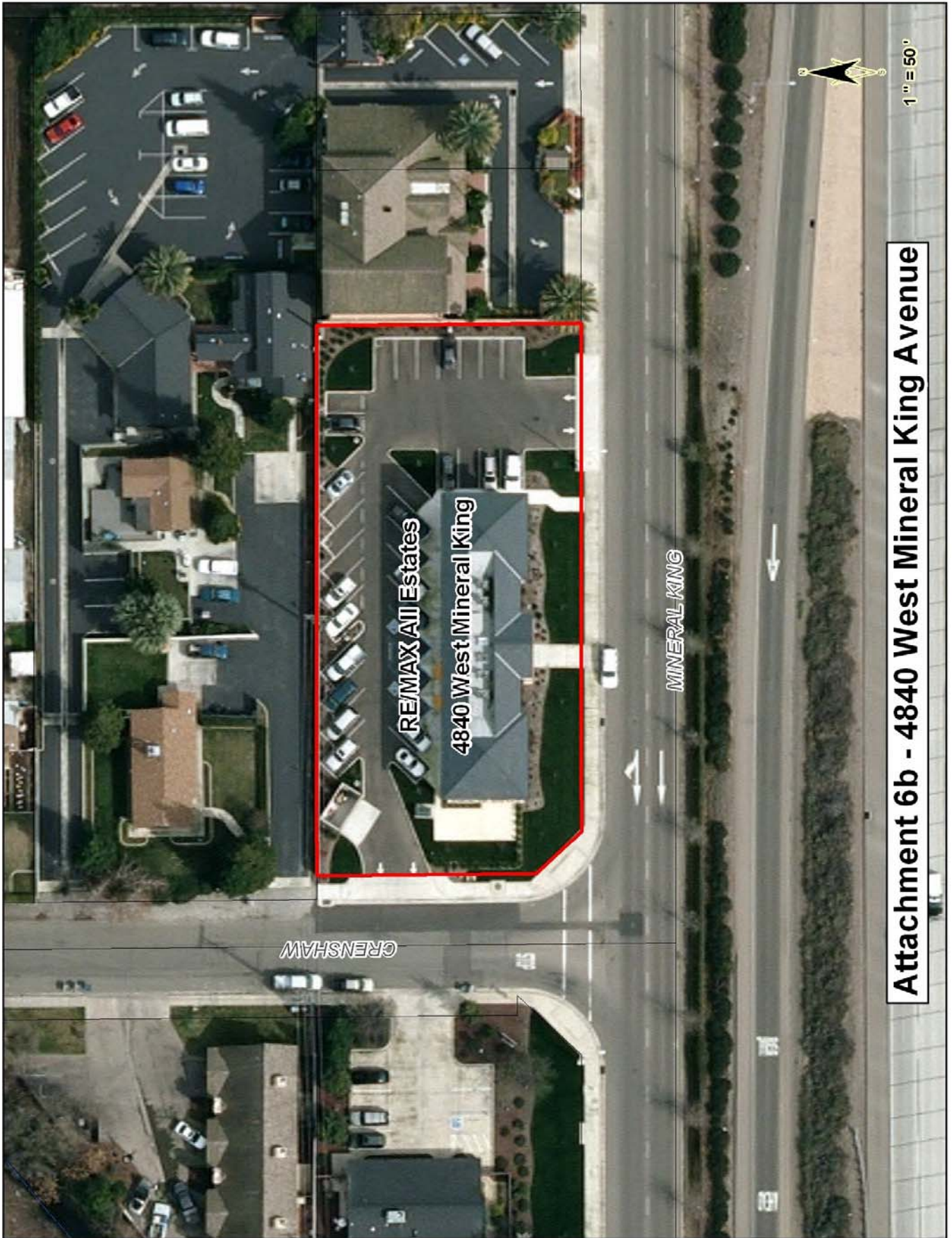
MINERAL KING

BOLLINGER

Attachment 6a - 4318 & 4320 West Mineral King Avenue

1" = 50'





Attachment 6b - 4840 West Mineral King Avenue



ATTACHMENT 7

W. MINERAL KING

EXIST. STREET LIGHT
PULLBOX

AV

ON-SITE PARKING REQUIRED :

TOTAL SQ. FT. = 8106 / 250 = 32 SPACES

ON-SITE PARKING PROVIDED :

BUILDING 'A'	B-1	25 SPACES
BUILDING 'B'	B-1	5 SPACES

TOTAL PROVIDED **30 SPACES**

STANDARD	20 SPACES
ACCESSIBLE	2 SPACES
COMPACT (C)	8 SPACES

NOT
RECE
WILL

NOTE :
REQUESTING VARIANCE FOR 2 PARKING SPACES

SSIONAL OFFICES I ASSOCIATES, INC. PROPOSED

Attachment # 7
 TPM, Inc/Pipkin Detective Agency
 Submitted Note On Site Plan

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan.

Design District: "F" [17.30.210]

Maximum Building Height: 50 Feet

Minimum Setbacks:	Building	Landscaping
> Front	30 Feet	30 Feet
> Side	0 Feet	5 Feet*
> Street side on corner lot	25 Feet	25 Feet
> Side abutting residential zone	15 Feet	5 Feet
> Rear	0 Feet	5 Feet*
> Rear abutting residential zone	20 Feet	5 Feet

*(Except where building is on property line)

Minimum Site Area: 3 acres

Parking: As prescribed in Chapter 17.34

1. Provide 32 spaces based on one space per 250 square feet of gross floor area (see Zoning Ordinance Section 17.34.020.F.4). An "Administrative Adjustment" can be granted for the request to reduce the required parking from 32 to 30 as depicted on the site plan. The "Administrative Adjustment" shall be submitted and approved by the Planning Division Manager prior to approval of the building permit plan check.
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide 2 handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
6. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
7. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
8. Parking lot to be screened from view by a 3-foot high solid wall or shrubs when located across the street from residential property.
9. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
4. Outdoor retail sales prohibited
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18 inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).
7. Provide minimum of 6-foot high concrete block wall or masonry wall along/around the following: Northern property line as depicted on the site plan.
8. If there is an anticipated grade difference of more than 12 inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.

Attachment # 7
TPM, Inc/Pipkin Detective Agency
Site Plan Comment

TRAFFIC SAFETY

<input checked="" type="checkbox"/> Eric Bons	713-4350
<input type="checkbox"/> Myron Rounsfull	713-4412
<input type="checkbox"/> Doug Damko	713-4268

ITEM NO: 0013	DATE: JUNE 20, 2007
SITE PLAN NO.:	07-096 RESUBMITTAL
PROJECT:	NEW PROFESSIONAL OFFICES 2 NEW OFFICE BUILDINGS 1 @ 6,956 SF & 1 @ 1,250 SF ON 33,651 SF AREA (OG ZONED)
APPLICANT:	TELLIAN-PARISH-MCLAIN, ZOISLA SALADIN (PROP OWNER)
LOCATION:	4318 MINERAL KING AVE., W
APN:	085-080-031 & 030

SITE PLAN REVIEW COMMENTS

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) on Marbelite Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.

Additional Comments:

All parking shall be City standards PK-1 through PK-4.

Driveways shall be per City standard C-17 or C-18.


Eric Bons

Attachment # 7
TPM, Inc/Pipkin Detective Agency
Site Plan Comment

TRAFFIC SAFETY

<input checked="" type="checkbox"/> Eric Bons	713-4350
<input type="checkbox"/> Myron Rounsfull	713-4412
<input type="checkbox"/> Doug Damko	713-4268

ITEM NO: <u>007</u>	DATE: <u>APRIL 5, 2006</u>
SITE PLAN NO.:	06-005 RESUBMITTAL
PROJECT:	OFFICE BUILDING A NEW 4,000 SQ. FT. 2-STORY OFFICE BUILDING ON 26,914 SQ. FT. AREA (OG ZONED)
APPLICANT:	QUAD KNOPF, BETTY MEYERS GAVOTTO (PROP. OWNER)
LOCATION:	4840 MINERAL KING, W.
APN:	085-120-033

SITE PLAN REVIEW COMMENTS

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) on Marbelite Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.

Additional Comments:

Driveways shall be per City Standards C-17 or C-18.

Parking shall be per City Standards PK-1 through PK-4.


Eric Bons

Attachment # 7
RE/Max
Site Plan Comment

SITE PLAN REVIEW COMMENTS

PLANNING DIVISION
Andrew Chamberlain (209) 730-7003
DATE: November 17, 1999

SITE PLAN NO. 99-152
PROJECT: New Medical Office
APPLICANT Dr. Smith
LOCATION: Atwood and HWY 198
APN: 087-290-32

ITEM NO: 6 DATE: NOVEMBER 17, 1999
SITE PLAN NO: 99-152 (RESUBMITTAL)
PROJECT: NEW MEDICAL OFFICE BUILDING
13,400 S.F. BUILDING ON 1.22
ACRES
APPLICANT TITLE: EYE SURGICAL AND MEDICAL
ASSOCIATION
LOCATION TITLE: N.E. CORNER OF NOBLE &
ATWOOD
APN TITLE: 087-290-32

GENERAL PLAN DESIGNATION: Professional /Administrative Office
EXISTING ZONING: PA

SEE PREVIOUS COMMENTS

The project will require the following:

- * Variance – to setbacks and landscaping for the building and parking lot.
- * Building Permit - for any alterations

DEVELOPMENT STANDARDS - DESIGN DISTRICT: "F"

MAXIMUM BUILDING HEIGHT: 50 FEET

MINIMUM SETBACKS:

	<u>BUILDING</u>	<u>LANDSCAPING</u>
• FRONT:	30 FEET	30 FEET (east end)
• SIDE:	0 FEET	5 FEET*
• STREET SIDE ON CORNER LOT:	25 FEET	25 FEET (north & south sides)
• REAR:	0 FEET	5 FEET*

*(EXCEPT WHERE BUILDING IS ON PROPERTY LINE)

The proposed project does not meet the required setback and landscape standards for Design District "F". The north and south side of the site are street sides which require a 25 foot setback. The eastern end of the lot is the front which requires a 30 foot setback.

The "Architectural Obelisks" are structures which need to be located on the primary buildable area, not in the setback area. They should be included in any tentative elevations, check with Ted Smith in the Traffic Division for sight lines which may preclude the proposed locations.

PARKING

One stall per 200 sq. ft. of gross building area is required, (13,400/200=67) the 67 parking stalls meets the minimum requirements. The relocation of the solid waste enclosures closer to the drive entrances may change the number of stalls. The first stalls directly adjacent to the entrance drives should be eliminated/relocated to provide a deeper stacking area for the access drive.

It should be noted that may medical users actually use more than the required parking. In this case there may be limited or no opportunities for on-street parking adjacent to the site in the future.

1
SITE PLAN 99-152B

Attachment # 7
Eye Surgical & Medical
Site Plan Comment

ATTACHMENT 8

**TPM, Inc/Pipkin Detective Agency
Parking Lot Counts
Mineral King**

Date	Day	Time	Total Parking Lot Spaces	Total Adjacent Local Street Parking	Parking Lot Car Count	Local Street Car Count	Noble/Mineral King Car Count	Usage If All Cars In ParkingLot %
04/06/2011	Wed	2:00 p.m.	30	4	12	4	4	59
04/06/2011	Wed	4:45 p.m.	30	4	14	3	4	62
04/07/2011	Thurs	3:00 p.m.	30	4	10	4	5	56
04/08/2011	Fri	8:15 a.m.	30	4	8	4	4	47
04/08/2011	Fri	9:30 a.m.	30	4	11	4	4	56
04/08/2011	Fri	3:30 p.m.	30	4	0	1	4	15
04/11/2011	Mon	9:45 a.m.	30	4	14	4	2	59
04/11/2011	Mon	3:30 p.m.	30	4	16	4	4	71

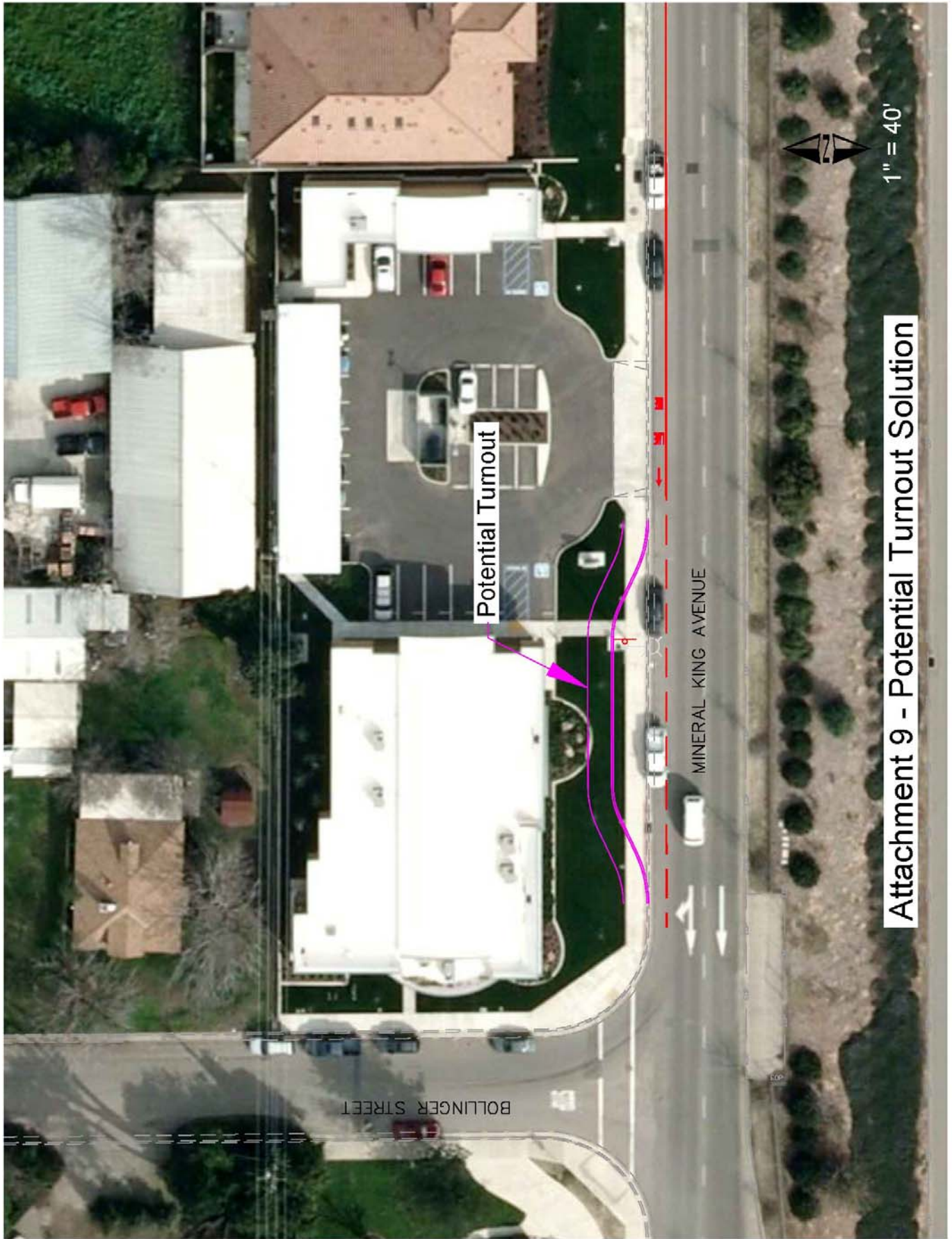
**RE/Max
Parking Lot Counts
Mineral King**

Date	Day	Time	Total Parking Lot Spaces	Total Adjacent Local Street Parking	Parking Lot Car Count	Local Street Car Count	Noble/Mineral King Car Count	Usage If All Cars In ParkingLot %
04/06/2011	Wed	2:00 p.m.	32	1	18	0	4	67
04/06/2011	Wed	4:45 p.m.	30	1	17	0	5	71
04/07/2011	Thurs	3:00 p.m.	30	1	17	1	0	58
04/08/2011	Fri	8:15 a.m.	30	1	4	0	0	13
04/08/2011	Fri	9:30 a.m.	30	1	12	0	3	48
04/08/2011	Fri	3:30 p.m.	30	1	18	0	3	68
04/11/2011	Mon	9:45 a.m.	30	1	16	1	0	55
04/11/2011	Mon	3:30 p.m.	30	1	18	1	3	71

**Eye Surgical & Medical
Parking Lot Counts
Noble Avenue**

Date	Day	Time	Total Parking Lot Spaces	Total Adjacent Local Street Parking	Parking Lot Car Count	Local Street Car Count	Noble/Mineral King Car Count	Usage If All Cars In ParkingLot %
04/06/2011	Wed	2:00 p.m.	69	15	45	0	0	54
04/06/2011	Wed	4:45 p.m.	69	15	30	5	0	42
04/07/2011	Thurs	3:00 p.m.	69	15	35	8	0	51
04/08/2011	Fri	8:15 a.m.	69	15	12	7	0	23
04/08/2011	Fri	9:30 a.m.	69	15	33	8	0	49
04/08/2011	Fri	3:30 p.m.	69	15	35	8	0	51
04/11/2011	Mon	9:45 a.m.	69	15	41	10	0	61
04/11/2011	Mon	3:30 p.m.	69	15	44	10	0	64

ATTACHMENT 9



Attachment 9 - Potential Turnout Solution

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 9

Agenda Item Wording: Public Hearing of 2011/2012 Action Plan for the use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership Funds administered by the City of Visalia's Housing and Economic Development Department; and

Public Hearing of 2nd Amendment to 2010/11 Action Plan, and 3rd Amendment to the 2009/10 Action Plan.

Deadline for Action: April 18, 2011

Submitting Department: Housing and Economic Development

Contact Name and Phone Number: Ricardo Noguera, Housing & Economic Development Director (4190); Rhonda Haynes Housing Specialist (4460); Ruth Peña, Financial Analyst (4327)

Executive Summary:

Budget cuts of both CDBG and HOME, are expected and estimated between 10% and 30%. The projects proposed to focus on this year, based on these reductions, are the Foreclosure Acquisition Program II, West Acequia Parking Structure- Section 108 Loan Payment, Oval Park Transportation, Code Enforcement, Fair Housing, ADA compliance and Continuum of Care. Staff met with the Citizens Advisory and Disability Advocacy committees and discussed their concerns which were the elimination of both Senior Home Minor Repair and Senior Handicapped Assistance and Repair Programs, reallocating funds to allow recycling of limited funding to stabilize and revitalize neighborhoods. This report highlights staff's recommendations for use of the new allocation and summarizes the analysis of the new and proposed budget and programs and services.

Department Recommendation:

- 1.) Approve and adopt the Final 2011/2012 Action Plan as a HUD requirement for the use of CDBG and HOME Funds as presented.
- 2.) Approve redirection of (HOME) Program Income previously allocated to the First Time Homebuyer Program to a new Program; the Foreclosure Acquisition Program II, reallocate (CDBG) funding previously earmarked for Job Creation and Oval Area Park Improvements to Oval Transportation Improvements.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):15

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- 3.) Authorize the City Manager to re-allocate funding from the New Construction Deferred 2nd Mortgage Loan Program to the Foreclosure Acquisition Program II if by July 1, 2011, the program has not received a minimum of four (4) completed loan applications.
- 4.) Authorize City Manager to make the appropriate budget adjustments; and;
- 5.) Authorize the City Manager to make minor or technical changes to the program guidelines if needed to conform to grant requirements.

Summary/Background

Staff's recommended actions for the July 1, 2011, through June 30, 2012, Program Year, were provided in draft form to Council on April 4th: Since then, Staff met with both the Citizens Advisory Committee (CAC) and the Disability Advocacy Committee (DAC). Committee concerns were related to the elimination of three programs (First Time Homebuyer, Senior Home Minor Repair and Senior Handicapped Assistance and Repair Programs). Staff's proposal, based upon estimated budget and programs, recommends that the limited funding be directed toward programs that serve to stabilize and revitalize. Additionally, staff seeks to finalize the design and commence construction for the Oval Park Transportation project. Additionally, Staff's recommendations also include the creation of a new program Foreclosure Acquisition Program II that allows acquisition of foreclosed properties rehabilitates and resells to income qualifying families or the option to sell to a non-profit agency to assist in addressing rental housing needs. This allows funds to be recycled, therein assisting more families, assisting with job retention (i.e. Contractors, Sub Contractors, Realtors, Title Company, Appraiser) and addressing blight in neighborhoods due to the foreclosure crises. Other programs that will receive limited CDBG or HOME funding is the West Acequia Parking Structure Section 108 repayment, ADA compliance sidewalk access, and Park Improvements. Staff also recommends a reduction in funds toward the Continuum of Care and Voucher Program due to the anticipated reduction in both CDBG and HOME funding.

Two Action Plan Amendments are also recommended, redirecting funding from the First Time Homebuyer Program, to the new proposed Foreclosure Acquisition Program II; and redirecting funding earmarked for Job Creation and Oval Area Park Improvements, to Oval Transportation Program.

The New Construction Deferred 2nd Mortgage Program had a slow start in the latter part of Fall 2010, with one loan completed recently last month (March 2011) and two additional applications under review. Staff believes the program will prove successful this Spring, however, due to the HOME program regulations, where funding must be committed by a certain time frame, Staff suggested preparation, by setting a deadline of July 1, 2011, for a minimum of four (4) loans to be completed, otherwise, funding will be reallocated to the new Foreclosure Acquisition Program II, to meet HOME regulations, expend affordable housing dollars and continue to provide affordable housing opportunities to qualifying families.

1. Action Plan estimates

On an annual basis the City receives approximately \$1.8 million in CDBG and HOME funding, however, as Staff shared with Council on April 4th, Congress has continued discussion of major reductions in governmental programs in order to address the federal budget deficit. As a result, both CDBG and HOME funds will be reduced, with an anticipated reduction between 10% to 30%, which results in a reduction between \$100,000 and \$500,000 respectively. Staff also shared with Council and Committees, that this significantly impacts both City Housing Staff and

both non-profits' Community Services Employment Training, Inc. (CSET) and Self Help Enterprises (SHE) that receive funding for programs. City staffing levels and services have already been reduced in anticipation of these cuts.

Staff proposes to fund the list of projects and programs referenced below. There are discretionary and non-discretionary projects and programs. The non-discretionary projects and programs have annually been committed by repayment of a long-term parking structure loan which provides services, improvements in our community, Staff administration of remaining programs, education regarding fair housing rights and the HUD required HOME funded set aside funds (15% of the HOME funds) for a Community Housing Development Organization (CHDO), specifically CSET to continue acquiring foreclosed properties, rehabilitate and resell to income qualifying families. The non-discretionary projects, programs with their estimated allocations, based upon 30% reduction include:

West Acequia Parking Structure Repayment	\$509,952
City Staff Administration	\$218,137
Code Enforcement	\$120,000
CHDO Set Aside (mandatory)	\$ 58,905
Fair Housing Hotline	\$ 7,500
Non discretionary funded projects:	\$914,494

The remaining estimated funds are discretionary. However, these funds provide assistance to handicapped sidewalk access downtown, as well as improvements in our community and parks. This year's recommended discretionary allocations include ADA Compliance projects, which provides sidewalk access (curb cuts) in the downtown area. The Continuum of Care Board has requested funds for the next three years to support and expand services for the homeless, however, a reduction in the allocation due to the budget has been recommended. We are also recommending a new project that will provide affordable housing, preserve neighborhoods, and create or retain jobs, as well as recycle funds to help more families. The program has been named Foreclosure Acquisition Program II, to mirror the Neighborhood Stabilization Program, by acquiring foreclosed properties, rehabilitating and reselling to either income qualifying families or to a non-profit agency to address rental housing needs in the community. Lastly, to complete the Oval Transportation Project, additional funding is needed to begin the next and final phase (construction). The discretionary projects, programs with their allocations include:

Foreclosure Acquisition Program II	\$294,526
Oval Park Improvement Project	\$ 40,000
ADA Compliance (curb cuts) projects	\$ 23,014
Continuum of Care	\$ 12,500
Discretionary funded projects	\$370,040

The discretionary programs that are not funding for this program year include The First Time Homebuyer Program, due to no activity; Senior Home Minor Repair and the Senior Handicapped Assistance and Repair Program Grants. Although two successful grant programs, Staff recommended these programs be frozen due to the reduced budget as well as any discretionary funding available would be directed to the Foreclosure Acquisition Program II, to recycle funds and assist more families in the community, as well as, mentioned above, assist in creating or retaining jobs in this economy.

The final proposed allocations, with funding expected to be reduced between 10-30 percent, are also referenced in Exhibit "A", with their respective description following in Exhibit "B".

2. CDBG & HOME Action Plan Amendments:

On November 2, 2010, the City Manager authorized staff to re-direct \$100,000 (HOME funds) to the First Time Homebuyer Program to provide homeownership opportunities to qualifying households. Since then the City has not received any applications for funding. Based on the inactivity of this program, Staff is recommending that this funding be re-directed to the Foreclosure Acquisition Program II.

In the 2009/10 Action Plan, the City set-aside a total of \$100,000 (CDBG funds) for Job Creation to be used to attract job creating businesses or industries seeking to expand or relocate in Visalia. To date these funds have not been utilized. Additionally, in the 2010/11 Action Plan, Staff earmarked a total of \$29,025 (CDBG) for Oval Area Park Improvements. Staff recommends that these totals combined (\$129,025) be redirected to support the Oval Park Transportation Improvements.

3.) New Construction Deferred 2nd Mortgage Loan Program

On September 7, 2010, City Council adopted Amendments to the 2009/10 & 2010/11 Action Plans re-directing a total of \$520,000 (HOME funds) to the New Construction Deferred 2nd Mortgage Loan Program. The intent of the program is to provide opportunities to local families to purchase homes and bolster jobs within the construction industry. Thus far, the City has received one application for funding. Staff recommends that the Council authorize the City Manager to re-allocate remaining funding from the New Construction Deferred 2nd Mortgage Loan Program to the Foreclosure Acquisition Program II if by July 1, 2011, the program has not received a minimum of four (4) completed loan applications.

Council/ Community Input

Staff met with both the Citizens Advisory Committee (CAC) and Disability Advocacy Committee (DAC). The CAC's concerns were the elimination of both the Senior Home Minor Repair and Senior Handicapped Assistance and Repair Program Grant programs. The DAC Committee has an interest in contacting interested rental property owners to discuss accessible units. Staff addressed both Committees' concerns indicating the need to recycle limited funding which will assist more families, create and/or retain jobs through the new Foreclosure Acquisition Program II, through the acquisition and rehabilitation phases, and to allow additional funding to complete a project in the Oval Area. Attached as Exhibit "C", reflect committee meeting comments.

Prior Council/Board Actions: Consolidated Plan adopted in April 19, 2010, Housing Element adopted March 15, 2010, and Annual Action Plan & CAPER reports are adopted in April and September of each year.

Committee/Commission Review and Actions: City Council Work Session, April 4, 2011; Citizens Advisory Committee, April 6, 2011; Disability Advocacy Committee, April 11, 2011

Alternatives: None recommended.

Attachments

Exhibit "A", Estimated Budget

Exhibit “B”, Action Plan Amendments

Exhibit “C”, Action Plan Committee Meeting Input/Comments

Exhibit “D”, Action Plan 2011/2012

- 1.) **Recommended Motion (and Alternative Motions if expected):** Approve and Adopt Final 2011-2012 Action Plan, and;
- 2.) 2nd Amendment to 2010-11, and 3rd Amendment to 2009-10 for the use of CDBG and HOME funds; and
- 3.) Authorize the City Manager to re-allocate funding from the New Construction Deferred 2nd Mortgage Loan Program to the Foreclosure Acquisition Program II if by July 1, 2011, the program has not received a minimum of four (4) completed loan applications; and
- 4.) Authorize City Manager to make the appropriate budget adjustments, and;
- 5.) Authorize the City Manager to make minor or technical changes to the program guidelines if needed to conform to grant requirements.

Environmental Assessment Status

CEQA Review: N/A

NEPA Review: to be completed

Exhibit "A"
Estimated Budget for Fiscal Year 2011/2012

2011-2012 Estimated Budget	2010-11 (Allocation & Amendments)	2011-2012 Projected Allocations based upon % of reductions		
		10% Redtn	20% Redtn	30% Redtn
COMMUNITY DEVELOPMENT BLOCK GRANT				
Annual Grant Amount (CDBG)	1,331,190	1,198,071	1,064,952	931,833
Administration (20% of allocation), Loan Servicing & Operating less Fair Hsg (see Fair Housing for portion of Admin)	251,238	232,114	205,490	178,867
Net for Programs and Projects	1,079,952	965,957	859,462	752,966
Neighborhood Preservation/Services				
Code Enforcement- Target Areas	160,000	120,000	120,000	120,000
Fairhousing Hotline (part of 20%Admin cap)	15,000	7,500	7,500	7,500
Special Needs Facilities				
Continuum of Care or Voucher Program	10,000	12,500	12,500	12,500
Public Improvements				
ADA Compliance Projects **	40,000	30,000	30,000	23,014
Economic Development/Public Parking Facilities				
West Parking Structure Loan Payment (Section 108 Loan)	506,855	509,952	509,952	509,952
Public Parks, Facilities & Improvements				
Oval Park Transportation Improvements	29,025	221,005	114,510	40,000
Oval Park Lighting	40,000	-	-	-
Recreation Park Skateboard Fence	98,072	-	-	-
Park Improvements in CDBG Areas	-	65,000	65,000	40,000
Special Needs Services				
Senior Home Minor Repairs (contract w/CSET)	91,000	-	-	-
Mobile Home Senior Repair & Handicapped Access (contract w/SHE)	90,000	-	-	-
Subtotal Programs & Projects	1,079,952	965,957	859,462	752,966
Total CDBG Expenditure	1,331,190	1,198,071	1,064,952	931,833
Remaining to Carry Forward	-	-	-	-
HOME INVESTMENT PARTNERSHIP FUNDING				
Annual Grant Amount (HOME)	561,002	504,901	448,801	392,701
Administration, Loan Servicing & Operating	56,100	50,490	44,880	39,270
Net for Programs and Projects	504,902	454,411	403,921	353,431
Homeownership				
First Time Homebuyer Program (contract w/CSET)	420,752	-	-	-
Foreclosure Acquisition Program II (Foreclosure acq, rehab, resell)	-	378,676	336,601	294,526
Property Acquisition (Required 15% set aside for CHDO & predevelopment)	84,150	75,735	67,320	58,905
Subtotal Programs & Projects	504,902	454,411	403,921	353,431
Total HOME Expenditure	561,002	504,901	448,801	392,701
Remaining to Carry Forward	-	(0)	(0)	(0)
		CDBG	HOME	
Estimated based off of 2010-2011 (current year allocation)	1,331,190	561,002		

Exhibit "B"
Action Plan Amendments

Table 2			
PROPOSED 2009/2010 & 2010/2011 ACTION PLAN AMENDMENT			
CDBG			
PROJECT (Increase)	BALANCE JULY 1, 2011	PROPOSED AMENDMENT	AMENDED PROJECT BALANCE
Oval Transportation Improvements	-	129,025	129,025
PROJECT (Decrease)			
Oval Park Area Park Improvements 10/11	29,025	(29,025)	-
Job Creation 09/10	100,000	(100,000)	
NET CHANGE CDBG		<u><u>-</u></u>	
PROPOSED 2009-2010 ACTION PLAN AMENDMENT			
HOME			
PROJECT (Increase)	BALANCE JULY 1, 2011	PROPOSED AMENDMENT	AMENDED PROJECT BALANCE
Foreclosure Acquisition II	-	100,000	100,000
PROJECT (Decrease)			
First Time Homebuyer 09/10	100,000	(100,000)	
NET CHANGE HOME		<u><u>-</u></u>	

Exhibit "C"
2011-12 Action Plan
Community Input/Comments

City Council Meeting- Worksession April 4, 2011	
Public Comment	City Response
1. Outreach to Community for Input in the Plans	Staff indicated that community meetings were scheduled for the next week with the CAC and DAC committees, to review the Proposed Draft Action Plan. No additional input was given by City Council.

Citizens Advisory Committee Meeting April 6, 2011	
Public Comment	City Response
1. Where are public comments reflected?	The public comments are reflected within the final document to HUD and an overview of issues are addressed in the Council Transmittal for the final report to Council on 4-18
2. Why have the FTHB and NC2nd loan programs not been successful	The FTHB program has had no activity with the remaining \$100k therefore funds are recommended to be placed into the new foreclosure program, where they will be utilized to rehab foreclosed properties and resell to families; The New Construction Program had a slow start in the Fall. 1 loan has been completed with 2 additional applicants in process. If 4 loans are not completed or reserved by July, staff is recommending that funds be redirected to the foreclosure acquisition program.
3. Are there income limits or requirements?	Yes, the HOME and CDBG funds have an income requirement of no more than 80% of the area median income. The NSP program allows up to 120% of the area median income. Examples were provided.
4. Presentation did not mention the elimination of the SHARP and Senior Home Repair Programs	Staff talks about the elimination and/or reduction of Staff and Subrecipients, which administer these programs. The estimates reflect reduced funding with no funds going toward these 2 programs. Funds are recommended to be directed to complete ongoing projects.
5. The Con Plan talks about the SHARP Program being a high priority- need	These funds are grants and are not recycled. Although they are good programs, this year funds are directed toward programs that can be recycled and assist
6. Ability to comment on programs feel are too late to make changes	The ConPlan is a five year plan that lays out proposed projects for the next 5 years. With the estimated reductions in funding, staff is requesting to direct funding to projects that need funding to finalize that have been ongoing and address foreclosure crises recycling funding. Staff suggested that the committee come to the Council meeting or write a letter that would be attached to the final document.

<p>7. CAC member continues to have problem with taking funds for newly constructed homes when there are existing foreclosures in neighborhoods</p>	<p>Staff created options for homebuyers. The NSP Foreclosure Acquisition Program and new program with HOME funds allows the City to acquire existing foreclosures, rehabilitate and resell to families which addresses blight in neighborhoods due to foreclosures. These funds are recycled to allow additional purchases and assist additional families; The New Construction Deferred loan program addresses several things such as creation of jobs in construction, assists the developer with completing construction of new homes and also provides the homebuyer with the option to purchase a newly constructed home.</p>
<p>8. Oval Park Transportation-notification (announcement) to interested parties as to the status</p>	<p>Omni Means has been working on the design; some challenges with the surrounding business owners and additional design changes with Cal Trans are currently being worked out. The design includes striping, to allow two lanes; bulb outs and possibly changes may include signals to make for a safer pedestrian and vehicle path. The design is 90% complete. Staff will take the recommendation made by CAC member to publish an announcement, such as the City Hall news article.</p>
<p>9. Typo regarding NSP recycled funds</p>	<p>The recycled funds are \$1.7 mil not \$1.6.</p>

<p align="center">North Visalia Neighborhood Advisory Committee Meeting</p>	
<p align="center">Public Comment</p>	<p align="center">City Response</p>
<p>1. None</p>	<p>Was provided the draft at March meeting and invited to attend one of the 3 other community meetings</p>

<p align="center">Disability Advocacy Committee Meeting April 11, 2011</p>	
<p align="center">Public Comment</p>	<p align="center">City Response</p>
<p>1. Are rehabilitated buildings required to be ADA compliant if funded with federal dollars?</p>	<p>Yes, If the City partners with a non-profit builder, federal dollars invested require the building meet ADA compliance.</p>
<p>2. Recommend rental property owners work with City to rehab apartment unit and make some units accessible</p>	<p>Staff supports committee's recommendation. Also, if Redevelopment funding continues or State funding comes available, Staff will investigate opportunities to work with local non-profits, and rental property owners to encourage rehabilitation of multi units and accessibility.</p>

Action Plan 2011-2012 Report

CITY OF VISALIA








ANNUAL ACTION PLAN PROGRAM YEAR 2 2011-2012

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2nd Annual Action Plan (2011-2012 Program Year)

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2nd Annual Action Plan (2011-2012 Program Year)

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Second Program Year - Action Plan 2011-2012

The CPMP Second Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. The Executive Summary narratives are optional.

Narrative Responses

GENERAL

Executive Summary

The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.

Program Year 2 Action Plan Executive Summary:

As the nation continues facing daunting economic and budgetary challenges, this is by far one of the most difficult Action Plans that City staff has presented. The City is facing a possible 10%-30% reduction in its CDBG and HOME entitlement which will have some serious repercussions on the programs and projects that the City has up to now been able to deliver to the our community.

In addition to losing CDBG and HOME funds, the Governor is also proposing to eliminate redevelopment agencies throughout California which will not only impact staffing levels, but also place a tremendous burden on the non-profits that currently rely on CDBG, HOME and Redevelopment funds from the City to administer affordable housing programs. Staffing levels have also been reduced in anticipation of these cuts. Furthermore, sub-recipient agreements with non-profit partners; CSET, Self Help Enterprises, Habitat for Humanity, and Tulare County Housing Authority have either been frozen or eliminated. However, even though funding is slowly diminishing, staff continues to move forward with a positive attitude and outlook to continue serving the community with quality programs and projects.

This Fiscal Year 2011–2012 Action Plan is the City’s second plan of the Consolidated Plan 2010–2015. The Action Plan proposes projects and activities to meet the priorities described in the strategic plan within the ConPlan. It describes eligible programs, projects and activities to be undertaken with limited funding in 2011/2012 and their relationship to the housing, homelessness, and community & economic development needs identified in the ConPlan.

Typically, the City estimates the funding it will receive from HUD. This helps staff to determine what programs and projects will be funded based on the needs of the

community; however, due to anticipated budget cuts, staff has prepared projections addressing three potential scenarios pending HUD’s final allocations.

All of the allocation priorities (projected use of funds) are identified in the strategic plan priorities and housing and community development needs assessment outlined in the 2010–2015 ConPlan. The general priority categories of housing, homelessness, special needs and community development needs and their related goals are addressed in the various activities to be undertaken. These activities estimate the number and type of families that will benefit from the proposed activities, including special local objectives and priority needs.

The focus of this Action Plan will be to follow the success of the NSP funded Foreclosure Acquisition Program and continue acquiring, rehabilitating, and reselling homes to pre-qualified buyers with fixed mortgages. The existing foreclosure program has resulted in the acquisition of 25 homes and resell of 18. Approximately, \$1,600,000 has been recycled back into the program since the initial \$2.38 million NSP Grant. In addition to stabilizing neighborhoods, the Foreclosure Acquisition Program creates between 5-10 construction jobs per rehabilitated house, plus provides employment opportunities for realtors, title companies and appraisers. Staff is also recommending that the Council adopt an amendment to the NSP guidelines, allowing the City flexibility to sell a property to a non-profit organization which may then rent or sell to a qualifying household or the City may opt to maintain ownership of the property, use it as a lease and then resell it to a qualified household once financially feasible.

The Action Plan includes a general description of homeless and other community development needs activities to be undertaken and other actions to address obstacles to meet underserved needs and reduce poverty. The Action Plan can also be found at the City’s Web site at www.ci.visalia.ca.us.

Table 1 shows the specific needs objectives for the 2011–2012 program year.

**Table 1
Summary of Specific
Needs Objectives**

Objective	Goal	Units/Need
Affordable Housing	Provide decent affordable housing by promoting homeownership opportunities for low-and-moderate-income households.	10
	Provide decent affordable housing by sustaining neighborhoods	2
	Increase availability of affordable owner-occupied housing through acquisition	2
Suitable living environment through neighborhood preservation	Maintain and preserve quality housing by addressing substandard housing.	200
	Provide education services to low income families.	120
Homelessness		
Suitable living environment by supporting special needs programs and facilities	Increase accessibility to support facilities to end chronic homelessness.	2
Economic and Community Development		
Create economic development opportunities and community development opportunities needs services	Demonstrate a commitment to long term economic growth by promoting the expansion of existing jobs and job retention.	1
Suitable living environment through public improvements	Improve quality/increase availability of neighborhood facilities for low income persons.	2

The specific goals and outcomes for the estimated CDBG and HOME funding allocations are shown in Table 2.

**Table 2
Objectives and Goals for CDBG and HOME Funding**

Objective	Goal	Program
Provide decent affordable housing	Provide decent affordable housing by promoting homeownership opportunities for low-and-moderate-income households.	Foreclosure Acquisition Program II
	Increase availability of affordable owner-occupied housing through acquisition	Property Acquisition (CHDO)
Suitable living environment through neighborhood preservation	Maintain and preserve quality housing by addressing substandard housing.	Code Enforcement - Target Areas
	Provide education services to low income families.	FairHousing
Homelessness		
Suitable living environment by supporting special needs programs and facilities	Increase accessibility to support facilities to end chronic homelessness.	Continuum of Care
Economic and Community Development		
Create economic development opportunities and community development opportunities needs services	Demonstrate a commitment to long term economic growth by promoting the expansion of existing jobs and job retention.	West Parking Structure Loan Payment (Section 108 Loan)
Suitable living environment through public improvements	Improve quality/increase availability of neighborhood facilities for low income persons.	Oval Park Transportation Improv. Parks Improv. In CDBG Areas

Evaluation of Past Performance

Each year, the U.S. Department of Housing and Urban Development (HUD) assesses the performance of the City of Visalia’s management of CDBG and HOME program funds, the City’s compliance with the ConPlan and the extent to which the City is preserving and developing decent affordable housing, creating a suitable living environment and expanding economic opportunities. Overall, the City has demonstrated the continued capacity to implement and administer its CDBG and HOME programs. The City continues to make progress in addressing priority needs and carrying out the programs described in the ConPlan.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.
3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

Program Year 2 Action Plan General Questions response:

Visalia is one of California's fastest growing cities, a reflection of the community's quality of life, affordability and easy access to retail outlets and services. Visalia's market trade area covers parts of three counties, encompassing nearly 500,000 people within a 25-mile radius.

Visalia is the county seat of Tulare County, the top dairy- and milk-producing county in the nation and the second most productive agricultural county in the world, with more than 250 different commodities. Like most San Joaquin Valley cities weathering the economic recession, the unemployment rate is in double digits, reaching 17.7 percent in December 2010.¹



Historic Downtown Visalia, located in the heart of the City, is a thriving business and social locus. Recent renovation efforts in the downtown area reflect the City's commitment to maintaining the quality of life, community spirit and retail of the City. Downtown merchants participate in a voluntary improvement district to finance physical and business improvements. The Property-Based Improvement District (PBID) targets needs such as parking, traffic circulation, streetscape improvements, maintenance, security, economic development and marketing. Home to the Kaweah Delta Health Care District, the City of Visalia and several other large private businesses are also the financial center of Tulare County.

It is the City's intent to fund activities in areas most directly affected by the needs of low-income residents and those with other special needs. A map that shows these areas of concentration in the City is located in the ConPlan.

To create substantive neighborhood improvements and stimulate additional, unassisted improvement efforts, the City will focus the majority of its housing-related funding in targeted low-income neighborhoods. Based on the widespread need for affordable housing, however, assistance will be available Citywide. Distribution of funding for accessibility purposes will also be Citywide.

The geographic distribution of funding is predicated somewhat on the nature of the activity to be funded. As discussed in the Strategic Plan section of the ConPlan, it is the City's intent to fund activities in areas most directly affected by the needs of low-income

¹California Employment Development Department (EDD)

residents and those with other special needs. A map that shows areas of lower-income residents (U.S. Census Bureau, 2000) in the City is located in the ConPlan.

To create substantive neighborhood improvements and stimulate additional, unassisted improvement efforts, the City will provide a portion of its housing-related funding in targeted low-income neighborhoods, with a particular focus on the distressed Washington Elementary School and Lincoln Oval Park neighborhoods and CDBG-targeted areas, where there are high percentages of renter-occupied housing for low-income families. Based on the widespread need for affordable housing, assistance is also available Citywide. Distribution of funding for accessibility purposes is restricted to CDBG targeted areas only. The primary focus of economic development efforts will include downtown business districts located in qualified low-income areas, as well as redevelopment areas, industrial parks and commercial sites in various City locations.

There are several obstacles to meeting the needs of underserved residents in Visalia, as housing affordability is influenced by a complex set of economic conditions. Some of these obstacles are a result of interest rates, lack of disposable income, lack of funding, governmental actions, tax policies and land-use policies and regulations, in addition to other nongovernmental market factors.

Housing

Affordable Housing. In December 2010, the median price for a house in Visalia was \$147,250. (HOME Purchase Price/After Rehabilitation Value Limits, 2010) As a general rule, a house is deemed affordable, considering there is nothing out of the ordinary when financing, when its cost is three times the amount of a person's annual income. According to HUD, the 2010 median family income in Tulare County was \$45,050, indicating that affordable housing in Visalia is not a major issue.

Lack of Financial Resources for Low- and Moderate-Income and Working Poor Residents. There are limited resources county-wide or in Visalia to address the income gap experienced by low- and moderate-income seniors, large families and residents with disabilities. For those who qualify, the City makes it possible for families to own a home through the Foreclosure Acquisition Program and the New Construction Second Mortgage Program.

Foreclosures

According to RealtyTrac, foreclosures accounted for 26 percent of all 2010 residential sales. California foreclosures sales accounted for 44 percent of all sales in 2010, with the Visalia-Porterville Metropolitan Area ranking 17th nationally in foreclosures.

The focus of this Action Plan is to place concentrated efforts on homeownership due to the ongoing foreclosure crisis and the over abundance of abandoned and vacant homes in need of rehabilitation. Plus the City can stimulate the job market by hiring local contractors, realtors, appraisers, and title companies to rehabilitate and resell homes.

On September 29, 2008, the Office of the Secretary of HUD released an emergency assistance program, the Housing and Economic Recovery Act (HERA), to help state and local governments acquire and redevelop foreclosed properties. The City of Visalia was allocated a total of \$2,388,331 in funding to purchase foreclosed or abandoned homes and to rehabilitate, resell or redevelop these homes to stabilize neighborhoods, while assisting low income borrowers with the purchase of a home. Since inception of the program in 2008, the City has acquired a total of 25 houses and re-sold 18 to qualified households.

Actions to Address Obstacles

The City of Visalia will continue to take the following actions during fiscal 2011–2012 to address obstacles to meeting underserved needs.

Provide Decent Affordable Housing

Outcome Goal (DH-1): Provide decent affordable housing by promoting homeownership opportunities for low- and moderate-income households earning less than 80 percent of the area median family income.

- *Foreclosure Acquisition Program II.* This program enables the City to stabilize and revitalize neighborhoods, through acquisition and rehabilitation of foreclosed homes, and resell to pre-qualified buyers with fixed rate mortgages. Also, depending on market conditions, this program gives the City flexibility to either sell a property to a non-profit organization which may then rent or sell to a qualifying household or the City may opt to maintain ownership of the property, use it as a lease and then resell it to a qualified household once financially feasible.

Outcome Goal (DH-3): Provide decent affordable housing by sustaining neighborhoods.

- *Property Acquisition (CHDO Funds).* The HOME Investment Partnerships Program requires that 15 percent of its annual allocation be set aside exclusively for housing that is owned, developed or sponsored by a 501(c)3 nonprofit, community-based service organization, known as a HOME-funded Community Housing Development Organization (CHDO), to develop affordable housing within the community. Currently, the City is working with CSET (Community Services Employment Training) to acquire properties, rehabilitate and resell them to income qualifying households.

Suitable Living Environment through Neighborhood Preservation

Outcome Goal (SL-3): Maintain and preserve quality housing by addressing substandard housing.

- *Code Enforcement.* The Neighborhood Preservation Division is responsible for the management of the Code Enforcement Program. The primary emphasis of the program is on life safety noncompliance. Considerable efforts are focused on Health

and Safety Code enforcement as it primarily relates to housing standards. Some of the common violations include unsafe structures, abandoned properties, contaminated and/or unsecured swimming pools, construction without permits and unlicensed vendors.

Outcome Goal (SL-1): Provide educational services to low-income families.

- *Fair Housing.* This program provides fair housing services to Visalia residents. Callers with complaints are directed to legal counsel who assists with filling out official discrimination complaint forms, which are then forwarded to the Department of Fair Employment and Housing. City staff also provides educational brochures and “California Tenant” Handbooks to various agencies throughout the City.

Suitable Living Environment by Supporting Special Needs Programs

Outcome Goal (SL-1): Increase accessibility to support facilities to end chronic homelessness

- *Continuum of Care & Voucher Program.* The City has a partnership with the Continuum of Care, a 501(c)3 organization to address issues of homelessness. The Continuum of Care is a consortium of housing providers, service providers and local governments that work together to end homelessness in Kings and Tulare counties. The continuum is focused on systematically implementing systems and programs that will help support existing homeless organizations and offer the resources that are needed locally to be successful.

In partnership with the Continuum of Care the City will allocate funding to support Family Services and the Tulare Housing First Program. The program is structured to specifically serve the chronically homeless by providing Shelter Plus Care vouchers to assist a homeless family with housing expenses. The funding would support a Case Manager to oversee the program, which includes mental, and health counseling, job search, and life skills training.

Create Economic Development Opportunities and Community Development Opportunities (Parking Facility) Needs Services

Outcome Goal (EO-1): Demonstrate a commitment to long-term economic growth by promoting business expansion and job retention.

- *Parking Structure Financing (West Acequia Parking Structure)—Section 108 Loan.* The City of Visalia is committed to providing adequate parking in the downtown area to further promote jobs. In 2007, the City finalized construction of a second four-story parking structure, which supports the hospital’s current expansion. In addition, the parking structure supports downtown businesses furthering the creation of many jobs throughout the downtown area. Staff continues monitoring the number of jobs

created on an annual basis. This year, the City will make another Section 108 payment in the amount of \$509,952. This loan is scheduled to be paid off in 2018.

Suitable Living Environment through Public Improvements

Outcome Goal (SL-1): Improve the quality and increase the quantity of public improvements that benefit low- and moderate-income residents. The City also utilizes other funding sources for public and park improvement projects.

- Streets ADA Compliance Projects. The City will continue to fund this program to continue supporting the disabled community with the installation of curb cuts, truncated domes, compliant ramps, and warning detection panels within CDBG targeted areas.
- Oval Park Transportation Improvements. In 2008, the City Council directed staff to work with residents and businesses in the Oval Park neighborhood to foster revitalization efforts. The Engineering Division is now playing lead to complete drawing and construction of roadway improvements over the next few years. Once complete, the improvement will provide improved safety for pedestrians, bicyclists, and vehicles through the Oval Park neighborhood.
- Park Improvements in CDBG Areas. – The City has historically utilized CDBG funds to rehabilitate parks in underserved low-income neighborhoods such as the Oval Park, Jefferson Park, and Birdland. This will continue in 2011/2012.

Resources to Address Priority Needs and Specific Objectives

Due to anticipated budget cuts in the City's CDBG and HOME entitlements, City staff has prepared projections, addressing three scenarios pending HUD's final allocation. Table 3 on next page shows proposed programs and recommended allocations with a 10% - 30% reduction in funds. The City will utilize available resources for housing, non-housing and supportive service needs of Visalia's low- and moderate-income families, and to reduce or eliminate conditions contributing to slum and blight in targeted areas.

**Table 3
Available Resources for Fiscal 2011–2012**

2011-2012 Estimated Budget	2010-11 (Allocation & Amendments)	2011-2012 Projected Allocations based upon % of reductions		
		10% Redtn	20% Redtn	30% Redtn
COMMUNITY DEVELOPMENT BLOCK GRANT				
Annual Grant Amount (CDBG)	1,331,190	1,198,071	1,064,952	931,833
Administration (20% of allocation), Loan Servicing & Operating less Fair Hsg (see Fair Housing for portion of Admin)	251,238	232,114	205,490	178,867
Net for Programs and Projects	1,079,952	965,957	859,462	752,966
Neighborhood Preservation/Services				
Code Enforcement- Target Areas	160,000	120,000	120,000	120,000
Fairhousing Hotline (part of 20%Admin cap)	15,000	7,500	7,500	7,500
Special Needs Facilities				
Continuum of Care or Voucher Program	10,000	12,500	12,500	12,500
Public Improvements				
ADA Compliance Projects **	40,000	30,000	30,000	23,014
Economic Development/Public Parking Facilities				
West Parking Structure Loan Payment (Section 108 Loan)	506,855	509,952	509,952	509,952
Public Parks, Facilities & Improvements				
Oval Park Transportation Improvements	29,025	221,005	114,510	40,000
Oval Park Lighting	40,000	-	-	-
Recreation Park Skateboard Fence	98,072	-	-	-
Park Improvements in CDBG Areas	-	65,000	65,000	40,000
Special Needs Services				
Senior Home Minor Repairs (contract w/CSET)	91,000	-	-	-
Mobile Home Senior Repair & Handicapped Access (contract w/SHE)	90,000	-	-	-
Subtotal Programs & Projects	1,079,952	965,957	859,462	752,966
Total CDBG Expenditure	1,331,190	1,198,071	1,064,952	931,833
Remaining to Carry Forward	-	-	-	-
HOME INVESTMENT PARTNERSHIP FUNDING				
Annual Grant Amount (HOME)	561,002	504,901	448,801	392,701
Administration, Loan Servicing & Operating	56,100	50,490	44,880	39,270
Net for Programs and Projects	504,902	454,411	403,921	353,431
Homeownership				
First Time Homebuyer Program (contract w/CSET)	420,752	-	-	-
Foreclosure Acquisition Program II (Foreclosure acq, rehab, resell)	-	378,676	336,601	294,526
Property Acquisition (Required 15% set aside for CHDO & predevelopment)	84,150	75,735	67,320	58,905
Subtotal Programs & Projects	504,902	454,411	403,921	353,431
Total HOME Expenditure	561,002	504,901	448,801	392,701
Remaining to Carry Forward	-	(0)	(0)	(0)
	CDBG	HOME		
Estimated based off of 2010-2011 (current year allocation)	1,331,190	561,002		

Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.
2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.
3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

Program Year 2 Action Plan Managing the Process response:

The City of Visalia’s Housing and Economic Development Department (HEDD) is the lead department responsible for administering programs covered by the ConPlan and the significant aspects of the process by which the Plan was developed. As a means to enhance coordination between public and assisted housing providers, and among private and governmental health, mental health and service agencies, the City has prepared a Citizen Participation Plan to involve and contact the public as part of the consolidated action planning process.

The HEDD coordinates with City departments, county agencies and community stakeholders in developing housing and community development priorities and activities. The partnerships and collaborative efforts will continue to be the focus of the lead agency in implementing the ConPlan and Action Plan.

To further enhance cooperation and coordination among agencies and groups, a series of ConPlan stakeholder workshops were held to discuss the needs assessment and the following strategic planning categories: affordable housing, homelessness, special needs, economic development and community development. There were many interested persons and representatives who attended and gave valuable input and dialogue for improving the ConPlan.

Throughout the preparation of the ConPlan, consultation was sought and obtained by the City with other public and private providers of housing, health and social services. The types of agencies invited to stakeholder meetings included social service agencies, health service organizations, providers of low-income housing, financial institutions that have or may provide financial assistance for lower-income housing and faith-based organizations. Focus group participants highlighted the priority needs in general terms and specific to their target population. Table 4 lists the agencies that were contacted to participate in the two different focus groups.

**Table 4
List of
Contacted
Agencies**

Focus Group and Survey Contacts	
<i>Housing and Economic Development</i>	
1. Center for Independent Living	10. Salvation Army
2. Central Valley Christian Housing	11. Self-Help Enterprises
3. Community Services and Employment Training, Inc. (CSET)	12. Tulare County Economic Development Corporation
4. Downtown Visalians	13. Tulare County Health and Human Services—Homeless Assistance
5. Family Services of Tulare County	14. Tulare County Housing Authority (TCHA)
6. Habitat for Humanity	15. Tulare Kings Hispanic Chamber of Commerce
7. Home Builders Association of Tulare & Kings Counties	16. Visalia Chamber of Commerce
8. Kings/Tulare Continuum of Care	17. Visalia Economic Development Corporation
9. Proteus Inc.	18. Visalia Rescue Mission
<i>Youth and Health and Human Services</i>	
1. Boys and Girls Club	11. Tulare County Health and Human Services Agency
2. City of Visalia City Hall East—Visalia Parks and Recreation Department	12. Tulare County HHS—Child Protective Services
3. Evergreen Residence Assisted Living	13. Tulare County HHS—Environmental Health
4. Golden State YMCA	14. Tulare County HHS—Homeless Assistance
5. Healthy Kids/Children’s Health Initiative	15. Tulare County Mental Health Services
6. Kaweah Delta Mental Health Hospital	16. Tulare County Office of Education
7. Kings-Tulare Area Agency on Aging	17. United Community Youth Center
8. Owens Valley Career Development Center	18. Visalia Police Activities League (PAL)
9. Proteus Inc.	19. Visalia Unified School District
10. Synchrony of Visalia, Inc.	20. Visalia Volunteers Services Program
	21. Visalia Youth Services
HHS: (Tulare County) Health and Human Services Agency	

The focus groups addressed specific questions regarding the needs of the community relative to the current economic environment, how current policies address these needs and what collaborative efforts might better address these needs to enhance coordination between public and private housing and health and social service agencies. In addition, consultations are ongoing with the county and state governments and appropriate regional bodies relative to the areas discussed herein.

The City will continue to encourage public involvement if and when there are substantial amendments to the Citizens Participation Plan, Consolidated Plan, and/or the Annual Action Plan.

Citizen Participation

1. Provide a summary of the citizen participation process.
2. Provide a summary of citizen comments or views on the plan.
3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.
4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

Program Year 2 Action Plan Citizen Participation response:

City staff developed a detailed participation plan that is part of the ConPlan. As required by HUD, citizens, nonprofits and community residents will be provided adequate opportunity to review and comment on the original Citizen Participation Plan and on substantial amendments to the plan. The purpose of the plan is to encourage citizens, particularly low- to moderate-income residents, to participate in the development of the ConPlan and any substantial amendments to the ConPlan. Citizens were engaged through community meetings, surveys, public hearings and individual meetings.

The primary goals of the City's citizen participation process are to

- Generate significant public participation particularly from extremely low, very low and low-income persons and groups residing within various areas of the City where program funds will be used.
- Gather data that accurately describe and quantify housing and community development needs and to suggest workable solutions.
- Obtain comments on proposals for allocating resources.

Public Notice and Availability of the Plan

The City of Visalia published all public hearings and ConPlan summaries in the *Visalia Times-Delta* and *El Sol del Valle de San Joaquin* newspapers for public review and comment. The summary described the contents and purpose of the ConPlan and listed the locations where copies of the entire plan could be examined.

Access to Records

A list of all projects using CDBG and HOME funds will be made available upon request; the list is also available on the City's Web site. The list will include the names of the sub-recipients, the amount of the allocation, a brief description of the activity and the fiscal year in which the funds were distributed.

Public Hearings

The City of Visalia conducted two separate public hearings to obtain citizens' views and to respond to proposals and questions. The first public hearing was held on November 12, 2009, to discuss community needs and proposed uses of funds for the upcoming program year. The second public hearing was held on April 19, 2010, to assess how funds are planned to be spent during the next program years. The time, date, location and subject of the hearings were announced in the *Visalia Times-Delta* and *El Sol del Valle de San Joaquin* newspapers no less than 15 days before the hearings.

If an interpreter was needed, one would be provided with ample notification as stated on the public notice. The City was prepared to provide interpreters for non-English-speaking citizens upon request; however, no such request was made. All public hearings and meetings were conducted in the evening hours and were held at convenient and accessible locations that accommodate persons with disabilities.

Comments and Complaints

All comments or complaints made on the ConPlan and any amendments to the plan will be accepted through all components of the preparation of these documents until the closing of the formal public review and comment period. Written copies of the complaints and comments received during the public review and comment period are noted and attached as part of the Action Plan.

Summary of Citizen Participation

Citizens were encouraged to participate in two community meetings that were held in different parts of the City: the Senior Citizen Center and CSET's center. The first meeting was held on November 12, 2009. The second meeting was held on November 19, 2009. At these meetings, members of the public were asked to identify community needs and priorities before the drafting of the ConPlan.

Citizens who participated in the process received extensive information about the ConPlan, the citizen participation process, the HUD requirements for an entitlement city, the amount of funding that the City anticipates receiving and how those funds can be used by the City. Residents were given the opportunity to provide City staff with their input on the prioritization of community needs.

Summary of Efforts Made to Broaden Public Participation

The HEDD actively encouraged low- and moderate-income residents, persons of different ethnicities, persons with disabilities and non-English-speaking residents to attend community meetings and hearings. In accordance with the Citizen Participation Plan, the City will provide translation services to any resident who requests the need for

those services. Through the extensive participation of internal departments, agency and nonprofit focus groups and the community at-large, the City was effectively able to involve a broad swath of the City's residents in the planning process.

Community Needs Priorities for the Next Five Years

Citizens were asked to name the priorities in terms of community needs for the coming five-year period. After providing this list of needs, participants were then asked to prioritize those as high, medium or low.

Housing

High

- More infill development
- Rehabilitation of existing units
- Better accessibility in mobile home parks, particularly for seniors and the disabled
- Program for ADA (Americans with Disabilities Act) assistance to seniors, veterans and others

Medium

- Permanent supportive housing
- Provide overnight (temporary) housing for the homeless (especially families and transitional aged youth)
- Basic emergency shelter needs (e.g., cold weather shelter, food, clothing)
- Increased transitional housing (into permanent housing)

Low

- Transitional and permanent supportive housing for the homeless
- Provide City assistance to elevate vacant lots out of the flood zone in all CDBG-eligible areas
- Use vacant properties for homeless housing
- Additional resources for the acquisition and rehabilitation of foreclosed or blighted homes
- More housing in the Lincoln/Oval community (including a partnership with Habitat for Humanity)
- Foreclosure counseling
- Permanent supportive housing (e.g., Housing First model)

Economic Development

High

- Business incubators to encourage the creation of new enterprises
- Connecting people to the jobs that are available/Create relationships between the industrial base, downtown and depressed neighborhoods

Medium

- Create more industrial parks to attract jobs

- More partnerships with private commercial developers in downtown and south central Visalia
- Downtown façade improvement to encourage additional patronage
- Business incubator in vacant buildings (e.g., Lincoln/Oval service center)
- Mentoring and apprenticeship opportunities/Job skills training/Program to supplement wages for on-the-job training

Low

- Micro business loan program in depressed areas
- Provide satellite job skills training services and better access to employment in areas where people live (e.g., blighted areas)
- Child care facilities
- Entrepreneurship training programs

Community Development

High

- Public safety
- Oval Park improvements

Medium

- Downtown “Gathering Place”
- More parks in low-income neighborhoods
- Overall revitalization in Lincoln/Oval area
- Corridor revitalization between downtown and the Lincoln/Oval area
- Expand The Loop to Riverway Sports Park and other recreation areas

Low

- Address psychological and substance-abuse issues of the homeless/Address psychosocial needs of the homeless
- Organize a community center in the Washington neighborhood for adults and children
- Expand existing youth services to focus on the issue of health disparity

Agencies, nonprofits and interested members of the community were encouraged to participate in the ConPlan process via a survey that was made available both by hard copy and online. Dissemination of the survey was actively promoted by the Housing and Economic Development Department. The effort was effective at reaching a broad base of the community as more than 130 surveys were returned.

Summary of Efforts Made to Broaden Public Participation

The City of Visalia actively encourages more low- and moderate-income residents, minorities, those with disabilities and non-English-speaking residents to attend community meetings and hearings. In accordance with the Citizen Participation Plan, the City will provide translation services to any resident who requests the need for those services at such hearings and meetings.

Also, the City utilized interactive, collaborative and open Web-based tools, which allowed easy distribution of project information and surveys and allowed citizens to submit comments and questions as the project progressed. Other interactive Web capabilities allowed citizens to upload photos and relevant descriptions of the project area to highlight issues for the project team.

All comments were accepted during the citizen participation process.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

Program Year 2 Action Plan Institutional Structure response:

Visalia is a charter city and is managed utilizing the council-manager form of government. The five-person City Council provides policy direction to the City Manager who is responsible for administering City operations. The City Council members are the leaders and policy makers elected to represent the community and to concentrate on policy issues that are responsive to citizens' needs and wishes. The City Manager is appointed by the City Council to carry out policy and ensure that the entire community is being served. The City Council is the legislative body; its members are the community's decision makers.

The HEDD Director administers the day-to-day activities of the CDBG and HOME programs. City staff throughout various departments work together with the community to develop programs and activities that improve low- and moderate-income neighborhoods throughout Visalia. The administration of program activities includes housing, public facility and infrastructure improvements, public and social service activities and economic development activities.

The strengths in the delivery system are interdepartmental communication and collaboration. City staff from various departments works with local organizations and agencies that assist low-income individuals and with families in Visalia and community residents to establish priorities for utilizing CDBG and HOME funding. The gaps in the delivery system are due to limited funding. The need far outreaches the funding resources. As a result, even projects with a high priority may have to wait years to be funded.

The principal provider of community development and economic development programs, housing projects and financial support will be the City of Visalia. Other public agencies that work together to increase Visalia's supply of affordable housing includes; the Tulare County Housing Authority, Visalians Interested in Affordable Housing (VIAH), the Kings/Tulare County Continuum of Care, Self-Help Enterprises (SHE), Community Services and Employment Training, Inc. (CSET), and Habitat for Humanity are CHDOs and nonprofit agencies that also provide support to deliver affordable housing.

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

Program Year 2 Action Plan Monitoring response:

To monitor that funds are being utilized to carry out affordable housing strategies through the acquisition, rehabilitation and new construction of housing units, the City of Visalia's monitoring plan includes tracking HUD-approved programs in accordance with the national objectives and regulations.

The City has compliance monitoring guidelines for its CDBG and HOME funds with priority given to activities that benefit low- and moderate-income persons. That monitoring process incorporates the following:

Routine Monitoring Responsibilities by City Staff

1. To assess performance and identify any compliance problems, City staff monitor application information from homeowners, assist with sub-recipient checklists, conduct periodic reviews to ensure regulatory compliance and track performance.
2. Ongoing monitoring involves an examination of both routine and special reports assessing two areas: compliance and performance.
3. Sub-recipients have independent audit actions conducted on a yearly basis.
4. Sub-recipients prepare periodic progress reports and provide those reports to the City of Visalia on a monthly basis.
5. If the sub-recipient is slow in setting up projects or in drawing down funds, City staff contact the sub-recipient to discuss the reasons for the slow progress.
6. If the sub-recipient is not able to commit and spend its designated funds within the period of the HOME agreement, an onsite review may be requested.
7. If it is determined that HOME funds will not be drawn down, staff may take steps to reprogram the funds to another entity or program upon taking the appropriate amendment actions.
8. Based on the data submitted, City staff generates regular reports on the status of all HOME- and CDBG-funded activities, as well as program-wide data such as the number of units developed or families assisted, income guidelines, ethnicity, Census data and the ongoing expenditure of HOME and CDBG funds.
9. The results are presented in the yearly Consolidated Annual Performance and Evaluation Report (CAPER) report and preserved in the program master file.

In-Depth Monitoring and Onsite Reviews

1. These activities identify whether performance or compliance problems exist and identify the aspects of the programs or projects that are contributing to the adverse situation.
2. These activities include an onsite visit, observation of actual program elements and the use of a monitoring checklist.

3. City staff identify aspects of the programs or projects where the organization is performing well and poorly, assess compliance with program requirements, determine whether record-keeping is adequate, prepare a report summarizing the results of the review and describe any required follow-up activity.

Monthly Status Report

1. The sub-recipient is required to submit a monthly report detailing the progress of the development projects, programs and activities utilizing CDBG and HOME funds.
2. This report is to include the following:
 - Project progress in meeting stated goals and benchmarks.
 - Problems encountered and steps taken to resolve them.
 - Other general information as appropriate.
3. This report is required to be filed at the City office by the seventh working day of the month following the month when services were provided.

File Review or “Desk Review”

1. Throughout the year, City staff review the sub-recipients’ submitted project files for compliance.
2. City staff may be made aware of important or valuable information in a City “Single Audit” Review, conducted by an independent auditor.
3. In addition to the ongoing file monitoring and prior to the onsite visit, City staff review the organizations/sub-recipients on the projects.

Financial Review

1. Sub-recipients submit a weekly or monthly report, depending on the type of project, concerning the financial and accounting status of the project(s).
2. The weekly/monthly financial report includes the following:
 - Summary of all disbursements of CDBG or HOME funds.
 - Percentage of funds expended and remaining by cost category.

Site Review

1. City staff gathers information from a variety of sources.
2. During the onsite review, the following steps are completed:
 - Conduct an initial meeting with the director or other official to explain the purpose and schedule for the review.
 - Review additional materials provided to obtain more detailed information about the program or projects in question.
 - Examine a sampling of files to verify the existence of required documentation and the accuracy of reports being submitted to the agency.
 - Visit a sampling of program or project sites to confirm information contained in the program files; this may also include interviewing residences.
 - Meet with local lending or other partners, if applicable.
 - Conduct an exit conference with appropriate senior staff to discuss the preliminary conclusions of the review and identify any follow-up actions necessary.
3. After completion of the onsite visit, the following steps are completed:

- Properly record the results of the review.
 - Fill out all applicable checklists.
 - Attach to the checklists all documentation required to support conclusions from the review (if applicable).
 - Place the checklists and documentation in the monitoring file for that organization.
 - Place an additional copy of the checklist in the project file.
 - Meet with the program staff to review the findings of the monitoring visit and agree on a course of action (if applicable).
 - After the in-depth review, City staff prepares and sends to the sub-recipients a report describing the results of the review.
4. The monitoring report must include the reasons underlying all conclusions.

CDBG Project Management

1. Each project utilizing CDBG funds is managed by a project manager.
2. The project manager monitors the use of the funds and is the “Labor Standards Coordinator,” having responsibility for National Environmental Policy Act compliance and CDBG labor standards compliance and reporting, as well as Section 3 requirements.
3. A CDBG Project Compliance Manual has been prepared and is issued to all project managers in the City.
4. Records shall be maintained from the inception of the project, documenting the compliance requirements for receiving this federal funding.
5. A separate Labor Standards Enforcement file shall be maintained.
6. A record-keeping action checklist, issued by HUD, as well as a CDBG Project Compliance Record Summary, shall be complied with.²

Lead-based Paint

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

Program Year 2 Action Plan Lead-based Paint response:

Estimation of the Number of Housing Units with Lead-Based Paint

There were 19,854 housing units that, according to the 2000 Census, were built before 1980 in Visalia. The use of lead-based paint was banned nationwide in 1978. Per this Census information, it is estimated that 46.5 percent of the City’s 42,728 units could have had lead-based paint in 2000. As units have been repaired, rehabilitated or replaced since 1978, non-lead-based paint has been used.

According to the federal Centers for Disease Control (CDC), in 2006 California tested 505,303 children for lead poisoning. Confirmed cases totaled 3,172 children or

²City of Visalia Housing and Economic Development Department

0.63 percent of all children. This was down considerably from 2000 when 11.61 percent of tested children in the state were confirmed with lead poisoning. Lead poisoning can come from other sources besides paint, such as soil and pottery.

Proposed Action to Evaluate and Reduce Lead-Based Paint Hazards

The Tulare County Childhood Lead Poisoning Prevention Program provides educational information and training for inspectors. For all of the City’s housing programs, applicants are informed of the danger of lead-based paint through a brochure as part of the application process. In addition, City building inspectors are alert to signs of this hazard as they perform their substandard housing inspections. All housing owners and occupants with which the City interacts through its various programs are required to abate this hazard as a condition of assistance from the City.

HOUSING

Specific Housing Objectives

*Please also refer to the Housing Needs Table in the Needs.xls workbook.

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 2 Action Plan Specific Objectives response:

The following are the priorities and specific objectives the City hopes to achieve during the next year:

Provide Decent Housing

This objective focuses on HUD’s mission to expand the supply of decent affordable housing for low and very low income families.

Create a Suitable Living Environment

This objective relates to activities that are designed to benefit communities, families or individuals by addressing issues in their living environment.

Resources

Rumors are rife that Redevelopment agencies throughout California will be eliminated as part of the Governor’s proposed budget cuts. Losing Redevelopment funds will be devastating to local government. Redevelopment supports jobs, infrastructure and is the largest source of funding for affordable housing and overall economic growth.

The City also faces cuts to its CDBG and HOME allocations. This not only puts a tremendous strain on city staff as staffing levels have already been reduced in

anticipation of the cuts, but also on the City’s non-profit partners who will also be affected by these cuts. The City is faced with making some very tough decisions regarding programs that will be spared and those that will need to be eliminated due to these cuts.

Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.
2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

Program Year 2 Action Plan Public Housing Strategy response:

The City of Visalia does not own public housing. However, the City does support and partner with the Tulare County Housing Authority (TCHA) to provide housing assistance to extremely low, very low, low- and moderate-income households.

The City of Visalia has partnered with TCHA to develop several affordable housing projects. Currently, the City is working with TCHA through Kaweah Management Company, a nonprofit 501(c)3, to rehabilitate 11 units and construct nine units to complete a 20-unit multi-family rental project known as Paradise & Court. The current Housing Market Analysis (see Table 11) displays the number of public housing units within the City of Visalia owned and managed by the TCHA.

**Table 11
Housing Market Analysis**

Housing Stock	Vacancy Rate	0 & 1 Bedroom	2 Bedrooms	3+ Bedrooms	Total
<i>Affordability Mismatch</i>					
Occupied Units Renter		3,234	4,879	3,400	11,513
Occupied Units Owner		1,108	2,919	15,405	19,432
Vacant Units for Rent	2.8%	121	630	180	931
Vacant Units for Sale	1.2%	4	89	305	398
Total Units Occupied and Vacant		4,467	8,517	19,290	32,274
<i>Rent</i>					
Applicable FMR (\$)		\$605	\$702	\$1,005	
Affordable 31%-50% of MFI (\$)		\$476	\$571	\$660	
<i>Public Housing Units</i>					
Occupied Units		21	70	88	179
Vacant Units		0	0	0	0
Total Units Occupied and Vacant		21	70	88	179
<i>Rehabilitation Need (\$)</i>					\$200,000

TCHA administers the Family Self-Sufficiency (FSS) program, which provides clients with counseling and the opportunity to save for a down payment to become homeowners. The City will continue to work with TCHA to determine strategies to enhance the program. TCHA is not designated as “troubled” by HUD.

Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

Program Year 2 Action Plan Barriers to Affordable Housing response:

State housing law requires local governments to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Since local governmental actions can restrict the development and increase the cost of housing, State law requires that cities address and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.

The City updated and adopted the Housing Element on March 15, 2010, in conformance with jurisdictions in the Tulare Council of Governments (COG) sub-region. Achievement of the objectives contained in the 2009–2014 Housing Element are expected to be accomplished through actions by the City to provide appropriate regulatory concessions and incentives through its land-use and development controls and through the utilization of available federal and state housing programs. The priorities identified through the 2009–2014 Housing Element are to provide housing opportunities and accessibility for all economic segments of the City; provide and maintain an adequate supply of sites for the development of affordable new housing; preserve, rehabilitate and enhance existing housing and neighborhoods; ensure that all housing programs are available without discrimination on the basis of race, color, religion, sex, national origin, ancestry, marital status, age, household composition or size, or any other arbitrary factor; and to encourage and enhance intergovernmental, public and private coordination and cooperation to achieve an adequate supply of housing for all economic and social segments of the community.

Some of the City’s regulations and procedures that could affect residential development and housing affordability include land use controls, development processing procedures and fees, impact fees, on and off-site improvement requirements, and building codes and enforcement.

The City encourages new mixed use development in the downtown and community centers; higher densities for infill and affordable housing development; new high density residential development along major corridors and at major intersections. Refer to the City’s Housing Element 2010 for detailed information.

As detailed in the Housing Element, policies are designed to assist with barriers to affordable housing:

General Policies:

- The City, in a leadership role, shall continue to utilize funding (when available) to subsidize the development of affordable housing.
- The City shall continue to provide a wide range of incentive programs to encourage affordable housing.
- The City shall ensure that information on available housing programs continues to be made available and is accessible to the public.

Specific Policy Implementations

- In 2005, the General Plan was amended to increase the number of multi-family units allowed as a permitted use from 11 units to 40 units.
- The City's Zoning Ordinance grant a 25% density bonus over the housing unit density allowed by existing zoning when the developer agrees to make certain units affordable to low income households.
- The City has no constraints on the development of farm worker housing.
- In 2004, the City adopted a second dwelling unit ordinance that follows State requirements.
- Manufactured housing can serve as an alternative from of affordable housing in low-density areas where the development of higher-density multi-family residential units is not allowed.

Actions to Alleviate Barriers Created by Market Conditions

Homeownership. The City currently administers four affordable programs that income qualifying households can take advantage of:

Foreclosure Acquisition Program II – This program enables the City to stabilize and revitalize neighborhoods, through acquisition and rehabilitation of foreclosed homes, and resell to pre-qualified buyers with fixed rate mortgages. Also, depending on market conditions, this program gives the City flexibility to either sell a property to a non-profit organization which may then rent or sell to a qualifying household or the City may opt to maintain ownership of the property, use it as a lease and then resell it to a qualified household once financially feasible.

New Construction Deferred 2nd Mortgage Loan Program – The City has partnered with five local homebuilders to offer up to \$20,000 in gap financing for the purchase of a home to income qualifying borrowers. The loan is provided as a second mortgage and is deferred for 15 years with a 15 year repayment period at a 2% simple interest rate.

Foreclosure Acquisition Program (NSP) - In September 2008, the City of Visalia was awarded a \$2.3 million Community Development Block Grant (CDBG) to acquire, rehabilitate and resell foreclosed homes. This program enables the City to revitalize neighborhoods, rehabilitate foreclosed homes, employ local contractors, and resell homes to pre-qualified buyers with fixed rate mortgages. With this Action Plan, staff is recommending that the Council adopt an amendment to the NSP guidelines, allowing the City flexibility to sell a property to a non-profit organization which may then rent or sell to a qualifying household or the City may opt to maintain ownership of the property, use it as a lease and then resell it to a qualified household once financially feasible.

Affordable Housing. To create substantive neighborhood improvements and stimulate additional, unassisted improvement efforts, the City focuses a portion of its housing-related funding (including partnering, nonprofit, HOME and CDBG) in targeted low-income neighborhoods. Based on the widespread need for affordable housing, however, assistance is also available Citywide.

- *Removal of Affordable Housing.* The City ensures that staff complies with the Uniform Relocation Act when considering the removal of affordable housing units. As a means of preventing displacements caused by construction or rehabilitation, the City will survey, or cause to be surveyed, each owner or tenant and determine what type of assistance, if any, would be offered. A family will not be displaced without financial and advisory assistance sufficient, in the determination of the City, to enable the family to obtain decent, safe and sanitary housing at an affordable cost. Also, HUD Section 104(d) of the Housing and Community Development Act (HCD) provides the following minimum requirements for certain CDBG and HOME funded programs or projects:
 - Funding recipients must certify that they have in effect and are following a Residential Anti displacement and Relocation Assistance Plan (RARAP).
 - Relocation assistance to lower-income residential tenants displaced as a direct result of demolition of any dwelling unit or conversion of a lower-income dwelling unit in connection with an assisted activity.
 - Replacement, on a one-for-one basis, of all occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than lower-income dwelling units in connection with an assisted activity.

Zoning Flexibility. Currently, the processing and permitting procedures have supported a continuum of housing needs and have not constituted a constraint within the City of Visalia. The City has approved three emergency shelters as well as a new community center under construction in the Oval Park Area for the Visalia Rescue Mission. In addition, Habitat for Humanity will develop a three- unit transitional housing complex, which will be eventually owned and managed by Family Services of Tulare County.

The City is looking at amending the Zoning Code to streamline the permitting process of future affordable housing projects as a development incentive. In addition; however, since the City of Visalia’s Municipal Code does not allow emergency shelters without a conditional use permit in any zone, the City does not meet the new State requirements established by SB 2. To ensure compliance with State law, the City has included Program 1.8, which states that the City will amend the Zoning Code use matrix to allow emergency shelters “by right” (i.e., as a permitted use, without discretionary approval) in the IL zone. There are currently (2009) about 75 acres of vacant land in this zone, with a variety of parcel sizes. Parcel sizes generally break down as follows:

- Less than 0.5 acres: 51 parcels
- 0.5-1 acres: 49 parcels
- 1-5 acres: 29 parcels

- 5-20 acres: 1 parcel
- Larger than 20 acres: 2 parcels

While the IL zone is an industrial zone, it is relatively close to services such as food, parks, social services, and schools. The IL zone emphasizes low-intensity research and development, warehousing, and limiting manufacturing. It is not a heavy industrial zone. The zone also permits other compatible uses such as restaurants, fast food restaurants, medical clinics, churches and other religious institutions, and residential units associated with a commercial activity. There is abundant land in this zone with adequate infrastructure to support new development, and land costs are generally lower in this zone than in commercial or residential zones. There are some vacant or available industrial buildings in this zone that could be converted to emergency shelters. For example, the Olive Plant Warehouse on Tulare Avenue at Bridge Street and several service commercial buildings, approximately 5,000 square feet on average, along Pershing Avenue near Shirk Road. The Zoning Code currently (2010) allows emergency shelters in this zone with a conditional use permit.

The City does not have any residential development standards for planned commercial districts. Currently, new residential development is permitted within all P-C zones, with increasing residential uses within commercial zones. This is a primary concern for the City. Finally, Visalia utilizes a density bonus program for developers of affordable housing units, however, the City needs to place a bonus cap of 35 percent in order to be compliant with SB 1818 (Housing Element 2010).

The Visalia Zoning Ordinance permits manufactured housing parks in three residential zones with a conditional-use permit. The City has no policies that would put constraints on the development of farm-worker housing. In addition,

- On January 8, 2004, the City adopted a second dwelling unit ordinance that follows the requirements of state law.
- The Visalia Zoning Ordinance permits group homes in four residential zones; the City has approved three emergency shelters through the use of the conditional-use permit (CUP) process in the last decade and will continue to do this on a case by case basis.
- Brochures regarding housing programs are regularly distributed to the public.

Density Bonuses. The Visalia Zoning Ordinance will grant a 25 percent density bonus over the housing unit density allowed by existing zoning if the developer agrees to meet one of the following conditions:

- At least 10 percent of the units are for very low income households
- At least 20 percent of the units are for lower-income households
- At least 50 percent of the units are for seniors

Site Development and Public Facility Requirements. The General Plan and Zoning Ordinance for Visalia contains policies and requirements for the provision of adequate public facilities and services, such as potable water supply, sewage disposal systems,

electricity, flood protection, fire protection, parks and public or private access. Although these factors add incrementally to the cost of housing, they are essential to protect public health and safety, and meet the objectives of the federal and state governments regarding air quality, water quality, threatened and endangered species, the California Environmental Quality Act (CEQA) and other policies and regulations.

HOME/ American Dream Down payment Initiative (ADDI)

1. Describe other forms of investment not described in § 92.205(b).
2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.
3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
 - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
 - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
 - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
 - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
 - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
 - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.
4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:
 - a. Describe the planned use of the ADDI funds.
 - b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.

- c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

Program Year 2 Action Plan HOME/ADDI response:

The City uses HOME funds to administer the New Construction 2nd Deferred Mortgage Loan Program. The program assists qualified borrowers with up to \$20,000 in gap financing or down payment as a second mortgage, deferred for five years at a 2% interest. The City also partners with a Certified CHDO; CSET, Community Services Employment Training to acquire properties, rehabilitate them resell them to income qualifying households utilizing HOME CHDO funds. CSET as a CHDO has acquired foreclosed properties, using their CORE members to complete the rehabilitation as an in-kind contribution.

With this Action Plan, staff is recommending that funding be allocated to a new program; the Foreclosure Acquisition Program II. This program enables the City to stabilize and revitalize neighborhoods, through acquisition and rehabilitation of foreclosed homes, and resell to pre-qualified buyers with fixed rate mortgages. Also, depending on market conditions, this program gives the City flexibility to either sell a property to a non-profit organization which may then rent or sell to a qualifying household or the City may opt to maintain ownership of the property, use it as a lease and then resell it to a qualified household once financially feasible.

The HOME program requires local or state matching funds. The federal HOME funds must be matched by non-federal resources (Sec. 92.218-222). All HOME-eligible activities requires matching funds (one dollar of local or state resources for every four federal dollars spent) unless specific exemptions have been granted by HUD.

The City adheres to the recapture guidelines as set forth by HUD to control the resale of any property or development that is HOME funded. The City enforces the recapture option to ensure that it recuperates the entire HOME subsidy if the HOME recipient decides to sell the property within the affordability period.

The City does not utilize HOME funds to refinance existing debt secured by multi-family dwellings for rehabilitation loans.

The City of Visalia has not been allocated funds for the ADDI.

HOMELESS

Specific Homeless Prevention Elements

*Please also refer to the Homeless Needs Table in the Needs.xls workbook.

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction’s plan for the investment and use of funds directed toward homelessness.
2. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.
4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.
5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

Program Year 2 Action Plan Special Needs response:

At this time, the City does not use the McKinney-Vento Homeless Assistance Act program or receive special funding from the state or federal government. However, the City continues its partnership with the Kings-Tulare County Continuum of Care to address issues of homelessness. Through the continuum, the City continues to move forward to accomplish the goals of combating homelessness; the Point-in-Time Survey of 2009 showed that even with the nation’s current recession there were fewer homeless people in Tulare and Kings Counties than a year earlier.

The Continuum of Care administers an annual Point-in-Time survey in the late winter during a week designated by HUD. Volunteers throughout the surrounding cities pick specific locations to target the homeless. In exchange for an “incentive bag” containing basic necessities such as toothbrushes, lotion, socks, etc., volunteers gather information on the homeless by asking questions such as age, language, how long they have been homeless, employment, number of children, etc.

With the completion of this survey, the Continuum of Care can better gauge the progress of its efforts to combat homelessness and improve the allocation of funding. With the data, the continuum also fulfills reporting requirements to HUD. The continuum is focused on systematically implementing systems and programs that will help support existing homeless organizations and offer the resources that are needed locally to be successful..

The City will continue working with the Continuum of Care on goals aimed toward eliminating chronic homelessness. Through its commitment and dedication, the continuum, along with supporting agencies, will continue to strategize on approaches and ways to acquire more shelters and/or organizations that will provide homeless individuals not only with basic care needs but also job training and guidance. The issues associated with homelessness are complicated. Solutions to resolve this problem require considerable time, energy and financial resources, which, if not available, put an obstacle on achieving goals.

The City of Visalia presently has a number of organizations that provide services to the homeless, each addressing a specific population:

- *Visalia Rescue Mission.* This faith-based recovery program has a 42-bed men’s shelter and can accommodate 60 men as part of its overnight emergency services. In addition, the Visalia Rescue Mission has one apartment, the Alpha House, which is designated as transitional housing, accommodating seven men. The Rescue Mission also has a short-term women’s shelter, Shelter of Hope. Here, the mission offers emergency and transitional services for homeless single women and women with children. This rescue program is designated to help women and women with children transition from living on the streets to becoming self-sufficient through offering meals, housing and the gospel.
- *Partners for Youth Vision.* This program for homeless teens offers a safe haven from the street and provides basic necessities. Youth Vision works within the community to provide resources and referrals to youth.
- *Alternative Services.* This program for recently released prisoners/drug court clients has a transitional house for men (6 beds) and women (6 beds).
- *Central California Family Crisis Center.* This domestic violence shelter has space for 38 women and children with a 16-bed transitional housing program.
- *Visalia Emergency Aid.* To help prevent homelessness, this organization assists hundreds of families yearly who are affected by unexpected changes in employment, loss of shelter due to fire or other family emergencies that affect their ability to work.

The City is not in a position to implement a Discharge Coordination Policy.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

Program Year 2 Action Plan ESG response:

The City of Visalia is not a state recipient of ESG.

COMMUNITY DEVELOPMENT

Community Development

*Please also refer to the Community Development Table in the Needs.xls workbook.

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.
2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

*Note: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

Program Year 2 Action Plan Community Development response:

In this Action Plan year, the City will address non-housing community development needs through the following programs to meet the specific objectives.

Suitable Living Environment through Neighborhood Preservation

Outcome Goal (SL-3): Maintain and preserve quality housing by addressing substandard housing.

- Code Enforcement. The Neighborhood Preservation Division is responsible for the management of the Code Enforcement Program. The primary emphasis of the program is on life safety noncompliance. Considerable efforts are focused on Health and Safety Code enforcement as it primarily relates to housing standards. Some of the common violations include unsafe structures, abandoned properties, contaminated and/or unsecured swimming pools, construction without permits and unlicensed vendors.

Outcome Goal (SL-1): Provide educational services to low-income families.

- Fair Housing. This program provides fair housing services to Visalia residents. Callers with complaints are directed to legal counsel who assists with filling out official discrimination complaint forms, which are then forwarded to the Department of Fair Employment and Housing. City staff also provides educational brochures and “California Tenant” Handbooks to various agencies throughout the City.

Suitable Living Environment by Supporting Special Needs Programs

Outcome Goal (SL-1): Increase accessibility to support facilities to end chronic homelessness

- *Continuum of Care & Voucher Program.* The City has a partnership with the Continuum of Care, a 501(c)3 organization to address issues of homelessness. The Continuum of Care is a consortium of housing providers, service providers and local governments that work together to end homelessness in Kings and Tulare counties. The continuum is focused on systematically implementing systems and programs that will help support existing homeless organizations and offer the resources that are needed locally to be successful.

In partnership with the Continuum of Care the City will allocate funding to support Family Services and the Tulare Housing First Program. The program is structured to specifically serve the chronically homeless by providing Shelter Plus Care vouchers to assist a homeless family with housing expenses. The funding would support a Case Manager to oversee the program, which includes mental, and health counseling, job search, and life skills training.

Create Economic Development Opportunities and Community Development Opportunities (Parking Facility) Needs Services

Outcome Goal (EO-1): Demonstrate a commitment to long-term economic growth by promoting the expansion of existing and job retention.

- *Parking Structure Financing (West Acequia Parking Structure)—Section 108 Loan.* The City of Visalia is committed to providing adequate parking in the downtown area to promote jobs. In 2007, the City finalized construction of a second four-story parking structure, which supports the hospital’s current expansion. In addition, the parking structure supports downtown businesses furthering the creation of many jobs throughout the downtown area. Staff continues monitoring the number of jobs created on an annual basis. This year, the City will make another Section 108 payment in the amount of \$509,952. The City is committed to making payments on this loan through 2018.

Suitable Living Environment through Public Improvements

Outcome Goal (SL-1): Improve the quality and increase the quantity of public improvements that benefit low- and moderate-income residents. The City also utilizes other funding sources for public and park improvement projects.

- *Streets ADA Compliance Projects.* The City will continue to fund this program to continue supporting the disabled community with the installation of curb cuts, truncated domes, compliant ramps, and warning detection panels within CDBG targeted areas.
- *Oval Park Transportation Improvements.* In 2008, the City Council directed staff to work with residents and businesses in the Oval Park neighborhood to foster revitalization efforts. The Engineering Division is now playing lead to complete

drawing and construction of roadway improvements over the next few years. Once complete, the improvement will provide improved safety for pedestrians, bicyclists, and vehicles through the Oval park neighborhood.

- *Park Improvements in CDBG Areas.* – The City has historically utilized CDBG funds to rehabilitate parks in underserved low-income neighborhoods such as the Oval Park, Jefferson Park, and Birdland. This will continue in 2011/2012.

Anti-poverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

Program Year 2 Action Plan Antipoverty Strategy response:

The City of Visalia has forged cooperative relationships with public and private organizations that share a common mission for improving the quality of life for individuals through housing, social services, employment and skills training, neighborhood revitalization and economic development. These include the following:

- City of Visalia Citizens Advisory Committee
- City of Visalia City Council
- Community Services and Employment Training, Inc. (CSET)
- Continuum of Care
- Visalia Economic Development Corporation
- Family Services of Tulare County
- Habitat for Humanity
- Kaweah Delta Health Care District
- Manuel Hernandez Community Center
- North Visalia Neighborhood Advisory Committee
- Proteus, Inc.
- Pro-Youth/Hearth Visalia
- Real Alternative for Youth Organization (RAYO)
- Salvation Army
- Self-Help Enterprises
- Tulare County Association of Realtors
- Tulare County Health and Human Services Agency
- Tulare County Mental Health Association
- Tulare County Resource Management Agency
- Tulare/Kings Hispanic Chamber of Commerce
- Valley Regional Center Visalia
- Visalia Chamber of Commerce
- Visalia Emergency Aid Council
- Visalia Rescue Mission Visalia Unified School District
- Wittman Village Community Center

- YMCA
- YWCA

The City will also continue partnering with organizations to provide a continuum of services addressing the full range of needs of low- and moderate-income families. Although there are coordinated programs and services to reduce poverty, it is recognized that many unmet needs will remain. The City will endeavor to facilitate the meeting of these needs over the duration of its ConPlan through strategically focusing its resources and efforts.

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 2 Action Plan Specific Objectives response:

The City has acknowledged that funds are limited for addressing non-homeless special needs. However, the City will continue to participate in addressing the needs of the community such as the newly formed group that is addressing the foreclosure crisis in Tulare County. Staff will also continue to seek new grant opportunities.

Housing Opportunities for People with AIDS

*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. Provide a Brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.
2. Report on the actions taken during the year that addressed the special needs of persons who are not homeless but require supportive housing, and assistance for persons who are homeless.
3. Evaluate the progress in meeting its specific objective of providing affordable housing, including a comparison of actual outputs and outcomes to proposed goals and progress made on the other planned actions indicated in the strategic and action plans. The evaluation can address any related program adjustments or future plans.
4. Report on annual HOPWA output goals for the number of households assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such

as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. Include any assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.

5. Report on the use of committed leveraging from other public and private resources that helped to address needs identified in the plan.
6. Provide an analysis of the extent to which HOPWA funds were distributed among different categories of housing needs consistent with the geographic distribution plans identified in its approved Consolidated Plan.
7. Describe any barriers (including non-regulatory) encountered, actions in response to barriers, and recommendations for program improvement.
8. Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.
9. Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.

Program Year 2 Action Plan HOPWA response:

The City does not receive HOPWA Funds.

Specific HOPWA Objectives

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

Program Year 2 Specific HOPWA Objectives response:

Not Applicable

Other Narrative

Include any Action Plan information that was not covered by a narrative in any other section.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2011

Agenda Item Number (Assigned by City Clerk): 10

Agenda Item Wording: Status Report on Tulare County Economic Development Corporation (TCEDC).

Deadline for Action:

Submitting Department: Administration

Contact Name and Phone Number:

Steve Salomon 713-4312

Department Recommendation:

Receive this report. Further recommendations and discussion will take place in May and June as part of the 2011/2012 FY budget discussions.

Summary/background:

The City staff, the Visalia Convention and Visitors Bureau, the Visalia Chamber of Commerce, the Visalia Economic Development Corporation, and the Council's representative on the TCEDC Board have been working with the TCEDC informally over the last several years and more formally via a July 2010 memo (attachment 1) to urge them to make improvements in their performance and accountability.

After a review of the TCEDC's 10/11 Mid-year Report (attachment 2), we felt that adequate progress was not being made. As a result I met with the TCEDC Board Chair and your representative on the Board on March 2, and Paul Saldana, TCEDC President, on March 10. On Monday, April 11, 2011 Vice Mayor Amy Shuklian, Council Member Mike Lane, Chamber of Commerce Executive Glenn Morris, Visalia Economic Development Corporation Director Nancy Lockwood, Deputy City Manager Leslie Caviglia, Housing and Economic Development Director Ricardo Noguera and I met with TCEDC Chair Suzi Picaso, Vice Chair Nick Seals, Former Chair Colby Wells, President Paul Saldana and several of the TCEDC staff members, and had a frank and productive discussion.

As a result the TCEDC Administrative Board Committee has met at least once. They have outlined an expanded process for input on their 11/12 budget and work plan (attachment 3) and are moving forward on a number of changes (see April 14, 2011 email from Paul Saldana, attachment 4).

For action by:

City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

While we are encouraged by the activity from the TCEDC in recent days, there is still concern about the return on investment being generated from our funding the TCEDC.

It is not my intent to get into a great deal of detail at this time. However it is my current intent to make the following recommendations to the Council as part of the 11/12 budget process:

1. The City recommends that the County, Cities and the TCEDC develop specific ways to make comprehensive structural changes to ensure that on an on-going basis, there is more accountability in the development, implementation and monitoring of the TCEDC work program and budget. As we've discussed with the TCEDC, options could include the formation of a Technical Advisory Committee to which each local government partner would appoint a senior staff representative (City Manager, Economic Development senior staff, County Administrator, Deputy County Administrator), that would meet on a monthly basis to advise the TCEDC Board and staff on the work program and budget, and/or a restructure the TCEDC Board to give all local government partners the option of selecting who they appoint to represent them on the Board and/or other changes.
2. Should the State Enterprise Zone Program be eliminated, not approved, or be significantly revamped by the State, that the TCEDC restructure its work program and budget, with the understanding that the City would intend to reduce its contribution to the TCEDC by at least an additional 25%, (in addition to the visitor contribution noted below) and return these monies to the City's General Fund.
3. The City reallocate the \$21,973 currently provided to the TCEDC for tourism marketing to the Visalia Convention and Visitor Bureau (VCVB), and the VCVB develop a specific work program for use of the additional funds, which could include funding some or all of the TCEDC tourism work program, or could include other options. Alternatively, the Council could allocate \$10,000 to the VCVB and use the balance to reduce the projected 2011-12 fiscal year deficit.

We intend to work with the TCEDC, the County, and the other cities over the next several weeks and comment on their recommendations and proposals. Final 11/12 FY budget recommendations could change.

Attachments:

- 1). Memo dated July 23, 2010 to Paul Saldana.
- 2). TCEDC's 10/11 TCEDC's Mid-year Report.
- 3.) TCEDC's Proposed 11/12 Work Plan & Budget Schedule.
- 4.) Email dated April 14, 2011 from Paul Saldana.

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

TO: Paul Saldana, CEO, TCEDC

CC: Colby Wells, Chairman of the Board, TCEDC
Michael Lane, Board Member, TCEDC

FROM: Steve Salomon, City Manager
Nancy Lockwood, Executive Director, VEDC
Glenn Morris, Executive Director, Visalia Chamber of Commerce

DATE: July 23, 2010

RE: **COMMENTS ON TCEDC'S DRAFT 2010-11 WORK PLAN**

Thanks for taking the time to come in and discuss the 2010-11 Work Plan for TCEDC. The meeting was both constructive and informative. Based on our meeting, please see our final comments below.

1. **SUMMARY OF ACCOMPLISHMENTS AND MEASURABLE GOALS.** It would be helpful if the Plan summarizes the organization's accomplishments from the prior year and evaluates the effectiveness in fulfilling the intended upcoming goals. We look forward to receiving a copy of the Annual Report which summarizes the past year's activities;
2. **COMMUNICATIONS SECTION.** It would still be useful for the city managers, economic development and chamber representatives to receive copies of the same reports prepared for board members;
3. **BUDGET ALLOCATION FOR BUSINESS DEVELOPMENT, MARKETING, COMMUNITY COMPETITIVENESS AND ORGANIZATIONAL MANAGEMENT.** We look forward to each City receiving a copy of the budget section.

Specific Comments on the Work Plan

1. **Business Development**
 - A. **2009/10 Accomplishments.** It would be helpful for the Plan to describe the number of companies assisted; names and locations of those which have committed to either expanding or establishing operations in Tulare County; and number of jobs created and retained. We look forward to receiving a copy of the Annual Report which summarizes the year's past activities.
 - B. **Entrepreneurial Development.** We look forward to reviewing the results of this work in the Annual Report.
 - C. **Business Retention & Expansion.** We understand the results of your work will be in the next Annual Report. We also look forward to receiving a calendar of upcoming trips planned in

advance so our city representatives can evaluate for possible participation.

- D. **Client Services.** Annual Report.
- E. **Industry Clusters.** We would be interested in receiving a copy of the tourism industry report and would like to receive regular information regarding meetings pertaining to the WIB and EDC meetings with industry clusters.
- F. **Foreign Trade Zone.** We understand this is a new goal but would be interested to receiving the goals for this year.

2. Marketing

- A. **Business Recruitment Missions.** We look forward to reviewing the results from the trips made last year in the annual report and gaining more information on the 15 contacts with site locators and business executives planned for this year.
- B. **Advertising.** It is suggested that TCEDC advertise through California Manufacturing Association as well. We look forward to staff evaluation. This is one of the best industrial trade organizations in the State of California.
- C. **Website and Relationship to Site Locators.** We understand your approach here.
- D. **Geographic Targeting for new Businesses.** We would be interested in getting more information and being involved in the 7 business missions; more in particular the 3 in California and 2 in Southern California.

3. Community Competitiveness

- A. **State EZ.** We look forward to six workshops planned including at least 1 in Visalia in coordination with our local chamber and VEDC.
- B. **Workforce Development Advocacy.** It would be good to have a clearer definition of unmet needs and identification of partners and what specific goals they hope to achieve. We will await the results of your research.
- C. **Micro-Enterprise Loan Program.** We understand the work program will contain a specific target of \$300,000 in funds. We also understand that the specifics as to the launch strategy, targeted outcomes, etc. will be developed based on the funding source and requirements mandated by the funding source.
- D. **Technical Assistance.** We look forward to reviewing in the annual report.
- E. **Sustainable funding for Tourism.** We look forward to reviewing the work from the marketing firm which will be developing the communication and survey instrument to determine industry support for the concept.

4. Organizational Management

Investor Relations. We understand the goal of the 500 Club is to secure 50 new members in FY 2010/11. We look forward to reviewing this activity in the annual report.

5. Site Selection Factors. We understand the site locators were identified and surveyed by Area Development magazine and therefore a list is not available.

6. Marketing Strategy – Business Development.

Staff look forward to meetings with the site locators in the coming months.

Marketing Tactics. We are interested in how you will go about developing and maintaining the comprehensive database of sites. It would also be beneficial to review the FastFacility program where hot sites are maintained at an upcoming BRT meeting.

Direct contact marketing. We look forward to reviewing this in the annual report.

Information Marketing. We look forward to reviewing this in the annual report.

Thoughts from the Visalia Convention & Visitor's Bureau ("VCVB")
The VCVB understands the importance of being involved with the Sequoia Valley Regional Tourism Council and is committed to having at least one Board and one staff member present at all future meetings. In preparation for such meetings, the VCVB has two requests:

1. Please send a copy of your Tourism Budget in PDF;
2. Due to a conflict with the August 11th date for the next Council meeting (VCVB meets at the same time), we request you accommodate us and change the date of that meeting since we have 15 members attending our meeting.

There are also several items which VCVB looks forward to meeting and discussing at the next Council meeting:

1. The VCVB would like to receive any and all leads resulting from activities undertaken by the TCEDC on behalf of the member partners including, but not limited to trade shows, advertising and Welcome Center visitors. The VCVB has an organized system for conducting on-going follow-up that endeavors to attract visitors to the area.
2. We continue to support TCEDC's interest in participating in the Sunset ad. Aaryn Skaggs will be sending information to Paul Saldana regarding this upcoming deadline. We also look forward to further discussing the advertising plan for the ensuing year at the Council meeting.

3. The VCVB would like to discuss the proposed trade show participation/opportunities so that we can best determine how to effectively marshal our resources.
4. The Central Valley Tourism Association (CVTA) has notified the VCVB that since the TCEDC is no longer a member in good standing, the VCVB will no longer be receiving the benefits associated with this organization. We understand that TCEDC will be rejoining the CVTA and will become current on this and last year's due.
5. The VCVB would like to have our Discover as the Bureau's piece in the Welcome Center. Please let us know how we can best get you a supply of this publication.
6. Finally, we appreciate receiving additional copies of the various maps that the TCEDC has produced, and understand that at least one of the maps will be reproduced this year.

Summary

In summary, we want to confirm our commitment to an effective regional partnership model for economic development. We believe that by coordinating resources and activities, we can generate more success together than each of us may working independently.

That said, we believe there is work to be done in ensuring that all partners in the regional effort are fully aware of the objectives and targets being pursued, the tactics being used to pursue those ends, and the successes or other feedback generated through the applied tactics. We would like to see a more concentrated effort at partnering and sharing information so that we can make follow-up decisions or strategies specific to our community based on real data and feedback. Finally, we believe that the investments necessary to run an effective regional model will be easier to support if we can collectively do a better job of connecting the dots between applied tactics and specific results.

EDC MID YEAR REPORT – 2010/11 WORK PLAN

Business Development

Desired Outcomes

(2009-10 Baseline)

Increased number of businesses assisted and located (8) **Four (4) Companies located**

Increased number of clients/prospects (14) **Sixteen (16) new prospects**

Increased number of entrepreneurs assisted (33) **Assisted 17 entrepreneurs**

Increased number of tax credit vouchers (1,009) **658 tax credit vouchers processed**

Certified Sites Program

Assist cities and county to identify and apply for CA site certification for all applicable sites. **Awaiting State approval of current sites and determination if program is to continue.**

Entrepreneurial Development

Conduct one entrepreneurial training session **Completed session with 17 completing program. Received special funding to sponsor class for rural Fresno County.**

Hold Entrepreneurial Recognition Program **Scheduled for March 10, 2011.**

Business Retention and Expansion

Hold eight business resource team meetings **Four meetings held.**

Provide coordination of business retention team **Meetings with WIB held.**

Conduct ten corporate headquarter visits **Visit with one corporate headquarter representative.**

Conduct visits with top twenty private sector employers. **Two held**

Client Services

Assist twenty new prospects with site selection needs **Assisted sixteen prospects**

Develop and respond to forty Inquires for site specific information **Responded to sixteen requests for information.**

Assist cities/county with ten referral projects **Assisted with 3 referral projects (attraction) and 4 (retention)**

Industry Clusters

Conduct a minimum of eight tourism industry meetings **Conducted four meetings.**

Implement concierge training program **No progress to date**

Work with education partners to design and implement hospitality institute **No progress to date**

Participate in meetings of WIB manufacturing and energy cluster groups **No progress to date, EDC staff not permitted to attend WIB cluster meetings.**

Enterprise Zone

Announce the new EZ program to local businesses via e-mail, press and chamber newsletters. **Pending final designation from State.**

Conduct six informational workshops for local businesses **Pending final designation from State.**

Revise website to accommodate additional tools and information for EZ **Pending final designation from State.**

Assist WIB in implementing tax credit voucher system **Policy approved by Board of Directors in December.**

Foreign Trade Zone/Recycling Market Development Zone

Introduce benefits of FTZ and RMDZ to twenty five companies **Three companies assisted this quarter.**

Identify and assist one company in receiving FTZ designation **No progress this quarter.**

Marketing

Desired Outcomes

(2009-10 Baseline)

Increased number of business inquiries (32) and leads (28)

Increased number of visitor leads (1,800)

Increased number of website visits (51,000)

Increased attendance at EDC events (700 total three events)

Increased visitors to the welcome center (4,200-9 months) 3,176 visitors to date.

Receive 85% favorable evaluation for events 100% favorable evaluation to date.

Strategy Tactics

Business Relationship Visitations

Conduct business missions to Bay Area, Southern California, Los Angeles, Dallas, Chicago, Atlanta and one TBD Conducted business mission Missions completed to Bay area, southern California, Los Angeles and Dallas.

Host visit to county by three site location consultants Hosted one visit this quarter.

Communications

Prepare and distribute bi-weekly e-newsletters to stakeholders. 12 e-newsletters distributed.

Prepare and distribute annual report Completed and published in November issue of Direct Magazine

Prepare and distribute quarterly activity report 1st Quarter & Mid Year completed.

Distribute quarterly business intelligence (economic) reports Three quarter reports completed.

Conduct twelve presentations to community groups 6 presentations conducted

Events

Hold three investor only events. Events held in August and September (30 attended)

Hold "state of economic development" luncheon Postponed – target June 2011.

Hold entrepreneurship recognition event Scheduled for March 10, 2011

Hold 2011 Economic Summit Schedule for May 16, 2011

Trade Shows

Sponsor site consultants conference Sponsored Area Development Site Consultants Conference.

Exhibit at three trade shows at Process Expo, WestPack and Solar Energy Trade shows. **Participated in Process Expo in Chicago and Solar Energy and West Pack show.**

Participate in six travel shows to achieve a total exposure of 500,000 people **Participated in Gilroy Garlic Festival; Mt. View Art & Wine Festival and California Avocado Festival, Half Moon Bay Art & Pumpkin Festival. (Exposure approximate 350,000)**

Publications

Publish 2011 Visitors & Relocation Guide **Published 2010 Fall/Winter edition. Committee established to review Summer/Spring 2011 edition**

Revise and publish Farm Trails Map **No progress to date**

Procure sponsor and reprint outdoor recreation map **No progress to date**

Produce EDC investors guide **No progress to date.**

Advertising

Publish advertorial with Area Development Magazine **Published 2010.**

Prepare cooperative advertising for California Visitors Guide **Completed --published in December 2010**

Participate in cooperative advertising in Sunset and Via magazines **No progress this quarter.**

California Welcome Center

Expand sponsorships and participation from local attractions **New product partners, including World Ag Expo merchandise.**

Complete hotel reservation system and website updates **Updated website with Welcome Center; updated EDC website.**

Identify opportunities for enhanced signage **No progress to date.**

Community Competitiveness

Desired Outcomes

(2009-10 Baseline)

Enterprise Zone will be in full operation and will meet year one goals.

Increased and stable funding for tourism marketing

A minimum of \$300,000 in identified microenterprise loan funds will be available.

Advocacy moves targeted projects forward

85% or higher evaluation of technical assistance provided.

Vision for Energy Technologies

Identify existing projects, resources, etc. **No progress to date.**

Work with partners to develop vision, identification of roles, responsibilities, etc. **No progress to date.**

Enterprise Zone Conversion

Complete conversion from BIZ to EZ, identify implementation date for BIZ phase out and complete associated tasks as identified by state to complete transition. **Pending State final designation.**

Higher Education Master Plan

Work with partners to be an advocate for higher education needs in the region. **No reportable action.**

Establish project team to oversee master plan development (Task 1 – EDA grant) **Completed.**

Conduct assessment of current higher education opportunities (Task 2 – EDA grant) **Completed.**

Identify site specific criteria for satellite and virtual instruction (Task 3 – EDA grant) **Completed**

Complete needs assessment of local industries (Task 4 – EDA grant) **In progress.**

Complete final report and grant deliverables (Task 5 – EDA grant) **Draft to be completed for review.**

Workforce Development Advocacy

Identify unmet needs and communicate to education and workforce development partners **No reportable action.**

Tourism Funding Sustainability

Complete analysis of sustainable funding sources for tourism marketing; provide recommendation to SVVC. **Completed and approved by SVVC in July; informal meetings held with industry leaders; process expanded to include other options as a result of industry input.**

Conduct outreach to tourism industry on recommended funding opportunity. **Countywide meeting held in October.**

Motor Sports Complex Advocacy

Serve as advocate for project, including public speaking, letter writing, etc. **Responded to letters and editorials; with sale of land cancelled, further advocacy pending developer action.**

Expand fact finding mission on motor sports industry; work with partners on identification and planning of future initiatives that will benefit industry **No reportable action.**

Microenterprise Loan Program

Work with private lenders, EDA and other sources to establish microenterprise loan program to assist local businesses **No reportable action, however, CSET and others have secured loan funds that are to be available locally.**

Technical Assistance

Provide assistance to cities on infrastructure grant opportunities, economic impact analysis and individual project assistance/advocacy **Completed economic impact analysis for TCAG on Measure R improvements; provided support for EDA grant applications for cities; begun work on countywide infrastructure plan update.**

Rail Corridor Preservation

Assist shippers association in applying for feeder line status for threatened lines. **Hired temp staff to assist in outreach to Fresno county businesses; identified additional businesses threatened by rail line. Assist County in advocacy at Air Board and other venues.**

Advocate for the preservation of abandoned lines, linking with federal, state and local sources to preserve line through acquisition or transfer to new owner. **Article regarding EDC role with shippers published in Times Delta. Informational site created on Facebook promoting the preservation of rail.**

State Budget Impacts

Identify local impacts of state budget recommendations and advocate the impacts to jobs and income in the community **Been active in state campaigns to preserve enterprise zones and redevelopment; scheduling redevelopment forum in March and submitted alternative budget proposals to administration regarding enterprise zone preservation.**

Organizational Management

Desired Outcomes

(2009-10 Baseline)

Exceed budgeted revenue estimate of \$172,100

Maintain budgeted expense projection of \$558,076

Increase private sector revenue investment by 10% (\$94,650)

Maintain 90% or higher satisfaction rate among investors and board

Achieve AEDO reaccreditation Received reaccreditation on February 1, 2011

Leadership

Conduct six Board meetings and eleven administrative committee meetings. Board meeting held in August, October and December. Six Administrative Committee meetings held.

Review and recommend bylaw and governance changes. No reportable progress.

Complete election of new board members and officers for 2010-12 term Completed December 2010.

Program Administration

Complete transition from BIZ to EZ In progress; awaiting final designation from state.

Establish new voucher tracking system for EZ. Board approved voucher policy in December 2010.

Investor Relations

Recruit new investors and members of 500 Club. Added six (6) new 500 club members and additional investors.

Host three investor only events Conducted two investor only events.

Make personal contact with 100% of EDC investors Contact has been limited to events.

Fiscal Stewardship

Restructure financial and personnel operations for better efficiency. Transition completed; Lori Dunagan coordinating fiscal areas, including payroll/accounts payable; Karin Ford coordinating employee benefits.

Maintain strong cash flow position on a monthly basis Ongoing priority; administrative committee reviewing monthly. Staff has made adjustments to expenses and personnel costs to preserve cash flow.

Complete annual financial report and close out of BIZ operations Bank accounts closed, fiscal

responsibility transferred fully under EDC operations.

Professional Development

Executive management staff to complete a minimum of one professional development program **Participated in IEDC training (Saldana); Toastmaster & Enterprise Zone Conference (Dunagan); Cal Recycle (Ford).**

Key staff participate in ongoing training in subject areas **Participated in Sustainable Tourism and CVTA tourism educational summit (Miramontes); QuickBooks (Dunagan & Chamberlain)**

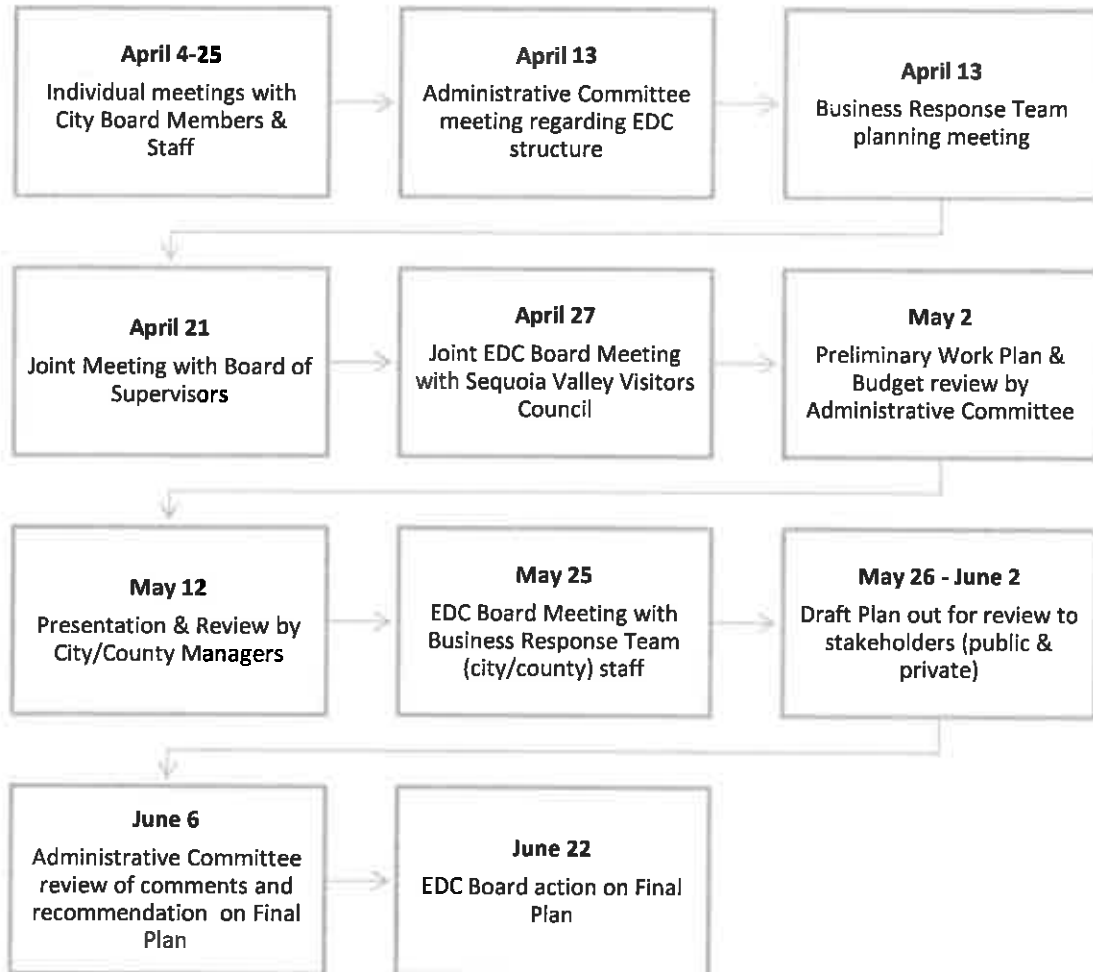
Customer Satisfaction

Conduct investor, board, event and client satisfaction surveys **Conducted event surveys for investor only events (4.5 average on 5 point scale)**

Complete audit of communications to partners/stakeholders. **No activity this**

Prepare report of assistance and response to partner issues. **No activity this**

**Economic Development Corporation
Proposed 2011-12 Work Plan & Budget Schedule**



Attachment 4

Leslie Caviglia

From: Paul Saldana [paul@edctulare.com]
Sent: Thursday, April 14, 2011 3:35 PM
To: Mike Lane; Amy Shuklian; Steve Salomon; Leslie Caviglia; Ricardo Noguera; Glenn@visaliachamber.org; Nancy Lockwood
Cc: spicaso@milaninstitute.edu; cwells@semprautilities.com; Nick Seals (nseals@seals-biehle.com); Karin Ford; Lori Dunagan
Subject: Meeting follow-up

Good afternoon –

I wanted to convey our appreciation for the meeting this week and the frank and open discussion we had regarding the City of Visalia's comments on our work program, reporting and communication. We have modified our Quarterly Report to provide the additional information that had been requested. I would welcome any changes or additions you would like to see.

There were a lot of good ideas that were generated, some that we can do administratively and some that may require EDC Board action. I met with the Administrative Committee and they will be recommending some structural changes to the Board of Directors. In the spirit of determining how we can immediately incorporate some of the comments, I am taking the following actions:

1. I have sent a request to the Travel & Tourism Commission requesting that the local jurisdictions funding our tourism marketing program be considered as a party to the California Welcome Center operations, thereby allowing us to distribute the leads to the cities or their designated tourism representative. If they deny the request, then I will request that the agreement with the state be modified to include all the cities (and county if they elect) to be parties to the agreement and therefore eligible for the leads.
2. We have sent out all leads from the travel shows recently completed. We are sending out all leads generated in 2011 to date from advertising to all SVVC partners on Monday.
3. Any leads generated from the 2011 Visitors Guide to be published in June of this year will be distributed as received to all funding entities.
4. The SVVC will be used to review and comment on collateral and e-mail marketing prior to their distribution.
5. We will work with the other sponsors to include the opportunity for our funding partners to participate in the travel shows we have scheduled for the remainder of the fiscal year.
6. I will request that a modification to the trade show and mission policy of the Central California EDC be modified to allow for individual governmental entities to participate along with their respective EDC, subject to the trade show and mission protocol. This would allow us to invite the cities and county to participate in these activities.
7. We will begin to develop an internal industrial sites database for use in marketing and tracking site searches and may be expanded in the future as determined by the Board working with the BRT.
8. We will provide a schedule to market individual cities/county to our consultant database with direct links/contract information for the jurisdictions economic development representative.
9. I have added the BRT members to the Monday Morning Memo distribution list and will expand information about upcoming activities along with an invite to participate (as available)

The Administrative Committee met today and will be recommending the following structural changes to the EDC governance:

4/14/2011

1. The BRT would have designated representatives from each city and county as well as other economic development partners. It will elect a Chair who will serve as an ex-officio member of the EDC Board of Directors. In essence, the BRT would serve as a “technical advisory committee”
2. The EDC board would meet monthly (from current bi-monthly schedule) and every other month would meet jointly with the BRT to discuss economic development priorities, projects and progress toward completion of work plan.
3. We will be restructuring our tourism marketing program and welcome center operations plan for 2011-12 to ensure that we maintain a strong ROI for our funding partners and that there is a direct benefit for each community. Those recommendations will be part of our joint EDC Board & SVVC meeting scheduled for April 27. Among the recommendations are the addition of board seats for tourism industry representatives.

As our Administrative Committee and Board of Directors continues its planning process for next Fiscal Year, we are certain more ideas will come up. My approach in response to these ideas will be “how can we” take those and incorporate and/or implement them. We don’t need a work plan or action to make the changes that are necessary to ensure that we meet the needs of our stakeholders and investors while still maintaining the confidence and relationship with our clients/prospects.

There is a proverb that says “if you listen to constructive criticism you will be at home among the wise” and you grow in understanding. So, we very much appreciate the frank, open and honest feedback you all provided, it increases our understanding of your needs. Thank you in advance for your continued communication as we move forward in our mission to improve the quality of life for our communities through job creation and economic growth.

Paul M. Saldana, CEcD
President & CEO
Economic Development Corporation
Improving your quality of life, one job at a time