

Regular Meeting Agenda

Visalia City Council



Mayor: Bob Link
Vice Mayor: Amy Shuklian
Council Member: Warren Gubler
Council Member: Steve Nelsen
Council Member: Don Sharp

Monday, September 19, 2011

City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291

Work Session 5:00 p.m.; Closed Session 6:00 p.m. (or immediately following Work Session)

Regular Session 7:00 p.m.

5:00 p.m. BADGE PINNING CEREMONY – Fire Chaplain Steve Harms

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.*

WORK SESSION AND ACTION ITEMS (as described)

1. Semiannual update on comprehensive SMART TEAM (Specific Measurable Achievable Relevant Time-bound) efforts and accomplishments from January 1, 2011 through June 30, 2011.
2. *Item removed at request of staff*
3. Demonstration of Visalia's Transit Automatic Vehicle Locator System and Public Online Access Program.

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 (immediately following Work Session)

4. Conference with Legal Counsel – Anticipated Litigation (Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9) – 2 potential cases

5. Conference with Real Property Negotiators (G.C. 54956.8)
Property: Six parcels with approximately 93.5 acres north of Mineral King and west of Road 152 (APNs 103-510-002, 103-510-003, 103-510-007, 103-510-008, 103-510-009, and a portion of 103-110-021)
Under Negotiation: Price, terms and conditions
Negotiating parties: Steve Salomon, Leslie Caviglia, Alex Peltzer, Kim Loeb, Andrew Benelli, Adam Ennis, Brian Blain
6. Conference with Labor Negotiators (GC 54957.6)
Agency representatives: Steve Salomon, Eric Frost, Diane Davis
Employee organization: Group M

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

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Jason Neese, Grace Community Church

SPECIAL PRESENTATIONS/RECOGNITION

Resolution of Commendation to Soroptimist Club

Resolution of Commendation to Isador Torres, Solid Waste Driver

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.

7. **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. Approve appointment of M.J. Garcia to the Transit Advisory Committee.
 - c. Authorization to submit a grant application in the amount of \$1,350,000 to the Federal Transit Administration (FTA) to purchase three (3) 35 foot low floor compressed natural gas (CNG) expansion fixed route buses.
 - d. Award bid for Corporation Yard Fuel Island Repair to Franzen-Hill Inc. for the bid price of \$173,942 and authorize an additional budget appropriation of \$64,000 to provide adequate funding for the project.

- e. Approve Memorandum of Understanding between the Work Force Investment Board and the City of Visalia and to work together when it is mutually beneficial to promote employment and business in the City of Visalia.
- f. Authorization to rescind the notice of withdrawal from Excess Insurance Authority (EIA) Health Joint Powers Authority (JPA) as of January 1, 2012.
- g. Appointment of Gary Gagliolo, Patricia Gallimore, and Lonnie Miller to the Visalia Environmental Committee.
- h. Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 11-12-07, St. John's Park, Ben Maddox and St. John's River, Riverwalk Improvements Project, in the amount of \$395,192.50 to the low bidder, Elite Landscaping Incorporated of Clovis.
- i. Award of \$130,000 in non-profit grants for fiscal year 2011-12 to eligible non-profit agencies servicing youth in the City of Visalia.
- j. Request to extend Exclusive Negotiations Agreement (ENA) with Mill Creek Professional Center, LLC, for six (6) months (unless an acceptable unsolicited proposal is submitted to the City) for the completion of pre-development due diligence and planning activities necessary for the negotiation of a Development Agreement for approval by the City Council for the phased sale and development of city-owned land situated between Acequia, Mineral King, Stevenson and Conyer Streets.
- k. Authorization to award the contract for a Short Range Transit Plan to Majic Consulting in the amount of \$73,336.
- l. Authorize Notice of Completion for the Underground Utility District No. 19 Project (Mooney/Walnut intersection) in the amount of \$455,546.97.
- m. Approve recommendations from the Council Elections Process Subcommittee for the appointment of Paul Chao, Maggie Florez, and Vincent Salinas as the at-large members of the Elections Process Task Force.

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

- 8. Redevelopment Agency and City Contingent Conditional Community Remittance Agreement and other Miscellaneous Compliance Rectifications and Accounting Clarifications.
 - a) Authorize an agreement between the City and the Redevelopment Agency for the Redevelopment Agency to reimburse the City of Visalia for continuation payment which may be required by the State of California if the courts find such legislation constitutional, labeled Conditional Community Remittance Funding Agreement.
RDA Resolution 2011-05 and COV Resolution 2011-63 required.

Adjourn as joint City Council and Redevelopment Agency Board and remain seated as the Redevelopment Agency Board to consider the following:

- b) Adopt **RDA Resolution 2011-04** which extends ownership of five (5) parcels for an additional five years;
- c) Find that planning and administration charges are “necessary for the production, improvement, or preservation of affordable housing for both fiscal years 2010/11 and 2011/12.

Adjourn as Redevelopment Agency Board and convene as the Visalia City Council for the remainder of the meeting:

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.*

- 9. Award bid for five compressed natural gas solid waste truck cab and chassis to Fresno Truck Center Inc. for \$672,181.20 and sole source the purchase of five solid waste truck bodies to Ruckstell Inc. for \$963,253.47, and rescission of previous action on this item taken on September 6, 2011
- 10. **PUBLIC HEARING** - Approve the final 2010-2011 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and approve the 4th Amendment to the 2009-10 Action Plan, reprogramming CDBG funds. **Resolution 2011-62 required.**

CLOSED SESSION REPORT (if any)

Upcoming Council Meetings

Monday, October 3, 2011, 4:00 p.m. Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia

Monday, October 17, 2011, 4:00 p.m. Work Session, 7:00 p.m. Regular Session – City Hall Council Chambers 707 W. Acequia

Monday, October 24, 2011, 6:00 p.m. Joint Meeting with Kaweah Delta Health Care District- Convention Center, 303 E. 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.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Semi annual update on comprehensive SMART TEAM (Specific Measurable Achievable Relevant Time-bound) efforts and accomplishments from January 1, 2011 through June 30, 2011.

Deadline for Action: None

Submitting Department: Housing & Economic Development

Contact Name and Phone Number: Ricardo Noguera, Housing & Economic Development Director (x. 4190)
Tracy Robertshaw, Code Enforcement Officer (x. 4187)
Colleen Mestas, Police Chief (x. 4253)
Mark Nelson, Fire Chief (x. 4267)
Vince Elizondo, Parks and Recreation Director (x. 4367)
Chris Young, Community Development Director (x. 4392)

Department Recommendation:

The semiannual status report on SMART Team efforts requires no action. It serves to provide an overview of the Team's efforts comparing the most recent 6 months to the last 6 months seeking improvements in neighborhoods throughout Visalia.

Summary/background: The team continues to focus its' efforts in the Oval Park and Washington School areas and city-wide. Semi-annual presentations to Council have been made in order to track the program's progress.

Sixth Status Report: This report represents the sixth semi-annual report summarizing key activities completed citywide including the two targeted neighborhoods, and drawing comparisons over the course of the last twelve months (July – December 2010 to January 2011-June 2011). The following consists of a brief comparison of the key activities of the team over the course of the aforementioned time period.

NEIGHBORHOOD PRESERVATION DIVISION

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.

Substandard Housing

The Neighborhood Preservation Division received 893 complaints from January 1, 2011 through June 30, 2011 and 21% were for substandard housing; compared to 1087 during the report period from July-December 2010 with 19% representing substandard housing issues. Substandard complaints usually consist of improper utilities, structures not intended for habitation being occupied, raw sewage, hoarding issues that have created a dangerous living situation and infestation complaints.

In addition to the substandard housing complaints, 15 foreclosed properties were abated (secured, boarded or cleared of debris) during this report period, compared to 21 during the last report period, reflecting very little change from this reporting period and last report period.

In the two targeted areas, there were 23 (6 Washington Neighborhood and 17 Oval Park) substandard complaints during this report period. During the last report period of June through December 2010, 26 of the substandard complaints city wide were in the targeted neighborhoods.

The Rental Inspection program which places properties on a mandated three year inspection list if the property owners have had repeat substandard housing complaints continues to be vital in providing safe rental housing by assuring that property owners maintain rental units in a habitable condition.

There are currently 73 properties on the list with 20 of those being added during this reporting period. There were 2 added in the Washington School neighborhood (for a current total of 14) and 2 added in the Oval Park neighborhood (for a total of 9) during the first part of 2011.

During the last reporting period of July 1, 2010 through December 31, 2010, 16 were added to the list; including 12 in the Oval Park neighborhood and 7 in the Washington School neighborhood. The inspector's continue to provide educational material to tenants and to property owners in both neighborhoods which has resulted in a decrease repeat substandard violations.

Private Property Vehicle Abatement

During this report period from January 1 through June 2011, notices were sent to owners of 479 vehicles. As a result of the notices being issued, 443 of the vehicles were voluntarily removed and 1 was towed by the Vehicle Abatement Officer. During the last reporting period, 586 were removed voluntarily and 5 were towed.

The program receives reimbursement from the State of California on a quarterly basis; a total of \$73,057.17 was received in 2010 to cover the cost of the Abandoned Vehicle Officer.

Building Inspector Coordination with the Police Department

The Building Inspector that coordinates with the Police Department has assisted with 7 search warrants, and 14 medical marijuana inspections during this report period. During the last report period he assisted with 7 search warrants, 45 medical marijuana inspections. The decrease in the medical marijuana inspections can be attributed to this report period being prior to harvest season. Typically the reports increase during the latter part of the year when the plants reach their maximum height making them more visible to neighboring properties prompting more reports from neighbors.

In addition to his assignment with the Police Department, the inspector is responsible for complaints regarding substandard housing including foreclosed properties where swimming pools have not been maintained resulting in a health hazard for the community. As a result, 62 contaminated swimming pools were abated (90% of those were located at foreclosed properties) throughout the City; compared to 56 from June through December 31, 2010.

Cost Recovery

During this reporting period of January 1, 2011 through June 30, 2011, the inspectors assessed a total of \$221,577.45 in cost recovery fees and \$24,921.49 has been collected. In addition to cost recovery on the inspector's time, the assessed amount includes boarding/demolition costs and assessed fines from all inspectors.

Additionally, \$146,806.31 was received during this report period for reimbursement on cases opened prior to January 1, 2011. During the last reporting period of June 30, 2010 through December 31, 2010, \$155,139.24 was collected.

The unpaid balance of \$225,176.56 from 2010 cases has been placed as tax liens on properties to assure that fees are recovered. If the property is delinquent in property tax payments the property may be sold by the County after five years and fees due to the City are reimbursed from the proceeds.

Nuisance Properties (Excessive Police Calls)

There are currently 34 properties that have been declared a "Public Nuisance" based on excessive unwarranted police calls or significant criminal activities; 10 of those properties were declared a public nuisance from January 1 through June 30, 2011; compared to 5 during the last reporting period. Once the declaration has been made, the property owners are required to meet with Code Enforcement and the Police Department to determine a plan of action to resolve the issues at the property. After the meeting, the property location is monitored by Code Enforcement to assure the situation improves. If the property owner fails to resolve the nuisance issues on the property, cost recovery is sought for police officer time that has been expended on the property responding to calls that could have been avoided through proper property management.

The property is removed from the list once it has been deemed compliant and the calls for service have been reduced to calls that are beyond the property owner's control. During this reporting period, 6 properties were deemed compliant and removed from the nuisance list; 3 were deemed compliant during the last reporting period. However, all properties have seen an improvement with the exception of one commercial location, resulting in a cost recovery bill in the amount of \$19,651.32 representing 171 hours of police officer time. Ongoing meetings have occurred with the property owner in attempts to improve the situation.

Oval Neighborhood Lighting Project

To address the lack of lighting, \$40,000 in Community Development Block Grant (CDBG) funds has been obligated to install 7 to 10 solar powered street lights. During this report period, staff conducted a survey to determine the location of the lighting. As a result, the lights will be installed on NE 1st, NE 2nd, NE 3rd and NE 4th between Pearl and Houston representing a joint effort between Engineering and the Housing and Economic Development Department. This area consists of numerous multi-housing units with a dense population. There are currently no street lights in the neighborhood and the increased lighting will improve the safety concerns of the families residing in those complexes. The project is expected to be completed by this fall.

Oval Park Roadway Design

The Engineering Division and Housing and Economic Development Department are jointly working to bring the design plans for the roadway around the Oval Park to completion. Omni Means Engineering was contracted to complete the roadway design. The City, Caltrans and the consultant are meeting to review the plans which are 90 percent complete. In the mean time city staff is seeking to reserve CDBG funds and potential Caltrans funds to complete the construction of improvements over the next year.

PARKS AND RECREATION DEPARTMENT

Jefferson Park- Phase Two

Phase Two of improvements in the park has been completed. The sidewalk has been installed on the south side of the park and the installation of the new basketball court and the new equipment has been installed. The energy efficient court lighting has also been updated and a new handicapped accessible drinking fountain has been installed behind the baseball backstop. The project was completed in April 2011 utilizing \$65,000 in Community Development Block Grant (CDBG) funds.

Americans with Disabilities Act (ADA)

The ADA accessible drinking fountain project has been completed. A \$40,000 Community Development Block Grant (CDBG) was approved to replace three handicap accessible drinking fountains at Blain Park, one at Jefferson Park and one at Pinkham Park. The installation of these five new drinking fountains was completed in June 2011.

Graffiti Abatement

During this report period of January 1, 2011 through June 30, 2011, 1,290 cases were abated citywide, 169 of those cases were located within City Parks, covering an area of 348,968 square feet, with 20 of those cases in the Washington School Neighborhood and 15 in the Oval Park Neighborhood. The cases abated are comparable to the prior reporting period of July 1, 2010 through December 31, 2010, where 1,062 cases were abated with 241 of those in the City Parks. However, in the two targeted neighborhoods, there was nearly a 50 percent decrease in the reported cases (24 in the Oval Neighborhood and 25 in the Washington School Neighborhood).

In addition to the citywide abatements, the Graffiti Division participated in a Church Cleanup Day by utilizing 3 staff members and 33 volunteers to paint an estimated 32,000 square feet of block walls on Caldwell and Chinowth and Akers and Walnut Avenue.

The Graffiti Division in conjunction with the Neighborhood Preservation Division has also implemented a system for abatements conducted on vacant and foreclosed properties.

Oval Park Service Building

During the report period, a lease for the Oval Park Service Building was signed with the Visalia Rescue Mission. The Rescue Mission will be utilizing the building for community based programs and services. The Rescue Mission has slated the building to be open and available to the community in the fall. Once the Rescue Mission begins holding events in the building, the overall usage of the park should improve.

Ice House Park

During this report period, the lease with the Creative Center was expanded to include the Ice House Park that is next to their currently leased parcel. The area was being used for activities by the public that were counterproductive to the mission of the Creative Center's program. The usage did not constitute criminal behavior preventing the Police Department from asking people to leave. Since the area is now included in their lease, the Creative Center has control over the activities that occur on the property.

POLICE DEPARTMENT

The Visalia Police Department has continued to focus resources in both the Lincoln Oval area and Washington School area.

Lincoln Oval Area

The police department has maintained enforcement in the Lincoln Oval area (Houston Avenue to Race Avenue and West Street to Santa Fe Street). These efforts in the Lincoln Oval area have resulted in a decrease in Part 1 crimes (homicide, rape, robbery, assault, burglary, larceny, vehicle theft) compared to the first six months of 2010. Unfortunately, there was one homicide in the first six months of 2011.

The victim was in front of an apartment complex in the 300 block of NE 4th when he was shot. This homicide was gang related and initially resulted in increased tensions and additional patrols were scheduled in the area. A suspect was arrested a short time later and is currently awaiting trial.

Another issue that has resulted in complaints is the amount of debris that was in the Oval Park during the day. Many visitors drive by the Oval Park and due to the large amount of debris it presented a poor image of the Oval Park area. The police department has increased enforcement of the camping ordinance which has resulted in a decrease of debris in the park during the day. A parolee at large was also arrested who was responsible for a large amount of the trash in the park.

The Police Department also conducted a study on the Oval Bathrooms and presented this study to the Parks and Recreation Commission with the recommendation the bathrooms be removed. This removal should correspond with the opening of the service center by the Visalia Rescue Mission. Park users would then have the option of using restrooms at the service center or the police substation. The removal of the restrooms would result in decreased maintenance costs and the prevention of crime that occurs in the restrooms. Criminal activity is less likely in the service center restrooms or the police substations because they have better monitoring.

Washington School Area

Officers continued high visibility patrol in the Washington School Area (Noble Avenue to Tulare Avenue and Santa Fe Street to Watson Street). Because of the increased enforcement and residents working more closely with police in reporting crime and suspicious activity during the past couple of years we are beginning to notice more stability in the statistics. From January through June 2011 there were 83 Part 1 crimes reported. During the same time frame in 2010 there were 92 Part 1 crimes reported for a 9.7% decrease. Out of the 83 Part 1 crimes reported, 47 (39%) were burglaries.

During this same time frame, January through June 2011, 27 drug related, 22 public intoxication, and 8 DUI arrests were made for a total of 57 arrests so far this year. The total number of arrests made in the area in 2010 was 294. If this trend holds true we will see a substantial reduction in crime/arrests this year.

Additionally, enforcement efforts related to aggressive panhandling and monitoring abandoned structures that may contain unlawful inhabitants will be ongoing.

Special Enforcement Bureau

The Special Enforcement Bureau includes the Gang Suppression Unit and the Narcotics Unit which are housed in the same facility and work together daily. We are taking a proactive and aggressive approach to gang violence in the city. The Police Department still uses the model of suppression, intervention, and prevention when dealing with gang violence. We are still actively involved with the Tulare County Gang Task Force which is comprised of local law enforcement agencies who meet quarterly to share ideas, strategies, and gang trends. We are also meeting monthly with the Tulare County Gang Intervention Task Force which is co-chaired by the Visalia Police Department and Visalia Unified School District. The group is comprised of local nonprofit and faith based organizations. These partnerships are critical and highly valued. The Special Enforcement Bureau continues to use a variety of enforcement strategies that include, narcotic investigations, probation/parole searches, intelligence gathering, and the gang injunction. The SEB tracks three major crimes to evaluate gang violence. They include: homicide, assault with deadly weapon, and drive by shootings. For the first six months of 2011, there has been a 60% overall reduction in these crimes in the city of Visalia. The VPD is also looking to join forces with the Calif. Dept. of Justice and other local law enforcement agencies to form a task force to address gang issues county- wide.

The Narcotics Unit has regularly focused on the Lincoln Oval area this year to address narcotic activity. We have made multiple arrests in the park area this year and have seen a decline in narcotic trafficking.

FIRE DEPARTMENT

Fire Safety

Public Education

The Visalia Fire Department hosted 102 public information events that provided information to over 10,400 community members. The events were held between January 1, 2011 and June 30, 2011.

In addition, the Fire Department has pro-actively provided smoke detectors to 26 households throughout the City of Visalia when a property is inspected and found to be lacking detectors. During the last report period, 42 smoke detectors were installed in households. The Fire Department has also provided smoke detectors to the Code Enforcement Division so that they can be provided during Code Enforcement inspections.

Fire Inspections

Residential

The Fire Department identified 702 multi-unit housing complexes city-wide (with 3 or more attached units) so fire inspections could be performed. These apartment complexes were identified with an R-2 designation. The Fire Department was able to inspect 541 of the complexes city-wide from January 2011 to June 2011; during the last report period of July 1, 2010 through December 31, 2010, 283 units were inspected. The significant increase in inspections can be attributed to a part-time inspector that is being utilized to focus on safety inspection of multi-housing units. The goal is to complete all apartment complex inspections on an annual basis meeting the state's mandatory requirements.

Fifty seven (57) R-2 units have been identified in the Lincoln Oval Park neighborhood and 55 of the complexes have been inspected from January 2011 to June 2011. Fifty one (51) R-2 units have been identified in the Washington Elementary School Neighborhood with 19 being inspected during the same time frame. The remaining units will be inspected during the last half of 2011.

Fire inspectors continue to work with the Code Enforcement Division to correct issues found during inspections of the complexes. In addition to performing the fire and life safety inspections, inspectors will be responsible for obtaining useful information such as property owner contact numbers, number of units, and emergency response information. The Visalia Fire Department feels this information will be extremely useful in ensuring the safety of the residents living in the complex, along with helping the SMART team to continue to meet its goals.

Commercial

Sixty (60) businesses were identified in the Lincoln Oval Park area and 48 were inspected in the first half of 2011. Thirty (30) business locations were identified in the Washington School area and 23 were inspected during this report period. Over 3,042 businesses were inspected citywide between January and June of 2011. During the last report period of July 1, 2010 through December 31, 2010, 16 businesses in the Lincoln Oval and 9 in the Washington School area were inspected.

The addition of the aforementioned part time inspector has allowed for the full time inspection of businesses throughout the community increasing the safety of the public that frequents the businesses.

Weed Abatement / Property Maintenance

Since the last report there have been 696 Weed Abatement and Property Maintenance cases citywide, 44 of those were in the Oval Park and 12 were in the Washington School Neighborhoods. The Visalia Fire Department has an hourly employee assigned to the Weed Abatement / Property Maintenance program. This employee has been able to accomplish:

- * Performed a minimum of 1,300 inspections/re-inspections
- * Issuing 103 Declarations of Public Nuisance
- * Work Ordering 126 properties
- * Closing 546 cases
(Between January and June of 2011)

The numbers listed above were obtained during the height of the 2011 weed abatement season. The Visalia Fire Department has seen a significant increase in the weed abatement numbers largely due to the wet winter and re-growth of the involved properties.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: January 2009 through September 2011, Council has received and accepted progress reports on a semiannual basis on the SMART Team efforts occurring in the Lincoln Oval Park and Washington Elementary School Neighborhood areas as well as Citywide.

Alternatives: None

Attachments:

- Map Reflecting Location of Abandoned Vehicle Cases
- Map Reflecting the Location of Code Enforcement Complaints

Recommended Motion (and Alternative Motions if expected): Accept staff's progress report on the collaborative efforts city-wide and in the Lincoln Oval Park and Washington Elementary School neighborhood areas and provide direction as appropriate.

Environmental Assessment Status

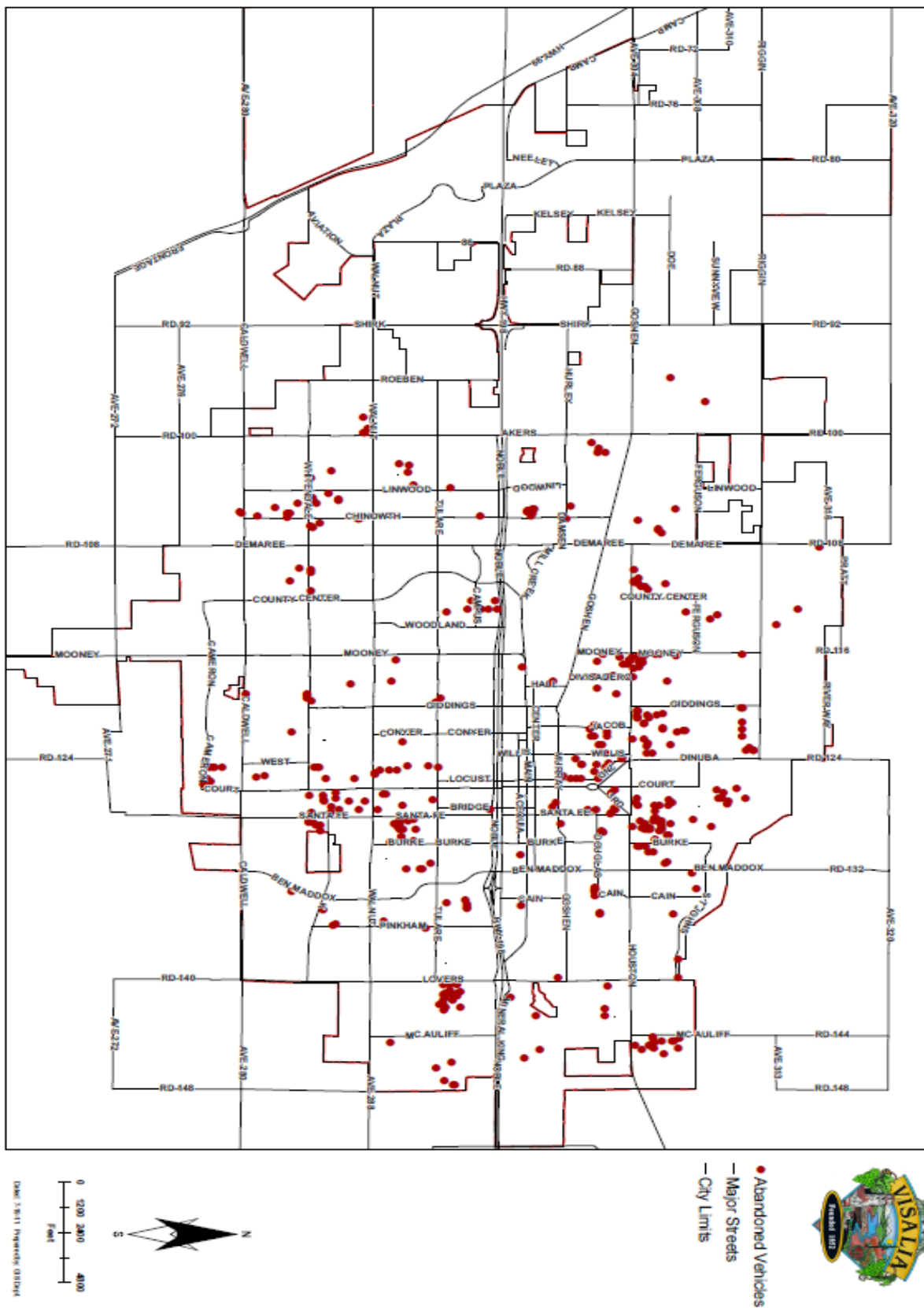
CEQA Review: N/A

NEPA Review: N/A

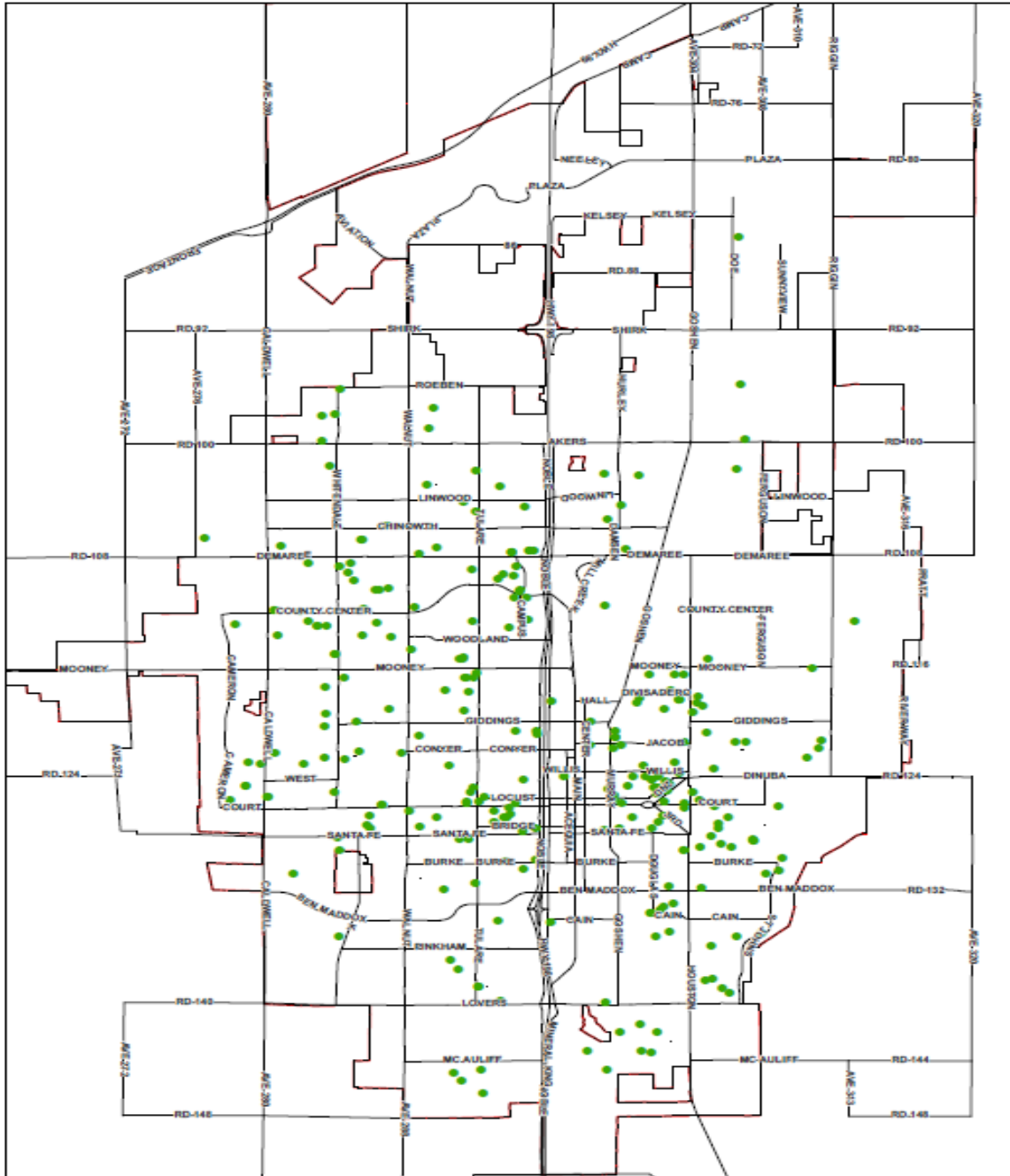
Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

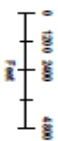
Abandoned Vehicles 1/1/11 thru 6/30/11



Complaints 1/1/11 thru 6/30/11



- Complaints
- Major Streets
- City Limits



June 15, 2011 Prepared by GIS Dept.

SMART TEAM-Activities

January 1, 2011 – June 30, 2011

Specific

Measurable

Achievable

Relevant

Time-Bound

SUBSTANDARD HOUSING



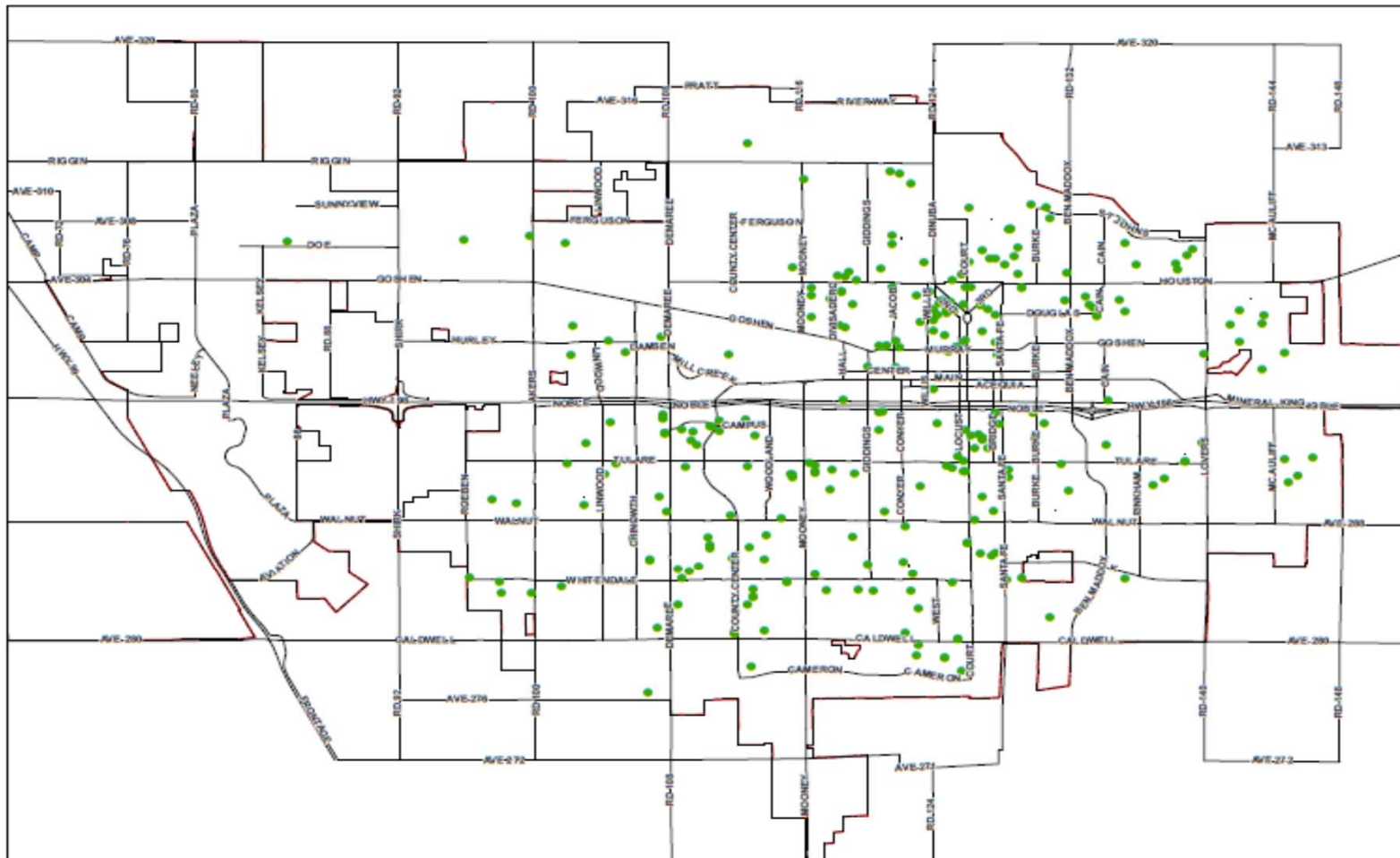
UNMAINTAINED POOLS



2011 4 26

FORECLOSED CASES SUBSTANDARD SWIMMING POOLS

Complaints 1/1/11 thru 6/30/11



- Complaints
- Major Streets
- City Limits



0 1200 2400 4800
Feet

Date: 7-16-11 Prepared by: GIS Dept.

SUBSTANDARD STRUCTURES



BEFORE

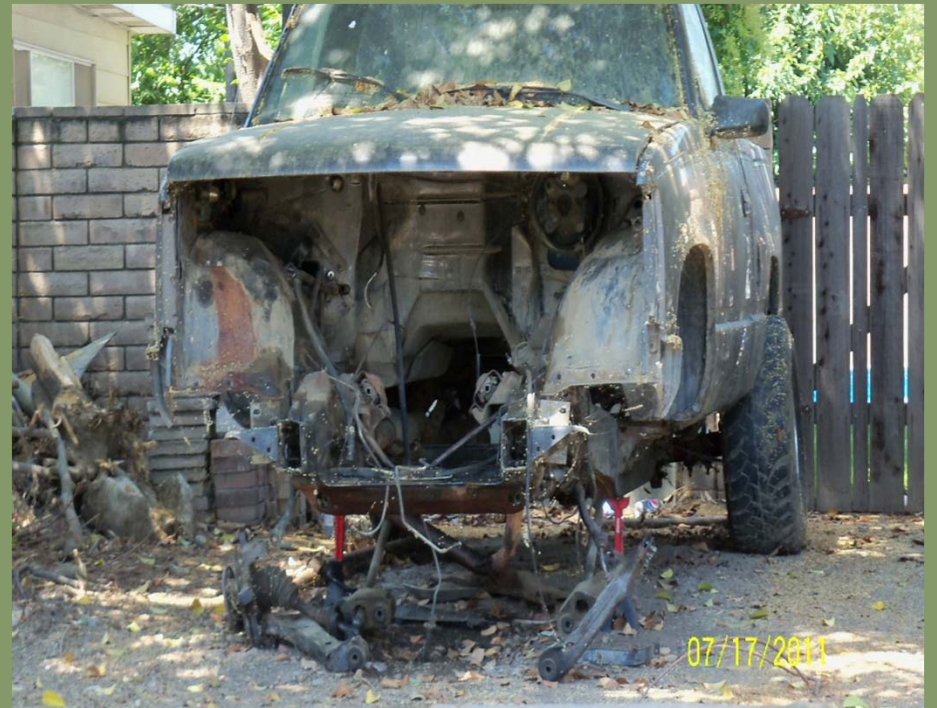
AFTER



MEDICAL MARIJUANA ILLEGAL OUTSIDE GROWS



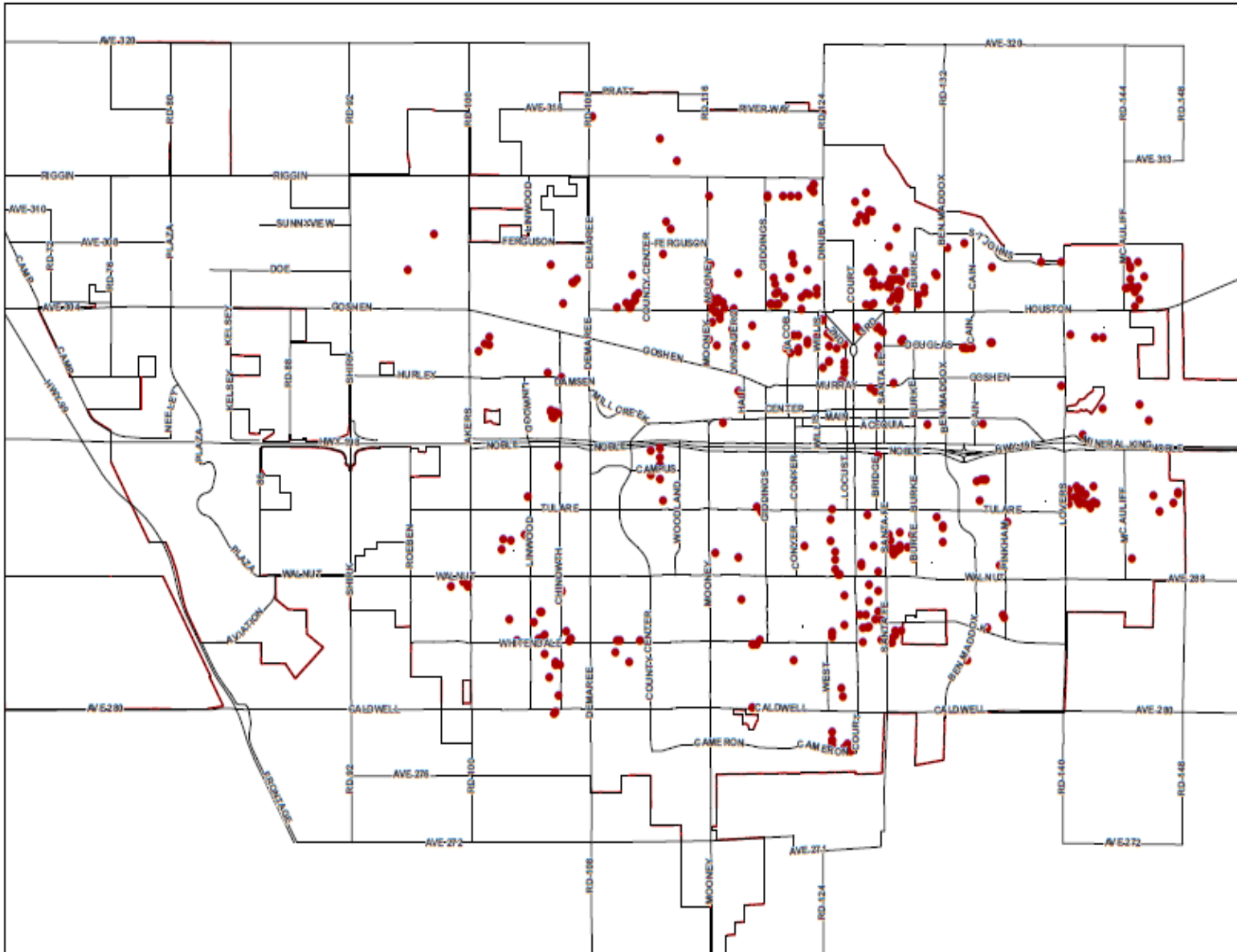
PRIVATE PROPERTY VEHICLE ABATEMENT PROGRAM



Abandoned Vehicles 1/1/11 thru 6/30/11



- Abandoned Vehicles
- Major Streets
- City Limits



Date: 7/6/11 Prepared by: GIS Dept

FORECLOSED PROPERTY ABATEMENT



NW 1ST AVENUE





NEIGHBORHOOD PRESRVATION COST RECOVERY 2010/2011

- Division Expenditures \$695,595

- Cost Recovery \$691,433

POLICE DEPARTMENT





2011 5 18

FIRE DEPARTMENT



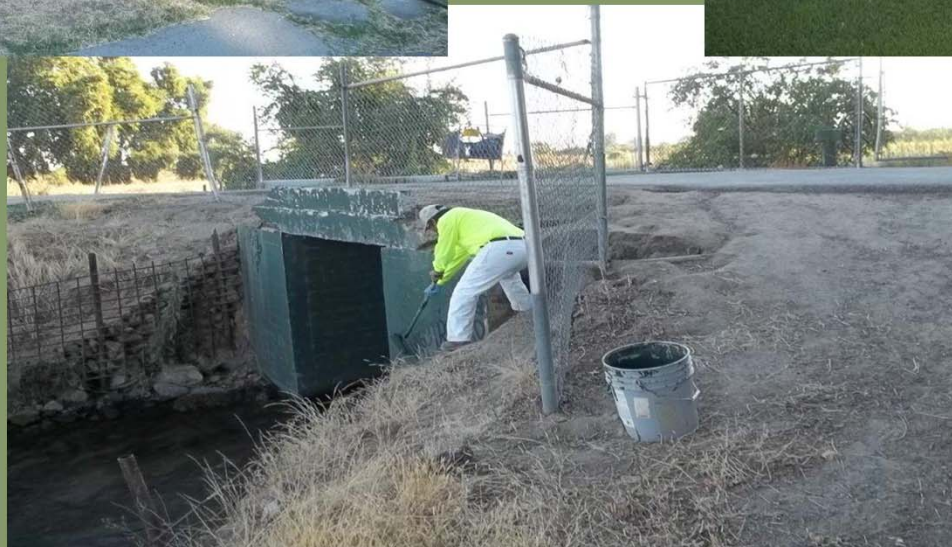
PROPERTY MAINTENANCE



MULTI-FAMILY RENTAL INSPECTIONS



PARKS AND RECREATION GRAFFITI ABATEMENT





QUESTIONS



City of Visalia
Agenda Item Transmittal

Meeting Date: September 19, 2011

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Demonstration of Visalia's Transit Automatic Vehicle Locator System and Public Online Access Program

Deadline for Action: September 19, 2011

Submitting Department: Administration Department – Transit Division

Contact Name and Phone Number: Monty Cox, 713-4591

Department Recommendation:

View demonstration of Visalia's Transit Automatic Vehicle Locator System and Public Online Access Program

Summary/Background:

In efforts to improve public transportation safety, accountability, tracking, and monitoring, the City of Visalia Transit Division has contracted with Digital Recorders to provide an automatic vehicle locator system (AVL) for the public transit buses.

The AVL system uses a cell phone signal to transmit and update dispatchers of the vehicles location, time point history and alarms. Implementation of this system was in response to a growing need for improved bus monitoring and increased public transit information. The AVL system also provides added customer and driver security. The newest feature of the AVL system is the link on the transit website that allows the public to view the buses along the route. In addition, passengers can set an alarm on their computer to notify them when the bus they need is arriving so that they can then go to the bus stop. These features are designed to attract new choice bus riders. Staff will provide a demonstration to show Council how the system works and discuss all the features that have been developed.

Discussion

In 2001, the Council authorized the Transit Division to award a contract to Digital Recorders for the development and implementation of an automatic vehicle location system. At the time, this system was just out of the development stage and was the only system within the City of

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.): 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.

Visalia's budget. As with many newly developed products, this one had some features that were not fully developed, but were added to the project at no additional charge when completed. While the system immediately provided information as to the location of each bus, the schedule tracking and on-line access parts of the system have been through several upgrades and further developments before they functioned as needed. Through the years, the Transit Division has been using the GPS part of the system, but it was only recently that the on-line version has become available on a consistent basis and is ready for public use. When customers call or come to the transit center asking about the location of a bus or indicating the bus is late staff can immediately check and verify where the bus is. The system has been very useful for the Green Line call center staff, who provide bus information throughout Tulare and Kings County, by allowing them to tell customers real time information regarding their particular bus. Contract dispatch staff also use the system to answer inquiries, check on drivers, and identify the best Dial-A-Ride bus to assign new requests to.

This AVL system provides increased customer information, improved planning assistance, and faster response in case of an emergency. This equipment allows contract dispatch and supervisory personnel, as well as City transit staff, to know the location of all transit vehicles during all hours of operations.

Passengers can call or look on-line and get up-to-the-minute information on the location of the next bus. They can know which route is the most efficient to get them to their destination, and if they will be able to make any required connections on time. This improved level of service is being provided without additional City or contract staff.

In addition to having access through the internet to the entire Visalia Transit system, including where the buses are on all routes and what time the bus will get to the next time point, there is also an alarm system passengers can set on their computer to notify them when the bus is near their stop. The system includes a Talking Bus feature that automatically announces the arrival of the bus at all printed schedule time-points both inside and outside the bus. City staff have access to past and current on-time-performance data which has facilitated improvement in the fixed route on-time performance. The cost of the system initially was \$409,350 with an annual maintenance fee of \$44,000. Later, when digital real-time display signs, that show the actual next arrival time, became available those were added to the transit center expansion, increasing the information available to the customer at the transit center.

Funding for the AVL system has, and will continue to, come from Local Transportation Funds (LTF). Staff will be incorporating the availability of the on-line AVL information into our regular marketing program and doing a major press release once Council has viewed the system. Staff will provide a demonstration of the online system at the Council meeting.

Prior Council/Board Actions:

Attachments:

Recommended Motion (and Alternative Motions if expected):

No Action Required

*Resolution of Commendation
Soroptimist International of Visalia*

WHEREAS, Soroptimist International of Visalia was chartered in March of 1939 with a mission to improve the lives of women and girls in the community and throughout the world; and

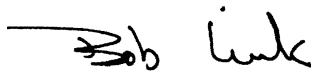
WHEREAS, Soroptimist International of Visalia annually recognizes three Women of Opportunity who have risen above their circumstances to make a better life for themselves and for their families; and

WHEREAS, the efforts of the organization has served as a vital voice on the international stage in preventing the exploitation of women in all forms in all countries; and

WHEREAS, Soroptimist fight efforts to legalize prostitution and treat it as a legitimate occupation. The organization advocates for laws that criminalize the buying of sex, and support laws and programs that assist victims of prostitution.

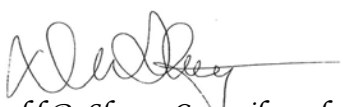
NOW, THEREFORE BE IT RESOLVED that the Visalia City Council commends the efforts of Soroptimist International of Visalia for women's rights, and salutes the efforts of this international organization to end violence against women.

Dated: September 19, 2011


Bob Link, Mayor


Amy Shuklian, Vice-Mayor


E. Warren Gubler, Councilmember


Donald P. Sharp, Councilmember


Steve A. Nelsen, Councilmember

*Resolution of Commendation
Isador Torres*

WHEREAS, Isador is being commended for saving the City of Visalia a considerable amount of money and protecting the citizens of our community by keeping a cool head and following protocol despite being faced with a dangerous and high stress situation; and

WHEREAS, Isador Torres is a Solid Waste Operator and drives a Solid Waste Front Load truck, servicing commercial accounts; and

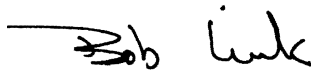
WHEREAS, on the morning of August 25, 2011, Isador was driving his route when he noticed smoke coming from the body of his truck. He immediately notified his supervisor to call the fire department for assistance; and

WHEREAS, Isador then drove to an empty parking lot in order to safely empty the dump truck's load. The rear door controls initially wouldn't function, and instead of leaving the truck to burn, Isador worked with the controls until he got the rear door to open, dumped the load and moved the truck away from the flames; and

WHEREAS, it was because of Isador's perseverance that he was able to avoid any potential danger to other people and protect property from damage while also saving his truck from being completely destroyed.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Visalia does hereby sincerely thank and commend Isador Torres for his services to the City.

Dated: September 19, 2011




Bob Link, Mayor




Amy Shuklian, Vice-Mayor



E. Warren Gubler, Councilmember



Donald P. Sharp, Councilmember



Steve A. Nelsen, Councilmember

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

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

Agenda Item Wording: Appointment of M.J. Garcia to the Transit Advisory Committee.

Deadline for Action: September 19, 2011

Submitting Department: Administration Department – Transit Division

Contact Name and Phone Number: Monty Cox, X4591
Leslie Caviglia, X4317

Department Recommendation

It is recommended that M.J. Garcia be appointed to the Transit Advisory Committee.

Summary/Background

The Transit Advisory Committee (TAC) currently has one vacant position and two vacant alternate positions. The TAC met on August 18, 2011 and recommended that M.J. Garcia be appointed to the committee. M.J. has been a resident in Visalia for 30 years. He is currently retired and enjoys helping the homeless. M.J. has served as extra help in the Deputy Sheriff's Department and former student advisor to former assemblyman Gordon Duffy. M. J. is interested in being on the TAC to assist in making decisions to improve public transportation. The appointment of M.J. was reviewed by the Citizens Advisory Committee (CAC) and they recommended the appointment on September 7, 2011.

The Transit Advisory Committee and the Citizens Advisory Committee has reviewed this appointment and has requested the Council move forward with this recommendation.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: None.

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.

Attachments: Application for M.J. Garcia.

Recommended Motion (and Alternative Motions if expected):

I move to appoint M.J.Garcia to the Transit Advisory Committee.

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)*



CITY OF VISALIA

APPLICATION FOR APPOINTMENT TO CITY BOARD, COMMITTEE OR COMMISSION

TRANSIT ADVISORY COMMITTEE
Name of Board, Committee or Commission

Name M. J. GARCIA

Mailing/Residence Address 3205 W. TULARE AVE

Address "Same" Residence Phone cell - 736-6920

Visalia Zip Code 93277 Work Phone Retired

Email — Facsimile —

Please check if you wish to receive the City's free newsletter "Inside City Hall" via email

Resident of Visalia for 30 years Visalia Registered Voter: (Yes) No —

NOTE: Of the contact information provided, please indicate with an asterisk "*" which is the best way to reach you. Just call or leave message

TRAINING, EXPERIENCE and/or EDUCATION:

EXTRA Help Deputy Sheriff 1977
MECHANICAL / ELECTRICAL ENGINEER
FORMER student advisor to Farmer.
ASSEMBLYMAN GORDEN DUFFA - HANFORD

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
<u>MT Whitney</u>	<u>POLICE' SCIENCE</u>	<u>1976</u>

CO. 5 - VISALIA
Additional Pertinent Skills, Experience or Interests: —

Community activities in which you are involved: helping the Homeless

Current or prior service on a City Board, Committee or Commission: NONE

7/29/11 Posted on City Share & emailed copy to Monty C.

This application is being forwarded to your committee for review & consideration for an upcoming or current vacancy. Upon final determination please notify this office of your decision prior to submitting to the CAC for tracking purposes- City Clerks Office 713-4512

Employment Information:

Present Occupation: Retired

Name of Firm: _____

Address: _____

Phone: _____

Rules of law and ethics prohibit members from participating in and voting on matters in which they have a direct or indirect conflict of interest including a financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the Board, Committee or Commission to which you seek appointment? (If yes, please explain in detail any potential conflicts) YES _____ NO _____
(If you should have any questions about this matter or need further information as it relates to your situation, please advise the City Clerk's Office prior to submitting your application.)

FIRST choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
MECHANICAL / ELECTRICAL ENGINEER	TO IMPROVE TRANSPORTATION

SECOND choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
_____	_____

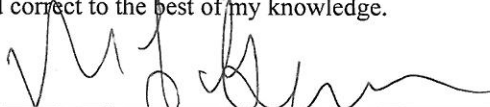
THIRD choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
_____	_____

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION.

ON OCCASION, BOARD/COMMITTEE/COMMISSION MEMBERS, CITY STAFF, AND/OR THE PUBLIC MAY HAVE NEED TO COMMUNICATE WITH YOU, PLEASE BE SURE TO NOTE ON YOUR APPLICATION THE BEST WAY TO CONTACT YOU (i.e. mailing address, phone number, or email address.)

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

07-28-011

Date

The following information will be used for statistical purposes only. This information is requested on a voluntary basis. If you have questions regarding this request, please contact the City Clerk's Office. Your application *will be* processed whether or not you complete these questions. Thank you for your assistance.

Male Female

Ethnic Category: check all categories that apply:

White

(The category "White" includes White, Anglo-Saxons, Europeans, and person of Indo-European, North Africa or Middle Eastern origin.)

Black

(The category "Black" includes Blacks, Afro-Americans, persons of Jamaican, Trinidadian, and West Indian descent.)

Hispanic

(The category "Hispanic" includes Mexican, Chicano, Latino, and all persons of Puerto Rican, Cuban Central or South American or Spanish descent.)

American Indian

(The category "American Indian" includes persons who identify themselves, or are known as such, by virtue of tribal associations, including Alaskan Native.)

Asian

(The category "Asian" includes Asian-Americans and persons of Japanese, Chinese, Korean, Filipino descent, Pacific Islanders and Vietnamese.)

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

When completed mail/submit original to:

Office of the City Clerk
City of Visalia
425 E. Oak, Suite 301
Visalia, California 93291

City of Visalia Agenda Item Transmittal

Meeting Date: September 19, 2011

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

Agenda Item Wording: Authorization to submit a grant application in the amount of \$1,350,000 to the Federal Transit Administration (FTA) to purchase three (3) 35 foot low floor compressed natural gas (CNG) expansion fixed route buses.

Deadline for Action: September 19, 2011.

Submitting Department: Administration – Transit Division

Contact Name and Phone Number:
Monty Cox 713-4591; Leslie Caviglia 713-4317

Department Recommendation: Authorization to submit a grant application in the amount of \$1,350,000 to the Federal Transit Administration (FTA) to purchase three (3) 35 foot low floor compressed natural gas (CNG) expansion fixed route buses.

Summary/Background: The Transit Division is requesting authorization to submit a grant application to the Federal Transit Administration. If awarded, the grant funds will be used to purchase three (3) 35 foot CNG low floor fixed route expansion buses.

Funding for these three (3) buses has been accelerated by the Tulare County Association of Governments (TCAG) and comes from two sources. While this project is 100% funded with Congestion Mitigation Air Quality (CMAQ) funds, the total cost exceeds the federal amount available therefore approximately \$88,000 will come from the Local Transportation Fund (LTF) which is state funding derived from sales tax revenues and can only be used for transportation purposes. Current FTA guidelines require City transit staff to keep federally funded buses for a minimum of 12 years.

Once the grant is approved, staff recommends taking advantage of purchasing options that other agencies have in place (commonly known as piggybacking). Transit staff will be pursuing quotes for best price options with previous vendors. We will be coming back to Council for the authorization to award the purchase of these buses.

TCAG will program the project in the Federal Transportation Improvement Program (FTIP) as part of the application requirement.

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: None

Alternatives: None

Attachments: None

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move that the City Council authorize staff to submit a grant application in the amount of \$1,350,000 to the Federal Transit Administration (FTA) to purchase three (3) 35 foot low floor compressed natural gas (CNG) expansion fixed route buses.

Financial Impact

Funding Source:
Account Number: 4511-0-72-0-9223 = \$1,350,000

Budget Recap:

Total Estimated cost: \$ 0	New Revenue: \$ 0
Amount Budgeted: \$ 0	Lost Revenue: \$
New funding required: \$1,350,000	New Personnel: \$
Council Policy Change: Yes_____ No <u>X</u>	

Environmental Assessment Status

CEQA Review:
Required? No
Review and Action: Prior:
Require:

NEPA Review:
Required? No
Review and Action: Prior:
Require:

Tracking Information: *Record a Notice of Completion with the County Recorder*

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: September 19, 2011

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

Agenda Item Wording:

Authorization to award bid to repair the fuel islands at the Corporation Yard to Franzen-Hill Inc. for the bid price of \$173,942. Also, authorize an additional budget appropriation of \$64,000 to provide adequate funding for the project.

Deadline for Action: September 19, 2011

Submitting Department: Public Works

Contact Name and Phone Number:

Andrew Benelli, Public Works Director 713-4340
Earl Nielsen, Public Works Manager 713-4533

Department Recommendation:

Staff recommends awarding the Corporation Yard Fuel Island repairs and tank replacement to Franzen-Hill, a local Tulare based firm, in the amount of \$173,942, and allocating an additional \$10,000 for unanticipated work outside of the contractor's agreement and to fund any change orders that are required. Staff also recommends increasing the total budget appropriation by \$64,000 to provide sufficient funding for the project.

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.): 5

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.

This project is multi-funded under CIP project #8259 because several different City divisions use the fuel island. The \$64,000 recommended for additional project funding appropriation will be split between the operating divisions that will use the fuel island in the same percentage distribution as the original budget appropriation was made. With the \$64,000 budget increase the total project budget becomes \$184,000; of that total budget amount, \$64,400 is the total General Fund appropriation portion. The General Fund amount reflects the estimated percentage usage for all of the General Fund vehicles that commonly use the Corporation Yard fuel island, including Public Safety vehicles (see table below).

	Percent	Initial Funding		New Appropriation		Total Funding
Solid Waste Enterprise Fund	60%	\$72,000	+	\$38,400	=	\$110,400
General Fund	35%	\$42,000	+	\$22,400	=	\$64,400
Waste Water Enterprise Fund	<u>5%</u>	<u>\$6,000</u>	+	<u>\$3,200</u>	=	<u>\$9,200</u>
Total	100%	\$120,000	+	\$64,000	=	\$184,000

Summary:

The project was originally approved by Council on 11/1/2010 with a budget of \$120,000. The project is complex and includes the following scope of work:

- Remove existing one-product remote fuel dispensers and all associated plumbing and electrical.
- Remove one 15,000-gallon split underground fuel tank and associated plumbing and electrical.
- Install all permanent electrical and plumbing to an existing 10,000-gallon above ground fuel tank.
- Install a second 10,000-gallon above ground fuel tank.
- Install four new one-product remote fuel dispensers.

All work is to be done while creating the least disruption to the Corporation Yard and fueling station as possible; per the RFB, the fueling station cannot be out-of-service for a period longer than 24 hours.

The repairs are necessary because the underground tank's outer wall is compromised and leaking water into the area between the inner and outer walls of the tank. No fuel is leaking but the compromised outer wall poses an environmental and safety hazard so the tank has to be replaced. This project will replace the split underground tank with two above ground tanks, one for diesel fuel and one for gasoline. The underground tank has been exposed and is still being used until the new above ground tanks are placed in service. Currently, one above ground tank has been procured from Transit and is mounted at the fueling station, but it still needs to be connected to be operational. Solid Waste vehicles fuel at the fuel island daily and various other vehicles including Police vehicles and Streets equipment also use the fuel island as their primary fueling station.

The proposed bid price from Franzen-Hill is \$173,942, which is \$53,942 higher than the budgeted amount of \$120,000. It is staff's opinion that the original budget was under-estimated at the time it was requested because the scope and complexity of the project was not fully understood, and that the bid price proposed by Franzen-Hill is appropriate for the scope of work required and for the current cost of materials and work.

The bid process included the following:

- The RFB was advertised on 7/19/11 and 7/25/11, in Visalia Times Delta.
 - 48 notices were mailed out to prospective vendors.
 - 42 companies were notified on bid net.
 - Information was also sent to Builder's Exchanges in Visalia, Fresno, Bakersfield, Stockton, Madera and Sacramento.
- Two mandatory meetings were held: 7/27/11 @ 10am & 7/29/11 @ 2pm at the Corporation Yard. A total of three prospective vendors attended the meetings.
- Bids closed on 8/12/2011, with Franzen-Hill submitting the only bid.

From the advertisements, only Franzen-Hill responded by attending a mandatory pre-bid meeting and submitting a bid. Franzen-Hill has performed most of the routine service on City's gas pumps and tanks and is able to perform the entire project without subcontractors. They are one of the few firms in the area that works on gas pumps, plumbing, and underground tank installation and removal. Most firms specialize in either pumps or tanks but not both.

Prior Council/Board Actions:

11/1/2010 – Council approved original budget revision for \$120,000 to fund needed unscheduled repairs for the Corporation Yard Fuel Island. At the time the underground fuel tank at the Corporation Yard was found to be leaking and in need of replacing.

Committee/Commission Review and Actions: None

Alternatives:

1. Do not award the contract to anyone, require Public Works to void RFB 11-12-02 and re-bid the project.
 - In order for the RFB to be voided and reissued, the RFB scope of work would have to be materially changed in order to comply with purchasing requirements for voiding and re-issuing an RFB.

Attachments:

1. City of Visalia Bid Summary for RFB-11-12-02

Recommended Motion (and Alternative Motions if expected): Award bid for Corporation Yard Fuel Island Repair to Franzen-Hill Inc. for the bid price of \$173,942, and also authorize an additional budget appropriation of \$64,000 to provide adequate funding for the project.

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)*



CITY OF VISALIA
Summary for RFB-11-12-02

PROJECT: FUEL ISLAND REPAIRS

Subject: OPENING
 Location: CHW-Main

Meeting Date: 8/12/11
 Meeting Time: 3:00 PM

Contractor:	Lump Sum	
<i>Franzen Hill Corp Tulare, Ca</i>		<i>173,942^{00/100}</i>
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	

Witness: *[Signature]* Witness: _____

Witness: *[Signature]* Witness: _____

Witness: *[Signature]* Witness: _____

Witness: _____ Witness: _____

Witness: _____ Witness: _____

Witness: _____ Witness: _____

Page 1

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

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

Agenda Item Wording: Memorandum of Understanding between the Workforce Investment Board and the City of Visalia to work together when it is mutually beneficial to promote employment and business in the City of Visalia.

Deadline for Action: September 19, 2011

Submitting Department: Housing and Economic Development

Contact Name and Phone Number:

Ricardo Noguera, 713-4190
Ruth Peña, 713-4327

Department Recommendation:

That the City Council approve the Memorandum of Understanding (MOU) between the Workforce Investment Board (WIB) and the City of Visalia. This MOU is a non-financial agreement between the City of Visalia and the WIB to collaborate when it is mutually beneficial to promote and secure a thriving economy by helping employers obtain qualified, skilled employees and job seekers to obtain skills and training to meet the employer's expectations of job seekers.

Summary/Background:

Who is the Workforce Investment Board of Tulare County (WIB)

This agency serves the entire Tulare County making critical investments in workforce training and education so that businesses can compete and prosper and generate jobs for local residents. The WIB's funding and resources for workforce initiatives support local businesses in finding and retaining a highly skilled workforce.

In order to implement the local workforce development plan this MOU is entered into in the spirit of cooperation and collaboration between the WIB and the City of Visalia to be Employment Connection Partners. The purpose is to work together when mutually beneficial, to promote the Employment Connection System to accomplish an integrated system of service delivery that will provide easily accessible services for employers and job seekers to promote employment and business development in the City of Visalia.

Current Relationship between the WIB and City of Visalia

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.

The City of Visalia and the WIB already maintain a very proud and effective relationship. Both organizations serve on the Tulare County Economic Development Corporation (TCEDC) and Visalia Economic Development Corporation (VEDC) to promote economic vitality in both the City of Visalia and throughout Tulare County. As part of this collaboration, representatives of the WIB often join with the City's economic development staff to conduct business visits with targeted companies as part of retention and expansion efforts. Additionally, meetings with business prospects involve participation from both organizations to help inform companies on the benefits of establishing new operations in Visalia. The City typically takes a macro-level approach to guiding new and existing companies through the development review process (building, planning, fire, engineering and other city functions) and the WIB assists with job training, recruitment, screening and placement of new workers for companies. Examples of these collaborations have included: CIGNA, Jo-Ann's West Coast Distribution Center, and VF, Inc..

Future Businesses and Use of the MOU

Visalia's industrial market is gradually improving. The WIB supports primarily industrial companies throughout the County with employment recruitment, screening and placement of workers. There are several opportunities throughout the City where the WIB could potentially partner with the City and private companies to recruit and screen prospective employees. There are also opportunities with the continued expansion of existing companies in the Industrial Park as well as new arrivals where the WIB can assist in a similar capacity. Staff from both organizations work collaboratively and understand the importance of teamwork as it relates to creating and retaining jobs.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: Attachment "A", Memorandum of Understanding – Employment Connection System of Tulare County.

Recommended Motion (and Alternative Motions if expected): I move to authorize the following:

Approve the MOU between the Workforce Investment Board and the City of Visalia.

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:

Attachment "A"

Memorandum of Understanding Employment Connection System of Tulare County

PARTIES: The parties to this Memorandum of Understanding (MOU) are:

Parties:	Workforce Investment Board of Tulare County, <i>a partner* in the Tulare County Employment Connection System</i>	City of Visalia, <i>a partner* in the Tulare County Employment Connection System</i>
Address:	309 W. Main St., Suite 120 Visalia, Ca., 93291	P.O. Box 5078 425 E. Oak Ave. Visalia, CA 93278
Contact person, title and telephone number:	Adam Peck, Executive Director (559) 713-5200	Steve Salomon, City Manager (559) 713-4312
Facsimile number and e-mail address:	(559) 713-5262 apeck@tularewib.org	(559) 713-4800 ssalomon@ci.visalia.ca.us

PURPOSE

In order to implement the local plan this non-financial MOU is entered into in the spirit of cooperation and collaboration between the Tulare County Workforce Investment Board, Inc, hereafter referred to as the "WIB" and the Tulare County One-Stop delivery system signatory partners*, hereafter referred to as the "Employment Connection Partners*" to describe how various funding streams and resources will be used to better serve mutual customers, both employers and job seekers, through an integrated system of service delivery. It is understood that the development and implementation of a One-Stop system, hereafter referred to as the "Tulare County Employment Connection system" will require mutual trust and teamwork between the WIB and the Employment Connection Partners*, all working together to accomplish shared goals.

MISSION/VISION

The mission of the Tulare County Employment Connection system is to provide comprehensive workforce development system resources through easily accessible services for employers and job seekers to promote employment and business development in Tulare County.

The vision of the Tulare County Employment Connection system offers universal access, seamless, and professional services to the community in a respectful manner that encourages job creation, skill development, and employment information. Services will be provided in a collaborative manner maximizing effectiveness, while minimizing duplication.

* **One-Stop Partner** – The term "One-Stop partner" means an entity described in Sections 121(b) (1) and 121 (b) (2) in the Workforce Investment Act that is participating, with the approval of the local board and in accordance with the agreement of the chief elected official, in the operation of a One-Stop delivery system.

ONE-STOP SYSTEM OVERVIEW

The establishment of the Tulare County Employment Connection system represents a continuation of efforts to bring coherence to the delivery of workforce development services. The Employment Connection facilities throughout Tulare County are vehicles for transforming the fragmented collection of Federal, State and local job employment and training programs into a coherent employment and training system. By providing job and information seekers and employers with a One-Stop opportunity for accessing valuable, pertinent career resources, these customers are able to more rationally and effectively address their own unique needs.

Tulare County Employment Connection facilities are open to all partners required by law, to other key partners designated by the State and to any organization involved or interested in workforce development and want to make their services available and accessible at a facility in accordance with a written agreement with the WIB. The range of programs, funding streams and services envisioned through the Employment Connection with the services required under WIA. The system will have the following components:

1. Integrated Services: A seamless system to the customer.
2. Customer Focused: Considering the needs and interest of the customer in all aspects of service delivery.
3. Customer Choice: Wide array of useful information to assist the customer in making and informed choice.
4. Customer Access: Universal access with "no wrong door" entrance and single exiting point into integrated services.
5. Community Support.
6. Performance Driven: Clearly identified outcomes and methods for measuring achievement.

Prompt and complete information about employment and educational opportunities, as well as customized service delivery is available at Employment Connection Facilities to enable customers to successfully negotiate an increasingly complex and demanding labor market. Tulare County Employment Connection sites form an integral part of an overall workforce development strategy aimed at upgrading the basic and occupational skills of current workers and those about to enter the workforce. With information about the availability of jobs and educational opportunities for various career choices, as well as the relative quality of those factors, job seekers and students are better prepared to make the crucial career decisions that are the fundamental determinants for themselves and their families' future quality of life.

By becoming effective and efficient consumers of career programs and services, workers will be given a head start toward the attainment of better skills and jobs, higher wages, and an improved quality of life. With a highly skilled, motivated workforce, Tulare County is poised to retain and attract high-quality jobs to the area. Since workforce attributes are major

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considerations for locating and expanding firms, a strong One-Stop system is a major step in promoting economic development in Tulare County.

Organizations Submitting To This MOU Agree:

▪ One-Stop Services

To provide One-Stop services to the following target population(s) as indicated below. See attachments A, B, and C.

1. Residents 2. N/A

▪ Role of the Workforce Investment Board of Tulare County

The WIB appointed by and in written agreement with the Tulare County Board of Supervisors is the One-Stop Policy Body responsible for system planning, fiscal responsibility and oversight of the **Tulare County Employment Connection** system. The WIB established the Tulare County Employment Connection Council (ECC) comprised of partners* working collaboratively to develop a one-stop system.

ECC, under authority from the WIB, has committed over five years of planning toward the design and development of a seamless, integrated one-stop system. The Tulare County **Employment Connection** system is targeted toward providing services to Tulare County's employers and job seekers.

▪ One-Stop Operator

The County has contracted with One-Stop Operators to provide service, facility maintenance, and implementation of WIB policies and procedures. The Partner* agencies may participate in a consortium of partners* at an Employment Connection facility to implement all site activities authorized by the WIB.

▪ Tulare County Employment Connection Partners*

Partner's are expected to follow the WIB's direction within the Employment Connection where it is reasonably within the Partner's* capacity.

▪ Coordinated Marketing to the Community

All Partners will work together to develop and execute a comprehensive marketing of the Tulare County Employment Connection System.

▪ Economic Development

Employment Connection Partners will cooperate in Economic Development.

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- Confidentiality

The respective confidentiality provisions of each entity's programs and regulations will be observed.

- Scheduled Meetings

Partners are expected to participate in regular meetings of the Employment Connection Council and its sub-committees.

Partners physically located at a One-Stop are expected to participate in regular site meetings of a site committee consisting of the partners* to facilitate coordination and solve any problems that may arise during the course of business at the site.

- Cross Training

Partners are expected to provide and participate in system cross training.

1. DURATION

The term of this agreement shall be 09-19-11 through 6-30-12, and shall be binding upon each party hereto upon execution by such party, and shall be automatically renewed thereafter on a year-to-year basis, unless any party gives notice of non-renewal at least thirty (30) days prior to an anniversary date or withdraws from this MOU as permitted in the following paragraph.

2. WITHDRAWAL FROM MOU

This MOU shall remain in effect until terminated in accordance with this paragraph or the preceding paragraph.

Any party may withdraw from this MOU by giving written notice of intent to withdraw at least 30 calendar days in advance of the effective withdrawal date and upon completion of any financial and operational commitments. Notice of withdrawal shall be given to all Employment Connection Partners*.

3. EVALUATION AND REVIEW

In order to provide a vehicle for on-going evaluation, review and discussion of operational issues, the WIB and the Employment Connection Partners* agree to meet on a regular basis to discuss issues related to the implementation of this MOU.

4. DISPUTE RESOLUTION

The Parties hereto shall first attempt to resolve all disputes informally at the lowest level starting with the site supervisors and staff. If dispute resolution is not accomplished, any party may

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request a meeting of the Employment Connection Site Committee, with the Employment Connection Site Coordinator as the facilitator, to formally discuss and resolve all disputes. Should the parties fail to resolve the dispute, the dispute shall be referred to the Chair of the Employment Connection Council, who shall place the dispute upon the agenda of a regular or special meeting of the Employment Connection Council. The Employment Connection Council shall mediate the dispute. Those issues not resolved by the Employment Connection Council may be appealed to the WIB, whose decision shall be final.

5. MODIFICATION AND ASSIGNMENT

This MOU may be modified at any time by written agreement of the parties. Assignment of responsibilities under this MOU by any of the parties shall be effective only upon prior written consent of the other party, which shall not be unreasonably withheld.

This is a federal program under the Workforce Investment Act of 1998. Should the United States Department of Labor or the State of California prescribe rules or regulations, which are unknown at this time, that vary from the terms of this agreement the parties shall each have the right to withdraw from this agreement unless the changes are acceptable to both parties as documented by amendments to this MOU signed by both parties. Should either party be unable to agree with said requirements, they may withdraw in accordance with Section 2 of this document, "WITHDRAWAL FROM MOU".

6. NO JOINT VENTURE

The parties expressly agree that it is not intended in any way that this MOU be interpreted as a legal partnership or legal joint venture between the parties. Neither party hereto will make representations to outside parties that a legal partnership exists nor that either party is responsible for the debts or defaults of the other. Other than when Attachment B is appended, this is a non-financial agreement.

7. INDEMNIFICATION PROVISION

Each party agrees to indemnify, defend and hold harmless the other party and its respective officers, agents and employees from any and all claims, actions and losses accruing or resulting to any person who may be injured or damaged solely by the indemnifying party in its performance of this Agreement, in accordance with Government code Section 895.4. This provision shall survive the term of this agreement.

8. ADMINISTRATIVE AND OPERATIONAL MANAGEMENT

It is understood that each Employment Connection Partner* agency is subject to their own existing personnel policies, procedures, regulations and statutes as well as applicable collective bargaining agreements. The Tulare County Employment Connection Council of the WIB will work with all Employment Connection Partners* in developing policies and procedures for the Tulare County Employment Connection system, in order to avoid inconsistencies with the policies,

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procedures, regulations and collective bargaining agreements of each Employment Connection Partner*.

9. ASSURANCES OF NON-DISCRIMINATION

Each party expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.

10. AUTHORITY AND SIGNATURES

The individuals signing below have the authority to commit the party they represent to the terms of this MOU, and do so commit by signing. Notwithstanding the use of the terms partners and partnerships in this MOU, I understand that these terms are used only in a colloquial sense. Therefore, both parties to this MOU are independent contractors with respect to one another and agree that there is no legally enforceable partnership, agency or joint venture among or between the parties.

FOR THE **City of Visalia**

Agreed: _____
Signature and Date

Steve Salomon, City Manager.
Print Name and Title

FOR THE **Workforce Investment Board of Tulare County**
309 W. Main St. Suite 120, Visalia, A 93291

Recommended: _____
Signature and Date (WIB Executive Director)

Adam Peck, Executive Director
Print Name and Title

Agreed: _____
Signature and Date (Chair, WIB Board of Directors)

William DeLain, Chair
Print Name and Title

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Organization

WHEREAS City of Visalia

(Listing of services and justification)

AND, WHEREAS the Workforce Investment Board of Tulare County, desires to provide comprehensive one-stop services and educational services accessible to the community;

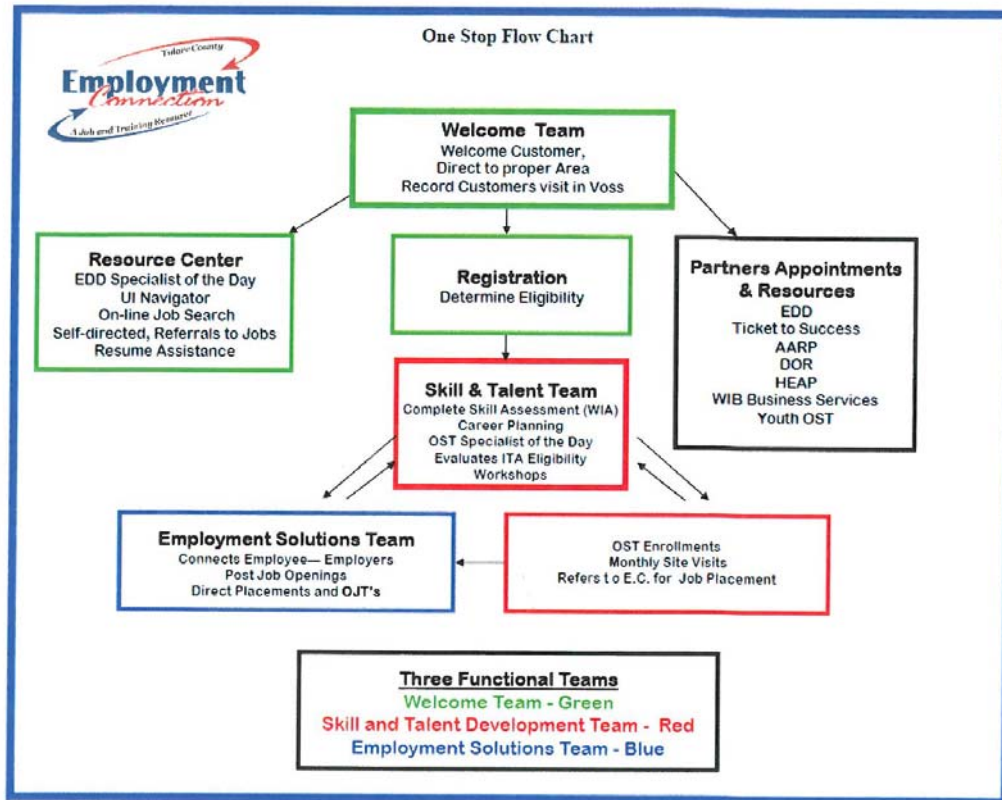
* **One-Stop Partner** – The term “One-Stop partner” means an entity described in Sections 121(b) (1) and 121 (b) (2) in the Workforce Investment Act that is participating, with the approval of the local board and in accordance with the agreement of the chief elected official, in the operation of a One-Stop delivery system.

Attachment B

A Cost Sharing Agreement to be attached here only if, and when, appropriate (i.e. space rent at the Employment Connection One-Stop; where agreed, pre-defined, beneficial and then only for an equitable share of cost).

Not applicable to the City of Visalia

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**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

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

Agenda Item Wording: Authorization to rescind the notice of withdrawal from Excess Insurance Authority (EIA) Health Joint Powers Authority (JPA) as of January 1, 2012.

Deadline for Action: October 31, 2011

Submitting Department: Administrative Services

Contact Name and Phone Number: Eric Frost, x4474

Department Recommendation: Authorize the City's representative to EIA Health, Eric Frost, Administrative Services Director, to rescind the notice of withdrawal to the EIA Health JPA as of January 1, 2012.

Summary/background: In June, staff asked Council to authorize the Administrative Services Director to file a preliminary notice of withdrawal from the City's health insurance joint powers authority (JPA), EIA Health. Staff requested this action because the City must give a 6 month notice before a new plan year if the City might withdraw from the health pool. The plan year begins January 1 of each year. The City may rescind its notice of withdrawal up to 60 days before the new plan year. Staff requested Council to take this option so that staff could evaluate the effectiveness of the City's current funding of employee health care against the City's next best option. Staff has now completed the evaluation and recommends staying with EIA Health. Therefore, the notice of withdrawal must be rescinded.

To fully explore this option, the City gave the JPA a six month notice that it may withdraw from the JPA as of the new plan year. Staff has completed its analysis of the comparative costs of staying with EIA Health or pursuing the City's next best option, as shown in Table I, Comparison of Monthly EIA Health or Self-Insured Costs, Per Participant.

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.

Table I

Comparison of Monthly EIA Health or Self-Insured Costs					
Per Participant					
			<i>Blue Shield Network</i>		
	<i>EIA</i>		Expected		Maximum
Claims Costs	996		761		968
Expected Reserve	included		134		134
Variable Costs		996		895	1,102
Fixed Costs		80		164	164
Total Per Participant		1,076		1,059	1,266

The Table I compares the City's current option, EIA Health, against a self-funded option labeled Blue Shield Network. The total per participant cost represents the monthly cost the City must pay for each employee and participating retiree.

The Blue Shield Network cost produces two numbers: expected and maximum. The reason the Blue Shield Network has two costs is that the stop-loss insurance for a self-insured program only reimburses an insured after an insured's claim costs exceeds 125% of the expected claim cost. In other words, the City would expect to pay \$1,059 a month for medical insurance under a Blue Shield alternative but could pay up to \$1,266 a month per participant in high cost years. In contrast, the EIA plan's costs are essentially fixed for the calendar year.

Put another way, to save an estimated \$17 a month, the City would risk paying an additional \$190 a month per participant. \$190 a month per participant would cost the City \$1.7 million compared to \$153,000 for the \$17 per month for the EIA plan. Staff believes that the potential to save \$150,000 is not worth the risk of an additional \$1.7 million in cost.

Staff continues to work with EIA Health and believes that the City gets good value for its money with the JPA. The analysis indicates that there is some further potential to lower Visalia's cost in the claims area, but the program has generally benefited the City. Staff requests that Council authorize staff to rescind its notice to withdraw from EIA Health.

Prior Council/Board Actions: Motion to Provide Preliminary Notice of Withdrawal in June of 2011.

Committee/Commission Review and Actions:

Alternatives: Do not provide notice and withdraw from EIA Health, set up a stand-alone City health plan

Recommended Motion (and Alternative Motions if expected): I move that we authorize the City's representative to EIA Health, Eric Frost, Administrative Services Director, to rescind the notice of withdrawal to the EIA Health JPA as of January 1, 2012.

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: September 19, 2011

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

Agenda Item Wording: Appointment of Gary Gagliolo, Patricia Gallimore, and Lonnie Miller to the Visalia Environmental Committee

Deadline for Action: N/A

Submitting Department: Administration / Natural Resource Conservation

Contact Name and Phone Number:
Kim Loeb, Natural Resource Conservation Manager, 713-4530
Leslie Caviglia, Deputy City Manager, 713-4317

Department Recommendation:
Staff recommends that Gary Gagliolo, Patricia Gallimore, and Lonnie Miller be appointed to the Visalia Environmental Committee.

Background:
The Visalia Environmental Committee informs and advises the City Council and citizens on preserving and improving environmental quality for the benefit of the community. Issues addressed include air quality, hazardous waste, recycling, water conservation and other natural resource issues. The Committee has nine members and presently has three vacancies.

The Committee reviewed available applications and interviewed the candidates. Based on this information, the Committee recommended to the Citizen's Advisory Committee (CAC) that Gary Gagliolo, Patricia Gallimore, and Lonnie Miller be appointed to fill the three vacant positions. The CAC reviewed the recommendation and concurred with the Environmental Committee's recommendation.

Committee members are typically appointed to fill 2-year terms and may serve up to three terms (total of six years). Terms are staggered to prevent a majority of the committee from expiring in the same year. In this case, Gary Gagliolo and Lonnie Miller will serve unexpired terms through June 2012 and at that time will be eligible to be reappointed to serve additional terms. Patricia Gallimore will serve a full 2-year term through June 2013 and at that time will be eligible to be reappointed to serve additional terms.

Gary Gagliolo has been a resident of Visalia for 34 years. He is recently retired from Caltrans where he worked as a hazardous waste specialist and environmental document writer. He

This document last revised: 9/15/11 10:37:00 AM

File location and name: H:\(1) AGENDAS for Council - DO NOT REMOVE\2011\9-19-2011\Item 7g Environmental_Committee_Appointment_110919.doc

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 LBC 9911
(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.

previously worked for the Regional Water Quality Control Board and Tulare County Environmental Health Division. He also has worked for the City at the Household Hazardous Waste collection center. Mr. Gagliolo has a Bachelor of Arts in Biological Science from San Jose State University.

Patricia Gallimore has been a resident of Visalia for 5 years. She is retired. Previously, she taught at a community college in San Diego, provided research support at the Rand Corporation, and worked at an aerospace company providing computer support to engineers. Ms. Gallimore has participated in 210 Connect and library events, is involved with the COS Social Work Club, and attended the General Plan Update workshop. Ms. Gallimore has a Master of Arts in Sociology from San Jose State University.

Lonnie Miller has been a Visalia resident for 25 years. He is a science teacher at El Diamante High School. He is the advisor to the EDHS Green Club. Green Club members have been active participants in Environmental Committee activities. Mr. Miller has also been involved with Earth Day, Make a Difference Day, Serve Visalia, and Habitat for Humanity. He has a Bachelor of Science in Forestry from Humboldt State University and a Masters in Educational Technology from Fresno Pacific University.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

August 2011 – Visalia Environmental Committee recommended the applicants to the CAC.
September 2011 – CAC reviewed and concurred with the Visalia Environmental Committee recommendation.

Alternatives:

Positions remain vacant.

Attachments:

Applications

Recommended Motion (and Alternative Motions if expected):

I move to appoint Gary Gagliolo, Patricia Gallimore, and Lonnie Miller to the Visalia Environmental Committee to serve the recommended terms.

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:

Employment Information:

Present Occupation: Recently retired from California Department of Transportation

Name of Firm: CalTrans

Address: Shields Ave, Fresno

Phone: 559-623-2271

Rules of law and ethics prohibit members from participating in and voting on matters in which they have a direct or indirect conflict of interest including a financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the Board, Committee or Commission to which you seek appointment? (If yes, please explain in detail any potential conflicts) YES NO

(If you should have any questions about this matter or need further information as it relates to your situation, please advise the City Clerk's Office prior to submitting your application.)

FIRST choice for Board/Committee/Commission appointment: Environmental Committee

<p>Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.</p>	<p>What are your goals in serving on this Board/Committee/Commission?</p>
<p>I have worked in the Hazardous Waste Specialty Unit and Large and small Environmental document writing units at CalTrans while having prepared, reviewed, and processed CEQA and NEPA environmental documents. While at the RWQCB, I enforced various environmental regulations during the inspection of municipal wastewater treatment plants and industrial sites. During my tenure with the County I worked in a variety of programs as a Water Specialist, Local Oversight Program Specialist, Solid and Bio-medical Waste Specialist and sat on the Land Use Committee as a Land-Use Specialist</p>	<p>To review, assess and make recommendations regarding environmental issues including, but not limited to our surface and groundwater resources, environmental conservation and sustainability of resources, and land-use decisions.</p>

SECOND choice for Board/Committee/Commission appointment: Advisory Committee

<p>Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.</p>	<p>What are your goals in serving on this Board/Committee/Commission?</p>
<p>See above</p>	

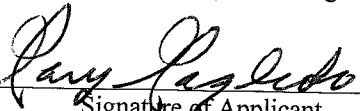
THIRD choice for Board/Committee/Commission appointment: _____

<p>Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.</p>	<p>What are your goals in serving on this Board/Committee/Commission?</p>

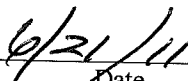
PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION.

ON OCCASION, BOARD/COMMITTEE/COMMISSION MEMBERS, CITY STAFF, AND/OR THE PUBLIC MAY HAVE NEED TO COMMUNICATE WITH YOU, PLEASE BE SURE TO NOTE ON YOUR APPLICATION THE BEST WAY TO CONTACT YOU (i.e. mailing address, phone number, or email address.)

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant



Date

The following information will be used for statistical purposes only. This information is requested on a voluntary basis. If you have questions regarding this request, please contact the City Clerk's Office. Your application *will be* processed whether or not you complete these questions. Thank you for your assistance.

Male Female

Ethnic Category: Check all categories that apply.

White

(The category "White" includes White, Anglo-Saxons, Europeans, and person of Indo-European, North Africa or Middle Eastern origin.)

Black

(The category "Black" includes Blacks, Afro-Americans, persons of Jamaican, Trinidadian, and West Indian descent.)

Hispanic

(The category "Hispanic" includes Mexican, Chicano, Latino, and all persons of Puerto Rican, Cuban Central or South American or Spanish descent.)

American Indian

(The category "American Indian" includes persons who identify themselves, or are known as such, by virtue of tribal associations, including Alaskan Native.)

Asian

(The category "Asian" includes Asian-Americans and persons of Japanese, Chinese, Korean, Filipino descent, Pacific Islanders and Vietnamese.)

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

When completed mail/submit original to:

Office of the City Clerk
City of Visalia
425 E. Oak Ave., Ste. 301
Visalia, CA 93291



CITY OF VISALIA
APPLICATION FOR APPOINTMENT TO
CITY BOARD, COMMITTEE OR COMMISSION



Environmental Committee

Name of Board, Committee or Commission

Name Patricia Gallimore

Mailing/ 1809 E Four Creeks Court

Residence

Address same as above Residence Phone 559-733-5067

Visalia Zip Code 93292 Work Phone NA

Email ski2lee@yahoo.com Facsimile _____

If you wish to receive the City's free newsletter "Inside City Hall" via email please check either YES or NO.

Resident of Visalia for 5+ years Visalia Registered Voter: Yes No

NOTE: Of the contact information provided, please indicate with an asterisk "*" which is the best way to reach you.

TRAINING, EXPERIENCE and/or EDUCATION:

MA - Sociology, Minors - Art & Anthropology. I taught
community college in San Diego, did research support at
the Rand Corporation, Santa Monica, taught aerospace
engineers to use their new IBM computer system,
supervised various engineering groups there, etc. Retired

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
San Jose State Un	Sociology	1977 Master of Arts

Additional Pertinent Skills, Experience or Interests: I taught in public education too. I am familiar with
Microsoft windows, and use the internet.

Community activities in which you are involved: 210 Connect attendee, recent general plan workshop,
library events, and the Social Work Club at COS.

Current or prior service on a City Board, Committee or Commission: None

7/5/11 sent email to City Rep & posted copy on CityShare

This application is being forwarded to your committee for review & consideration for an upcoming or current vacancy. Upon final determination please notify this office of your decision prior to submitting to the CAC for tracking purposes – City Clerks Office 713-4512

Employment Information:

Present Occupation: Retired

Name of Firm: _____

Address: _____

Phone: _____

Rules of law and ethics prohibit members from participating in and voting on matters in which they have a direct or indirect conflict of interest including a financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the Board, Committee or Commission to which you seek appointment? (If yes, please explain in detail any potential conflicts) YES NO
(If you should have any questions about this matter or need further information as it relates to your situation, please advise the City Clerk's Office prior to submitting your application.)

My only financial holdings are CDs in local Credit Unions and Community Banks which I will gladly disclose should any committee I belong to have projects affecting them.

FIRST choice for Board/Committee/Commission appointment: Environmental Committee

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
I am a long standing member of the Sierra Club. I have made it my business to educate myself about our environment from Rachel Carson to Bill McKibbin. Though my degree is in the soft sciences, I took to the 'hard' sciences as well from physics to geology. Since coming here I have enjoyed becoming more of a farmer of my own property, and learn more at the farmer's market.	I want to help the people of our community learn more about the possibilities for a good, clean environment that nourishes our children and where diabetes, and asthma are not a constant threat because of the way we dirty the air they breathe, or eat foods that are not good for them, and then on top of that, don't get enough good exercise because the air's so bad. We can do better!

SECOND choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?

THIRD choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION.

ON OCCASION, BOARD/COMMITTEE/COMMISSION MEMBERS, CITY STAFF, AND/OR THE PUBLIC MAY HAVE NEED TO COMMUNICATE WITH YOU, PLEASE BE SURE TO NOTE ON YOUR APPLICATION THE BEST WAY TO CONTACT YOU (i.e. mailing address, phone number, or email address.)

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Patricia Gallimore
Signature of Applicant

July 4, 2011
Date

The following information will be used for statistical purposes only. This information is requested on a voluntary basis. If you have questions regarding this request, please contact the City Clerk's Office. Your application *will be* processed whether or not you complete these questions. Thank you for your assistance.

Male Female

Ethnic Category: Check all categories that apply.

White

(The category "White" includes White, Anglo-Saxons, Europeans, and person of Indo-European, North Africa or Middle Eastern origin.)

Black

(The category "Black" includes Blacks, Afro-Americans, persons of Jamaican, Trinidadian, and West Indian descent.)

Hispanic

(The category "Hispanic" includes Mexican, Chicano, Latino, and all persons of Puerto Rican, Cuban Central or South American or Spanish descent.)

American Indian

(The category "American Indian" includes persons who identify themselves, or are known as such, by virtue of tribal associations, including Alaskan Native.)

Asian

(The category "Asian" includes Asian-Americans and persons of Japanese, Chinese, Korean, Filipino descent, Pacific Islanders and Vietnamese.)

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

When completed mail/submit original to:

Office of the City Clerk
City of Visalia
425 E. Oak Ave., Ste. 301
Visalia, CA 93291



CITY OF VISALIA
APPLICATION FOR APPOINTMENT TO
CITY BOARD, COMMITTEE OR COMMISSION

Waterways and Trails Committee or Environmental Committee
 Name of Board, Committee or Commission

Name Lonnie Miller

Mailing/ 1317 West College

Residence Address _____ Residence Phone 733-8109*

Cell 901-9118 Zip Code 93277 Work Phone 735-3501

Email lonster@sbcglobal.net Facsimile _____

If you wish to receive the City's free newsletter "Inside City Hall" via email please check either YES or NO.

Resident of Visalia for 25 years Visalia Registered Voter: Yes No

NOTE: Of the contact information provided, please indicate with an asterisk "*" which is the best way to reach you.

TRAINING, EXPERIENCE and/or EDUCATION:

Science teacher in high school (biology, chemistry,
environmental science), cyclist, Advisor for EDHS Green
Club

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
Humboldt State	Forestry	BS 1983

Additional Pertinent Skills, Experience or Interests: Masters in Educational Technology,
FPU, 2002

Community activities in which you are involved: Earth Day, Make a Difference Day,
Serve Visalia, Habitat for Humanity

Current or prior service on a City Board, Committee or Commission: _____

6/14/11 Posted on City Share & sent copy to Staff Rep

This application is being forwarded to your committee for review & consideration for an upcoming or current vacancy. Upon final determination please notify this office of your decision prior to submitting to the CAC for tracking purposes – City Clerks Office 713-4512

Employment Information:

Present Occupation: Teacher

Name of Firm: El Diamante High School

Address: 5100 Whitendale

Phone: 735-3501

Rules of law and ethics prohibit members from participating in and voting on matters in which they have a direct or indirect conflict of interest including a financial interest. Are you aware of any potential conflicts of interest which may develop from your occupation or financial holdings in relation to your responsibilities as a member of the Board, Committee or Commission to which you seek appointment? (If yes, please explain in detail any potential conflicts) YES NO

(If you should have any questions about this matter or need further information as it relates to your situation, please advise the City Clerk's Office prior to submitting your application.)

FIRST choice for Board/Committee/Commission appointment: Waterways Trails

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
Former Forest Service Employee Started AP Environmental Science Program in Visalia Schools As a Visalia resident interested in health issues access to areas to exercise in are important.	As a Visalia resident interested in health issues access to areas to exercise in are important. Bicycle trails and walking paths are an important component in the future of Visalia.

SECOND choice for Board/Committee/Commission appointment: Environmental Committee

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?
Former Forest Service Employee Started AP Environmental Science Program in Visalia Schools	As a teacher of students who are conscious of our environmental impact and who want a sustainable future I can bring my own experience and the viewpoint of our areas youth.

THIRD choice for Board/Committee/Commission appointment: _____

Describe any qualifications, experience, and education, as well as any technical or professional background you may have relative to the duties of this position.	What are your goals in serving on this Board/Committee/Commission?

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION.

ON OCCASION, BOARD/COMMITTEE/COMMISSION MEMBERS, CITY STAFF, AND/OR THE PUBLIC MAY HAVE NEED TO COMMUNICATE WITH YOU, PLEASE BE SURE TO NOTE ON YOUR APPLICATION THE BEST WAY TO CONTACT YOU (i.e. mailing address, phone number, or email address.)

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature of Applicant

Date

The following information will be used for statistical purposes only. This information is requested on a voluntary basis. If you have questions regarding this request, please contact the City Clerk's Office. Your application *will be* processed whether or not you complete these questions. Thank you for your assistance.

Male Female

Ethnic Category: Check all categories that apply.

White

(The category "White" includes White, Anglo-Saxons, Europeans, and person of Indo-European, North Africa or Middle Eastern origin.)

Black

(The category "Black" includes Blacks, Afro-Americans, persons of Jamaican, Trinidadian, and West Indian descent.)

Hispanic

(The category "Hispanic" includes Mexican, Chicano, Latino, and all persons of Puerto Rican, Cuban Central or South American or Spanish descent.)

American Indian

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Asian

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You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

When completed mail/submit original to:

Office of the City Clerk
City of Visalia
425 E. Oak Ave., Ste. 301
Visalia, CA 93291

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

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

Agenda Item Wording: Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 11-12-07, St. John's Park, Ben Maddox and St. John's River, Riverwalk Improvements Project, in the amount of \$395,192.50 to the low bidder, Elite Landscaping Incorporated of Clovis.

Deadline for Action: September 19, 2011

Submitting Department: Parks & Recreation Department

Contact Name and Phone Number: Jim Bean, Parks and Urban Forestry Manager, 713-4564

Department Recommendation: Staff recommends that the City Council award a construction contract and authorize the City Manager to execute an agreement for RFB 11-12-07 for the St. John's River Park, Riverwalk Improvement Project, in the amount of \$395,192.50 to the low bidder, Elite Landscaping Incorporated.

Summary: The St. John's River Park, Riverwalk project is located on Ben Maddox and the St. John's River Park in northeast Visalia, adjacent to the St. John's River. St. John's River Park is approximately a 104 acre linear park. The St. John's Riverwalk project will further develop 5 acres of park land along St. John's River Park.

Approximately 22 years ago, the city purchased 90 acres along the south side of the St. John's River, between Ben Maddox Way and Lovers Lane, which was developed into St. John's River Park.

In February 2008, the city acquired a state grant from Proposition 50 to further develop 5 acres of the original 90 acres into what is known as the St. John's Riverwalk. The Riverwalk is located at Ben Maddox and St. John's River and was initially developed with drip irrigation and the planting of approximately 800 Sycamore and Valley Oak trees, creating the grove that exists today, some 22 years later.

This phase of the St. John's Riverwalk project development of the 5 acres is designed with a parking lot, several ADA accessible walking paths through the groves of existing trees, trail head interpretive signs, picnic area locations, water efficient irrigation system and a large grass meadow. There will be a scenic lookout next to the St. John's River under the large Valley Oak trees where the public can enjoy the sounds of the river and nature, especially in the spring when the sounds of water can be heard from the cascading waterfall from the melting snow traveling down the river.

To the east of the Riverwalk project, at St. John's Parkway and Cain Street, a service road and ADA ramps are planned and will be installed at the existing playground, allowing public access to the park path from the playground.

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.

This project will be completed in four phases. Phase one has already been completed by the City's Street Division staff, which was the rough grading phase of this project. Phase two includes a concrete parking lot, asphalt paths and irrigation main line and controls, which will be installed by this construction contractor. Phase three of this project includes decomposed granite walkways, irrigation laterals and final landscape grading. This phase will be completed by Community Services Employment Training (CSET) Incorporated youth employees, managed by Brian Kemp of the Urban Tree Foundation. Phase four will be completed during the City of Visalia's celebration for Arbor Day 2012. Hundreds of city volunteers will assist in the planting of the new trees, shrubs and grass plugs to complete the final phase of this project.

Project Bids & Funding:

City staff conducted a competitive bid process for phase two to construct the St. John River Park Riverwalk project, which was advertised for bids on July 29th and August 4th, 2011, with bids closing on August 19, 2011. Seventy-four notifications were broadcast via the internet (BidNet), forty-four notifications to area Contractors were mailed out. Visalia, Fresno, Bakersfield, Stockton and Madera Builder's Exchanges were also notified. The City received three proposals which are summarized below:

The account number for this project is 3011-0-72-0-8011. The three bids received are outlined below:

Contractor	Address	Base Bid Amount
Elite Landscape Inc.	Clovis Calif.	\$ 349,811.50
Yarb's Grading and Paving	Fowler Calif.	\$ 422,647.50
American Paving	Fresno, Calif.	\$ 499,811.00

The contract was awarded on the base bid. Because the base bids came in lower than City staff anticipated, a few add alternates were added to the Elite Landscape Incorporated contract for \$45,381.00, which were part of the bid process just in case the base bid came in low. The base bid and the add alternates are all part of the approved state grant and are being paid for by the grant. The add alternates are as follows:

- Irrigation main line extension – The extension of the main line will allow for future irrigation in this area and will loop the main line, which will equalize the main line pressure. (\$21,045)
- Install bollards- The installation of these bollards will help keep private vehicles out of the park area and improve trail safety. (\$9,800)
- Color concrete at two trail head locations and one lookout location. These colored concrete area's will resemble a basket weaved pattern. These baskets were created by Indians hundreds of years ago which are native to the Visalia area. These elements add to the state grant goals and objectives of recognizing the local natives. (\$8,246)
- Additional drain lines under the paving- additional lines will be installed under concrete and asphalt trails for drainage. (\$6,290)

All of these add alternates will enhance the finish product of this project. The total cost of the award of this contract is \$395,192.50.

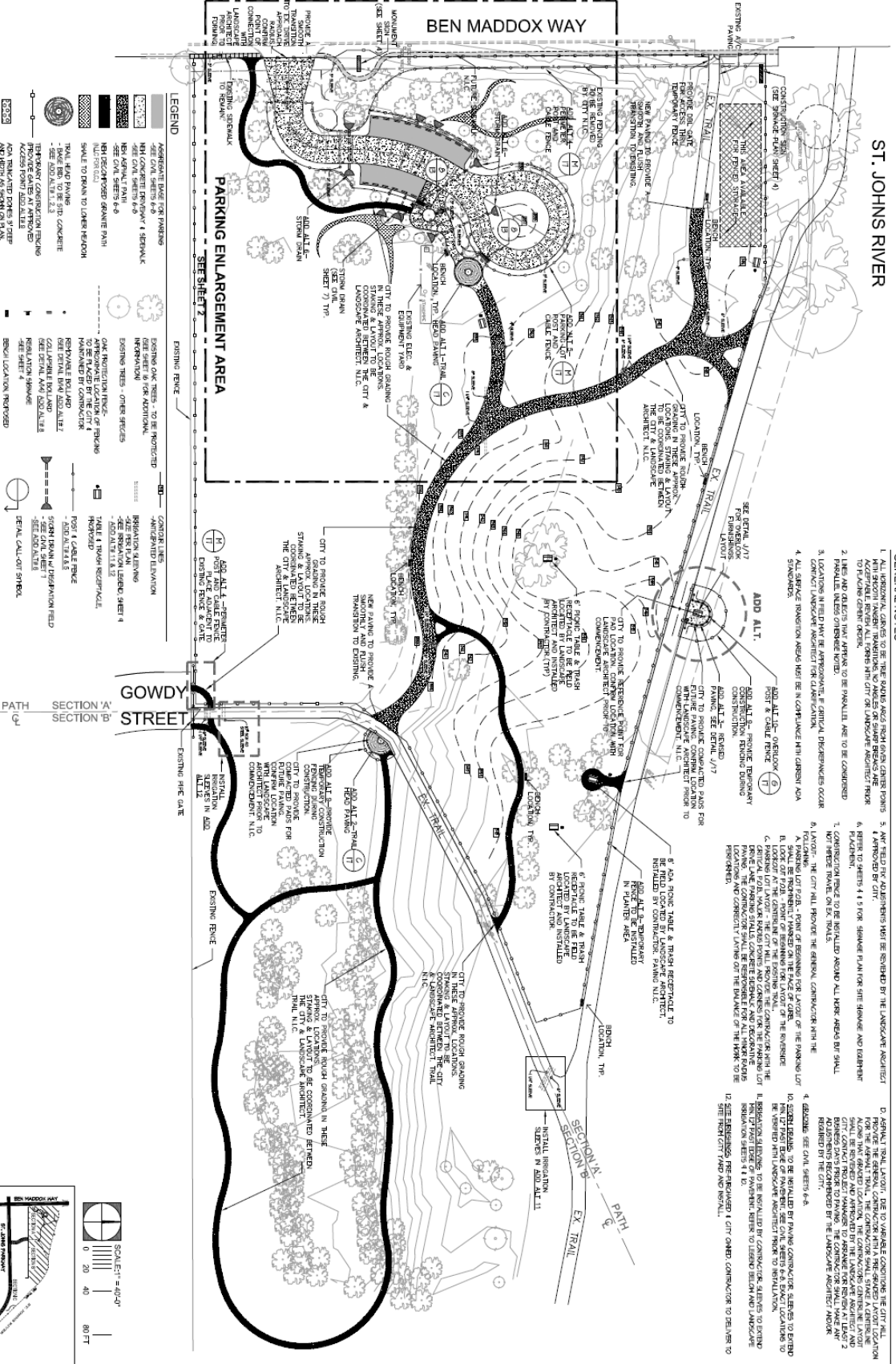
Elite Landscaping Incorporated is a California licensed general contractor based in Clovis since 1995. Recent project experiences include a 2 million dollar linear park improvement project for the City of Bakersfield, a 1.3 million dollar park and pump station improvement project for the City of Palo Alto and a \$500,000 park irrigation upgrade project for the City of Fresno. Staff was able to contact three of their references and all rated their work as satisfactory. Projects were completed on time with minimal change orders.

The total estimated cost for the completed park, including this phase is \$1,022,176.60. A large part of the funding will be provided from a State Proposition 50 grant in the amount of \$817,400. The remainder of the project will be paid for by the City Waterway fund. The deadline to finish this project is March 31, 2013.

Committee/Commission Review and Actions: The final site plan was reviewed and approved by the Parks and Recreation Commission.

Recommended Motion (and Alternative Motions if expected): Staff recommends that the City Council award a construction contract and authorize the City Manager to execute an agreement for RFB 11-12-07 for the St. John's Park, Riverwalk Improvements Project in the amount of \$395,192.50 to the low bidder, Elite Landscaping Incorporated. (This is Project No. 3011-0-72-0-8011).

LAYOUT PLAN - SECTIONS A & B



- ### LEGEND
- ADJACENT ROAD FOR PARKING
 - SEE CIVIL SHEETS 6-8
 - SEE CIVIL SHEETS 6-9
 - SEE CIVIL SHEETS 6-10
 - SEE CIVIL SHEETS 6-11
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GENERAL NOTES

1. ALL HORIZONTAL GRADING TO BE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S PLAN.
2. THE LANDSCAPE ARCHITECT'S PLAN SHALL BE CONSIDERED THE FINAL DESIGN FOR THE PROJECT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VISALIA.
4. ALL SERVICE CONNECTIONS SHALL BE IN ACCORDANCE WITH THE CITY OF VISALIA STANDARDS.
5. ANY FIELD OR ADJUSTMENTS MUST BE REVIEWED BY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING TREES AND OTHER VEGETATION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL FENCES AND BARRIERS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL SIGNAGE AND MARKINGS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL LIGHTING AND ELECTRICAL SYSTEMS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL WATER AND IRRIGATION SYSTEMS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL PAVING AND SURFACE MATERIALS.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL FURNITURE AND FIXTURES.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL PLANTING AND LANDSCAPING.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL CONSTRUCTION AND DEMOLITION WORK.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL SAFETY AND SECURITY MEASURES.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL ACCESSIBILITY FEATURES.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL ENVIRONMENTAL PROTECTION MEASURES.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL QUALITY CONTROL MEASURES.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL RECORD DRAWINGS AND AS-BUILT DOCUMENTATION.



ST. JOHNS RIVER

BEN MADDOX WAY

GOWDY STREET

SECTION A

SECTION B

SECTION C

SECTION D

SECTION E

SECTION F

SECTION G

SECTION H

SECTION I

SECTION J

SECTION K

SECTION L

SECTION M

SECTION N

SECTION O

SECTION P

SECTION Q

SECTION R

SECTION S

SECTION T

SECTION U

SECTION V

SECTION W

SECTION X

SECTION Y

SECTION Z

ST. JOHNS RIVERWALK

BEN MADDOX WAY TO HARREL GROVE, VISALIA, CA

LAYOUT PLAN

SECTIONS 'A' & 'B'

Sierra Designs, inc

Landscape Architecture • Planning

113 N. Churn Street Suite 310
Visalia, CA 93291
Phone: (559) 333-8899

Project Manager: Jim Bean
City of Visalia Parks & Recreation Dept
345 S. Jacob Street
Visalia CA 93291
(559) 713-1564

Project Manager: D. VETNA
Date: 02-18-2011

Sheet: **1** of 22 Sheets

City of Visalia Agenda Item Transmittal

Meeting Date: September 19, 2011

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

Agenda Item Wording: Award of Youth Non-profit Grants

Deadline for Action: None

Submitting Department: Citizens Advisory Committee

Contact Name and Phone Number:

Nathan Hernandez, CAC Non-profit Grant Chair, 804-1140
Eric Frost, CAC Liaison, x4474

Department Recommendation: That the City Council reviews the CAC's recommended award of non-profit grants for FY 2011/12 and adopt those recommendations.

Summary/background: The City Council authorized the award of \$130,000 in non-profit grants for fiscal year 2011-12 to eligible non-profit agencies servicing youth in the City of Visalia. Although this amount is reduced from previous years, City Council has continued to prioritize funding for programs that keep youth out of gangs while serving as many agencies as possible even in these tough economic times.

As in previous years, grants were solicited by mailing notices to all agencies that expressed an interest in the past, placing a newspaper ad and putting an article in the City's newsletter.

The CAC conducted three workshops in August to discuss the grant process and assist agencies in submitting a grant application. The CAC received 28 applications from 27 different agencies. There were 11 grant applications from agencies that did not receive funding in FY 2010-2011.

The CAC subcommittee reviewed the applications and came to a consensus recommendation to award the \$130,000 as shown on Attachment A. The recommendation was then reviewed by the full CAC committee at their September 7, 2011 meeting. At that time, the CAC adopted the subcommittee's recommendation.

The grant guidelines require that at least 50% of the funding be allocated to programs designated as gang prevention/intervention with no agency eligible for more than 20% of the grant amount (\$26,000) and a minimum award amount of \$3,000. Statistics from this year's grant awards are as follows:

- Gang prevention/intervention awards - 74% of total

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.

- Highest grant award - \$9,000
- Average grant award - \$5,000
- Average grant request - \$13,403
- Number of grants awarded - 26

In addition to the funding allocation requirement, agencies must also submit a resolution of their Board of Director's acknowledging the following statements:

“(1) no funds received from the City of Visalia Non-Profit Funding Program will be used for any religious purpose and (2) the program supported will be available to any person regardless of religion, race, ethnicity, or sexual orientation...”

The Board of each agency has acknowledged this statement and included the resolution in their application for funding.

There were two agencies that applied for funding that did not receive a recommendation for award by the CAC. The main reason the CAC did not recommend an award to these agencies was that the applications were incomplete. A full listing of applicants and program descriptions is included in Attachment C.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Redirect awards within the amount allocated by City Council.

Attachments: Recommended Award

Recommended Motion (and Alternative Motions if expected): To award the non-profit grants as recommended by the Citizens Advisory Committee.

Citizen's Advisory Committee – Acts as a liaison between the general public and the City Council concerning community issues.	
Held the 1 st Wednesday of each month, 5:30 p.m., in the City Hall Council Chambers – Staff Rep: Eric Frost	
15 Members/4 Alternates (optional) 2 year terms/term limits = 3	
1. Holkeboer, Dirk <i>1st term: 2007 – 12/2009</i> <i>2nd term: 2010 – 6/2011</i> <i>3rd term: 7/2011 – 6/2013</i>	
2. Gomez, John “Chris” * <i>1st term: 2007 – 12/2009</i> <i>2nd term: 2010-6/2012</i>	
3. Gordon, Tom * <i>1st term: 7/2011 – 6/2013</i>	
4. Miller, Josh * <i>1st term: 7/2011 – 6/2013</i>	
5. Feldstein, Luke <i>1st term: 2010 – 6/2012</i>	
6. Shelton Jr., George <i>1st term: 2006 – 12/2009</i> <i>2nd term: 2010 – 6/2012</i>	
7. Baggs, Sylvia <i>1st term: 2007 – 12/2009</i> <i>2nd term: 2010 – 6/2012</i>	
9 Hallum, Nyla <i>1st term: 3/2008 – 12/2009</i> <i>2nd term: 2010 – 6/2012</i>	
10. Hernandez, Nathan * <i>1st term: 3/2008 – 6/2011</i> <i>2nd term: 7/2011 – 6/2013</i>	
11 McNutt, Betty <i>1st term: 3/2008 – 6/2011</i> <i>2nd term: 7/2011 – 6/2013</i>	
12. Walker, Kris <i>1st term: 7/2011 – 6/2013</i>	
13. Florez, Laura <i>UET: 2010 – 6/2012</i>	
14. Matthew Ainley * <i>1st term: 5/2008 – 6/2011</i> <i>2nd term: 7/2011 – 6/2013</i>	
15. Biehle, Diane * <i>1st term: 8/2008 – 6/2011</i> <i>2nd term: 7/2011 – 6/2013</i>	
Alternate 1 – Mulhair, Sean AP: 7/2011	Alternate 3 - vacant
Alternate 2– vacant	Alternate 4 - vacant

*Non Profit Subcommittee Members

Agency	Visalia program name	2011-2012 Amount requested	Recommended Award	% of Requested Amount	Self-designated gang intervention program	Gang Intervention/Prevention Funds
American GI Forum	Northside Boxing Club	\$8,000	\$4,500	56.3%	X	\$4,500
Arts Visalia	Youth Art Education Program	\$12,000	\$0	0.0%	X	\$0
Assistance League Visalia	Operation School Bell	\$7,500	\$6,500	86.7%	X	\$6,500
Big Brothers Big Sisters of Central California	Mentor Program	\$10,000	\$3,000	30.0%	X	\$3,000
Boys & Girls Club of Tulare County	College Tech	\$24,306	\$6,000	24.7%	X	\$6,000
CASA of Tulare County	Court Appointed Special Advocates	\$10,000	\$4,500	45.0%		\$0
Children's Health & Safety Services of Tulare County	Child Passenger Safety Program	\$7,000	\$3,000	42.9%		\$0
Christ Luthern Institute of Performing Arts	CLIP Arts	\$20,000	\$3,000	15.0%	X	\$3,000
Community Services & Employment Training	Junior Leadership - Tech Connect	\$26,000	\$3,000	11.5%	X	\$3,000
Creative Center Foundation	Mardi Gras Kids Karnivale	\$5,000	\$3,000	60.0%	X	\$3,000
Enchanted Playhouse	Capital Purchase	\$12,000	\$5,000	41.7%		\$0
Family Services of Tulare County	Children's Counseling Program	\$8,000	\$5,000	62.5%	X	\$5,000
Food Link for Tulare County	Nutrition on the Go	\$12,000	\$3,000	25.0%		\$0
Friends of Tulare County	Children's Toy Drive	\$5,000	\$3,000	60.0%		\$0
Golden State YMCA	United Community Youth Center (UCYC)	\$20,000	\$7,000	35.0%	X	\$7,000
Hands in the Community	Gangs to Jobs	\$32,000	\$0	0.0%	X	\$0
Happy Trails Riding Academy	Scholarships for riders	\$10,000	\$5,000	50.0%		\$0
Imagine U Children's Museum	Children's Museum	\$20,000	\$7,500	37.5%		\$0
Parenting Network Inc	Gang Alternative Program	\$15,000	\$8,000	53.3%	X	\$8,000
Pro-Youth	HEART-PACT Project	\$26,000	\$5,000	19.2%	X	\$5,000
Read for Life	Read for Life Program	\$11,350	\$6,000	52.9%	X	\$6,000
Sequoia Council, Boy Scouts of America	Boy Scouting STEM	\$20,125	\$9,000	44.7%	X	\$9,000
Sequoia Riverlands Trust	Field Trip Program	\$10,000	\$7,000	70.0%	X	\$7,000
Tulare County Symphony	Youth Concert	\$5,000	\$3,000	60.0%		\$0
Visalia Arts Consortium Inc.	Urban Art Exhibit	\$4,000	\$3,000	75.0%	X	\$3,000
Visalia Police Activities League	Mentor Program	\$13,000	\$7,000	53.8%	X	\$7,000
Visalia Police Activities League	Youth Leadership Training	\$7,000	\$4,000	57.1%	X	\$4,000
WatchSTAR	Project STAR	\$15,000	\$6,000	40.0%	X	\$6,000
TOTALS		\$375,281	\$130,000	34.6%	73.8%	\$96,000
		Total \$\$ requested	Total \$\$ Available	% of Requested Amount	% of Total to Gang Intervention Programs	Total Amount to Gang Programs

Agency	Visalia program name	Program Description	Recommended Award
American GI Forum	Northside Boxing Club	Established in 1979 at the heart of one of the most underserved areas of Visalia, the Northside Boxing Club is linked to the Wittman Village Community Center providing youth activities year-round including competitive boxing as an alternative to gang involvement.	\$4,500
Arts Visalia	Youth Art Education Program	Provide free or reduced cost classes for children who would otherwise be unable to participate in art education activities.	\$0
Assistance League Visalia	Operation School Bell	Program provides new clothing, shoes, a book and hygiene kit to children who have been referred to the agency by school personnel. Program is run completely through volunteer support.	\$6,500
Big Brothers Big Sisters of Central California	Mentor Program	Funding will support a portion of the Tulare County Program Manager's time to assist with community outreach, volunteer background checks and training, child enrollment and family interviews for the Big Brothers Big Sisters mentorship program.	\$3,000
Boys & Girls Club of Tulare County	College Tech	Program will use technology and digital arts to guide high school age youth who are at risk of gang affiliation to establish career goals, develop post-secondary education goals, develop a plan to meet those college or trade school goals, and graduate high school.	\$6,000
CASA of Tulare County	Court Appointed Special Advocates	Funding will provide operation support to allow CASA to continue to recruit, screen, train, supervise and support community volunteers who advocate for the interests of abused and neglected children.	\$4,500
Children's Health & Safety Services of Tulare County	Child Passenger Safety Program	Program provides child restraints to low-income families in Tulare County including Visalia. Funding will be used to provide equipment and education for proper and consistent use.	\$3,000
Christ Lutheran Institute of Performing Arts	CLIP Arts	After school program providing low-income and at-risk youth the opportunity to participate in Dance, Drama, Music and Fine Arts classes at no cost. Funding will be used for art supplies, music instruments, sheet music etc.	\$3,000
Community Services & Employment Training	Junior Leadership - Tech Connect	Program will provide approximately 15 low-income, at-risk youth, ages 14-18 with the opportunity to participate in a technology learning and service initiative that teaches about broadband technologies and how to put that knowledge to work in the service of their community.	\$3,000
Creative Center Foundation	Mardi Gras Kids Karnivale	Funding will be used to run the Kids Karnivale and Street Dance in conjunction with Mardi Gras, an anti-gang themed event that reaches out to hundreds of youth.	\$3,000
Enchanted Playhouse	Capital Purchase	The Enchanted Playhouse requests funding to replace the "Grand", a 25+ year old curtain that is deteriorating. Each year the theatre offers a performance for low-income families at no cost and children are given books and encouraged to become involved in arts and literature.	\$5,000
Family Services of Tulare County	Children's Counseling Program	Intended use of funds is for overhead costs associated with providing counseling to children who have been emotionally traumatized by witnessing violence in their homes, neighborhoods, schools or communities as well as educational and skill development intervention with parents.	\$5,000
Food Link for Tulare County	Nutrition on the Go	Weekly program at Highland Elementary School to provide fresh fruit and vegetables set up similar to a farmers market training 20 students to be nutrition "stars". Funding would pay for food, staff time, delivery and set up of each event.	\$3,000
Friends of Tulare County	Children's Toy Drive	The Children's Toy Drive is an annual event for children who are victims of abuse and neglect and who are in out of home care with foster parents, relatives, or are living in a residential facility.	\$3,000
Golden State YMCA	United Community Youth Center (UCYC)	Funding will support general operations for UCYC, specifically employee wages, program supplies, and field trips. These funds support a no cost program to at-risk youth in central Visalia for ages 5 - 17 years. Programs include teen talk, recording studio, dance club, youth and teen committees, graphic art studio, movie studio and more...	\$7,000
Hands in the Community	Gangs to Jobs	Funding will support cost associated with providing services for Sons of Hope/Gangs to Jobs program to rescue young men who are at-risk of or involved in gang affiliation and activities.	\$0
Happy Trails Riding Academy	Scholarships for riders	Programs consist of therapeutic riding, interactive vaulting and equine assisted therapy with an occupational therapist. Funding will provide scholarships for low income families who are unable to pay the riding fee.	\$5,000
Imagine U Children's Museum	Children's Museum	Museum offers science exhibits on electricity, biometrics, physics and earth sciences in addition to a stage and costume area, an archeological dig area and an art area. Funding will be used for general obligations of the Museum including utilities, staffing and supplies for programming geared for low-income and at-risk youth.	\$7,500

Parenting Network Inc	Gang Alternative Program	Program provides participants and their parents to participate in Talking Circles to allow self expression and reflection on parenting styles and communication. Funding will pay for academic tutoring, talking circles facilitator and program coordinator, parent incentives, meals and childcare for younger siblings.	\$8,000
Pro-Youth	HEART-PACT Project	The project, PACT - Parents and Children Together, provides parents and guardians in Visalia with evening programs that help them guide their children in making good decisions when confronted with negative influence. Funds will be used for presenters/trainers, classrooms and materials, general program support as there is no cost to the families.	\$5,000
Read for Life	Read for Life Program	Funding will support the Teenage Parenting Program, Books for Babies and Books for Kids, for books in both English and Spanish as well as funding for a coordinator.	\$6,000
Sequoia Council, Boy Scouts of America	Boy Scouting STEM	Funding will be used to implement the STEM program for at-risk youth by partnering with community organizations. The STEM program includes applying the scientific method as the core process to analyzing and overcoming obstacles; applied mathematics; gaining an understanding of the principles of mechanical and structural engineering; and learning about relevant applications of technology.	\$9,000
Sequoia Riverlands Trust	Field Trip Program	Funding will be used to develop a new field trip program at Dry Creek Preserve in the Spring of 2012 as well as continue the programs at Kaweah Oaks Preserve and service learning projects for middle and high school students.	\$7,000
Tulare County Symphony	Youth Concert	Funding will be used for youth concert in Visalia on October 18 provided to Visalia students at no cost to the students	\$3,000
Visalia Arts Consortium Inc.	Urban Art Exhibit	Funds will be used to fund the costs of holding an Urban Art exhibit and workshop as part of the Visalia Art's Consortium's "Taste the Arts" event to be held Sept 29, 30 and Oct 1.	\$3,000
Visalia Police Activities League	Mentor Program	Visalia PAL recruits adult and peer mentors from the Visalia Police Dept, police volunteers and various community organizations. Funding will be used to fund time for the Mentor Coordinator, supplies, use of the PAL facility and use of existing PAL programs and activities.	\$7,000
Visalia Police Activities League	Youth Leadership Training	Youth meet one day each month for training using the Penn State Leadership Development Course and are trained in self esteem, team building, manners and etiquette, peer pressure, conflict management, goal setting and general leadership and change. Funding will be used to purchase interview clothing, pay for a trip and assist with the Coordinator's time.	\$4,000
WatchSTAR	Project STAR	Funding will be used to fund three objectives covering prevention and intervention programs; increase the percentage of at-risk youth in mentoring activities; increase the number of mentees from the juvenile justice system who participate in an evidence-based system; incorporate multiple types of mentoring, community activities and committees that are structured to overcome negative life barriers.	\$6,000
TOTALS			\$130,000
			Total \$\$ Available

City of Visalia Agenda Item Transmittal

Meeting Date: September 19, 2011

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

Agenda Item Wording: Request to extend Exclusive Negotiations Agreement (ENA) with Mill Creek Professional Center, LLC, for six (6) months (unless an acceptable unsolicited proposal is submitted to the City) for the completion of pre-development due diligence and planning activities necessary for the negotiation of a Development Agreement for approval by the City Council for the phased sale and development of city-owned land situated between Acequia, Mineral King, Stevenson and Conyer Streets.

Deadline for Action: None

Submitting Department: Housing & Economic Development

Contact Name and Phone Number: Ricardo Noguera, Housing & Economic Development Director (x4190)

Department Recommendation: Authorize the City Manager to extend the recently expired (August 21, 2011) Exclusive Negotiations Agreement (ENA) for a third six (6) month term; until March 21, 2012. However, the City will maintain the authority to negotiate with another developer in the event an acceptable unsolicited offer is received.

Summary/background: Over the past few years, the City has sought a pro-active approach to creating an office environment conducive to the growth of Downtown. Kaweah Delta Healthcare District has continued to implement its' master plan with the addition of a state-of-the-art expansion (100,000 square feet) and a five-story administrative building. In working in collaboration with the hospital, the City is projecting for the long-term to establish a new Civic Center at a East Downtown site. The relocation of such activities will free up almost two square blocks to support medical-related office uses on city-owned properties.

City releases RFP: On August 20, 2008 the City released an Request For Proposal (RFP) for the acquisition and development of medical/professional offices, parking structure and a possible mixed-use building (retail/residential). On February 9, 2009 Council authorized staff to commence negotiations on an Exclusive Negotiations Agreement (ENA) with Mill Creek Professional Center, LLC for completion of pre-development due diligence and planning activities necessary for the negotiation of a Development Agreement for a phased development

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)

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of city-owned property bounded by Acequia Avenue (north); Mineral King (south); Stevenson Avenue (east); and Conyers Street (west).

Project Status: The October 5, 2009 ENA calls for several deliverables (within the 270-day period) on the part of the development team and the City. It also contains a 270-day time period which allows for either party to terminate or extend the ENA if they choose to do so. Key deliverables include:

Development Team Requirements

1. Completion of a site plan with a multi-phased development scheme. Since the October 5th approval date, a conceptual site plan has been prepared and submitted to the City. The development team has also proposed to commence development south of Mill Creek with potentially a two to three story office building totaling between 30 to 45,000 square feet. The actual size will be based on market conditions and the ability of the development team to secure investors and/or tenants.
2. Completion of designs, elevations and other documentation identifying improvements and facilities for Phase I development. This has not been provided by the development team to date.
3. Analysis of parking requirements for the development, including proposed use of parking in-lieu. Although there have been discussions regarding development of surface parking south of the creek and possible leasing of existing parking north of the creek, there has been no formal analysis provided to date.

As of this date (September 19, 2011), only preparation and submittal of a conceptual site plan has been received by the City. All other deliverables have yet to be fulfilled. These deliverables have not been presented since the developer has been unable to land an anchor tenant for the site. Typically, developers and/or property owners prepare plans based on the specific needs of their tenants or end users. Since the developer has yet to secure a tenant for the site, no formal plans have been submitted including preparation of design as well as analysis of parking requirements. The downturn in the market is the key reason for the inability of the developer to secure a major office tenant. There are also several office vacancies throughout Visalia and it is more difficult to secure financing to construct new office buildings without substantial leases and complete necessary tenant improvements.

City's Requirements

1. Timely review and comment on all plans submitted by the Development team. To date only conceptual plans have been submitted for discussion purposes. Therefore, the City is unable to provide an analysis on plans.
2. The development agreement has yet to be drafted since the deliverables above required from the developer have yet to be fulfilled.
3. Completion of an appraisal. The City has completed an appraisal on the property and furnished the development team with a copy. However, since the appraisal is outdated, a new appraisal would be required as part of negotiations on a development agreement in the future.

Downturn in the Economy Slowing Progress: This report represents the third six month extension request for this developer. The last extension was approved by Council on February 22, 2011. It was granted as a result of the challenged economy, more specifically the office market. Unfortunately, the market has not improved over the past six months. The developer had planned to recruit medical professionals who would more likely seek to locate in close

proximity to the hospital facility. The developer is now seeking to broaden the marketing approach for a new facility to include general office uses as well as financial, real estate, legal, insurance, etc.. This new marketing approach combined with improvements in the market may hopefully enable the developer to secure sufficient level of interests from office users to move forward with a development agreement over the next six months.

City to Maintain Ability to Negotiate with Other Parties

Staff has recommended to extend the ENA for a third term through March 19, 2012 for a few reasons. First and foremost, the development team has an excellent track record of delivering office and mixed-use products within Downtown Visalia. Their work has included construction of a one-story office building on Garden at Oak Avenue, development of the two-story Buckman Mitchell office building on N. Santa Fe and Goshen Avenue, restoration of the Togni Building into a mixed-use office (office/retail) building among other developments. Secondly, the office market continues to struggle throughout Visalia. However, this team's track record and knowledge of the local market continues to make them a good candidate to secure an appropriate development scheme for the City's property.

While staff feels comfortable with the developer's track record and experience, it is important that the City maintain flexibility to consider alternative options if they should become available through other sources and therefore it is recommended that we amend the ENA (via this staff report and a supporting letter to the developer) to allow the City to consider other unsolicited proposals. Staff will not actively solicit proposals from other developers while this extension is in effect. However, in the event unsolicited proposals are brought forward, staff is requesting authorization from Council to negotiate with such parties and if an agreement can be successfully formulated then the ENA with Mill Creek Professional Center, LLC would be nullified through a letter to the developer.

Prior Council/Board Actions:

- On June 25, 2007, Council considered a proposal by the development team and opted to release an RFP instead of negotiating at that time;
- In October 2007, Council authorized the release of an RFP for a city-owned parcel at the southeast corner of Acequia and Conyer streets;
- On July 14, 2008, council authorized the release of an RFP for ¾'s of the block bounded by Acequia, Stevenson, Conyer and Mineral King Streets;
- On February 9, 2009, Council selected Mill Creek Professional, LLC as the preferred developer to commence negotiations for an Exclusive Negotiations Agreement;
- On October 5, 2009, Council approved an Exclusive Negotiations Agreement with Mill Creek Professional, LLC
- On June 21, 2010, Council approved a six-month extension of the ENA with Mill Creek Professional, LLC (expired January 31, 2011)
- On February 22, 2011, Council approved a second six-month extension of the ENA with Mill Creek Professional, LLC (expired August 21, 2011)

Committee/Commission Review and Actions: None

Alternatives: None presently recommended.

Attachments:

- Aerial of proposed development site

Recommended Motion (and Alternative Motions if expected): : Authorize the City Manager to extend the recently expired Exclusive Negotiations Agreement (ENA) for a third six (6) months; expiring on March 19, 2012. However, the City will maintain the authority to negotiate with another developer in the event an acceptable offer or agreement is proposed

Environmental Assessment Status

CEQA Review: N/A

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:

Acequia & Conyer RFP



Legend

- STREETS
- WATERWAYS
- ▭ PARCELS



City of Visalia Agenda Item Transmittal

Meeting Date: Friday, September 19, 2011

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

Agenda Item Wording: Authorization to award the contract for the Short Range Transit Plan to Majic Consulting in the amount of \$73,336.

Deadline for Action: September 19, 2011

Submitting Department: Administration Department – Transit Division

Contact Name and Phone Number: Monty Cox, x4591
Leslie Caviglia, x4317

Department Recommendation

It is recommended that the City Council authorize the Transit Division to award the Short Range Transit Plan contract to Majic Consulting in the amount of \$73,336

Summary/Background

Staff conducted a Federally mandated competitive proposal process to select a qualified firm with the best proposal to conduct the 2012 Short Range Transit Plan (SRTP) for Visalia Transit. The SRTP is a required planning document that is used to program federal and state funds; update the transit operating, capital, and financial plans; and, provide a schedule for implementing changes. Federal funding requires the city to conduct an SRTP at least every three years. The last one was completed in 2008. The City received three proposals from qualified firms, including: Majic Consulting of Santa Clarita, Moore & Associates of Valencia and TPG Consulting of Visalia.

The selection process included a panel that reviewed and scored the proposals, reviewers included: Christine Chavez from Tulare County Association of Governments (TCAG), Daymon Qualls from the City of Exeter, Jerry Squire - Transit Advisory Committee Chairperson, Transit Manager Monty Cox, Carmen Quevedo and Gamaliel Anguiano Transit Division staff.

A close review of all the proposals was conducted, and the review panel selected Majic as having the best proposal, followed by Moore & Associates and then TPG. Majic Consulting proposes to deliver a comprehensive plan built to suit the needs and available resources of Visalia Transit, riders and its service area. Majic Consulting comes with an extensive background in performing SRTP's and similar planning projects for cities of a similar size and/or transit complexity including: Santa Maria, San Luis Obispo, Petaluma and Livermore. All references returned positive responses. Majic Consulting proposes assigning a well-rounded

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)

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and experienced staff of consultants to this project, including professionals in fixed route and demand response systems.

Additionally to being a qualified firm, this agency also came in with the lowest bid of \$73,336 while Moore & Associates came in at \$73,977 and TPG Consulting at \$74,460. Because of the Federal mandates for conducting a proposal process, this is not an instance when price is the deciding factor. The primary factor is the quality of the proposal and experience of the firm. While price can be a consideration if the best proposal is far above the other proposed costs, it cannot be a deciding factor in this instance where bids are very close. The Federal mandates also prevent the City from using the local preference when awarding this contract.

A Short Range Transit Plan is a guiding document for the Transit Division for the next five years. In developing the plan, the company will look at current bus services and project transit needs into a five-year horizon. It will include an operating plan, capital plan and financial plan for that period of time, and can be used to justify federal, state and local revenues and expenses. SRTP's are required by the Federal Transit Administration as a prerequisite to approval of federal grants for operating and capital purposes. The plan evaluates current services, provides recommendations to improve the transit system, and programs federal funding.

The funds for the SRTP will be provided through the annual transit planning allocation from TCAG. Eighty percent (80%) will be billed through TCAG and twenty percent (20%) will come from the local Transportation funds (LTF). No funding will come from the General Fund. Staff will be coming back to Council to present the Draft Short Range Transit Plan for review and comment in approximately four to six months, and the final plan will be brought to Council for adoption.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: The City could elect not to award the contract and conduct the project, although not having a SRTP would put Transit's long term funding at risk.

Attachments: None.

Recommended Motion (and Alternative Motions if expected):

I move that the City Council authorize the Transit Division to award the Short Range Transit Plan contract to Majic Consulting in the amount of 73,336.

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)*

Financial Impact

Funding Source:

Account Number:

Account Number: 4511-00000-720000-0-9259 (Planning)

Budget Recap:

Total Estimated cost: \$0

New Revenue: \$ 0

Amount Budgeted: \$ 0

* Lost Revenue: \$

New funding required:\$

New Personnel: \$

Council Policy Change: Yes_____ No X

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

Agenda Item Number (Assigned by City Clerk): 71

Agenda Item Wording: Request authorization for staff to file a Notice of Completion for the Underground Utility District No. 19 Project (Mooney/Walnut intersection) in the amount of \$455,546.97 (Project No. 0311-9270)

Deadline for Action: None

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:

Michael Carr, Senior Transportation Planner, 713-4595
Adam Ennis, Assistant Director of Engineering, 713-4323
Chris Young, Community Development Director, 713-4392

Department Recommendation: Staff recommends that the City Council authorize staff to file a Notice of Completion for the Underground Utility District No. 19 Project (Mooney/Walnut intersection). All the work has been completed by the contractor, Western Paving Company, Inc., with a final contract amount of \$455,546.97.

Summary: The City is currently constructing a Capital Improvement Project for the widening and improvement of Walnut Avenue at Mooney Boulevard. To accommodate the widening and improvements, the existing overhead power and communication lines had to be relocated. As part of that relocation, the power distribution and communication lines were buried underground through Underground Utility District No.19. This phase of the project installed the vaults and conduits before the actual street widening could begin. With Whitendale now complete, this is the second and final major intersection along Mooney Boulevard that the City of Visalia is improving to accept the dual left turn lanes that were added by the Caltrans Mooney Widening project. This project will increase the Mooney/Walnut intersection capacity per the City's Circulation Element.

The original contract with Western Paving was in the amount of \$347,551.00. As the work was done, change orders were required that added another \$107,995.97 to the final cost of the project. The change orders were of three different varieties: 1) Public safety and information; 2) Unforeseen site conditions; and 3) added project scope. Most of the added cost came from encountering various obstacles underground. This underground phase of the overall Walnut Widening project is funded entirely by the Transportation Impact Fee fund.

Background: On January 18, 2011, Council awarded the Underground Utility District No. 19 Project to Western Paving Company, Inc., in the amount of \$347,551.00. The City budget for this project was \$1,900,000 including the total cost of this contract, the contract to complete the Walnut Street Widening project, City of Visalia project management, inspections, surveying and testing.

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.): 1Min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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All project change orders were reviewed and approved by the Change Order Committee. The total dollar amount spent on change orders was \$107,995.97, which represents a 31% increase in the overall project cost of the Underground District phase. A summary of the change orders grouped into major categories is presented below:

Additional traffic control and signage to notify the public (additional \$23,524.40, representing 21.8% of the change orders)

The City added four additional changeable message boards on the legs of the intersection well in advance of the actual construction site to better inform the public. The signs gave notice to expect delays around the Mooney/Walnut intersection and to consider using an alternate route. There was also an additional two weeks of traffic control due to the added time required to complete other change order work.

Unforeseen site conditions (additional \$83,882.92, representing 77.7% of the change orders)

Doing underground work in older parts of the city is always challenging, since the contractor will inevitably come across structures and utility lines that were not known to exist. Such was the case working in Walnut and Mooney. The contractor came across twenty-nine instances where utilities or buried structures were not shown on the plans, not marked by the utility companies, or not found in the expected locations. This led to fifteen days of delay and extra work for the contractor to realign pipes, dig trenches deeper, hand dig around conduits so the heavy equipment would not break existing utilities, and reconstruct sections that were already in place before the conflicts were discovered.

Added project scope (additional \$588.65, representing 0.5% of the change orders)

The City had the Contractor add truncated dome detectable warning panels (required by State and Federal ADA Standards) when they re-poured the handicap ramp at the NE corner of Walnut Avenue and Central Street. In addition, the City and the contractor (Western Paving) shared the cost of video inspection of the existing storm drain line on Walnut from Central Street to the east edge of the Mooney intersection after the contractor exposed it and discovered the pipe to be old and substandard.

Funds for this work are budgeted from Transportation Impact Fees.

Prior Council/Board Actions: Resolution 2008-61, authorizing the formation of Underground Utility District No. 19, was approved on December 15, 2008. The contract was awarded to Western Paving Company, Inc., on January 18, 2011.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: Location Map
Ownership Disclosure Form

Recommended Motion (and Alternative Motions if expected):

I move to authorize staff to file a Notice of Completion for the Underground Utility District No. 19 Project (Mooney/Walnut intersection) in the amount of \$455,546.97.

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)*
Notice of Completion to be filed with County Records Office through City Engineer's office.



CITY OF VISALIA

Disclosure Contractors and Consultants

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:

Firm Name WESTERN PAVING COMPANY INC
Firm Address PO BOX 25368 FRESNO, CA 93729

List the names of all principals, partners, and/or trustees. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:

STEVE NUNES	50%
SHARON NUNES	50%

9/9/2011
Date

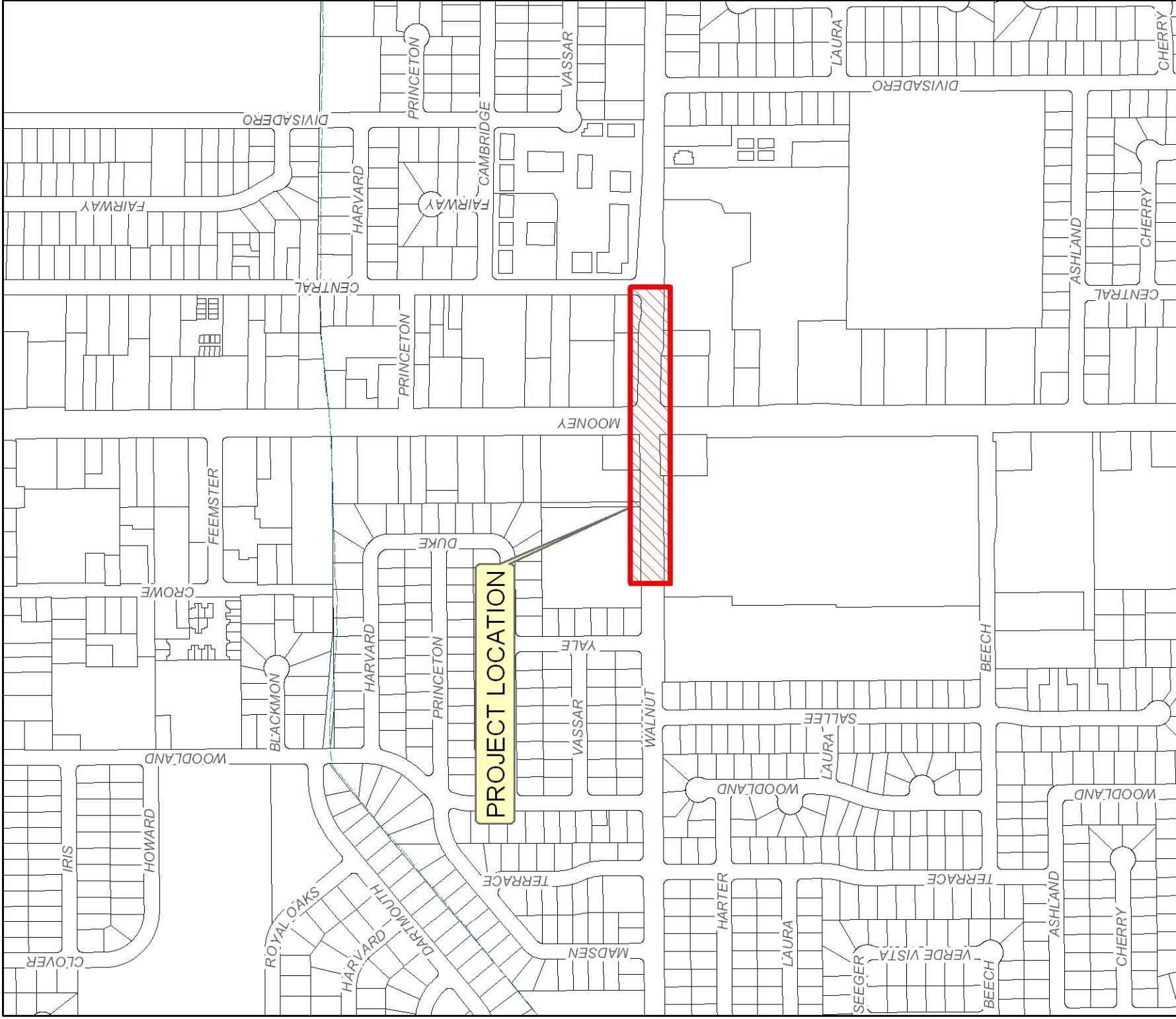

Signature
STEVE NUNES - PRESIDENT

Print Name & Title

9/9/2011
Date


Signature
SHARON NUNES - SECRETARY

Print Name & Title



Walnut Avenue Street Widening Location Map

Scale: 1"=500'

**City of Visalia
Agenda Item Transmittal**

Meeting Date: Sept. 19, 2011

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

Agenda Item Wording: Recommendation from the Council Election Process Subcommittee Task Force to appointment of Paul Chao, Maggie Florez and Vincent Salinas as the at-large members of the Election Process Task Force.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number:

Vice Mayor Amy Shuklian
Council Member Warren Gubler

Department Recommendation:

It is recommended by Vice Mayor Amy Shuklian and Council Member Warren Gubler of the Council Election Process Subcommittee that Paul Chao, Maggie Florez and Vincent Salinas be appointed as the at-large members of the Election Process Task Force

Summary:

At the September 6, 2011 City Council meeting, the City Council each recommended two members to serve on the Election Process Task Force, and the Council confirmed those recommendations which included:

Robert Aguilar
Brody Blain
Phil Bourdette
Jennifer Gomez
Nathan Hernandez

Tom Johnson
Darlene Mata
Glenn Morris
Stephen Peck
HarryWoods

In addition, the Election Process Subcommittee recommended that three at-large members round out the committee. Originally, the Council had agreed to randomly select the at-large members from the remaining applicants. However, at the last meeting, the Council voted to refer the selection of the at-large members to the Council Subcommittee for a recommendation in order to have a Task Force that is board-based. The Subcommittee met and considered the remaining applicants, and is recommending Chao, Florez and Salinas. In addition, the Council

For action by:

City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

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Est. Time (Min.): _____

Review:

Dept. Head
(Initials & date required)

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

City Mgr _____
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agreed, based on the Mayor's recommendation that Vice Mayor Amy Shuklian and Council Member Warren Gubler serve as the Council's ex-officio members of the Task Force.

Summary/background:

The City Council, in considering this issue, recognized that with a diverse population of 125,000, and with the data from the 2010 census now available, it may be an appropriate time for the Council, in conjunction with the community, to review how City Council Members are elected and determine the best course of action for the future. Some state and federal law election provisions favor district elections; although the City Council does not, as a whole, necessarily agree that at large elections should be abandoned for the City of Visalia, it agrees that the community should have an opportunity to discuss this matter in greater depth. The Council determined that a community-based group should be given the task of investigating the feasibility and appropriateness of district elections for the City of Visalia.

Task Force Purpose:

Consistent with the above, the Council City decided to appoint a Task Force to consider the following:

1. Review the types of City Council election formats being used in other cities that may comply with federal and state election law.
2. Consider whether the City Council should consider changing how the Visalia City Council is elected, including the implementation of a "By-District" election process.
3. Consider the current demographic and voter makeup statistics as revealed by the 2010 census and recent election data, and how are these statistics relevant to the question of how or whether the City's election process should be changed.
4. Taking the above into consideration, determine whether the Task Force has a recommendation on the following aspects of the Council Member election system:
 - a. Is the "at large" system still appropriate for Visalia? If not, what type of District elections are recommended (i.e. pure by-district, or hybrid with an "at-large" component)?
 - b. How many Districts should there be, and should the City create new Council seats (for example, move to a seven-person Council)?
 - c. If a change is recommended, what should the timeline for processing such a change be?
 - d. By what process should the change be implemented? (Charter Amendment, ordinance, other)

Prior Council/Board Actions:

6//27 – The City Council appointed Vice Mayor Amy Shuklian and Council Member Warren Gubler to a Council Sub Committee to consider if the Council should consider making changes to the Election Process.

8/1 – The City Council voted to appoint an Election Process Task Force to consider whether they would recommend making changes to the City's Election Process.

8/15 - The City Council voted to reopen the application process until Aug. 31, 2011.

9/6 – The Council appointed 10 members of the Committee and recommended that the Council Subcommittee make a recommendation to the City Council regarding the at-large members.

Attachments:

Recommended Motion (and Alternative Motions if expected):

It is recommended that Visalia City Council appoint Paul Chao, Maggie Florez and Vincent Salinas to service as the at-large members of the Election Process Task Force.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

Agenda Item Number (Assigned by City Clerk): 8 a,b,c

Agenda Item Wording: Redevelopment Agency and City Contingent Conditional Community Remittance Agreement and other Miscellaneous Compliance Rectifications and Accounting Clarifications

Deadline for Action: September 19, 2011

Submitting Department: Housing and Economic Development

Contact Name and Phone Number: Ricardo Noguera, Housing and Economic Development Director (713-4190); Eric Frost, Administrative Services Director (713-4474); Ruth Peña, Financial Analyst (713-4327)

Department Recommendation:

The State's action to discontinue redevelopment unless a City makes certain payments has caused great concern for all redevelopment agencies. Three actions are being recommended to clarify and improve Visalia's Redevelopment Agency's compliance with California Redevelopment Law as recently amended. The current lawsuit contesting the validity of State RDA legislation may eventually cause further changes in redevelopment regulations, however, the actions recommended below are intended to achieve compliance with RDA law as currently in effect.

That the Redevelopment Agency and the City Council approve:

1. Resolutions from the Agency and the City of Visalia (RDA Resolution 2011-05 and COV Resolution 2011-63), authorizing an agreement between the City and the Redevelopment Agency for the Redevelopment Agency to reimburse the City of Visalia for continuation payments which may be required by the State of California if the courts find such legislation constitutional, labeled Conditional Community Remittance Funding Agreement.

That the Redevelopment Agency approve:

2. Resolution 2011-04 which extends the time to dispose of land or start a project for five (5) parcels purchased with Low/Mod housing monies for an additional five years;
3. A motion finding that planning and administration charges are "necessary for the production, improvement, or preservation" of affordable housing for both fiscal years 2010/11 and 2011/12.

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.

Following Agency approval of the extension, the City/Agency will analyze each parcel and determine how best to dispose or develop the five parcels and return to Council with recommendations.

Summary/Background:

Continuation Payments. As part of the recently passed State Budget, the State legislature ended authorization of local redevelopment agencies. The legislation did provide, however, that if a local agency paid a continuation payment, a city may maintain its redevelopment agency.

Visalia's analysis of the continuation payment indicated that it was advantageous for the City to make the payment rather than discontinue redevelopment in Visalia. As a result, the City took action on August 15, 2011 to establish that the City would pay \$2.5 million this fiscal year and \$600,000 a year thereafter in order to continue Visalia's redevelopment activities.

Subsequent to these actions, a lawsuit was brought against the State seeking to invalidate the State's legislation as being unconstitutional. Further, a limited stay was placed on legislation. As a result, Redevelopment in California is unable to enter into any new contracts until the matter is resolved at the State level.

The problem is complicated because the contested legislation states that the State will compare the 10/1/11 Statement of Indebtedness (SOI) to the 10/1/12 Statement of Indebtedness. Any new debt will be subject to an additional 80% pass-through for school district related tax-increment on new debt. In other words, any new debt will trigger new pass-throughs, further reducing what tax increment is available to a redevelopment agency. If Visalia's Redevelopment Agency does not list this continuation payment on its SOI, then it could be subject to an additional pass-through payment next year, if the State's legislation is found to be constitutional.

As a result, **staff recommends that Visalia's Redevelopment Agency adopt a contingent payment agreement stating that if the State law is upheld by the courts and the City makes a continuation payment in order to preserve redevelopment locally, the Agency will reimburse the City for the payments it makes.**

An attachment discussing more fully the law and court actions is attached for the Agency and Council's review.

Properties purchased with Low and Moderate Housing Funds Held Longer Than 5 Years. California Redevelopment Law (Health and Safety Code Section 33334.16) requires redevelopment agencies which purchase property with Low and Moderate Housing funds to initiate activities consistent with the development or disposition of the property within 5 years of acquiring the property.

In 2004, the Agency foreclosed on an RDA Low-Mod loan provided to the previous owners of a single family dwelling located at 1035 E. Douglas Avenue. Since that time, the Agency has utilized additional RDA Low-Mod funds to complete a major rehabilitation of the dwelling and approached the tenants about the possibility of them purchasing



the property. The renters, however, have declined the offer. The City/Agency has continued to manage the dwelling and maintain it as a low-income unit but will continue to pursue sale of the home.

On August 22, 2011, the City received a letter from the State Controller's Office on this matter requesting a response to the audit finding (Attachment A). Staff has shared with the Controller's Office a written response (Attachment B) and a plan to bring a resolution to the Visalia Agency Board requesting to maintain ownership of the property at 1035 E. Douglas Avenue for an additional five years or the authority to sell this property if feasible.

Following further review by the City Attorney and staff, despite sending a letter acknowledging the violations (dated August 30, 2011), the Visalia RDA Agency has concluded that it disagrees with the 2010 audit finding because it did, in fact, initiate activities consistent within affordable housing within the statutory time frame. The RDA has completed substantial rehabilitation of the 1035 E. Douglas Property within the five-year period and demonstrated the intent to redevelop and dispose of the property as affordable housing. Therefore, it is the City of Visalia RDA's position that there was no violation of Section 33334.16. Staff has sent a subsequent letter to the State Controller's Office indicating that we are not in agreement with the finding from the 2010 audit since the Visalia RDA did in fact fulfill the CRL Section 3334.16 by renovating the dwelling and attempting to sell to the low-income tenants. This is based on further investigation by the City Attorney's Office and staff.

Staff is also requesting authority to market for possible disposition of four additional parcels acquired within the past five years as part of this resolution. The addresses are as follows:

- 111 NW 5th
- 113 NW 5th
- 830 E. Roosevelt
- 409 E. Murray

Please note that these properties were not addressed in the 2009-10 audit finding and the subsequent letter from the State Controller's Office. These properties are, however, reaching their five year limit prescribed by Section 33334.16 because affordable housing development has not been initiated on these properties.

Existing market conditions will determine when it makes most sense to dispose of these properties. The immediate action required by the Agency Board is to extend the time period to initiate development activities consistent with affordable housing uses. The Board has the authority to extend the time period once by five years. If after the conclusion of this second five year period, affordable housing development activities have not been initiated, the Agency will be required to sell the properties.

111 & 113 NW 5th





Annual Finding Allowing Administrative Charges to Be Assessed to the Low and Moderate Housing Fund. Per Health and Safety Code Section 33334.3(d), agencies are required to make an annual determination that planning and administration charges are “necessary for the production, improvement, or preservation” of affordable housing. The City of Visalia allocates the administration funds necessary to manage the Redevelopment Agency Housing Funds during the annual budget approval process.

As approved in the 2010-11 & 2011-12 Operating Budget, the total Low and Moderate Housing Fund’s revenues are \$1.8 million and the allocated administrative charges are \$278,000 or 15% of the revenues. Although California Redevelopment Law does not limit administration to a set percentage, the Agency Board must make a finding that administrative costs are necessary in the production, improvement and preservation of affordable housing. It is instructive to note that for Federal Community Development Block Grants, administration is limited to 20% and for HOME programs, administration costs are limited to 10%. Staff believes Visalia’s Redevelopment’s level of administration is appropriate and necessary in producing affordable housing.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments:

- Attachment A, Letter dated August 22, 2011 from the California State Controller, Division of Accounting and Reporting.

- Attachment B, City of Visalia’s RDA response to the California State Controller’s letter dated August 30, 2011.
- Attachment C, Aerial Map of the RDA parcels
- Attachment D, Follow-up Letter to California State Controller’s Office contesting the major violation dated August 8, 2011
- Attachment E, Memo dated 9/14/11 discussing more fully the need for a community remittance funding agreement

Recommended Motion (and Alternative Motions if expected): That the Redevelopment Agency and the City Council approve:

1. A resolution from the Agency and the City of Visalia, Resolutions 2011-05 and 2011-63 respectively, authorizing an agreement between the City and the Redevelopment Agency for the Redevelopment Agency to reimburse the City of Visalia for continuation payments which may be required by the State of California if the courts find such legislation constitutional, labeled Conditional Community Remittance Funding Agreement.

That the Redevelopment Agency approve:

2. Resolution 2011-04 which extends the time to dispose of land or start a project for five (5) parcels purchased with Low/Mod housing monies for an additional five years;
3. A motion finding that planning and administration charges are “necessary for the production, improvement, or preservation” of affordable housing for both fiscal years 2010/11 and 2011/12.



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:

AGENCY RESOLUTION NO. 2011-04

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF VISALIA WHICH EXTENDS OWNERSHIP OF FIVE PARCELS FOR AN ADDITIONAL FIVE YEARS

WHEREAS, pursuant to the Community Redevelopment Law Health and Safety Code Section 33334.16, for each interest in real property acquired using monies from the Low and Moderate Income Housing Fund, the Agency shall, within five years from the date it first acquires the property interest for the development of housing affordable to persons and families of low and moderate income, initiate activities consistent with the development of the property for that purpose; and

WHEREAS, these activities may include, but are not limited to, zoning changes or agreements entered into for the development and disposition of the property; and

WHEREAS, if these activities have not been initiated within this period, the legislative body may, by resolution, extend the period during which the agency may retain the property for one additional period not to exceed five years unless maintained as affordable housing; and

WHEREAS, the resolution of extension shall affirm the intention of the legislative body that the property be used for the development of housing affordable to persons and families of low and moderate income; and

WHEREAS, in the event that physical development of the property for this purpose has not begun by the end of the extended period, or if the agency does not comply with this requirement, the property shall be sold and the monies from the sale, less reimbursement to the agency for the cost of the sale, shall be deposited in the agency's Low and Moderate Income Housing Fund; and

WHEREAS, the Redevelopment Agency of the City of Visalia ("RDA") has maintained ownership of a single family dwelling, located at 1035 E. Douglas Avenue, in excess of five years, but has initiated development of affordable housing uses on the property; and

WHEREAS, the RDA has acquired four additional vacant parcels, located at the following addresses: 111 NW 5th, 113 NW 5th, 830 Roosevelt, and 409 E. Murray, which are close to reaching the five year limit set forth in Health and Safety Code Section 33334.16; and

WHEREAS, adoption of this resolution would allow the RDA to comply with Health and Safety Code Section 33334.16 to develop or dispose of the properties as appropriate.

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF VISALIA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Approval. The Agency hereby approves the resolution of the Redevelopment Agency of the City of Visalia to extend the period of time within which it will initiate affordable housing development on 111 NW 5th, 113 NW 5th, 830 Roosevelt, and 409 E. Murray, for an additional five years.

PASSED AND ADOPTED at a regular meeting of the Redevelopment Agency of the City of Visalia on the ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

_____, Agency Secretary

AGENCY RESOLUTION 2011-05

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF VISALIA, CALIFORNIA APPROVING AND AUTHORIZING THE EXECUTION OF A CONDITIONAL COMMUNITY REMITTANCE FUNDING AGREEMENT BY AND BETWEEN THE CITY OF VISALIA AND THE AGENCY PROVIDING FOR THE TRANSFER OF TAX INCREMENT REVENUE TO THE CITY IN AN AMOUNT NOT TO EXCEED THE AMOUNT OF THE COMMUNITY REMITTANCE REQUIRED UNDER AB 1X 27

WHEREAS, pursuant to the Community Redevelopment Law (Health and Safety Code sections 33000 *et seq.*), the City Council of the City of Visalia ("City") created the Redevelopment Agency of the City of Visalia ("Agency") to serve as the redevelopment agency within the City; and

WHEREAS, the Agency has been responsible for implementing the Redevelopment Plan for the East Visalia, Downtown, Central and Mooney Redevelopment Projects covering certain properties within the City ("Project Areas"); and

WHEREAS, as part of the 2011-2012 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, specifically, AB 1X 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 1X 27 provides that a community may participate in an "Alternative Voluntary Redevelopment Program," in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

WHEREAS, participation in the Alternative Voluntary Redevelopment Program requires the City to remit specified annual amounts to the county auditor-controller ("Community Remittance"); and

WHEREAS, the California Director of Finance has notified the City that its Community Remittance for Fiscal Year 2011-2012 is Two million, four hundred sixty-six thousand, one hundred sixty three Dollars (\$2,466,163); and

WHEREAS, California Health and Safety Code Section 34194.2 provides that the City may enter into an agreement with the Agency, whereby the Agency will annually transfer tax increment revenue to the City, in an amount not to exceed the amount of the Community Remittance for such fiscal year, for the purpose of financing activities within the Project Areas related to the Agency's goals ("Agreement"); and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. 5194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

WHEREAS, on August 11, 2011, the Supreme Court agreed to take the case and issued an order for the immediate stay of enforcement of AB 1X 26 in part and AB 1X 27 in its entirety; and

WHEREAS, on August 17, 2011, the Supreme Court modified its order to clarify that Health and Safety Code Sections 34161 through 34169.5, enacted by AB 1X 26, and Health and Safety Code Section 34194(b)(2), enacted by AB 1X 27, are not stayed ("Court's Stay"); and

WHEREAS, the Agency and the City desire to enter into a funding agreement, effective on the condition that the Supreme Court orders that the Court's Stay be lifted or modified in a manner that permits the Agency to enter the agreement, to establish a yearly obligation of the Agency, beginning in Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance, on the condition that the Agency's transfer of tax increment revenues to the City and the City's payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program; and

WHEREAS, the City reserves the right, whether any Community Remittance has been paid, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, ordered, and determined by the Redevelopment Agency of the City of Visalia:

Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Finding. Upon consideration of the facts set forth in the staff report accompanying this Resolution and other written and oral evidence presented to the

Agency Board, the Agency finds that the transfer of tax increment revenue from the Agency to the City for the funding of the Community Remittance payment by the City will: (1) allow the Agency to remain in existence and continue to act to accomplish the Agency's goals in the Project Areas and is in the best interests of the health, safety and welfare of the City's residents; and (2) free the City from committing general fund revenues or other City assets to pay the Community Remittance for any fiscal year.

Approval of Agreement. The Agency hereby approves the Conditional Community Remittance Funding Agreement ("Agreement"), in substantially the form attached hereto as Exhibit A and incorporated herein by reference. The effectiveness of the Agreement shall be conditioned upon (i) an order of the Supreme Court that the Court's Stay be lifted or modified in a manner that permits the Agency to enter into the Agreement, to establish a yearly obligation of the Agency, beginning Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance; (ii) the Agency's transfer of tax increment revenues to the City and the City's payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional; and (iii) the City adopts an ordinance electing to participate in the Alternative Redevelopment Program. The Agency authorizes and directs the Executive Director to execute the Agreement on behalf of the Agency, subject to any minor clarifying, conforming and technical changes as may be approved by Agency Counsel. The Executive Director is further authorized and directed to take such actions and execute such documents as may be necessary to carry out the obligations of the Agency under the Agreement.

CEQA. The Agency finds, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the creation and continuation of a governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program. The Agency, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Tulare in accordance with CEQA Guidelines.

Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Agency hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Certification. The Agency Secretary shall certify to the adoption of this Resolution.

Effective Date. This Resolution shall become effective upon its adoption.

CITY OF VISALIA RESOLUTION 2011-63

A RESOLUTION OF THE CITY OF VISALIA, CALIFORNIA APPROVING AND AUTHORIZING THE EXECUTION OF A CONDITIONAL COMMUNITY REMITTANCE FUNDING AGREEMENT BY AND BETWEEN THE CITY OF VISALIA AND THE VISALIA REDEVELOPMENT AGENCY PROVIDING FOR THE TRANSFER OF TAX INCREMENT REVENUE TO THE CITY IN AN AMOUNT NOT TO EXCEED THE AMOUNT OF THE COMMUNITY REMITTANCE REQUIRED UNDER AB 1X 27

WHEREAS, pursuant to the Community Redevelopment Law (Health and Safety Code sections 33000 *et seq.*), the City Council of the City of Visalia ("City") created the Redevelopment Agency of the City of Visalia ("Agency") to serve as the redevelopment agency within the City; and

WHEREAS, the Agency has been responsible for implementing the Redevelopment Plan for the East Visalia, Downtown, Central and Mooney Redevelopment Projects covering certain properties within the City ("Project Areas"); and

WHEREAS, as part of the 2011-2012 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, specifically, AB 1X 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 1X 27 provides that a community may participate in an "Alternative Voluntary Redevelopment Program," in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

WHEREAS, participation in the Alternative Voluntary Redevelopment Program requires the City to remit specified annual amounts to the county auditor-controller ("Community Remittance"); and

WHEREAS, the California Director of Finance has notified the City that its Community Remittance for Fiscal Year 2011-2012 is Two million, four hundred sixty-six thousand, one hundred sixty three Dollars (\$2,466,163); and

WHEREAS, California Health and Safety Code Section 34194.2 provides that the City may enter into an agreement with the Agency, whereby the Agency will annually

transfer tax increment revenue to the City, in an amount not to exceed the amount of the Community Remittance for such fiscal year, for the purpose of financing activities within the Project Areas related to the Agency's goals ("Agreement"); and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. 5194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

WHEREAS, on August 11, 2011, the Supreme Court agreed to take the case and issued an order for the immediate stay of enforcement of AB 1X 26 in part and AB 1X 27 in its entirety; and

WHEREAS, on August 17, 2011, the Supreme Court modified its order to clarify that Health and Safety Code Sections 34161 through 34169.5, enacted by AB 1X 26, and Health and Safety Code Section 34194(b)(2), enacted by AB 1X 27, are not stayed ("Court's Stay"); and

WHEREAS, the Agency and the City desire to enter into a funding agreement, effective on the condition that the Supreme Court orders that the Court's Stay be lifted or modified in a manner that permits the Agency to enter the agreement, to establish a yearly obligation of the Agency, beginning in Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance, on the condition that the Agency's transfer of tax increment revenues to the City and the City's payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program; and

WHEREAS, the City reserves the right, whether any Community Remittance has been paid, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, ordered, and determined by the City of Visalia:

Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Approval of Agreement. The City hereby approves the Conditional Community Remittance Funding Agreement ("Agreement"), in substantially the form attached hereto as Exhibit A and incorporated herein by reference. The effectiveness of the Agreement shall be conditioned upon (i) an order of the Supreme Court that the Court's Stay be

lifted or modified in a manner that permits the Agency to enter into the Agreement, to establish a yearly obligation of the Agency, beginning Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance; (ii) the Agency's transfer of tax increment revenues to the City and the City's payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional; and (iii) the City adopts an ordinance electing to participate in the Alternative Redevelopment Program. The Agency authorizes and directs the Executive Director to execute the Agreement on behalf of the Agency, subject to any minor clarifying, conforming and technical changes as may be approved by Agency Counsel. The Executive Director is further authorized and directed to take such actions and execute such documents as may be necessary to carry out the obligations of the Agency under the Agreement.

Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Agency hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Certification. The City Secretary shall certify to the adoption of this Resolution.

Effective Date. This Resolution shall become effective upon its adoption.

[Signatures on the following page]

PASSED AND ADOPTED at a regular meeting of the City of Visalia on the ____ day of September, 2011 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Secretary

Exhibit A

CONDITIONAL COMMUNITY REMITTANCE FUNDING AGREEMENT

This CONDITIONAL COMMUNITY REMITTANCE FUNDING AGREEMENT (“**Agreement**”), is entered into as of _____, 2011, by and between the CITY OF VISALIA, a California municipal corporation (“**City**”), and the REDEVELOPMENT AGENCY OF THE CITY OF VISALIA, a public body, corporate and politic (“**Agency**”). The City and the Agency are sometimes, individually, referred to in this Agreement as a “**Party**” or are sometimes, collectively, referred to in this Agreement as the “**Parties.**” The Parties enter into this Agreement with reference to the following recited facts:

RECITALS

A. Pursuant to the Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.) (“**CRL**”), the City Council of the City created the Agency to serve as the redevelopment agency within the City; and

B. The Agency has been responsible for implementing the Redevelopment Plan for the East Visalia, Downtown, Central and Mooney Redevelopment Projects covering certain properties within the City (“**Project Areas**”); and

C. As part of the 2011-2012 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

D. Specifically, AB 1X 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

E. AB 1X 27 provides that a community may participate in an “**Alternative Voluntary Redevelopment Program**,” in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

F. Participation in the Alternative Voluntary Redevelopment Program requires the City to remit specified annual amounts to the county auditor-controller (“**Community Remittance**”); and

G. The California Director of Finance has notified the City that its Community Remittance for Fiscal Year 2011-2012 is two million, four hundred sixty-six thousand, one hundred sixty-three Dollars (\$2,466,163); and

H. California Health and Safety Code Section 34194.2, enacted by AB 1X 27, provides that the City may enter into an agreement with the Agency, whereby the Agency will transfer a portion of the taxes allocated to it pursuant to Health and Safety Code Section 33670 (“**Tax Increment**”) to the City in a particular fiscal year, in an amount not to exceed the amount of the Community Remittance for such fiscal year, for the purpose of financing activities within the Project Areas related to the Agency’s goals; and

I. A Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. 5194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

J. On August 11, 2011, the Supreme Court agreed to take the case and issued an order for the immediate stay of enforcement of AB 1X 26 in part and AB 1X 27 in its entirety; and

K. On August 17, 2011, the Supreme Court modified its stay to clarify that Health and Safety Code Sections 34161 through 34169.5, enacted by AB 1X 26, and Health and Safety Code Section 34194(b)(2), enacted by AB 1X 27, are not stayed (“**Court’s Stay**”); and

L. The Parties desire to enter into this Agreement, effective on the condition that the Supreme Court orders that the Court’s Stay be lifted or modified in a manner that permits the Agency to enter into this Agreement, to establish a yearly obligation of the Agency, beginning in Fiscal Year 2011-2012, to transfer Tax Increment to the City in an amount not to exceed the Community Remittance, on the condition that the Agency’s transfer of Tax Increment to the City and the City’s payment of the Community Remittance will be effective only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program; and

M. The City reserves the right, whether any Community Remittance has been paid, to challenge the legality of AB 1X 26 and AB 1X 27.

AGREEMENT

NOW, THEREFORE, in consideration of the promises of the City and the Agency contained in this Agreement and other good and valuable consideration, the City and the Agency agree as follows:

1. Incorporation of Recitals. The Recitals of fact set forth preceding this Agreement are true and correct and are incorporated into this Agreement in their entirety by this reference.

2. Conditional Transfer of Tax Increment to City. On the condition that a final determination is made that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program, Agency hereby agrees to transfer to City, throughout the term of this Agreement, out of Tax Increment or any other available funds, an amount equal to the amount of the Community Remittance for each fiscal year, as determined under Health and Safety Code Section 34194, beginning with Fiscal Year 2011-2012. No later than January 10 and May 10 of each fiscal year, Agency shall transfer to City one-half of the Community Remittance payment specified for such fiscal year, as determined pursuant to Health and Safety Code Section 34194 in order that City may timely make the Community Remittance payments. However, for Fiscal Year 2011-2012, the Agency

shall transfer to the City the amount(s) of the Community Remittance payment(s) required for that fiscal year after the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program and prior to the date(s) on which the City is required to make such payment(s), if a final determination is made that AB 1X 26 and AB 1X 27 are constitutional. The City and Agency agree that if Agency does not have sufficient Tax Increment available to make the full Community Remittance payment in any fiscal year, City shall have no obligation to use City funds for such purpose, in which case the Agency may be deemed to be dissolved under Health and Safety Code Section 34195.

3. City Payment of Community Remittance Each Fiscal Year. Subject to the timely receipt of Tax Increment or other funds from the Agency in an amount equal to the amount of the Community Remittance, the City shall pay to the Tulare County Auditor-Controller, no later than January 15 and May 15 of each year, one-half of the Community Remittance amount due for such fiscal year while this Agreement is in effect, except for Fiscal Year 2011-2012, when the City shall make the required payment(s) no later than the date(s) required for the Community Remittance to be made. The City's obligation to make such Community Remittance payments shall be a special limited fund obligation of the City payable solely from Tax Increment or other funds paid to the City by the Agency pursuant to this Agreement. Nothing contained in this Agreement is intended to nor shall be deemed to be a pledge of the City's general fund revenues or other City assets to pay the Community Remittance for any fiscal year. Notwithstanding the foregoing, City shall have no obligation to make the Community Remittance payment until a final determination is made that AB 1X 26 and AB 1X 27 are constitutional and the City has adopted an ordinance electing to participate in the Alternative Voluntary Redevelopment Program.

4. Effectiveness. This Agreement shall not be effective unless and until the Supreme Court orders that the Court's Stay be lifted or modified in a manner that permits the Agency to enter into this Agreement. This Agreement shall be deemed null and void if AB 1X 26 and AB 1X 27 are determined by a court of competent jurisdiction to be unconstitutional, illegal, invalid or otherwise unenforceable or inapplicable, for any reason or in any manner. Notwithstanding the foregoing or any other provision of this Agreement, either the City or the Agency may terminate this Agreement at any time, for any reason or no reason.

5. General Provisions.

5.1 Notices, Demands and Communications Between the Parties. Any and all notices submitted by either Party to the other Party pursuant to or as required by this Agreement shall be proper, if in writing and transmitted to the address of the City or the Agency, as applicable, set forth below in this Section 5.1, by one or more of the following methods: (1) messenger for immediate personal delivery; (2) a nationally recognized overnight (one business day) delivery service (i.e., Federal Express, United Parcel Service, etc.); or (3) registered or certified United States mail, postage prepaid, return receipt requested. Such notices may be sent in the same manner to such other addresses as either Party may designate, from time to time, by notice. Any notice shall be deemed to be received by the addressee, regardless of whether or when any return receipt is received by the sender or the date set forth on such return receipt, on the day that the notice is delivered by personal delivery, on the date of delivery by a nationally recognized overnight courier service (or when delivery has been attempted twice, as evidenced by the written report of the courier service) or four (4) calendar days after the notice is deposited with

the United States Postal Service for delivery, as provided in this Section 5.1. Rejection, other than refusal to accept or the inability to deliver a notice because of a changed address of which no notice was given or other action by a person to whom notice is sent, shall be deemed receipt of the notice. The following are the authorized addresses for the submission of notices to the Parties, as of the date of this Agreement:

To City: City of Visalia
P.O. Box 5078
707 W. Acequia
Visalia, CA 93278

Attn: City Manager

To Agency: Redevelopment Agency of the City of
Visalia
P.O. Box 5078
707 W. Acequia
Visalia, CA 93278
Attn: Executive Director

5.2 Calculation of Time Periods. Unless otherwise specified, all references to time periods in this Agreement measured in days shall be to consecutive calendar days, all references to time periods in this Agreement measured in months shall be to consecutive calendar months and all references to time periods in this Agreement measured in years shall be to consecutive calendar years.

5.3 Principles of Interpretation. No inference in favor of or against any Party shall be drawn from the fact that such Party has drafted any part of this Agreement. The Parties have both participated substantially in the negotiation, drafting, and revision of this Agreement, with advice from legal and other counsel and advisers of their own selection. A word, term or phrase defined in the singular in this Agreement may be used in the plural, and vice versa, all in accordance with ordinary principles of English grammar, which shall govern all language in this Agreement. The words “include” and “including” in this Agreement shall be construed to be followed by the words: “without limitation.” Each collective noun in this Agreement shall be interpreted as if followed by the words “(or any part of it),” except where the context clearly requires otherwise. Every reference to any document, including this Agreement, refers to such document, as modified from time to time (excepting any modification that violates this Agreement), and includes all exhibits, schedules, addenda and riders to such document. The word “or” in this Agreement includes the word “and.” Every reference to a law, statute, regulation, order, form or similar governmental requirement refers to each such requirement as amended, modified, renumbered, superseded or succeeded, from time to time.

5.4 Governing Law. The substantive and procedural laws of the State of California shall govern the interpretation and enforcement of this Agreement, without application of conflicts or choice of laws principles.

5.5 Binding on Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective legal representatives, successors and assigns.

5.6 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any person other than the Parties and their respective permitted successors and assigns, nor is anything in this Agreement intended to relieve or discharge any obligation of any third person to any Party or give any third person any right of subrogation or action over or against any Party.

5.7 Signature in Counterparts. This Agreement may be signed by the authorized representatives of the Parties in multiple counterpart originals, each of which shall be deemed to be an original, but all of which together shall constitute one and the same document.

5.8 Entire Agreement. This Agreement constitutes the entire understanding and Agreement of the Parties regarding the subjects addressed in this Agreement. This Agreement integrates all of the terms and conditions mentioned in this Agreement or incidental to this Agreement, and supersedes all negotiations or previous agreements between the Parties with respect to the subjects addressed in this Agreement.

5.9 Time Declared to be of the Essence. As to the performance of any obligation under this Agreement of which time is a component, the performance of such obligation within the time specified is of the essence.

[Signatures on the following page]

**SIGNATURE PAGE
TO
CONDITIONAL COMMUNITY REMITTANCE FUNDING AGREEMENT**

CITY OF VISALIA a California municipal corporation

REDEVELOPMENT AGENCY OF THE CITY OF VISALIA, a public body, corporate and politic

By: _____

By: _____

Name: _____
City Manager

Name: _____
Executive Director

ATTEST:

ATTEST:

By: _____
City Clerk

By: _____
Agency Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
City Attorney

By: _____
Agency Counsel

ATTACHMENT A



JOHN CHIANG
California State Controller
Division of Accounting and Reporting

August 22, 2011

Mr. Steve Salomon, Executive Director
Redevelopment Agency of the City of Visalia
707 W Acequia Street
Visalia, CA 93291

Dear Mr. Salomon:

Senate Bill 497 (SB 497), Chapter 362, Statutes of 1999, requires specific actions of redevelopment agencies, the State Controller's Office, and the State Attorney General's Office when major violations as defined in Health & Safety Code Section 33080.8(j) are not corrected before June 1 of each year.

This letter is to advise you that major violation(s) were noted in the Redevelopment Agency of the City of Visalia's independent audit report for the fiscal year ended June 30, 2010, filed with the State Controller's Office. A photocopy of the violations noted is enclosed for your reference. Your redevelopment agency should take immediate action to correct the violation(s) that were identified.

The provisions of SB 497 require that the State Controller refer agencies that have not corrected major violations by June 1 of each year to the State Attorney General's Office for further action. Please inform this office of the corrective action your agency has taken or proposes to take to correct the major violations(s). Please submit this information no later than September 2, 2011 to Tling Ngo, State Controller's Office, Division of Accounting and Reporting, Redevelopment Agencies/Special Districts Reporting Section, at the post office box below. Any corrective actions may be verified by this office.

We encourage that prompt action be taken to correct all major violations identified so that referral to the State Attorney General's Office will not be necessary. If you have any questions about these reporting requirements, please contact Tling Ngo of the Division of Accounting and Reporting at (916) 327-8905.

Sincerely,

A handwritten signature in black ink, appearing to read "George Lolos", with a long horizontal flourish extending to the right.

GEORGE LOLAS, Assistant Chief
Division of Accounting and Reporting

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250
STREET ADDRESS 3301 C Street, Suite 750, Sacramento, CA 95816

**REDEVELOPMENT AGENCY OF THE CITY OF VISALIA
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE FISCAL YEAR ENDED JUNE 30, 2010**

2010-1

Finding – Land Held for Redevelopment:

Redevelopment Agency must initiate activities to develop properties purchased with Housing Fund money within five years from the date of acquisition in accordance with Health and Safety Code Section 33334.16. If development activities have not begun within this period, the Redevelopment Agency may adopt a resolution extending the period for one time, not to exceed five years. The Redevelopment Agency failed to adopt a resolution of an extension.

Management Response:

Management did not have a formal audit process in place for reviewing land held for resale longer than five years. The review of this item has been placed on the check list of year- end items to be evaluated. To resolve the current issue of land that has been held longer than five years, the Agency will be taking the item before the City Council and will take action to be in compliance by June 30, 2011.

ATTACHMENT B

City of Visalia

315 East Acequia Ave., Visalia, CA 93291



*Housing & Economic
Development Department*

Tel: (559) 713-4190 Fax: (559) 713-4811

August 30, 2011

Ms. Tling Ngo
State Controller's Office
Division of Accounting and Reporting, Redevelopment Agencies/Special
Districts Reporting Section
P.O. Box 942850
Sacramento, CA. 94250

RE: LETTER DATED AUGUST 22, 2011 - MAJOR VIOLATIONS AS
DEFINED IN HEALTH & SAFETY CODE SECTION 33080.8(J)

Dear Ms. Ngo:

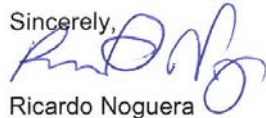
The City of Visalia's RDA is in receipt of a letter dated August 22, 2011, from George Lolas, Assistant Chief of the State Controller's Office, Division of Accounting and Reporting. This letter serves to acknowledge the violation with Health & Safety Code Section 33080.8(J) and we will address through an Agency resolution on September 19, 2011.

By way of background, I wish to share a bit of history on the property in question. As presented in the RDA's audit of June 30, 2010, the Agency has maintained ownership of "one single-family unit" which was acquired as a result of a foreclosure process more than five (5) years ago. Two years ago, the Agency completed substantial rehabilitation of this unit and last year attempted to sell the unit to the tenants. Unfortunately, they did not and continue not to have interest in acquiring the home from the Agency.

Despite the downward trend of the housing market, the City/Agency continue to maintain this unit valued at less than \$100,000 in good condition and provide affordable rent to the occupants who have resided here for more than five years. The Agency will continue to seek ways to dispose of the unit but it should be noted that the Agency would also be responsible for relocation of the tenants if there was any requirement for them to vacate the unit.

As a result of the ongoing ownership of this property in violation with Section 33080.8 (J) of the Health and Safety Code, staff will explore other options including disposition of the property to a local non-profit agency; relocation of the family and sale of the property; and even consider purchasing the property with non-housing monies. We shall take these options to the Visalia Agency Board for their consideration on September 19, 2011.

Sincerely,

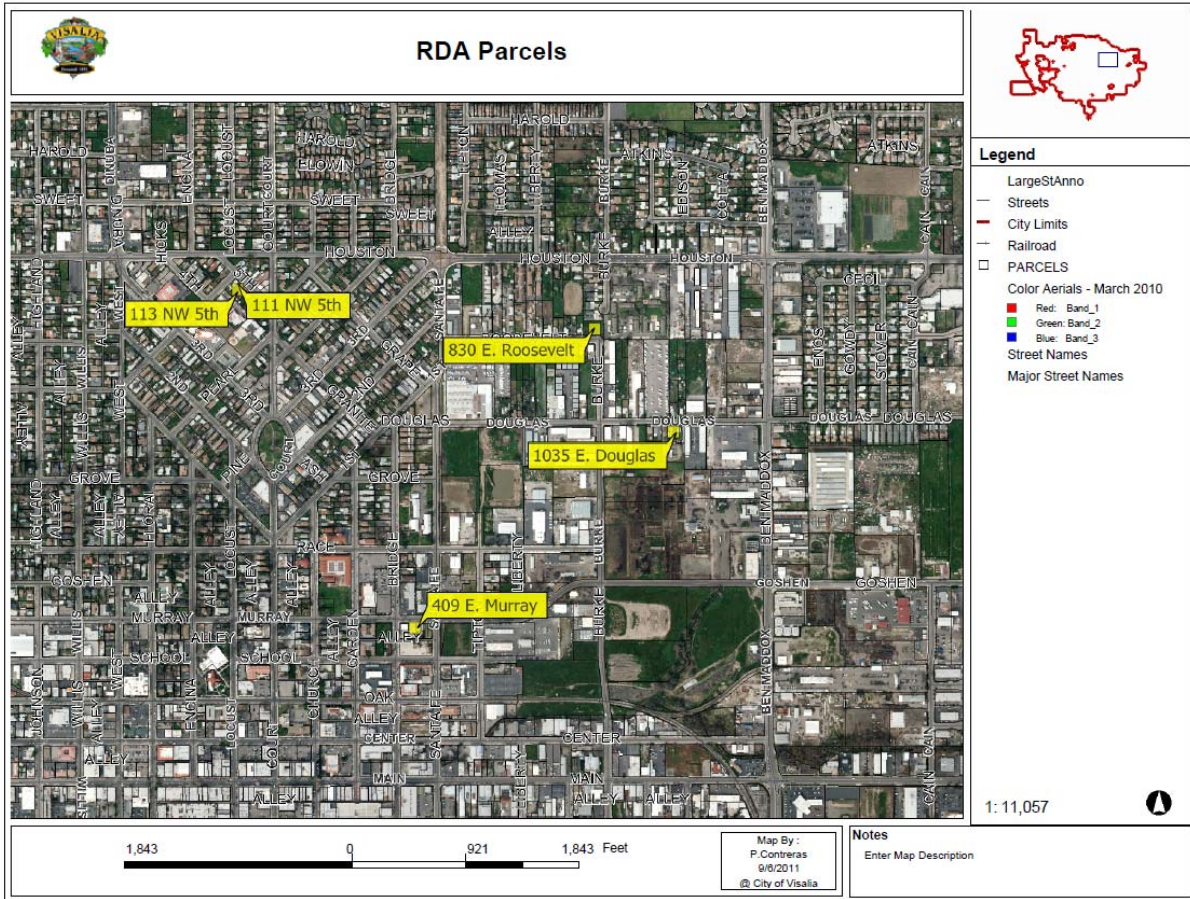


Ricardo Noguera
Housing & Economic Development Director

Cc: Steve Salomon, City Manager
Visalia RDA Agency Members
Alex Peltzer, City Attorney
Michael Olmos, Assistant City Manager
Eric Frost, Administrative Services Director
Ruth Peña, Financial Analyst
George Lolas, Assistant Chief, California State Controller's Office

ATTACHMENT C

Aerial Map of the RDA parcels



ATTACHMENT D

City of Visalia

315 East Acequia Ave., Visalia, CA 93291



*Housing & Economic
Development Department*

Tel: (559) 713-4190 Fax: (559) 713-4811

September 19, 2011

Ms. Tling Ngo
State Controller's Office
Division of Accounting and Reporting, Redevelopment Agencies/Special
Districts Reporting Section
P.O. Box 942850
Sacramento, CA 94250

RE: VISALIA RDA – MAJOR VIOLATIONS AS DEFINED IN HEALTH &
SAFETY CODE SECTION 33080.8(J)

Dear Ms. Ngo:

This letter serves as a follow-up to my letter dated August 30, 2011, in response to the August 22, 2011 letter received by Steve Salomon from George Lolas, Assistant Chief of the California State Controller's Office.

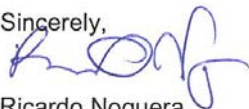
Staff has conducted further review of the property in question (1035 E. Douglas Avenue in Visalia) and has concluded that we are not in agreement with the Independent Auditor's finding dated June 30, 2010, which states the Visalia RDA violated Health & Safety Code Section 33334.16 by holding land for resale for a period in excess of five years.

The Independent Auditor's interpretation of the requirements of Section 33334.16 is overly broad. Section 33334.16 does not serve to limit the time within which the Visalia RDA may own property acquired with Low and Moderate Income Housing Fund. It merely sets for the time period within which the Visalia RDA must "initiate activities consistent with the development of the property for that purpose." Contrary to the Independent Auditor's findings and conclusions, the Visalia RDA did in fact initiate redevelopment of the property within five years of acquiring it through completion of major renovations of the 1035 E. Douglas Avenue dwelling and has maintained the property as an affordable housing use. The Agency has attempted to sell the property to the current tenants to no avail, and the current housing crisis is making it extremely difficult to sell the property consistent with RDA law to a qualified person or household at this time.

Notwithstanding the foregoing, the Agency has passed the attached resolution pursuant to Section 33334.16 that extends the time limit applicable to the initiation of development for the 1035 East Douglas property for an additional 5 years.

In conclusion, the Visalia RDA has determined the finding was not appropriately made in the June 30, 2010 audit. However, the Agency has taken action to extend the disposition period to show its good faith. Please advise if you should have any questions.

Sincerely,



Ricardo Noguera
Housing & Economic Development Director

Cc: Steve Salomon, City Manager
Visalia RDA Agency Members
Ken Richardson, City Attorney
Michael Olmos, Assistant City Manager
Eric Frost, Administrative Services Director
Ruth Pena, Financial Analyst
George Lolas, Assistant Chief, California State Controller's Office

Attachment E

MEMORANDUM

DATE: 9/14/2011

TO: Honorable Mayor and Members of the City Council
Honorable Chairperson and Members of the Redevelopment Agency Governing Board

FROM: Eric Frost, Administrative Services Director

SUBJECT: Consideration of the following:

Resolutions of the City Council of the City of Visalia, California, and the Redevelopment Agency of the City of Visalia approving and authorizing the execution of a Conditional Community Remittance Funding Agreement by and between the City and the Agency setting forth the terms of the Agency's annual transfer of tax increment revenue to the City under AB 1X 27

SUMMARY

The Governor recently signed into law Assembly Bill 1X 26 and Assembly Bill 1X 27 as part of the State budget package which have the combined effect of abolishing every redevelopment agency unless the community that created the agency elects to participate in the "Alternative Voluntary Redevelopment Program" ("Program") by ordinance. Participation in the Program includes an agreement to pay a "community remittance".

AB 1X 27 provides that in order to fund the community remittance payment to be made by the City, the City and the Agency may enter into an agreement whereby the Agency annually transfers tax increment revenues to the City, in an amount not to exceed the amount of the community remittance due for such fiscal year to the City ("Remittance Agreement").

A Petition for Writ of Mandate challenging the constitutionality of AB 1X 26 and AB 1X 27 was filed on July 18, 2011 in the Supreme Court of the State of California. In response, the Supreme Court agreed to take the case and issued an order for the partial stay of enforcement of AB 1X 26 and AB 1X 27, including a stay of the provisions of AB 1X 27 requiring the adoption of the ordinance to participate in the Program, the payment of the community remittance, and the authorization for cities and agencies to enter into the Remittance Agreement.

Resolution Nos. 2011-63 and 2011-05 of the City Council and the Agency, respectively, attached hereto, approve the Remittance Agreement to establish a yearly obligation of the Agency, beginning in Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance, on the condition that the Agency's transfer of tax increment revenues to the City and the City's payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program. The effectiveness of the Remittance Agreement is conditioned on an order by the Supreme Court orders that the Supreme Court's stay of AB 1X 27 be lifted or modified in a manner that permits the Agency to enter into the Agreement.

The purpose of entering into the conditional Remittance Agreement is to establish the transfer of tax increment revenue from the Agency to the City in the amount of the Community Remittance for Fiscal Year 2011-2012 as an obligation of the Agency for Fiscal Year 2011-2012.

BACKGROUND

The Agency was created by the City Council for the purposes of implementing redevelopment activities in the City. The City Council adopted the Redevelopment Plans for the East Visalia, Downtown, Central and Mooney Redevelopment Projects in accordance with the Community Redevelopment Law (Health and Safety Code § 33000 *et seq.*) (“CRL”). The Redevelopment Project Areas were found to have a significant number of physical and economic blighting conditions that necessitated adoption of the Redevelopment Plan. The Redevelopment Plans authorize the Agency to receive tax increment revenue to pay for programs and projects that address these conditions consistent with the CRL.

The Legislature enacted companion bills Assembly Bill 1X 26 and Assembly Bill 1X 27 which have the effect of eliminating every redevelopment agency unless the community that created it adopts an ordinance agreeing to make community remittance payments. These bills took effect on June 29, 2011. The constitutionality of these bills was challenged on behalf of cities, counties and redevelopment agencies in a Petition for Writ of Mandate, filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. 5194861).

On August 11, 2011, the Supreme Court agreed to take the case and issued an order for the immediate stay of enforcement of AB 1X 26 in part and AB 1X 27 in its entirety. On August 17, 2011, the Supreme Court modified its stay to clarify that Health and Safety Code Sections 34161 through 34169.5, enacted by AB 1X 26, and Health and Safety Code Section 34194(b)(2), enacted by AB 1X 27, are not stayed (“Court’s Stay”).

As noted above, Health and Safety Code Section 34194.2, authorizes the City and Agency to enter into a agreement whereby the Agency pledges tax increment revenues to the City to fund the annual community remittance payments so that City money is not at risk. Attached hereto are a draft Remittance Agreement and proposed Agency and City Council Resolutions approving the Remittance Agreement. Because Health and Safety Code Section 34194.2 is stayed by the Court’s Stay, the Remittance Agreement is effective on the condition that the Supreme Court orders that the Court’s Stay be lifted or modified in a manner that permits the Agency to enter into this Agreement. The terms of the Remittance Agreement provide for a yearly obligation of the Agency, beginning Fiscal Year 2011-2012, to transfer tax increment revenues to the City in an amount not to exceed the Community Remittance, on the condition that the Agency’s transfer of tax increment revenues to the City and the City’s payment of the Community Remittance will be made only if there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts an ordinance electing to participate in the Alternative Voluntary Redevelopment Program.

CEQA

The City is the lead agency concerning Resolution Nos. ___ and ___ pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq.*) (“CEQA”) and the State CEQA Guidelines. City staff has determined that the Resolutions are exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

FISCAL IMPACT

For the Agency, the Fiscal Year 2011-12 community remittance is \$2,466,163, as determined by the State Director of Finance. This amount, as well as subsequent annual community remittances, to be determined based upon a formula set forth in AB 1X 27, will be due on the condition that there is a final determination that AB 1X 26 and AB 1X 27 are constitutional and the City adopts the ordinance electing to participate in the Program.

RECOMMENDED ACTION

Staff is recommending that the City Council and the Agency adopt Resolution Nos. 2011-63_ and 2011-05, respectively, approving and authorizing the execution of the Conditional Community Remittance Funding Agreement.

**City of Visalia
Agenda Item Transmittal**

Meeting Date September 19, 2011

Agenda Item Number (Assigned by City Clerk): 9

Agenda Item Wording: Authorization to award bid for five compressed natural gas solid waste truck cab and chassis to Fresno Truck Center Inc. for \$672,181.20 and sole source the purchase of five solid waste truck bodies to Ruckstell Inc. for \$963,253.47, and rescission of previous action on this item taken on September 6, 2011. (The previous action, which awarded the truck cab and chassis bid to E.M. Tharp Inc., was taken on the condition that staff confirm E.M. Tharp was the low bid; on review it was determined that E.M. Tharp was not the low bid, and therefore the action was not effective and should be rescinded.)

Deadline for Action: September 19, 2011

Submitting Department: Public Works

Contact Name and Phone Number:

Andrew Benelli, Public Works Director, 713-4340
Earl Nielsen, Public Works Manager, 713-4533

Department Recommendation:

Staff recommends that the City Council award the bid for five truck cab and chassis to Fresno Truck Center for \$672,181.20, and approve a sole source purchase of five solid waste bodies to Ruckstell Inc. for \$963,253.47. These trucks will be powered by compressed natural gas (CNG). The total cost to purchase the five trucks will be \$1,635,434.67 and will be paid for with grant funding.

Summary/background:

Grant Award:

The City has been awarded a State Congestion Mitigation and Air Quality (CMAQ) grant to purchase five alternative fuel solid waste trucks. The maximum amount of funds available from the grant is \$1,858,000, which exceeds the actual costs of the trucks, so there will be NO FINAL COST to the City. The City will initially pay for the trucks and then be reimbursed by the State for the full purchase price. The CMAQ grant will reimburse the City for 100% of the purchase price for the five trucks, with no matching funds required from the City.

Bid Award:

The City issued a Request for Bids (RFB) and received responses from two vendors. Fresno Truck Center in Fresno, CA submitted a bid for \$672,181.20, and E. M. Tharp Inc. in Porterville, CA submitted a bid for \$688,299.94. Staff recommends awarding the bid and purchasing the trucks from the low bidder, Fresno Truck Center (see attachment 1).

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.): 5

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.

No Local Vendor Preference allowed by State Grant:

The City has a Local Preference Policy that allows businesses in Tulare County to be five percent higher than vendors from other counties. The second lowest bidder is E.M. Tharp; their office is located in Porterville and the bid prices are less than five percent apart. However, this purchase is subject to State competitive bidding requirements for the CMAQ grant being used to purchase the trucks; the local vendor preference policy is not allowed by the State to be eligible to receive the grant funding. Therefore, this bid must be awarded to the low bidder, Fresno Truck Center, to use the CMAQ grant funds for the purchase.

Earlier Award to E.M. Tharp Not Effective

During the September 6 consideration of this matter, the staff report and recommended motion incorrectly identified E.M. Tharp as the low bidder. Other information in the staff report, as well as the written bid summary report that was attached, correctly noted that that Fresno Truck Center was the low bidder. As a result of the inconsistencies, the Council conditioned its motion awarding the purchase bid to E.M. Tharp on staff's confirmation that E.M. Tharp was in fact the low bidder. Staff has reviewed, and as discussed above, has confirmed that Fresno Truck Center, not E.M. Tharp is the low bidder. Therefore, the earlier action was not effective in that the condition on which it was made has proved to be incorrect, and it is recommended that the Council rescind its earlier action awarding the bid to E.M. Tharp and award the bid instead to Fresno Truck Center.

General Solid Waste Truck Purchase background:

Solid Waste trucks have to be ordered about thirteen (13) to eighteen (18) months in advance because it takes that long to build and deliver the trucks. The cab and chassis will be built at the contractor's facility and then delivered to Ruckstell in Fresno to have the bodies installed, and then the completed and fully operational trucks will be delivered to the City. The trucks will be fueled by Compressed Natural Gas (CNG).

Five new trucks are being ordered at this time; three split body residential trucks (for residential split containers) and two side-loader residential yard waste trucks. Funds are allocated for all five trucks in the 2011-12 City budget. These trucks will replace older diesel powered units that have passed their life expectancy (at least 10 years old or older), and need to be replaced with CNG fueled trucks to meet air quality standards. Because it takes so long to build and receive refuse trucks, staff has to anticipate both the need to replace trucks and the need to add trucks to the fleet for growth at least a year in advance.

The cab and chassis for the trucks are ordered separately from the bodies in an effort to save money. By purchasing directly from the individual vendors the City avoids additional costs associated with the selected Cab and Chassis contractor having to use a subcontractor to supply and install the bodies.

Sole Source Justification for Truck Bodies:

Ruckstell Inc. has submitted quotes for the five truck bodies in the amount of \$963,253.47 (see attachment 2). The primary reasons for sole sourcing the five bodies to Ruckstell are:

- Efficient Repairs – Ruckstell Inc. is located in Fresno and is the only vendor that has a dedicated repair facility within a 75-mile radius of Visalia. This is very important so warranty work and out of warranty repairs can be made on the trucks in a timely manner without excessive down-time or having to drive or transport the trucks far away to facilitate repairs.
- Standardization – All of the Solid Waste fleet now has bodies provided through Ruckstell Inc. The fleet mechanics are familiar with the maintenance of the bodies and the drivers are used to the operation of the bodies. Keeping Ruckstell bodies on the new trucks reduces or eliminates

entirely the need for additional or special training for the mechanics and drivers, and does not require additional space and cost to order and inventory stock parts for the bodies.

Ruckstell Inc. has been an excellent vendor to work with in past dealings and provides ongoing training and advice on Solid Waste truck body related matters. Ruckstell has also developed a positive working relationship with the City and continues to be proactive in assisting the City achieve its goals in terms of procuring quality equipment that fits the needs of the Solid Waste operation. Most important is their knowledge and understanding of the split body concept that the City uses in its split container residential services. Staff believes that the bid prices are competitive with other vendors outside of this region.

Prior Council/Board Actions: none

Committee/Commission Review and Actions: none

Alternatives:

None recommended due to State grant requirements and deadlines to use funds.

Attachments:

1. RFB 10-11-51 bid summary showing Fresno Truck Center as the low bidder for the five cab and Chassis.
2. Quotes for sole source bodies from Ruckstell Inc.

Recommended Motion (and Alternative Motions if expected): Award the bid for five new truck cab and chassis to Fresno Truck Center, and approve a sole source purchase of five solid waste truck bodies to Ruckstell Inc, and rescind previous action on this item taken on September 6, 2011, which awarded this bid to E.M. Tharp Inc.

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*)

Ensure purchase contracts are completed and the State is invoiced for CMAQ grant reimbursement no later than 11/18/2011.



CITY OF VISALIA Summary for RFB-10-11-51

PROJECT: 3 SPLIT SIDE LOADERS & 2 YARD WASTE TRUCKS

Subject: OPENING
Location: CHW-Main

Meeting Date: 8/26/11
Meeting Time: 2:00 PM

Contractor:	Lump Sum	
EMTharp Porterville, CA	688,299.94	
Contractor:	Lump Sum	
Fresno Truck Ctr. Fresno CA	672,181.20	<i>Danny C. [Signature]</i>
Contractor:	Lump Sum	
Contractor	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	
Contractor:	Lump Sum	

Witness: <u><i>[Signature]</i></u>	Witness: _____
Witness: <u><i>[Signature]</i></u>	Witness: _____
Witness: <u><i>[Signature]</i></u>	Witness: _____
Witness: <u><i>[Signature]</i></u>	Witness: _____
Witness: _____	Witness: _____
Witness: _____	Witness: _____

RUCKSTELL

CALIFORNIA SALES CO., INC.

P.O. Box 12543

Fresno, CA 93778

Estimate

Date	Estimate #
8/23/2011	0726

Name / Address

City of Visalia
 P.O. Box 5078
 Attn: Purchasing
 Visalia, CA 93278-5078

Item	Description	Qty	Cost	Total
Retail	33 yd. Heil Split Body 7000 as per City of Visalia spec. - Pro-Vision color dual camera system w/ 5" monitor. - Roof mounted CNG fuel system w/ front fill & special fuel line guard. Safety kill-caps on both fill nozzles w/ indicator light in the dash. Fuel transfer valve. - Tool box w/ T-handle latch. Box size 36"x15"x15"; depending on mounting space limitations, size may vary. - Rear strobe light, LED lighting, & (4) smart lights. - APU for body hoist. - Two sets of packer controls - Hopper clean out doors. - Hopper door w/ spring loaded latch & door holder. - Lift arm D-ring & access hole in roller track. - Upper tailgate open indicator system. - Two sets of 90 gal. spring grabbers w/ spare grabber holder. - Mud flaps in front of rear axles. - Shovel bracket w/ shovel. - Frame mounted 10 lbs ABC fire extinguisher. - Driver door step light. - Fog lamp guards. - One year extended warranty.	3	175,935.28	527,805.84T
Freight	Painted & installed Shipping & Handling	3	8,000.00	24,000.00

Thank you for your business.

Subtotal \$551,805.84

Valid for 20 days from date of estimate.

Sales Tax (8.0%) \$42,224.47

Total \$594,030.31

Signature _____

Phone #	559-233-3277	Fax #	559-233-9844	E-mail	mike@ruckstell.com
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RUCKSTELL

CALIFORNIA SALES CO., INC.

P.O. Box 12543

Fresno, CA 93778

Estimate

Date	Estimate #
8/23/2011	0725

Name / Address

City of Visalia
P.O. Box 5078
Attn: Purchasing
Visalia, CA 93278-5078

Item	Description	Qty	Cost	Total
Retail	30 yd. Heil Rapid Rail as per City of Visalia spec. - Pro-Vision color dual camera system w/ 5" monitor. - Roof mounted CNG fuel system w/ front fill & special fuel line guard. Safety kill-caps on both fill nozzles w/ indicator light in the dash. Fuel transfer valve. - Tool box w/ T-handle latch. Box size 36"x15"x15"; depending on mounting space limitations, size may vary. - Rear strobe light, LED lighting, & (4) smart lights. - Pneumatic hopper cover assemble. - APU for body hoist. - Mud flaps in front of rear axles. - Shovel bracket w/ shovel. - Steps on front of body. - Frame mounted 10 lbs ABC fire extinguisher. - Driver door step light. - Fog lamp guards. - One year extended warranty. - Painted & installed	2	163,529.24	327,058.48T
Freight	Shipping & Handling	2	8,000.00	16,000.00
Thank you for your business.		Subtotal		\$343,058.48
Valid for 20 days from date of estimate.		Sales Tax (8.0%)		\$26,164.68
		Total		\$369,223.16

Signature _____

Phone #

559-233-3277

Fax #

559-233-9844

E-mail

mike@ruckstell.com

**City of Visalia
Agenda Item Transmittal**

Meeting Date: September 19, 2011

Agenda Item Number (Assigned by City Clerk): 10

Agenda Item Wording: Approve the final 2010-11 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and approve the 4th Amendment to the 2009-10 Action Plan, reprogramming CDBG funds. Resolution 2011-62 required.

Deadline for Action: September 19, 2011

Submitting Department: Housing and Economic Development

Contact Name and Phone Number: Ricardo Noguera, Housing & Economic Development Director (713-4190); Ruth Peña, Financial Analyst (713-4327); Rhonda Haynes, Housing Specialist (713-4460)

Department Recommendation:

- 1) That the City Council adopt by Resolution NO. 2011-62, the Final 2010-11 CAPER; and
- 2) That the City Council approve the 4th Amendment to the 2009-10 Action Plan, reallocating Job Creation funds to the Oval Area Traffic Improvement Program.

Summary/Background:

1) 2010-11 CAPER

Summary of Recent Council & Community Meetings

On September 6, 2011, the Visalia Council held its' first meeting to discuss the Draft 2010-11 CAPER. Staff have also presented the Draft Plan to the Citizens Advisory Committee (September 7th); Northern Visalia Advisory Committee (September 8th); and Disability Advisory Committee (September 12th). Council's comments focused on the Neighborhood Stabilization Program (NSP) and Oval Park Transportation Project. The Council was pleased with the success in revitalizing and stabilizing neighborhoods while recycling federal funds. There was also interest in the desire to see the Oval Park Transportation Improvements implemented in 2012. The Citizens Advisory Committee also had an interest in the Oval Park Transportation Project and questioned why funds were being taken from the Job Creation Program. Staff shared that there were no current job creation initiatives and the need to raise additional funds to support implementation of the Oval Park Transportation Project. The Northern Visalia Advisory Committee also raised questions regarding both the lighting and transportation projects and the desire to see more lights installed in the neighborhood. The Disability Advisory Committee was mainly concerned about being active partners with the City during the planning stage of the annual ADA program.

HUD Requirements

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 RN 9-15-11
(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 Consolidated Annual Performance Evaluation Report (CAPER) was prepared by the Housing and Economic Development Department in compliance with the U.S. Department of Housing and Urban Development (HUD) requirements. The CAPER is a federally mandated document that evaluates the City's overall progress and performance in meeting the priority activities identified in its Consolidated Plan. The document is a tool used by HUD and the City to evaluate accomplishments and actions taken during the previous program year. This CAPER assesses the City of Visalia's first year of progress for the Consolidated Plan year 2010-2015 in completing activities identified in the 2010-11 Action Plan Year for the period beginning July 1, 2010 and ending June 30, 2011, as well as any activities that were continued from prior program years.

National Objectives and Outcomes

The primary objective of the City's projects and programs is to develop viable communities through the provision of decent and affordable housing, provide a suitable living environment, and create economic opportunities, principally for person of low and moderate income. To clearly identify Visalia's housing and community needs, the City will adhere to meeting HUD's three National Objectives; Provide Decent Affordable Housing, Provide a Suitable Living Environment and Create Economic Opportunities. The Outcomes of these Objectives are to improve availability or accessibility, Improve Affordability, and Improve Sustainability by promoting viable communities.

Over the course of Fiscal Year 2010-11, the Housing and Economic Development Department made great strides towards developing and expanding home ownership and housing opportunities.

Affordable Housing

- **First Time Homebuyer (FTHB) Program** – The First Time Homebuyer Program provides qualified homebuyers with a loan up to \$40,000 as a second mortgage for gap financing and/or down payment assistance. The loan is provided at an interest rate of three-percent, 30 year term, deferred for five year increments. In Fiscal Year 2010-11, the City assisted **four families** with funding totaling **\$146,000** and an average of \$36,500 per loan.



Due to a reassessment of the First Time Homebuyer Program and community needs, staff recommended that funding previously set-aside for this program be re-directed to create a Program that will support the local economy with construction jobs, by providing alternative financing options, such as down payment or gap financing to newly constructed homes within the city limits. The recommendation was approved by the City Council on September 7, 2010. Additionally, on November 10, 2010 the City Manager approved reducing the subsidy amount from \$40,000 to \$20,000 due to declining property values and home prices.

- **New Construction Deferred 2nd Mortgage Loan Program** – In partnership with five local homebuilders, the City of Visalia created a program to assist First Time Homebuyers or those who have not owned a home in the last three years. Qualified homebuyers may receive up to \$20,000 as a second mortgage toward a newly constructed home, to assist with down payment or gap financing in addition to the developer/homebuilder providing incentives. The loan is deferred for fifteen years and

repayment is for an additional fifteen years at an interest rate of two percent (2%). Additionally, the City Manager approved a one-time increase up to \$25,000 per homebuilder.

In 2010-11, two loans in the amount of \$20,000 each were completed and one additional is currently going through the review process. This pilot program was recently terminated due to the lack of interest and existing market conditions.

- **Foreclosure Acquisition Program (FAP II)** – On April 18, 2011 the City Council approved a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME Program Income previously allocated for the First Time Homebuyer (FTHB) Program and the New Construction Deferred 2nd Mortgage Loan Program to a new Program, the Foreclosure Acquisition Program II.

As of July 1, 2011, approximately \$460,000 was redirected to this new program to acquire foreclosed single family homes, rehabilitate and resell to households at or below 80 percent Average Median Income (AMI). This program is modeled after the Neighborhood Stabilization Program (NSP) except buyers incomes are capped at 80 percent of AMI.

Phase 1

- **Paradise and Court Multi-Family Project** - The City of Visalia in partnership with Kaweah Management and Visalians Interested in Affordable Housing (VIAH), serving as a CHDO, are addressing the needs of the community through rehabilitation and building of new affordable housing units. The Paradise and Court Project consists of two phases. The first phase, rehabilitation of 11 existing units, has been completed. The second phase of the project consists of constructing nine (9) units. The new units will be approximately 1,220 square feet, 3 bedroom & 2 full baths with a single car attached garage. These units will be completed by the end of the year.



Phase 2

The City has allocated a total of \$1.0 million for this project, consisting of \$500,000 in CHDO HOME funds and \$500,000 in Redevelopment Low Mod funds. The City had previously anticipated releasing the balance of the earmarked CHDO funds upon completion of the project; however, due to a delay in tax credits, and to continue and support this development, the City disbursed the remaining committed balance to the developer in mid July 2010. To date, \$124,728 of the CHDO budget has been expended.



- **Community Services Employment Training (CSET)** – CSET represents the newest Community Housing Development Organization. The City budgeted a total of \$260,000 HOME CHDO funds of which \$15,000 was set-aside for pre-development costs as a loan to be repaid. Under the City's direction, CSET has acquired two foreclosed single family dwellings. The units have been rehabilitated and are for sale to income qualifying families. In 2010-11 CSET expended \$198,532 for CHDO activities.

- **Sierra Meadows Project** - The City of Visalia in partnership with Christian Church Homes of Northern California have been working together since 2004 on the construction of 42 units of senior housing. To date, the City has contributed a total of \$2.7 million in HOME funds towards this project. This amount represents 30% of the development cost of \$9.5 million dollars. The project addresses the objectives of the Consolidated Plan as a high priority for “Special Needs Housing” for seniors. The project broke ground in December 2009 and was completed in May 2011.



- **Neighborhood Stabilization Program (NSP)** The City received a \$2.38 million grant from HUD to acquire, rehabilitate and resell foreclosed homes in targeted neighborhoods. The program is geared to recycle funds through the resale of homes in order to purchase and rehabilitate more homes and assist more families. In 2010-11, the City expended \$1,201,346 on NSP activities. Of this amount, \$848,963 was from program income from the resale of homes.

On average, homes have been purchased for approximately \$75,000, rehabilitated and included energy efficient improvements for \$25,000 and resold for approximately \$100,000. To date, the City has purchased 26 homes and resold 23.

While the City has been very successful in acquiring & refurbishing foreclosed single-family homes for resale, it has been more challenging to fulfill the 50 percent AMI requirement. This is because many of the households at this income level find it difficult to afford the mortgage payments, plus taxes and insurance, while also maintaining the upkeep of the property.

The City Council also approved the purchase of a multi-family complex. The four-plex was sold to the Visalia Rescue Mission to be used as transitional housing for homeless individuals while securing employment.



Before Rehabilitation



After Rehabilitation

Suitable Living Environments

- **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 and non-compliance substandard housing code issues. 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. Code inspectors enforce and correct violations of the housing code, dangerous building code and public nuisance and zoning ordinances.

In fiscal year 2010-11, the City allocated a total of \$160,000 in CDBG funds and expended a total of \$168,458 from the 2010-11 allocation and prior year funding. A total of 109 code cases were opened in 2010-11 and 249 closed within CDBG target areas. (Closed cases may include old cases from previous years that were closed in 2010-11).

- **Fair Housing Hotline Program** - To affirmatively promote fair housing, the City continues to offer the Fair Housing Hotline Program. In October 2010, the Tulare County Housing Authority (TCHA) contract for administration of the program expired. The City assumed responsibility for managing the Fair Housing Hotline.

Federal fair housing laws prohibit discrimination in the sale, rental or lease of housing, and in negotiations for real property, based on race, color, religion, sex, national origin, familial status and disability. California fair housing laws build on the federal laws, including age, marital status, ancestry, source of income, sexual orientation and “any arbitrary discrimination” as the protected categories under the laws.

The Analysis of Impediments (AI) to Fair Housing Choice was adopted by the City Council on April 19, 2010. The AI was reviewed by HUD for final approval and was incorporated into the Consolidated Plan as of February 2011. The AI provides an overview of laws, regulations, conditions and other possible obstacles that could affect an individual’s or household’s access to housing in Visalia. The AI includes a comprehensive review of Visalia’s laws, regulations and administrative policies, procedures and practices, as well as an assessment of how they affect the location, availability and accessibility of housing, including an assessment of conditions, both public and private, affecting fair housing choice. A complete copy of the report can be viewed on the City of Visalia website at www.ci.visalia.ca.us under the Housing & Economic Development Department tab.

In 2010-11, \$15,000 was allocated for the Fair Housing Hotline and \$21,458 was expended, including funding allocated in the prior year. The program assisted a total of 163 callers and provided 207 referral services. Additionally, 720 Fair Housing Brochures were distributed as well as 43 Tenant/Landlord handbooks.

Economic Development / Job Creation

- **Parking Structure Section 108 Loan** (West Acequia Parking Structure) - The Parking Structure was completed in 2007 and continues to provide great economic benefit to the Downtown Area. The 700 space garage, bound by Acequia, Floral and Main Streets, mainly supports the hospital’s recent six-story expansion as well as many local businesses. Since the expansion, Kaweah Delta Healthcare District has created a total of 922 jobs. City staff continues to monitor the jobs created by the hospital annually.



Despite the economic downturn, Visalia has welcomed new businesses, including a new bank and medical offices. In fiscal year 2010-11, the City made a Section 108 payment in the amount of \$492,250.

Senior and Other Special Needs

- **Mobile Home Senior Handicapped Assistance Repair Program (SHARP)** This program is administered by Self-Help Enterprises (SHE) and has a total of \$90,000 to support the administration and repairs to mobile homes owned by low income and handicapped seniors. The majority of repairs address health and safety issues such as roofs, air conditioning, plumbing & electrical and handicap ramps. Without this program, these coaches would be uninhabitable and the seniors would be displaced from their residences.

During the program year nine mobile home repairs were completed, four were in progress/under construction and two loans were in the application stage. It is projected that four more households will be assisted over the next several months. The total amount spent on this program in 2010-11 was \$93,657. As of December 31, 2011, this program will be put on indefinite hold due to the reduction in funding.

- **Senior Home Repair Minor Repairs** – This program, administered by Community Services and Employment Training (CSET) assists senior citizens by addressing minor repairs to their home which may include plumbing repairs, cooler/air conditioning repairs, roof repairs, door & window repairs, and electrical repairs, flooring and carpentry repairs.

In fiscal year 2010-11, the City of Visalia allocated a total of \$91,000 and expended \$82,526 to address 619 repairs for 102 clients (one household may have multiple repairs), including 18 new clients assisted during the program year. This program's contract ended June 30, 2011 and future allocations have been put on hold due to Visalia's reduction in funding from HUD.

- **Continuum of Care** - The City continues its partnership with the Kings-Tulare Continuum of Care (CoC) to address issues of homelessness. The CoC is a consortium of housing providers, service providers, and local government that work together to combat homelessness in Kings and Tulare Counties. In fiscal year 2010-11 the City of Visalia allocated and expended a total of \$10,000 to support efforts by the CoC. These activities included assisting with the capacity development of the Continuum and member agencies which offer services to homeless individuals and families in Visalia, including the annual Project Homeless Connect event. However, with the recent reduction in funding, the City's ongoing support is significantly reduced due to the loss of staff and lower funding. Future City funding and staff participation will be limited.

Public Improvements

- **ADA Compliance** - The City of Visalia is committed to improving access for persons with disabilities. In 2010-11 the focus was on construction of ADA drinking fountains in five locations: Three within Blain Park, one at Jefferson Park near the playground and one at Pinkham Park. These fountains offer easy access to wheel chair bound individuals. The City allocated a total of \$40,000 in CDBG funds and expended \$26,947. The project is complete.



- **Fox Theater Painting** - The total painting budget for the Fox Theater was \$43,700. Of this amount, the City contributed a total of \$30,000 in CDBG funds. The remaining balance came from Visalia Friends of the Fox. The painting was completed in July 2010. In the prior year \$14,141 was spent and in 2010-11 the remaining balance of \$15,859 was expended.



- **Jefferson Park Reconstruction** (Washington School Neighborhood) – On September 21, 2009, the City Council adopted an amendment to the 2008-09 and 2007-08 Action Plans redirecting a total of \$63,000 collectively to support improvements to Jefferson Park located in the Washington School neighborhood. In 2010-11, a total of \$55,317 was expended on this project.



The funding was previously earmarked to address lighting in the neighborhood, however, due to a significant lower cost than previously anticipated for the installation of new lamps, the excess funding was utilized to continue improving the quality of life of the neighborhood by providing several improvements to the park.

The project addresses a number of safety related issues, including reconstruction and replacement of the existing 35 year old backstop, dugouts, and the foul line fencing in addition to lighting for the basketball courts. These basketball courts provided recreational opportunities for families living in the apartment complexes nearby. The new lighting encourages park users to play and exercise longer outdoors as an alternative to sitting idle in their residences. This area has both gang activity and high levels of youth and poverty.

- **Oval Area Traffic Improvements** - In 2008 the City Council directed staff to work with residents and businesses in the Oval Park Neighborhood to identify needs related to traffic, safety and lighting. The City held many community meetings to obtain community input and has retained the services of an engineering firm to prepare plans for pedestrian and traffic improvements and roadways surrounding the park. Through fiscal year 2010-11 a total of \$295,025 in CDBG funds was set aside for this project with \$84,523 expended leaving a balance of \$208,794.



Currently, the City is exploring additional funding sources to complete construction of the roadway improvements which is key to improving traffic safety for pedestrians, bicyclists and vehicles. This low-income area has one of the highest levels of pedestrian traffic.

- **Oval Park Area Lighting Project** – Streetlights will improve safety and nighttime visibility and deter crime within the existing streets and along sidewalks. This high crime, older neighborhood is deficient in lighting. To date, four lights have been purchased and

\$3,693 has been expended out of a budget of \$40,000. The lights should be installed in the fall of 2011.

- **Recreation Park** – Funds in the amount of \$110,241 were used to address the Skate Park graffiti and fencing issues as well as security cameras to maintain a safe environment for the community.
- **Community Development Block Grant Recovery (CDBG-R)** - In response to the economic recession, the City was also the recipient of funding through The American Recovery and Reinvestment Act of 2009 (ARRA). The City proposed and invested a total of \$322,067 in CDBG-R funds into infrastructure and public facility activities. These activities will achieve long-term benefits, quickly spur further economic investment, create and/or retain jobs in the community; especially in areas with the greatest need, and improve the quality of life in deteriorating neighborhoods. The improvements include Public Sidewalk & Handicap Access and Center Avenue Improvements, completed last year, and Anthony Community Center, completed in 2010-11.



2010-11 Expenditures and Goal Achievement

Table I (Attachment A) identifies the HOME and CDBG Funds for the program year as they relate to meeting the National Objectives. Table II is a comparison of goals and accomplishments for the program year.

Table II

HUD Housing Program Goal Achievement

Program Unit / Services Goal	Unit Goal	Unit Completed	% of Goal
First Time Homebuyer (FTHB)	10	6	60%
Paradise & Court Multi-Family (CHDO)	New construction of 9 units is 50% complete		
Sierra Meadows Senior Housing	43	43	100%
Code Enforcement-Target Areas	200	249	125%
Fair Housing Hotline	120	207	173%
Continuum of Care	1	1	100%
ADA Compliance	10	5	50%
Senior Minor Home Repair	620	619	100%
Mobile Home Senior Handicap Repair	14	13	93%

2) 2009-10 Action Plan Amendment 4

On April 18, 2011, City Council authorized the reallocation of \$100,000 of Job Creation funding to the Oval Area Traffic Improvement Project. Staff is recommending that the remaining \$75,202

CDBG funds set aside for Job Creation also be redirected to the Oval Area Traffic Improvement Project to provide funding for the construction phase.

Prior Council/Board Actions:

- April 19, 2010 – City Council approved the Five-Year Consolidated Plan, Strategic and Citizens Participation Plans, the Analysis of Impediments and 2010-11 Action Plan for the use of HUD CDBG and HOME Funds.
- July 16, 2010 – City Manager adopted a Minor Amendment to the 2010-11 Action Plan to modify the project description for ADA Compliance Projects.
- September 7, 2010 – City Council adopted a 2nd Amendment to the 2009-10 and 1st Amendment to the 2010-11 Action Plans redirecting HOME Funds from the 2009-10 & 2010-11 HOME funded First Time Homebuyers Program to the New Homes Deferred 2nd Mortgage Program.
- March 7, 2011 – City Council adopted a Substantial Amendment to the 2008-09 Action Plan authorizing the change in use of a 4-plex apartment building (to become transitional housing) and its' sale and reimburse CDBG-NSP funding.
- April 18, 2011 – City Council adopted a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME Program Income previously allocated to the First Time Homebuyer Program to the Foreclosure Acquisition Program II and reallocated CDBG funding previously earmarked for Job Creation and Oval Area Park Improvements to Oval Transportation Improvements.
- September 6, 2011 – City Council reviewed Draft CAPER and 4th Amendment to the 2009-10 Action Plan. Council comments are found in Attachment B.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments:

- Attachment A, 2010-11 CAPER Expenditures
- Attachment B, 2010-11 CAPER Comments
- Attachment C, 2010-11 CAPER Resolution
- Attachment D, 2010-11 CAPER Document

Recommended Motion (and Alternative Motions if expected): I move to authorize the following:

- 1) That the City Council adopt by Resolution No. 2011-62; the Final 2010-11 CAPER; and
- 2) That the City Council approve the 4th Amendment to the 2009-10 Action Plan, reallocating Job Creation funds to the Oval Area Traffic Improvement Program.

Environmental Assessment Status

CEQA Review: N/A

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:

ATTACHMENT A
2010-11
FINAL CAPER EXPENDITURES

1	EXPENDITURES:	CDBG	HOME	TOTAL	UNITS
2	Administration and Operating	216,573	43,237	259,810	
3					
4	AFFORDABLE HOUSING:				
5	<u>Homeownership</u>				
6	First Time Homebuyer Program (FTHB) (CSET)		164,474	164,474	4
7	New Construction Deferred 2nd Mortgage Loan Program		40,000	40,000	2
8	Property Acquisition (CHDO) (CSET)		198,532	198,532	1
9	<u>Neighborhood Preservation/Services</u>				
10	Code Enforcement- Target Areas	168,458		168,458	249
11	Fairhousing Hotline (contract w/TCHA 6/30/09)	21,583		21,583	207
12	HOMELESSNESS				
13	<u>Special Needs Facilities</u>				
14	Continuum of Care	10,000		10,000	1
15	COMMUNITY DEVELOPMENT				
16	<u>Public Improvements</u>				
17	ADA Compliance Projects (Water Fountains)	26,947		26,947	5
18	Fox Theater Renovations	15,859		15,859	1
19	Jefferson Park Improvements	55,317		55,317	1
20	Oval Park Area Improvements	84,523		84,523	1
21	Oval Area Lighting Project	3,693		3,693	4
22	Recreation Skate Park Improvements	110,241		110,241	1
23	<u>Economic Development/Public Parking Facilities</u>				
24	West Parking Structure Loan Payment (Section 108 Loan)	492,250		492,250	1
25	NON HOMELESS SPECIAL NEEDS HOUSING				
26	<u>Special Needs Services</u>				
27	Mobile Home Senior Repair & Handicapped Access (SHE)	93,657		93,657	13
28	Senior Home Minor Repairs (CSET)	82,526		82,526	619
29	Sierra Meadows Senior Housing (Christian Church Homes)		151,821	151,821	43
30					
31	Subtotal Programs & Projects	1,165,054	554,827	1,719,881	
32					
33	TOTAL EXPENDITURES	1,381,627	598,064	1,979,691	

ATTACHMENT B
2010-11
CAPER COMMENTS

COMMENTS	CITY RESPONSE
City Council Work Session: Presentation of Draft CAPER, September 6, 2011	
Regarding the Foreclosure Acquisition Program, is the sales price more or less than the cost of acquisition and rehabilitation?	The sale price is typically less and it is important to note that the City cannot earn any profit nor sell for more than the total cost to acquire and rehabilitate properties.
Action Plan Amendment – Should we reallocate these funds to another project, rather than the Oval Transportation project?	The City has worked on this project with the Oval Park Community including residents, businesses, property owners and non-profit agencies in an effort to improve pedestrian, bicycle and vehicular safety on this State Highway. The plan now is to finalize the design plan with input from Caltrans since this is a State Highway and pursue Caltrans funds and combine with CDBG and break ground on construction of the road improvements in 2012.
Do we have a formal commitment from Caltrans on the remaining funding for the Oval Transportation project?	Caltrans has expressed interest in providing upwards of \$150,000 to assist with the implementation but no formal agreement thus far.
How much have we spent in NSP funds?	We originally received \$2.3 million and through the purchase and rehabilitation of 26 homes, we have recycled more than \$1.5m from the original grant.
Citizens Advisory Committee: Presentation of Draft CAPER, September 7, 2011	
Why are Job Creation funds being moved?	There are no job creation projects at this time and the Oval Transportation project requires additional funding to complete the engineering and construction phases.
Why are you able to amend the 2009-10 Action Plan now, if the allocation was already approved in 2009-10?	Action plans can be amended if the projects budgeted will not be implemented. The project funds can be reallocated to a project that is moving forward.
Why is the Job Creation funding going towards the Oval Transportation project while the two senior programs dropped?	There is currently no job creation project being considered by the City and we are attempting to raise sufficient funds to complete the traffic improvements for the Oval Park Transportation Project.
Is there another group in Visalia that runs mobile home programs?	No, other than the City and its partnership with Self-Help Enterprises, there are no other organizations offering such assistance for the rehabilitation of the coaches.
Will the Oval Transportation project help with the gang situation?	The transportation improvements will definitely improve safety for the many pedestrians, bicyclists and vehicles which travel around the Oval Park area daily. It will also make access to the park easier. With the Visalia Rescue Mission taking over the administration of the Oval Service Center and running programs for the greater community, it will serve as a draw for youth from the area, so indirectly help reduce gang attraction by providing youth with alternatives.
Are the Oval projects separate projects?	Yes, they are accounted for separately in our records.
Northern Visalia Neighborhood Advisory Committee: Presentation of Draft CAPER, September 8, 2011	
Is there a possibility to have additional lights in North Visalia?	Depends on funding available. Committee should make request during Action plan process.
What is the status of the Oval Transportation project?	The funding is being finalized. May receive some funding from Caltrans, however, that remains to be determined.
Can the Job Creation funds be used for first time home buyer down payment assistance?	No. The Job Creation funds are from CDBG and the first time home buyer program is HOME funded.
Is code enforcement city wide?	Yes, however, CDBG funds only pay for code enforcement activities in CDBG target areas.
Are the fencing and cameras successful at the skate park?	Lt. Phillips commented that they are both a success in controlling graffiti and vandalism in the park. The “wireless eye” monitors the park 24/7.
Disability Advocacy Committee: Presentation of Draft CAPER, September 12, 2011	
When can the group give input on possible projects?	Comments are taken at community meetings held twice per year, during the Action Plan and CAPER process.
Is there a plan to charge for parking in the structure?	There are no current plans to charge for parking in the structure.
What types of businesses are assisted	Businesses that agree to meet all federal requirements related to job

with Job Creation dollars?	creation.
----------------------------	-----------

ATTACHMENT C

RESOLUTION NO. 2011-62

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
APPROVING THE 2010-11 PROGRAM YEAR**

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUTION REPORT

WHEREAS, the City of Visalia operated the Community Development Block Grant Program (CDBG), and the Home Investment Partnerships Grant Program (HOME) for the 2010-11 Program Year; and

WHEREAS, the City is required to submit a Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) for the activities and expenditures for the 2010-11 Program Year; and

WHEREAS, the City must also certify that it is complying with HUD requirements for the use of CDBG and HOME funds; and

WHEREAS, the City spent \$2.0 million dollars in CDBG and HOME funds during the 2010-11 Program Year; 100% of the funds were used to assist households with incomes at or below 80% of median income; and

WHEREAS, the City Manager is the certifying official for all HUD reports and transactions.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Visalia that it approves the attached 2010-11 Program Year Consolidated Annual Performance and Evaluation Report, and authorizes the City Manager to submit the same to HUD on behalf of the City of Visalia.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Visalia on the ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

_____, Agency Secretary

ATTACHMENT D

**2010-11
Consolidated Annual Performance Evaluation Report
(CAPER)**



First Program Year CAPER

The CPMP First Consolidated Annual Performance and Evaluation Report (CAPER) includes Narrative Responses to CAPER 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.

The grantee must submit an updated Financial Summary Report (PR26).

GENERAL

EXECUTIVE SUMMARY

The CAPER was prepared by the Housing and Economic Development Department in compliance with the U.S. Department of Housing and Urban Development (HUD) requirements. The CAPER is a federally mandated document that evaluates the City's overall progress and performance in meeting the priority activities identified in its Consolidated Plan. The document is a tool used by HUD and the City to evaluate accomplishments and actions taken during the previous program year. This CAPER assesses the City of Visalia's first year of progress for the Consolidated Plan years 2010 through 2015 in completing activities identified in the 2010-11 Action Plan for the period beginning July 1, 2010 through June 30, 2011, as well as activities that were continued from prior program years.

Focus for 2011-12

Due to budget reductions of approximately 17% in CDBG and 12% in HOME Funds, the plan for 2011-12 has been modified to focus on the following core programs and projects: Foreclosure Acquisition Program II, West Acequia Parking Structure - Section 108 Loan Payment, Oval Park Transportation Safety Improvements, Code Enforcement and Substandard Housing Prevention, Fair Housing, ADA compliance and Continuum of Care.

Consolidated Plan Process

The City of Visalia is the recipient of federal Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds from HUD. The Agency annually provides these funds to the City to provide decent housing, provide a suitable living environment, and to expand economic opportunities benefiting low income persons and areas. As a recipient of these funds, the City is required to prepare a five year strategic plan referred to as a Consolidated Plan. The Consolidated Plan identifies housing and community needs of low income persons and areas within the City, prioritizes these needs, identifies resources to address needs, and establishes annual goals and objectives to meet the needs. As part of the Consolidated Plan process, the City is required to put together an Action Plan for each fiscal year of the Consolidated Plan. The Action Plan establishes goals to increase the availability of affordable housing and economic opportunities contained in the five-year Consolidated Plan. The Action Plan also identifies resources available within the community to meet Consolidated Plan goals; and describes a one-year plan and budget for the intended use of federal resources. At the end of the fiscal year, the City prepares a CAPER that describes the City's progress in meeting the five-year goals and priorities of the Consolidated Plan.

ACTION PLAN AMENDMENTS

The Action Plan Amendments are provided in Appendix "A" of this document.

- **Appendix "A-1": April 19, 2010** – City Council approved the Five-Year Consolidated Plan, Strategic and Citizens Participation Plans, the Analysis of Impediments and 2010-11 Action Plan for the use of HUD CDBG and HOME Funds.
- **Appendix "A-2": July 16, 2010** – City Manager adopted a Minor Amendment to the 2010-11 Action Plan to modify the project description for ADA Compliance Projects. The amended descriptions is as follows:

Suitable Living Environment through Public Improvements

Outcome Goal (SL-1): Increase availability of handicapped access benefiting population with special needs.

- ADA Compliance Projects – The City is committed to addressing the needs of the disabled community. The City has allocated a total of \$40,000 in CDBG funds for the construction of ADA drinking fountains within five locations: Three within Blain Park; one at Jefferson Park near the playground and one at Pinkham Park.
- **Appendix "A-3": September 7, 2010** – City Council adopted a 2nd Amendment to the 2009-10 and 1st Amendment to the 2010-11 Action Plans redirecting HOME Funds as follows:
 - \$520,000 was redirected from the 2009-10 & 2010-11 HOME funded First Time Homebuyers Program to the New Homes Deferred 2nd Mortgage Program. This program is directed at assisting families of newly constructed homes within the city limits. The intent is to provide further opportunities to local families to purchase homes and bolster jobs within the construction industry.
- **Appendix "A-4": March 7, 2011** – City Council adopted a Substantial Amendment to the 2008-09 Action Plan authorizing the change in use of a 4-plex apartment building (to become transitional housing) and its' sale and reimburse CDBG-NSP funding under 24 CFR 570.505 regulation which requires the City to reimburse the CDBG-NSP Program, whereas the property shall no longer be subject to any CDBG-NSP requirements.
- **Appendix "A-5": April 18, 2011** – City Council adopted a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME and CDBG Funds as follows:
 - Redirected HOME Program Income previously allocated to the First Time Homebuyer Program to a new Program, the Foreclosure Acquisition Program II.
 - Reallocated CDBG funding previously earmarked for Job Creation and Oval Area Park Improvements to Oval Transportation Improvements.

General Questions

1. Assessment of the one-year goals and objectives:

- a. Describe the accomplishments in attaining the goals and objectives for the reporting period.

Table I provides a snapshot of expenditures and units completed in 2010-11.

Table I
2010-11 CAPER EXPENDITURES

1	EXPENDITURES:	CDBG	HOME	TOTAL	UNITS
2	Administration and Operating	216,573	43,237	259,810	
3					
4	AFFORDABLE HOUSING:				
5	<u>Homeownership</u>				
6	First Time Homebuyer Program (FTHB) (CSET)		164,474	164,474	4
7	New Construction Deferred 2nd Mortgage Loan Program		40,000	40,000	2
8	Property Acquisition (CHDO) (CSET)		198,532	198,532	1
9	<u>Neighborhood Preservation/Services</u>				
10	Code Enforcement- Target Areas	168,458		168,458	249
11	Fairhousing Hotline (contract w/TCHA 6/30/09)	21,583		21,583	207
12	HOMELESSNESS				
13	<u>Special Needs Facilities</u>				
14	Continuum of Care	10,000		10,000	1
15	COMMUNITY DEVELOPMENT				
16	<u>Public Improvements</u>				
17	ADA Compliance Projects (Water Fountains)	26,947		26,947	5
18	Fox Theater Renovations	15,859		15,859	1
19	Jefferson Park Improvements	55,317		55,317	1
20	Oval Park Area Improvements	84,523		84,523	1
21	Oval Area Lighting Project	3,693		3,693	4
22	Recreation Skate Park Improvements	110,241		110,241	1
23	<u>Economic Development/Public Parking Facilities</u>				
24	West Parking Structure Loan Payment (Section 108 Loan)	492,250		492,250	1
25	NON HOMELESS SPECIAL NEEDS HOUSING				
26	<u>Special Needs Services</u>				
27	Mobile Home Senior Repair & Handicapped Access (SHE)	93,657		93,657	13
28	Senior Home Minor Repairs (CSET)	82,526		82,526	619
29	Sierra Meadows Senior Housing (Christian Church Homes)		151,821	151,821	43
30					
31	Subtotal Programs & Projects	1,165,054	554,827	1,719,881	
32					
33	TOTAL EXPENDITURES	1,381,627	598,064	1,979,691	

- b. Provide a breakdown of the CPD formula grant funds spent on grant activities for each goal and objective.
- c. If applicable, explain why progress was not made towards meeting the goals and objectives.

The following tables provide a breakdown of the CPD formula grant funds spent on grant activities for each goal and objective. In addition to CDBG and HOME grant funds spent the City is also reporting the accomplishments of NSP & CDBG-R grant. Even though they were part of the 2008-09 Action Plan Amendment, it is important to include them within this document as accomplishments in the City's efforts to mitigate the effects of foreclosures and to prevent further community decline. These programs have been designed to stabilize property values and prevent further prevent neighborhood blight.

Table II
2010-11 Objectives and Outcomes
HOME Funded Programs

HOME Investment Partnership Funds (HOME) - Objectives and Outcome	2010-11 Expenditures	No. units/services or jobs created or completed
Objective 1: Provide Decent Affordable Housing		
1. Increase availability of affordable owner-occupied housing through FTHB Program	\$164,474.00	4
2. Increase availability of affordable owner-occupied housing through New Construction 2nd Mortgage Loan Program	\$40,000.00	2
3. Increase availability of affordable rental housing through acquisition, rehabilitation and partnership with CHDO (Community Services Employment & Training)	\$198,532.00	1
Objective 2: Suitable Living Environment by Supporting Special Needs Services		
1. Increase availability of affordable rental housing through partnership with Christian Church Homes	\$151,821.00	43
Total HOME Allocations	\$554,827.00	

Table III
2010-11 Objectives and Outcomes
CDBG Funded Programs

Community Development Block Grant Funds (CDBG) - Objectives and Outcome	2010-11 Expenditures	No. units/services or jobs created or completed
Objective 1: Suitable Living Environment through Neighborhood Preservation and Services		
1. Maintain quality housing by addressing substandard housing through (Code Enforcement Program)	\$ 168,458.00	249
2. Provide services for low-to -moderate income persons by providing (Fair Housing Education Program)	\$ 21,583.00	207
Objective 2: Suitable Living Environment by Supporting Special Needs Facilities		
1. Increase accessibility to support facilities to end chronic homelessness (Continuum of Care/Homeless Project)	\$10,000	1
Objective 3: Suitable Living Environment through Public Improvements		
1. Increase availability of handicapped access benefiting population with special needs (ADA Compliance-Water Fountains)	\$26,947.00	5
2. Improve quality and increase quantity through rehabilitation and preservation activities (Fox Theater)	\$15,859.00	1
3. Improve quality and increase quantity of public improvements that benefit low and moderate income residents (Jefferson Park)	\$55,317.00	1
Objective 4: Create Economic Development Opportunities and Community Development Opportunites (Parking Facilities)		
1. Demonstrate a commitment to long-term economic growth by promoting expansion and (job retention) - Section 108 Loan- West Acequia	\$ 492,250.00	1
Objective 5: Suitable Living Environment through Public Improvements		
1. Improve quality/increase availability of neighborhood facilities for low-income persons (Oval Area Traffic Improvements)	\$ 84,523.00	1
2. Improve quality/increase availability of neighborhood facilities for low-income persons (Oval Area Lighting Project)	\$ 3,693.00	4
3. Improve quality/increase availability of neighborhood facilities for low-income persons (Parks & Recreation-Recreation Skate Park)	\$ 110,241.00	1
Objective 6: Suitable Living Environment by Supporting Special Needs Services		
2. Increase accessibility and range of housing options for person with special needs (SHARP)	\$ 93,657.00	13
1. Maintain quality of owner-occupied housing for elderly (Senior Home Repair Program)	\$ 82,526.00	619
Total CDBG Allocations	\$ 1,165,054.00	

Table IV
2010-11 Objectives and Outcomes
NSP Funded Programs

CDBG Neighborhood Stabilization Program (NSP) - Objectives and Outcome	2010-11 Expenditures	No. units/services or jobs created or completed
Objective 1: Provide Decent Affordable Housing (LMM) up to 120% AMI		
1. Increase availability of affordable owner-occupied housing through (NSP) (Expenditures include acquisition & rehab)	\$ 821,386.00	19
Objective 2: Provide Decent Affordable Housing (LMM) up to 50% AMI		
1. Increase availability of affordable owner-occupied housing through (NSP)	\$ 41,785.00	1
Objective 3: Increase Availability of Public Facilities		
1. 210 NW 2nd Four-Plex	\$ 338,175.00	1
Total NSP Allocations	\$ 1,201,346.00	

Table V
2010-11 Objectives and Outcomes
CDBG-R Funded Programs

CDBG-R American Recovery & Reinvestment Act of 2009 (ARRA) - Objectives and Outcomes	2010-11 Expenditures	No. units/services or jobs created or completed
Objective 5: Suitable Living Environment through Public Improvements		
1. Improve quality and increase quantity of public improvements that benefit low and moderate income residents (Anthony Community Center)	\$ 35,319.00	1
Total CDBG-R Allocations		

HOME FUNDED OBJECTIVES AND ACCOMPLISHMENTS

OBJECTIVE 1 – PROVIDE DECENT AFFORDABLE HOUSING

Even in these challenging economic times, the City of Visalia continues its commitment to improve the quality of life for low and moderate income families by providing decent & affordable housing through the implementation of two outcome goals.

Outcome Goal 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 through the use of First Time Homebuyer Programs.

- **First Time Homebuyer (FTHB) Program** – The First Time Homebuyer Program provides qualified homebuyers with a loan up to \$40,000 as a second mortgage for gap financing and/or down payment assistance. The loan is provided at an interest rate of three-percent, 30 year term, deferred for five year increments. In Fiscal Year 2010-11, the City assisted **four families** with funding totaling **\$146,000** and an average of \$36,500 per loan.



Due to a reassessment of the First Time Homebuyer Program and community needs, staff recommended that funding previously set-aside for this program be re-directed to create a Program that will support the local economy with construction jobs, by providing alternative financing options, such as down payment or gap financing to newly constructed homes within the city limits. The recommendation was approved by the City Council on September 7, 2010. Additionally, on November 10, 2010 the City Manager approved reducing the subsidy amount from \$40,000 to \$20,000 due to declining property values and home prices.

- **New Construction Deferred 2nd Mortgage Loan Program** - In partnership with five local homebuilders, the City of Visalia created a program to assist First Time Homebuyers or those who have not owned a home in the last three years. Qualified homebuyers may receive up to \$20,000 as a second mortgage toward a newly constructed home, to assist with down payment or gap financing in addition to the developer/homebuilder providing incentives. The loan is deferred for fifteen years and repayment is for an additional fifteen years at an interest rate of two percent (2%). Additionally, the City Manager approved a one-time increase up to \$25,000 per homebuilder.

In 2010-11, **two loans** in the amount of **\$20,000** each were completed and one additional is currently going through the review process. This pilot program was recently terminated due to the lack of interest and existing market conditions.

- **Foreclosure Acquisition Program (FAP II)** - On April 18, 2011 the City Council approved a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME Program Income previously allocated for the First Time Homebuyer (FTHB) Program and the New Construction Deferred 2nd Mortgage Loan Program to a new Program, the Foreclosure Acquisition Program II.

As of July 1, 2011, approximately \$460,000 was redirected to this new program to acquire foreclosed single family homes, rehabilitate and resell to households at or below 80% Average Median Income (AMI). This program is modeled after the Neighborhood Stabilization Program (NSP) except buyers incomes are capped at 80 percent of AMI.

Outcome Goal 2: Provide decent affordable housing by sustaining neighborhoods through partnerships with Community Housing Development Organizations (CHDO).

Phase 1

- **Paradise and Court Multi-Family Project** - The City of Visalia in partnership with Kaweah Management and Visalians Interested in Affordable Housing (VIAH), serving as a CHDO, are addressing the needs of the community through rehabilitation and building of new affordable housing units. The Paradise and Court Project consists of two phases. The first phase, rehabilitation of 11 existing units, has been completed. The second



phase of the project consists of constructing nine (9) units. The new units will be approximately 1,220 square feet, 3 bedroom & 2 full baths with a single car attached garage. These units will be completed by the end of the year.

Phase 2



The City has allocated a total of \$1.0 million for this project, consisting of \$500,000 in CHDO HOME funds and \$500,000 in Redevelopment Low Mod funds. The City had previously anticipated releasing the balance of the earmarked CHDO funds upon completion of the project; however, due to a delay in tax credits, and to continue and support this development, the City disbursed the remaining committed balance to the developer in mid July 2010. To date, \$124,728 of the CHDO budget has been expended.

- **Community Services Employment Training (CSET)** – CSET represents the newest Community Housing Development Organization. The City budgeted a total of \$260,000 HOME CHDO funds of which \$15,000 was set-aside for pre-development costs as a loan to be repaid. Under the City’s direction, CSET has acquired two foreclosed single family dwellings. The units have been rehabilitated and are for sale to income qualifying families. In 2010-11 CSET expended \$198,532 for CHDO activities.

Outcome Goal 3: Increase the availability of decent affordable rental housing through partnerships with non-profit agencies.

- **Sierra Meadows Project** - The City of Visalia in partnership with Christian Church Homes of Northern California have been working together since 2004 on the construction of 42 units of senior housing. To date, the City has contributed a total of \$2.7 million in HOME funds towards this project. This amount represents 30% of the development cost of \$9.5 million dollars. The project addresses the objectives of the Consolidated Plan as a high priority for “Special Needs Housing” for seniors. The project broke ground in December 2009 and was completed in May 2011.



CDBG FUNDED OBJECTIVES AND ACCOMPLISHMENTS

OBJECTIVE 1 – CREATE SUITABLE LIVING ENVIRONMENTS

Outcome Goal 1: Maintain and preserve quality housing by addressing substandard housing through Neighborhood Preservation.

- **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 and non-compliance substandard housing code issues.



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. Code inspectors enforce and correct violations of the housing code, dangerous building code and public nuisance and zoning ordinances.

In fiscal year 2010-11, the City allocated a total of \$160,000 in CDBG funds and expended a total of \$168,458 from the 2010-11 allocation and prior year funding. A total of 109 code cases were opened in 2010-11 and 249 closed within CDBG target areas. (Closed cases may include old cases from previous years that were closed in 2010-11).

Outcome Goal 2: Provide educational services to low income persons by providing Fair Housing information.

- **Fair Housing Hotline Program** - To affirmatively promote fair housing, the City continues to offer the Fair Housing Hotline Program. In October 2010, the Tulare County Housing Authority (TCHA) contract for administration of the program expired. The City assumed responsibility for managing the Fair Housing Hotline.

Federal fair housing laws prohibit discrimination in the sale, rental or lease of housing, and in negotiations for real property, based on race, color, religion, sex, national origin, familial status and disability. California fair housing laws build on the federal laws, including age, marital status, ancestry, source of income, sexual orientation and "any arbitrary discrimination" as the protected categories under the laws.

The Analysis of Impediments (AI) to Fair Housing Choice was adopted by the City Council on April 19, 2010. The AI was reviewed by HUD for final approval and was incorporated into the Consolidated Plan as of February 2011. The AI provides an overview of laws, regulations, conditions and other possible obstacles that could affect an individual's or household's access to housing in Visalia. The AI includes a comprehensive review of Visalia's laws, regulations and administrative policies, procedures and practices, as well as an assessment of how they affect the location, availability and accessibility of housing, including an assessment of conditions, both public and private, affecting fair housing choice. A complete copy of the report can be viewed on the City of Visalia website at www.ci.visalia.ca.us under the Housing & Economic Development Department tab.

In 2010-11, \$15,000 was allocated for the Fair Housing Hotline and \$21,458 was expended, including funding allocated in the prior year. The following table displays the types of referrals and the ethnicity of the callers over the annual period. The program assisted a total of 163 callers and provided 207 referral services. Additionally, 720 Fair Housing Brochures were distributed as well as 43 Tenant/Landlord handbooks.

Program Year 2010-11	Hotline Calls Received	Total Referral Services Provided	Lawyer & Legal Referral Services	Fairhousing Brochures Provided	Tenant/Landlord Handbooks Provided	White	Hispanic	Black	American Indian	Asian/Pacific
July	16	26	14	200	3	11	5	0	0	0
August	14	21	13	200	1	7	7	0	0	0
September	12	22	10	0	7	9	2	1	0	0
October	11	11	7	25	3	4	2	0	0	0
November	19	15	9	0	1	2	7	0	0	0
December	10	10	5	47	3	7	1	0	0	0
January	13	22	8	11	8	3	9	0	0	0
February	5	6	4	214	4	1	2	0	0	0
March	12	3	2	0	0	1	4	0	0	0
April	21	18	4	0	1	7	3	3	0	0
May	19	36	12	19	8	6	8	1	0	0
June	11	17	10	4	4	7	4	0	0	0
Total	163	207	98	720	43	65	54	5	0	0

OBJECTIVE 2 – CREATE SUITABLE LIVING ENVIRONMENTS BY SUPPORTING SPECIAL NEEDS PROGRAMS

Outcome Goal 1: Increase accessibility to support facilities to end chronic homelessness.

- **Continuum of Care** - The City continues its partnership with the Kings-Tulare Continuum of Care (CoC) to address issues of homelessness. The CoC is a consortium of housing providers, service providers, and local government that work together to combat homelessness in Kings and Tulare Counties. In fiscal year 2010-11 the City of Visalia allocated and expended a total of \$10,000 to support efforts by the CoC. These activities included assisting with the capacity development of the Continuum and member agencies which offer services to homeless individuals and families in Visalia, including the annual Project Homeless Connect event. However, with the recent reduction in funding, the City’s ongoing support is significantly reduced due to the loss of staff and lower funding. Future City funding and staff participation will be limited.

Accomplishments of the CoC in 2010-11:

- The CoC successfully implemented the **2011 Point in Time (PIT) Count**. The PIT surveyed 311 homeless individuals and children in Visalia on January 25, 2011.
- The CoC hosted the 2010 **Project Homeless Connect** event, which served over 300 homeless individuals in Visalia and offered a wide range of services from mental health to dental health, immunizations and pet vaccinations. Other services included things as simple as haircuts, access to mainstream benefits, legal assistance, and housing resources. DMV was on hand to offer CA ID cards. Services were geared towards all ages.

- The CoC has added a training component to each of the monthly membership meetings. Trainings to date have included effective utilization of the Self-Sufficiency Calculator and a variety of workshops on how to access mainstream benefits, including WIC, CalWorks, SSI/SSDI, etc.
- The CoC hosted a free 8 hour training on “How to Develop Permanent Supportive Housing” in May 2011.
- The CoC has completed the draft of the 10 year plan to end homelessness entitled “Connecting the Dots: A Proactive Approach to Addressing Homelessness”, and will seek adoption by the Visalia City Council in August of 2011.

While homelessness remains a concern of the CoC, maintaining families in homes is the most significant issue and challenge facing the City and will continue to be our primary focus.

OBJECTIVE 3 – CREATE SUITABLE LIVING ENVIRONMENTS THROUGH PUBLIC IMPROVEMENTS

Outcome Goal 1: Increase availability of handicapped access benefiting the population with special needs.

- **ADA Compliance** - The City of Visalia is committed to improving access for persons with disabilities. In 2010-11 the focus was on construction of ADA drinking fountains in five locations: Three within Blain Park, one at Jefferson Park near the playground and one at Pinkham Park. These fountains offer easy access to wheel chair bound individuals. The City allocated a total of \$40,000 in CDBG funds and expended \$26,947. The project is complete.



Outcome Goal 2: To improve quality through rehabilitation and preservation activities.

- **Fox Theater Painting** - The total painting budget for the Fox Theater was \$43,700. Of this amount, the City contributed a total of \$30,000 in CDBG funds. The remaining balance came from Visalia Friends of the Fox. The painting was completed in July 2010. In the prior year \$14,141 was spent and in 2010-11 the remaining balance of \$15,859 was expended.



Outcome Goal 3: Improve quality and increase quantity of public improvements that benefit low-and-moderate income residents.

- **Jefferson Park Reconstruction** (Washington School Neighborhood) – On September 21, 2009, the City Council adopted an amendment to the 2008-09 and 2007-08 Action Plans redirecting a total of \$63,000 collectively to support improvements to Jefferson Park located in the Washington School neighborhood. In 2010-11, a total of \$55,317 was expended on this project.



The funding was previously earmarked to address lighting in the neighborhood, however, due to a significant lower cost than previously anticipated for the installation of new lamps, the excess funding was utilized to continue improving the quality of life of the neighborhood by providing several improvements to the park.

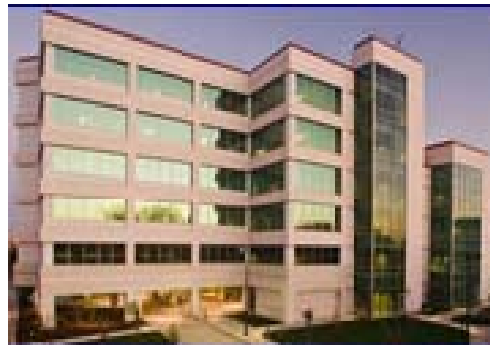
The project addresses a number of safety related issues, including reconstruction and replacement of the existing 35 year old backstop, dugouts, and the foul line fencing in addition to lighting for the basketball courts. These basketball courts provided recreational opportunities for families living in the apartment complexes nearby. The new lighting encourages park users to play and exercise longer outdoors as an alternative to sitting idle in their residences. This area has both gang activity and high levels of youth and poverty.

OBJECTIVE 4 – CREATE ECONOMIC DEVELOPMENT AND COMMUNITY DEVELOPMENT OPPORTUNITIES

Outcome Goal 1: Demonstrate a commitment to long-term economic growth by promoting expansion and job creation.

- **Parking Structure Section 108 Loan** (West Acequia Parking Structure) - The Parking Structure was completed in 2007 and continues to provide great economic benefit to the Downtown Area. The 700 space garage, bound by Acequia, Floral and Main Streets, mainly supports the hospital's recent six-story expansion as well as many local businesses. Since the expansion, Kaweah Delta Healthcare District has created a total of 922 jobs. City staff continues to monitor the jobs created by the hospital annually.

Despite the economic downturn, Visalia has welcomed new businesses, including a new bank and medical offices. In fiscal year 2010-11, the City made a Section 108 payment in the amount of \$492,250.



OBJECTIVE 5 – CREATE SUITABLE LIVING ENVIRONMENTS THROUGH PUBLIC IMPROVEMENTS

Outcome Goal 1: Improve the quality and increase the quantity of public improvements that benefit low and moderate income residents.

- **Oval Area Traffic Improvements** - In 2008 the City Council directed staff to work with residents and businesses in the Oval Park Neighborhood to identify needs related to traffic, safety and lighting. The City held many community meetings to obtain community input and has retained the services of an engineering firm to prepare plans for pedestrian and traffic improvements and roadways surrounding the park.



Through fiscal year 2010-11 a total of \$295,025 in CDBG funds was set aside for this project with \$84,523 expended leaving a balance of \$208,794.

Currently, the City is exploring additional funding sources to complete construction of the roadway improvements which is key to improving traffic safety for pedestrians, bicyclists and vehicles. This low-income area has one of the highest levels of pedestrian traffic.

- **Oval Park Area Lighting Project** – Streetlights will improve safety and nighttime visibility and deter crime within the existing streets and along sidewalks. This high crime, older neighborhood is deficient in lighting. To date, four lights have been purchased and \$3,693 has been expended out of a budget of \$40,000. The lights should be installed in the fall of 2011.

- **Recreation Park** – Funds in the amount of \$110,241 were used to address the Skate Park graffiti and fencing issues as well as security cameras to maintain a safe environment for the community.



OBJECTIVE 6 – CREATE SUITABLE LIVING ENVIRONMENTS BY SUPPORTING SPECIAL NEEDS SERVICES

Outcome Goal 1: Increase accessibility and range of housing options for persons with special needs.

- **Mobile Home Senior Handicapped Assistance Repair Program (SHARP)**
This program is administered by Self-Help Enterprises (SHE) and has a total of \$90,000 to support the administration and repairs to mobile homes owned by low income and handicapped seniors. The majority of repairs address health and safety issues such as roofs, air conditioning, plumbing & electrical

and handicap ramps. Without this program, these coaches would be uninhabitable and the seniors would be displaced from their residences.

During the program year nine mobile home repairs were completed, four were in progress/under construction and two loans were in the application stage. It is projected that four more households will be assisted over the next several months. The total amount spent on this program in 2010-11 was \$93,657. As of December 31, 2011, this program will be put on indefinite hold due to the reduction in funding.

Outcome Goal 2: Maintain quality owner-occupied housing for the elderly.

- **Senior Home Repair Minor Repairs** – This program, administered by Community Services and Employment Training (CSET) assists senior citizens by addressing minor repairs to their home which may include plumbing repairs, cooler/air conditioning repairs, roof repairs, door & window repairs, and electrical repairs, flooring and carpentry repairs.

In fiscal year 2010-11, the City of Visalia allocated a total of \$91,000 and expended \$82,526 to address 619 repairs for 102 clients (one household may have multiple repairs), including 18 new clients assisted during the program year. This program’s contract ended June 30, 2011 and future allocations have been put on hold due to Visalia’s reduction in funding from HUD.

**CDBG FUNDED NEIGHBORHOOD STABILIZATION PROGRAM (NSP)
OBJECTIVES AND ACCOMPLISHMENTS**

OBJECTIVE 1 – PROVIDE DECENT AFFORDABLE HOUSING

Outcome Goal 1: Increase availability of affordable owner-occupied housing through NSP (LMM) up to 120% AMI

The City received a \$2.38 million grant from HUD to acquire, rehabilitate and resell foreclosed homes in targeted neighborhoods. The program is geared to recycle funds through the resale of homes in order to purchase and rehabilitate more homes and assist more families. In 2010-11, the City expended \$1,201,346 on NSP activities. Of this amount, \$848,963 was from program income from the resale of homes.



Before Rehabilitation



After Rehabilitation

- **Neighborhood Stabilization Program (NSP) 120% AMI** – On average, homes have been purchased for approximately \$75,000, rehabilitated and included energy efficient improvements for \$25,000 and resold for approximately \$100,000. To date, the City has purchased 26 homes and resold 21.

Outcome Goal 2: Increase availability of affordable owner-occupied housing through NSP (LMM) up to 50% AMI

- **Neighborhood Stabilization Program (NSP) 50% AMI** - While the City has been very successful in acquiring & refurbishing foreclosed single-family homes for resale, it has been more challenging to fulfill the 50 percent AMI requirement. This is because many of the households at this income level find it difficult to afford the mortgage payments, plus taxes and insurance, while also maintaining the upkeep of the property.

Outcome Goal 3: Increase availability of public facilities

- **210 NW 2nd** - The City Council approved the purchase of a multi-family complex. The four-plex was sold to the Visalia Rescue Mission to be used as transitional housing for homeless individuals while securing employment.

CDBG FUNDED AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) OBJECTIVES AND ACCOMPLISHMENTS

OBJECTIVE 1 – CREATE SUITABLE LIVING ENVIRONMENTS THROUGH PUBLIC IMPROVEMENTS

In response to the ever worsening economic recession, the City was also the recipient of funding through The American Recovery and Reinvestment Act of 2009 (ARRA). The City proposed and invested \$322,067 in CDBG-R funds into infrastructure and public facility activities. These activities will achieve long-term benefits, quickly spur further economic investment, create and/or retain jobs in the community; especially in areas with the greatest need, and improve the quality of life in deteriorating neighborhoods.

Outcome Goal 1: Improve quality and increase quality of public improvements that benefit low and moderate income residents.

- **Public Sidewalk & Handicap Access (\$35,000)** - Project funded construction of sidewalks, including a handicap ramp. The project is located at 700 S. Watson bounded by Watson, Myrtle, Encina, and Cypress within the CDBG area. Status: Project was completed and reported in 2009-10.
- **Center Avenue Improvements (\$193,200)** - Project consisted of installation of bulb outs at intersections between crosswalks and angled parking spaces and truncated domes on the existing sidewalk handicap ramps providing safer pedestrian access within the CDBG area by slowing traffic along the corridor, providing additional separation between cars parking and pedestrians and adding additional truncated domes to existing handicap ramps. The truncated domes provide a sensory detection for sight impaired citizens utilizing canes when approaching the intersection. This project also

provided safer pedestrian access for employees and customers to the businesses in the CDBG area. Status: Project was completed and reported in 2009-10.

- **Anthony Community Center (\$61,660)** - Rehabilitation of multi-purpose main room & restrooms. This facility is 50 years old. The primary work was repairing and painting the walls in the multi-purpose room, replacement of the existing rubber floor with tile flooring, replacement of sheet rock in some areas, and renovation of the existing restrooms for ADA compliance. This project has improved the quality of the neighborhood facility for low income persons. Status: Project complete and reported in 2010-11.
- **Administration (\$32,207)** - Funds utilized in compliance with 24 CFR 570 requirements provided management, compliance and planning activities for the CDBG-R Program.

2. Describe the manner in which the recipient would change its program as a result of its experiences.

The City takes a proactive approach and continually evaluates programs and activities to ensure they are meeting targeted goals as well as keeping in line with current levels of funding. In the 2010-11 year, City staff made difficult recommendations to the City Council to update guidelines and/or redirect funding from programs that were affected by the changing economic climate. The following changes were made through Action Plan Amendments:

Due to a reassessment of the First Time Homebuyer Program and community needs, staff recommended that funding previously set-aside for this program be re-directed to create the New Construction Deferred 2nd Mortgage Loan Program to support the local economy with construction jobs, by providing alternative financing options, such as down payment or gap financing to newly constructed homes within the city limits. The recommendation was approved by the City Council on September 7, 2010. Additionally, on November 10, 2010 the City Manager approved reducing the subsidy amount from \$40,000 to \$20,000 due to declining property values.

On April 18, 2011 the City Council approved a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME Program Income previously allocated to the First Time Homebuyer (FTHB) Program and funding from the New Construction Deferred 2nd Mortgage Loan Program. This amendment redirected the funding to a new Program, the Foreclosure Acquisition Program II (FAP II). As of July 1, 2011, approximately \$460,000 was redirected to this new program to acquire foreclosed single family homes, rehabilitate and resell to households at or below 80% Average Median Income (AMI). This was due to the lack of success of the programs as a result of the continued reduction in property values.

3. Affirmatively Furthering Fair Housing:

- a. Provide a summary of impediments to fair housing choice.

The Analysis of Impediments (AI) was updated in April 2010 and those results are summarized below. The new AI can also be viewed on the City's website at www.visalia.ca.us under the Housing & Economic Development Department Section.

The results of the AI that was incorporated into the Consolidated Plan of 2005-2010 are as follows:

Summary of Impediments

The following is a list of key conclusions and potential impediments that may exist in the City of Visalia.

Visalia Demographics

Race and Ethnicity

The population growth of Visalia has increased significantly since the 2000 Census count of 91,565. In 2009, the population was 118,102, a 35.8 percent increase.¹ Whites represented the largest percentage of the population, followed by Hispanics.² In 2008, the foreign-born population was 15,189, representing 12.5 percent of the City's population.

Racial/Ethnic and Income Concentrations

Hispanic and African-American residents tend to concentrate in the northeastern and southeastern part of the City, whereas White residents tend to concentrate in the southwest part of Visalia.³ Although the separation of different race and ethnic groups has historically been associated with segregation, people's choice of residence today is complex. The quality of local schools, housing prices, access to transportation and affiliation with people or friends of similar values are all important factors guiding people's housing choices. The City's low- and moderate-income areas are also concentrated in the northeastern, northwestern and central parts of the City.⁴ These areas generally have the most convenient access to social services and public transportation.

Large Households

Large households often face discrimination in the housing market, particularly in the rental housing market. Landlords may discriminate against large families for fear of excessive wear and tear or liability issues related to children.

Overcrowding

According to both California and federal standards, a housing unit is considered overcrowded if it is occupied by more than one person per room (excluding kitchens, bathrooms and halls). Occupancy by more than 1.5 persons per room constitutes "severe" overcrowding. Factors contributing to the rate of overcrowding in Visalia include housing costs, an increase in the number and proportion of large family households and an inadequate supply of large family rental and ownership units. In 2000, the incidence of severe overcrowding in Visalia of 5.8 percent was significantly less than the County's 10.9 percent and the State's 9.1 percent. Based on 2000 Census data, severe overcrowding does not seem to be an impediment to fair housing in the housing market for Visalia.

¹Claritas data

²Persons of Hispanic heritage can be of any race.

³U.S. Census Bureau, 2000

⁴Ibid.

Overpayment

According to the 2000 Comprehensive Housing Affordability Strategy Report (CHAS Report), 4,186 renters and 2,748 owners overpay for housing within the low-income household needs group.⁵

According to the City's 2009 Housing Element, small low-income households that rent experience more of a housing cost burden than other household types. Nearly 65 percent of low-income small-related renter households had a cost burden and 31.6 percent had a severe housing cost burden. Small-related renters are often senior residents, who represented 20.2 percent of all households in Visalia in 2000. Of these households, 57.2 percent of all senior renter households had a housing cost burden greater than 30 percent.⁶

Housing Affordability

The median household income in the Visalia-Porterville metropolitan statistical area (MSA) was \$47,200 in 2009, higher than the county median of \$45,117.⁷ In 2000, 35.2 percent of the households in Visalia were considered low income (earning less than 80 percent of the median family income).⁸

According to CHAS, a total of 10,155 households, or 30.4 percent of all households in the City of Visalia, paid in excess of 30 percent of their income for shelter in 2000. Renter households had a higher percentage of households who overpay at 39.3 percent. For senior renters, the disparity was even more pronounced with 60.1 percent of such households overpaying and 25.2 percent of owner households overpaying for shelter in Visalia.

Historically, most of the housing affordability problems in Visalia were the result of housing costs outpacing medium family income. However, in 2007, the median home price declined by nearly \$29,208, or 10.7 percent, from the previous year. Conversely, medium family income increased 28.6 percent from \$45,830 in 2000 to \$61,074 in 2006. This suggests that the volatility in the housing market was owners paying a high percentage of their income on inflated mortgages, coupled with rising job loss across industries, and could be the current reason for housing affordability problems.

Although housing affordability per se is not a fair housing issue, overpayment, overcrowding and foreclosures could disproportionately affect Visalia's minority and senior populations. In Visalia, African Americans had the highest proportion of extremely low income households. In this regard, housing affordability is a fair housing concern.

Public Transit Accessibility

The lack of a relationship between public transit, employment opportunities and affordable housing could impede fair housing choice because persons who depend on public transit will have limited choices regarding places to live. Visalia is generally well served by public transit. Nearly all of the major employers are located within one-quarter mile of a transit route. Many of the major employers in the City provide

⁵City of Visalia Housing Element, 2009

⁶Ibid.

⁷U.S. Department of Housing and Urban Development Office of Policy Development and Research, April 20, 2009, Income Limits

⁸City of Visalia Housing Element, 2009

public services and are easily accessible by transit, including the Visalia City Hall and the Visalia City Schools.

Housing Conditions

Tenure

The 2008 housing stock in Visalia comprised 35,795 (82.5 percent) single-family units and 7,607 (17.5 percent) multi-family units. Within Visalia, 37.2 percent of all households were renters and 62.8 percent were owners. Visalia and Tulare County both have had slightly lower vacancy rates than the state average since 1990. The vacancy rate in Visalia has remained around 5.5 percent since 2000, whereas the statewide vacancy rate has increased closer to 6 percent.⁹ The relatively lower vacancy rate in the City indicates that finding housing in the rental market is likely a challenge for many households, particularly for large families. In general, housing discrimination issues are more prevalent in the rental housing market because renters are more likely to be subject to conditions in the housing market that are beyond their control.

Housing Stock

The housing stock in Visalia is relatively new with nearly 69.2 percent of all housing stock being built from 1970 to 2000.¹⁰ However, 17,634 residential properties, or 55.8 percent, were built before 1980. In general, older homes are often well maintained and add to the unique charm of the City. However, older homes in low-income areas tend to be in poorer condition and might contain health hazards such as lead-based paint.¹¹ Ongoing repair and maintenance are necessary to keep the units in safe and sound condition.

Assisted Housing

In the 2000 Census, there were 6,744 senior households estimated in the City, constituting 21.8 percent of the City's total households. Of those households, 60.1 percent of the senior renter households were in overpayment situations compared with 30.4 percent for all Visalia residents.¹² Although housing affordability is not a fair housing concern per se, providing opportunities for a variety of housing choice can help lessen the likelihood of housing discrimination by increasing the supply.

Access to Financing

Conventional Home Loan Financing

According to 2008 Home Mortgage Disposition Act (HMDA) data, African Americans are the only racial or ethnic group heavily underrepresented in the homeownership market. Although African Americans represented 8.7 percent of the total population in the 2008 American Community Survey, they only accounted for 0.8 percent of all home loan applications in 2008. The representation of Hispanics and Whites, the City's largest ethnic and racial populations, in the homebuyer market is almost identical to their percentage of the population.

In 2008, 1,703 households applied for conventional loans for home repairs and improvements. The overall level of home improvement loan approvals (27.9 percent)

⁹City of Visalia Housing Element, 2009

¹⁰Ibid.

¹¹National Center for Lead-Safe Housing. (1996). *Childhood Lead Poisoning: Solving a Health and Housing Problem*,

¹²City of Visalia Housing Element, 2009

was lower than that for home purchase loans (55.7 percent). This tends to indicate that homeowners' difficulty attaining these types of homes is due to the prevalence of negative equity in the Visalia housing market.

Subprime Lending Activity

The available HMDA data did not provide information on which loans were actually prime or subprime mortgage loan applications among conventional home purchase loans. It is likely that a number of households that in the past would have opted for government-backed loans were able to receive conventional loans through the subprime market. Subprime lenders generally have interest rates that are higher than those in the prime market. Although subprime lending cannot in and of itself be equated with predatory lending, studies have shown a high incidence of predatory lending in the subprime market is a potential cause for concern when the target clients are considered high risk. Higher-risk features for subprime lending include adjustable interest rates (typically with large, scheduled payment increases), loans with prepayment penalties or balloon payments, and "low-doc" and "no-doc" loans, in which lenders approve borrowers for loans based on little or no verification of the borrower's income and assets. In 2006, considered the peak of the subprime loan market, the Visalia-Porterville MSA was projected as 13th out of the top 15 markets with the largest increase in projected subprime foreclosure rates for loans originated from 1998 to 2001.¹³

Fair Housing Services

Fair Housing Hotline

In fiscal 2007–2008 and 2008–2009, there were 367 fair housing calls to the program. There was a noticeable 42 percent drop in fair housing calls to the program in fiscal 2008–2009 from the previous year. In terms of the race/ethnicity breakdown of hotline calls received, Whites and Hispanics continued to be the majority representing nearly 80 percent of all calls. However, the percentage of hotline calls from Hispanics increased from 37 percent in fiscal 2008–2009 to 42 percent of all calls in fiscal 2008–2009.

Actions

The proposed actions to address the impediments to fair housing choice are organized by type.

Expanding Affordable Housing Opportunities

1. Housing Partnerships

Action 1.1. The City will continue to explore the development and rehabilitation of affordable housing opportunities with its local partners as well as outside developers. Local partners include the following:

- Tulare County Housing Authority
- Habitat for Humanity
- Christian Church Homes of Northern California
- County Services and Employment Training (CHDO)¹⁴

¹³Center for Responsible Lending. (2006, December). "Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners."

¹⁴CHDO: Community Housing Development Organization

Time Frame: *Ongoing*

2. *Affordable Housing Resources*

Action 2.1. The City will maintain a list of nonprofit agencies and their services on the City's Web site under affordable housing.

Time Frame: *By 2010*

3. *Emergency Shelters, Transitional Housing and Supportive Housing*

Action 3.1. The City will amend the zoning ordinance to address revised state law that requires cities to expand opportunities for the siting of emergency homeless shelters in any zone. Under the current (2009) Municipal Code, emergency shelters are allowed in the Multi-Family Residential (R-M-2 and R-M-3), Central Business District (CDT), Light Industry (I-L) and Heavy Industry (I-H) zones as a conditional use.¹⁵

Time Frame: *By December 2010*

4. *Housing Choice for Special Populations*

Action 4.1. The city will continue to work with the Housing Authority and other local non-profits to provide priority federal and redevelopment funding to assist in the development of new housing opportunities in non-minority concentrated areas of Visalia. The City will continue to administer successful programs that provide funding and support for affordable housing.

Time Frame: *By December 2010*

Action 4.2 (Low Income Seniors) The City shall continue to facilitate the construction of affordable rental housing for very-low and low- income seniors by providing regulatory (e.g., density bonus, expedited permit processing, deferred fees, or relaxed parking requirements) and financial incentives (e.g., RDA set-aside funds).commercial, and medical services. The City shall also continue with the Senior Repair and Handicapped Program (SHARP) and Senior Home Minor Repair Program, which assists low-income elderly homeowners in rehabilitating their homes to address health and safety repairs, accessibility needs, and energy efficiency improvements.

Time Frame: *By January 2011*

Action 4.3 (Low Income Large Families) The City shall promote the construction of affordable for-sale and/or rental housing units with three or more bedroom units affordable to very low- and low-income families. The City shall publicize financial and regulatory incentive opportunities (e.g., expediting permit processing, deferred fees, density bonuses, or use of set-aside funds) to developers for these unit types including promote the need for three or more bedroom units during pre-application meetings, contacting affordable housing

¹⁵City of Visalia Housing Element, 2009

developers, and creating informational fliers at the Community Development Department and in all general application packets.

Time Frame: *By January 2011*

Action 5.3 (Disproportionate Needs) The city will work with TCHA and nonprofit agencies to develop an affirmative marketing plan to reach groups that are least likely to apply and have disproportionate housing needs and after conducting the outreach, monitor how effective the affirmative marketing plans were in reaching those groups.

Time Frame: Annually

Access to Financing

1. Outreach to Lenders

Action 5.1. The City will work with local lenders to provide information on government-backed financing for low- and moderate-income residents. The City will encourage local lenders to provide information in English and Spanish.

Time Frame: *Ongoing*

Action 5.2. The City will work with local lenders to promote the City's First-Time Homebuyers program. The City will provide information on the program in English and Spanish. Local lenders attend program workshops.

Time Frame: *Ongoing*

2. Education and Resources

Action 6.1. The City will encourage private lenders to host workshops to be held in Visalia by local lending institutions regarding the home-buying process and the resources available to low- and moderate-income homebuyers.

Time Frame: *Conduct homebuyer workshops periodically*

Action 6.2. The City will continue to provide brochures or information on homeownership, rental assistance and rehabilitation assistance programs in English and Spanish. Information on the City's First-Time Homebuyers program will be made available on the City's Web site and at community events promoting fair housing choice held by the City.

Time Frame: *Ongoing*

Action 6.3. The City will consider partnering with agencies to provide credit and financial counseling services, including assisting potential homebuyers build up credit and equity and clear bad credit, and providing education on affordability and financial responsibility of homeownership.

Time Frame: *2010*

Action 6.4. As funding permits, the City or funded programs will work with other fair housing advocates to conduct additional fair housing workshops in Visalia to educate about fair housing rights.

Time Frame: *Ongoing*

3. *Unfair Lending and Insurance Practices*

Action 7.1. The City will monitor complaints regarding unfair/predatory lending and will assess lending patterns using the data collected under the Home Mortgage Disclosure Act (HMDA), the Community Reinvestment Act (CRA) and other data sources.

Time Frame: *Monitor the HMDA and other data at least once a year to identify potential issues with unfair lending practices*

Action 7.2. The City will participate with HUD in efforts to improve access to homeowner's insurance and to investigate predatory lending in the home purchase, home improvement and mortgage refinancing markets.

Time Frame: *Ongoing*

Fair Housing Services

1. *Apartment Owners/Managers*

Action 8.1. The City will work in conjunction with apartment owner/manager associations to outreach to owners of small rental properties regarding fair housing laws.

Time Frame: *As necessary*

Action 8.2. The City will work with agencies and the property managers of affordable housing to ensure that fair housing laws are abided by in the selection of residents and that information of housing availability is appropriately advertised. The City will continue to provide outreach related to affordable housing opportunities through advertisements and literature available in English and Spanish. The City will periodically track income and demographic data related to affordable housing participants and evaluate additional strategies, if needed, to increase access to and knowledge of affordable housing opportunities in the City.

Time Frame: *By 2010*

Action 8.3. In addition to addressing the fair housing calls through the City's Fair Housing Program, the City will track the type of complaints and create a system to track the outcome of all substantiated complaints referred to other sources.

Time Frame: *Annually beginning 2010*

2. *Fair Housing Testing and Audits*

Action 9.1. The City will explore applying for federal Fair Housing Initiative Program (FHIP) grants and conduct testing and audits as a means to affirming the nature and extent of fair housing issues in the community.

Time Frame: *Every other year*

3. *Reasonable Accommodation*

Action 10.1. The City will explore the adoption of a reasonable accommodation ordinance to further fair housing choice for persons with disabilities.¹⁶

Time Frame: *As necessary*

Action 10.2. The City will provide information on reasonable accommodation and on often utilized disability adjustments to housing units. Information will be available at City Hall and at the Regional Medical Center in English and Spanish.

Time Frame: *By 2011*

Managing the Process

1. Describe actions taken during the last year to ensure compliance with program and comprehensive planning requirements.

The City ensures compliance with programs and projects by incorporating accounting principles, conducting single audits, reviewing & updating guidelines & procedures, monitoring, and following HUD requirements. Staff prepares a five year Consolidated Plan, a yearly Action Plan and CAPER for City Council and HUD approval.

All reports are made available to the public for review, community meetings are held, City Council Work sessions and public hearings are also held, which provide participation opportunities for community input. Public notices are published twice in three local newspapers, including El Sol, for the Spanish speaking community. Notices are posted at the City of Visalia's library, and three City Hall offices. The Action Plan and CAPER are also made available to the public via the City's Website at www.visalia.ca.us and over the Counter at all three City Hall locations.

Citizen Participation

1. Provide a summary of citizen comments.

The City of Visalia considers Citizen Participation an important component in improving the quality of life of our neighborhoods and encourages residents to become involved. A Summary of Citizen Comments can be found in **Appendix B**.

2. In addition, the performance report provided to citizens must identify the Federal funds made available for furthering the objectives of the Consolidated Plan. For each formula grant program, the grantee shall identify the total amount of funds available (including estimated program income), the total amount of funds committed during the reporting period, the total amount expended during the reporting period, and the geographic distribution and location of expenditures.

¹⁶City of Visalia Housing Element, 2009

Jurisdictions are encouraged to include maps in describing the geographic distribution and location of investment (including areas of minority concentration). The geographic distribution and expenditure requirement may also be satisfied by specifying the census tracts where expenditures were concentrated.

In addition to annual entitlement funds, the City continues to use program income from previously funded CDBG and HOME projects, and uncommitted carryover funds for projects. See Table I in the General Questions Section of the CAPER.

Additionally, the table below identifies, by program, how many people were assisted and the geographical, by census tract, which were served.

Institutional Structure

1. Describe actions taken during the last year to overcome gaps in institutional structures and enhance coordination.

Due to ensuing budget reductions of approximately 17% in CDBG and 12% in HOME Funds, staffing has been reduced in the Housing & Economic Development Department. The remaining staff consists of the Department Director, Housing Specialist and Financial Analyst. One Senior Administrative Analyst and two Housing Technician positions were eliminated.

Code Enforcement is a division under the Housing & Economic Development Department and is also an integral part of the institutional structure. Neighborhood Preservation works closely with other City departments and with the community to develop programs, projects and activities that improve the City's neighborhoods.

The City also maintains an active partnership with other agencies to help serve its housing and community development needs. Self-Help Enterprises, CSET, Tulare County Housing Authority, and Habitat for Humanity, have played an important role in the City's implementation of community programs.

Monitoring

1. Describe how and the frequency with which you monitored your activities.

The City utilizes AmeriNational Community Services for loan servicing. AmeriNational monitors the City's loan portfolio on a monthly basis for conformity with loan payments, tax & insurance, and delinquencies. Additionally, on a yearly basis, AmeriNational conducts property condition inspections, and obtains an affidavit of ownership. This assists the City in maintaining participant compliance with each program.

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 generate 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 gather 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.¹⁷

2. Describe the results of your monitoring including any improvements.

The City will continue to update Policy and Procedure manuals to reflect the most recent Building Code, City Policies, Monitoring Policies and CDBG/HOME Regulations, as well as continue to prepare detailed agreements with sub-recipients and/or construction managers that outline federal regulations and performance standards.

3. Self Evaluation

- a. Describe the effect programs have in solving neighborhood and community problems.

The City strives to meet the needs of the community through the goals established in the Consolidated Plan. The projects and activities that the City provides to Visalia residents would not be possible without the federal assistance it receives from the US Department of Housing and Urban Development (HUD). By providing programs such as Foreclosure Acquisition Programs, Rehabilitation Programs, ADA Compliance, Park Improvements, and Code Enforcement, the City along with its non-profit partners, provide low-income people with affordable housing, improve neighborhoods, and provide economic opportunities.

The City believes that the benefits of homeownership extend beyond property lines and into the community. For a family, home ownership creates wealth, self-esteem and pride. For communities homeownership increases the tax base, attracts commercial and public investment, reduces crime, and improves the physical condition of the neighborhood. Homeownership strengthens families which in turn strengthens communities.

In addition to the many programs the City offers, the Code Enforcement division is also a crucial component in solving neighborhood and community problems. Code Enforcement is a collaborative effort between members of the community, the Police Department and various other departments. Working together, the City can identify problems of crime and disorder and involves all elements of the community in the search for solutions to these challenges. The primary emphasis of the Code Enforcement Program is Life Safety non-compliance. 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.

- b. Describe progress in meeting priority needs and specific objectives and help make community's vision of the future a reality.

¹⁷City of Visalia Housing and Economic Development Department

The City's goal is to continue addressing the priority needs and specific objectives of the Consolidated Plan. Through community input, the City has identified the following as "High" priority needs in the community:

- Affordable Housing
- Suitable Living Environment
- Support of Special Needs Facilities
- Public Improvements
- Economic & Community Opportunities
- Support of Special Needs Services

Through the use of CDBG, HOME, Redevelopment, NSP, and CDBG-R, the City makes every effort to meet the priority needs of the community through the provision of many programs:

- **Sierra Meadows Project** - The City of Visalia recognizes the need for all types of housing; however, one of the objectives of the Consolidated Plan identified "Special Needs Housing" as a high priority. Special Needs Housing expands the supply of affordable rental housing for the elderly. The City, in partnership with Christian Church Homes has developed 42 units of senior housing, the project, called "Sierra Meadows" was completed in May 2011.
- **Paradise and Court Project** - The City in a partnership with Kaweah Management Company and Visalians Interested in Affordable Housing is addressing the needs of the community through rehabilitation and building of new affordable housing units. The City provided \$500,000 in HOME CHDO funds and \$500,000 in Redevelopment Low Mod funds to assist with the rehabilitation of eleven (11) units and construction of nine (9) units for low income families.
- **Mobile Home Senior Handicap and Repair Program (SHARP)** - This program allows extremely low and low-income senior citizens to address health & safety repairs to their mobile home. The vast majority of repairs include; re-roofing, heating and cooling, handicap access, and electrical & plumbing issues. This program is on hold.
- **First Time Homebuyer Programs** - The City assists qualified First Time Homebuyers in making their dream of homeownership a reality through First Time Homebuyer Program. The original program provided a qualified borrower a loan up to \$20,000 as a second mortgage to assist with gap financing and/or down payment assistance. This program will be replaced in 2011-12 with a Foreclosure Acquisition Program.
- **Neighborhood Stabilization Program (NSP)** - Under NSP, the City has and will continue to purchase and rehabilitate foreclosed and abandoned homes. Once rehabilitated the homes are resold to families with incomes up to 120 percent Area Median Income (AMI) and 25% of the funds will be reserved for homebuyers at or below 50% AMI.
- **ADA Compliance** - The City has always been at the forefront of working to improve access for persons with disabilities. The City in partnership with a Disability Advocacy Committee will continue to support the disabled community by providing ADA compliant ramps and warning detection panels

for the blind throughout the area of downtown and the City's CDBG target areas.

- **Jefferson Park** – The most current work included reconstruction/replacement of the existing 35 year old backstop, dugouts, and the foul line fencing in addition to lighting for the basketball courts.
- **Oval Park Improvements** - City Council directed staff to work with residents and businesses in the densely populated and economically challenged Oval Park Neighborhood, to identify needs related to traffic, safety and lighting to foster revitalization efforts. The City has held many community meetings to obtain community input. To implement the favored outcome, the city has retained the services of an engineering firm to prepare plans that address pedestrian & traffic improvements and roadways surrounding the park. Additional, lighting will be upgraded in the area.
- **Continuum of Care** – The City continues its partnership with the Continuum of Care to address issues of homelessness. The City will also continue to support partners in the local community who are in the fight to combat homelessness, such as the Rescue Mission and Family Services.
- **Economic Opportunities through Job Creation** - The City is committed to providing adequate parking in the Downtown area to further promote jobs. The West Acequia Parking Structure was completed in 2007 and continues to provide great economic benefit to the Downtown Area. The 700 space garage mainly supports the hospital's recent six-story expansion as well as many local businesses.

c. Describe how you provided decent housing and a suitable living environment and expanded economic opportunity principally for low and moderate-income persons.

The Objectives and Outcomes Table on pages 4 and 5 of this report shows how funding from the 2010-11 year were expended to provide suitable living environments, economic opportunities and affordable housing in the City of Visalia.

d. Indicate any activities falling behind schedule.

Due to delays in finalizing the design work with Caltrans, the Oval Park Area Transportation Project has been extended. The project should be completed during the span of the current Consolidated Plan. All other programs and activities are now progressing well.

e. Describe how activities and strategies made an impact on identified needs.

Notwithstanding the nationwide housing meltdown impacting all sectors of the economy, particularly the housing market, Visalia has had its share of challenges. City staff evaluated and made enhancements and revisions to some of the City's programs over the course of the year to make programs more attainable to families in need:

- **HOME Funded, First Time Homebuyer Program** - Due to a reassessment of the First Time Homebuyer Program and community needs, staff

recommended that funding previously set-aside for this program be re-directed to create the New Construction Deferred 2nd Mortgage Loan Program to support the local economy with construction jobs, by providing alternative financing options, such as down payment or gap financing to newly constructed homes within the city limits. The recommendation was approved by the City Council on September 7, 2010. Additionally, on November 10, 2010 the City Manager approved reducing the subsidy amount from \$40,000 to \$20,000 due to declining property values.

On April 18, 2011 the City Council approved a 3rd Amendment to the 2009-10 and 2nd Amendment to the 2010-11 Action Plans redirecting HOME Program Income previously allocated the for the First Time Homebuyer (FTHB) Program and the New Construction Deferred 2nd Mortgage Loan Program to a new Program, the Foreclosure Acquisition Program II. As of July 1, 2011, approximately \$460,000 was redirected to this new program to acquire foreclosed single family homes, rehabilitate and resell to households at or below 80% Average Median Income (AMI).

- **CDBG Funded, Mobile Home Senior Handicapped Assistance Repair Program (SHARP)** - As of December 31, 2011, this program will be put on indefinite hold due to the reduction in funding.
- **CDBG Funded, Senior Home Repair Minor Repairs** – This program has been put on hold due to the reduction in funding.

f. Identify indicators that would best describe the results.

The City continues to move forward to meet the goals of the Consolidated Plan and address the needs of the community through the national objectives set forth by HUD. The indicators show that the Code Enforcement Program and Fair Housing Hotline are both very successful programs as both programs exceeded the expected outcome over a five year period. Nonetheless, all projects and programs continue moving forward successfully as shown on the following table.

HUD Program Goal Achievement

Program Unit / Services Goal	Unit Goal	Unit Completed	% of Goal
First Time Homebuyer (FTHB)	10	6	60%
Paradise & Court Multi-Family (CHDO)	New construction of 9 units is 50% complete		
Sierra Meadows Senior Housing	43	43	100%
Code Enforcement-Target Areas	200	249	125%
Fair Housing Hotline	120	207	173%
Continuum of Care	1	1	100%
ADA Compliance	10	5	50%
Senior Minor Home Repair	620	619	100%
Mobile Home Senior Handicap Repair	14	13	93%

- g. Identify barriers that had a negative impact on fulfilling the strategies and overall vision.

The economic challenges facing families have definitely had an impact on some of the City's programs. As an example, the foreclosure crisis has had a negative impact on the City of Visalia and its residents. Vacant houses have decreased surrounding property values, diminished equity and assets of neighboring homeowners and have become magnets for vandalism and criminal activity, putting added strain on Code Enforcement. The City of Visalia will continue revitalizing efforts through the Neighborhood Stabilization Program and the HOME funded Foreclosure Acquisition Program II. Likewise, it is important for the City to stay on top of the changing needs of the community according to economic times. With so many people losing their jobs, potential homebuyers do not consider this the best time to purchase a home; therefore, the City's First Time Homebuyer Program is not faring as well as it has in past years. Therefore, the remaining funds will be placed in the Foreclosure Acquisition Program, using the success of the NSP program as a model.

- h. Identify whether major goals are on target and discuss reasons for those that are not on target.

Although the City has made significant progress in meeting goals in 2010-11, some programs have been slow in taking off due to the economic downturn such as the First Time Homebuyer Program being replaced by the Foreclosure Acquisition Program.

Additionally, due to the reduction in funding for 2011-12, the Mobile Home Senior Handicapped Assistance Repair and Senior Home Repair Minor Repairs Programs have been eliminated.

- i. Identify any adjustments or improvements to strategies and activities that might meet your needs more effectively.

Although the Housing & Economic Development Department operates with limited staff, it continues to make good progress towards identified goals. To achieve more with less, the department conducts weekly meetings to discuss project progress, strategize, and streamline processes. The use of a project table to keep projects moving forward and towards desired goals is also used.

Lead-based Paint

- 1. Describe actions taken during the last year to evaluate and reduce lead-based paint hazards.

Lead-based paint hazards are addressed in all housing rehabilitation and homebuyer assistance projects. For all of our housing programs, applicants are informed of the danger of lead-based paint through a brochure and part of the application process. Additionally, city building inspectors are alert to signs of this hazard as they perform their substandard housing inspections. All housing owners and occupants with whom the City interacts through its various programs are required to abate this hazard as a condition of assistance from the City based upon the HUD requirements and allocation of funding. Asbestos evaluations are also performed on those houses where the City assists in relocation or restoration.

Tulare County Health Services has a Lead Poisoning Program that investigates cases of lead poisoning when testing reveals that a child has elevated levels of lead in their blood. Specially trained and certified staff conducts lead investigations in the child's home. Tulare County Health is also contacted in properties within the City limits.

HOUSING

Housing Needs

*Please also refer to the Housing Needs Table in the Needs.xls workbook.

1. Describe Actions taken during the last year to foster and maintain affordable housing.

The City continues to promote and maintain affordable housing through the following programs:

- **Sierra Meadows Project** - The City in partnership with Christian Homes has worked together to develop 42 units of senior housing. The project was completed in May 2011.
- **Paradise and Court Project** - The City in partnership with Tulare County Housing Authority and VIAH are addressing the needs of the community through rehabilitation and building of new affordable housing units. Rehabilitation of 11 units has been completed and the remaining nine units are under construction.
- **First Time Homebuyer Program** - The City continues to assist families to make their dream of homeownership a reality through the First Time Homebuyer Program. The program provides a qualified borrower a loan up to \$40,000 to assist with down payment assistance. In 2009/10 the City assisted a total of ten families and three more families are in process.
- **Neighborhood Stabilization Program (NSP)** - Under the NSP, the City of Visalia has purchase and rehabilitated foreclosed and abandoned homes and resold them to families with incomes up to 120 percent Area Median Income (AMI) and to borrowers at or below 50% AMI. Additionally, the City has acquired a four-plex which was sold to the Visalia Rescue Mission to be used as transitional housing for homeless individuals.

Specific Housing Objectives

1. Evaluate progress in meeting specific objectives of providing affordable housing, including the number of extremely low-income, low-income, and moderate-income renter and owner households comparing actual accomplishments with proposed goals during the reporting period.

The City of Visalia continues making progress towards meeting the goals and objectives of the Consolidated Plan. The table below identifies the number of people/units and income levels of the assistance offered through HOME, CDBG and State Funding.

The City of Visalia's goal is to increase and preserve the supply of affordable housing units for low- and moderate-income households. Priority will be given to extremely low and very low income households, senior citizens and persons with disabilities. These groups have been identified through the consultation process for the ConPlan as having housing problems, cost burdens and other special housing needs. The City already provides assistance to these groups and will continue to do so.

According to the City's 2009 Housing Element, activities will include leveraging private and public funds to create additional housing opportunities, working with the TCHA to create public housing and/or other rental housing opportunities and pursuing partnerships with nonprofit organizations to develop affordable housing for seniors and households with special needs.

Affordable Housing

According to the City's 2009 Housing Element, from January 2007 to March 2009 the City added 142 new affordable units and rehabilitated an additional 13. During the 2010–2015 ConPlan period, the City's Affordable Housing Program will maintain the existing affordable housing stock, as well as ensure that available resources are put toward future affordable housing projects. The City's Housing Element shows that roughly 19.9 percent of the market rate and affordable housing needs have been addressed thus far based on the 2007–2014 Regional Housing Needs Assessment (RHNA). This leaves 11,079 units to be accounted for by 2014. Remaining units designated for lower-income categories total 4,019, about 96.7 percent of the total RHNA allotment. Due to the economic factors of 2008, the high demand for rental housing has created a shortage of available units and deterred private development simultaneously as noted in CSET's market study of Visalia.

Production of New Units

The City has experienced significant growth over the past decade. However, housing unit growth has lagged behind population growth. For example, from 2000 to 2011, the population increased more than 37.4 percent (from 91,513 to 125,770), whereas the total number of housing units grew 35.4 percent (from 32,827 to 44,448).

This gap was addressed in 2005 and 2006 during which Visalia issued more permits to meet housing demand. Beginning in 2007, the market faced an economic climate of minimized demand. Therefore, fewer permits have been issued subsequently.

From 2007 to 2011, there were 2,207 single-family housing and 103 multi-family building permits issued.

Although the City is experiencing rapid growth in unit development, almost all are single-family housing and valued at market. These new units can be inaccessible to lower-income populations due to housing costs. The median home price in Tulare County is \$157,000.

As previously discussed, most new construction previously has been single-family units. The number has significantly reduced. In 2011, the number of single family housing permits issued was 125 compared to 320 in 2010. The California Department of Finance estimated the vacancy rate at 6.5 percent for 2011, which is an 18.2 percent increase from the 5.5 percent reported in the 2000 Census. The typical demand for housing in Visalia is met by the purchase of lots and newly built structures primarily from viewing model homes within subdivisions. New homes

already built and for sale are exceptions in the City with at least a 45-day turnaround from purchase to occupancy due to escrow. Available rental units are often filled soon after becoming vacant.

Rehabilitation of Old Units

Although there is no recent housing conditions assessment available for the City of Visalia, the 2000 Census showed that residents were adequately housed. Most units in the City are 20 years old or less, however, there is still a subset of older homes in the community that are in need of repair. The City of Visalia maintains a number of programs to rehabilitate its older housing stock as outlined in its 2009 Housing Element. Such programs include the SHARP Program. When home equity is available, the City will reevaluate the Housing Rehabilitation Program to assist with homeowner repairs with a low interest rate second loan. These efforts help to ensure that older units within the City meet code requirements and that historical units are maintained.

Housing conservation is also necessary to protect the stock of affordable housing units for low- and moderate-income households from being converted to other uses not benefiting those groups (e.g., commercial and industrial uses or housing for higher-income groups). Although such units are old (50+ years) and in varying states of disrepair, they typically provide housing in the form of medium to large single-family dwellings in a rental range that is more affordable to low- and moderate-income families.

Acquisition of Existing Units

The City actively seeks to work with local agencies to rehabilitate existing units for low- and moderate-income housing. In 2008, the City worked with Kaweah Management and the Central Valley Regional Center to develop the Encina Triplex. This project created three housing units for low-income persons with developmental disabilities.

The Neighborhood Stabilization Program (NSP) provides funding to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The NSP provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate and resell these homes in order to stabilize neighborhoods and stem the decline in the value of neighboring homes. The program is authorized under Title III of the Housing and Economic Recovery Act of 2008.

According to the City's 2008–2009 Action Plan amendment for the NSP funds, the \$2.3 million in funding received will be allocated to the Washington School and Lincoln Oval Park areas, the Shannon Ranch Area, the Birdland Area and the Northeast Visalia Area, all of which have been targeted to address prevalent issues such as low homeownership, code enforcement and public improvements. To date, the City has purchased 26 homes and resold 23.

2. Evaluate progress in providing affordable housing that meets the Section 215 definition of affordable housing for rental and owner households comparing actual accomplishments with proposed goals during the reporting period.

The City of Visalia's First Time Homebuyers Program guidelines meet Section 215 definition of affordable housing as follows:

- a. The program mortgage maximum coincides with the FHA 203(b) mortgage maximum. The purchase price may not exceed 95% of the median purchase price for the area, which is currently \$240,000.
- b. The home is the principal residence of the qualifying family.
- c. The home is subject to the HOME Recapture provisions.

3. Describe efforts to address “worst-case” housing needs and housing needs of persons with disabilities.

Worst-case housing needs are defined as low-income renter households who pay more than half their income for rent, live in seriously substandard housing (including homeless people) or have been involuntarily displaced.

The City continues to review and analyze how it can better meet the needs of the under-served and address “worst case” housing needs through its affordable housing programs, supportive services, Continuum of Care and the efforts of the City’s Fair Housing Administrator. The City allocates both CDBG and HOME funds to affordable housing programs, such as the First Time Homebuyer Program, the Housing Rehabilitation Program, Senior Rental Housing and Senior Repair Programs. Additionally, the City works closely with the Tulare County Housing authority and it’s Section 8 Rental Assistance Program. Tulare County Housing Authority also administers the City’s Fair Housing Hotline. The City also works closely with the Disability Advocacy Committee to address the needs of the disabled community and works closely with the Code Enforcement Division to minimize substandard housing.

Housing Stock Available to Serve Persons with Disabilities

There is little available data regarding the housing needs of persons with disabilities in Visalia, however, background on this portion of the population does provide insight into the associated housing needs.

Individuals with physical disabilities generally require structural modifications to housing such as ramps and handrails. The City has worked closely with developers to ensure that all new multi-family housing units are accessible to persons with disabilities, supplementing the City of Visalia 5-Year Strategic Plan 128 California Administrative Code Title 24 requirements that set forth access and adaptability requirements for the physically disabled.

Public Housing Strategy

1. Describe actions taken during the last year to improve public housing and resident initiatives.

The TCHA was established in 1945 pursuant to the U.S. Housing Act of 1937 and state enabling legislation. By the mid-1950s, the Housing Authority had assumed the management responsibilities of two farm labor housing centers, which were built in the late 1930s by the federal government. The TCHA provides funding and programs for below moderate-income households: the Housing Choice Vouchers Program (HCVP), Public Housing, Farm Labor Centers and Senior Housing. The Public Housing Program provides rental assistance in four main areas: Visalia, Tulare, Porterville and the north county area. Through the Farm Labor Centers, the TCHA manages five farm labor housing developments throughout the county.

The TCHA also administers the Section 8 voucher program. Currently, there are 1,148 households receiving rental assistance and more than 3,505 on the waiting list. The TCHA has a —Moving to Workll program that limits participation in the Section 8 voucher to a maximum of five years or until the family income exceeds 120 percent of the median income, thus encouraging families to save money, become self-sufficient and be in a better position to buy a house. This also ensures that assisted housing is made available to other needy families.

The City of Visalia partnered with the TCHA to develop a 71-unit multi-family affordable housing complex that was completed in late 2008. Currently, the City is working with the TCHA through Kaweah Management Company to rehabilitate 11 units and construct nine units to complete a 20-unit multi-family rental project known as Paradise & Court. According to the 2009 Housing Element, the City will work with the TCHA to bring 550 Section 8 rental vouchers to the rental market for low-income families. Table 20 shows the number of public housing units in the City of Visalia owned and managed by the TCHA.

In addition, the Visalia housing market is evaluated on a quarterly basis, given the number of homes sold, quadrant, square footage, price per square foot, list and —soldll price and averages. All the information is taken into consideration in conjunction with the City’s program. It is the City’s priority to provide opportunities to extremely low, very low and median income families. The program is designed to stay —in line with the local market.

It is the policy of the City to support the TCHA in providing housing assistance to extremely low, very low, low- and moderate-income households. The TCHA is not a troubled housing authority.

Barriers to Affordable Housing

1. Describe actions taken during the last year to eliminate barriers to affordable housing.

As detailed in the City’s 2005-2010 Consolidated Plan and Housing Element, the following policies are designed to assist with barriers to affordable housing:

General Policies

- The City, in a leadership role, shall continue to utilize all available funds 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

- The Visalia Zoning Ordinance will grant a 25% 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% of the units are for very low income households
 - At least 20% of the units are for lower income households
 - At least 50% of the units are for seniors
- 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.
- 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 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 via the Redevelopment Agency, Code Enforcement Division, the Tulare County Regional Center, the Police and the sub-recipients of our housing grants.

HOME/ American Dream Down Payment Initiative (ADDI)

1. Assessment of Relationship of HOME Funds to Goals and Objectives
 - a. Evaluate progress made toward meeting goals for providing affordable housing using HOME funds, including the number and types of households served.

Please refer to page 4, where the City's objectives, outcomes, and goals begin.

2. HOME Match Report
 - a. Use HOME Match Report HUD-40107-A to report on match contributions for the period covered by the Consolidated Plan program year.

The HOME Match Report, HUD -40107-A is attached at Appendix "C".

3. HOME MBE and WBE Report
 - a. Use Part III of HUD Form 40107 to report contracts and subcontracts with Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs).

A Minority Business Enterprise and Women's Business Enterprise Report has been prepared on form HUD-40107 and is attached to this CAPER as Appendix "D".

4. Assessments
 - a. Detail results of on-site inspections of rental housing.

Currently, the City does not fund a Rental Rehabilitation Program. Existing funding toward rental housing will be monitored through Kaweah Management Company for the Robinwood HOME funded project, Mill Creek Parkway Redevelopment funded project and upon completion of rehabilitation and construction of the new Paradise and Court Project. The City of Visalia contracted with AmeriNational Community Services, Inc. in monitoring on-site inspections, owner affidavits, taxes and insurance for its First Time Homebuyer Program, Housing Rehabilitation Programs, and Habitat acquired properties.

- b. Describe the HOME jurisdiction's affirmative marketing actions.

Attached is the City's Affirmative Marketing Plan Appendix "E".

- c. Describe outreach to minority and women owned businesses.

Because California is governed by proposition 209, the City may no longer make distinctions based on race, sex, or ethnicity; however, the City provides opportunities to local and minority companies when soliciting bids for contracts. For example, the City has contracted with Sierra Range Construction on many projects, including the installation of curb cuts for the disabled community. Additionally, CM Construction has worked with the City on project such as the Transit Center and the Rawhide Stadium. Both Sierra Range and CM Construction are local, minority based companies.

HOMELESS

Homeless Needs

1. Identify actions taken to address needs of homeless persons.

The City continues its partnership with the Continuum of Care of Kings-Tulare County to address issues of homelessness. To strengthen their capacity, the Continuum currently obtained 501c3 status to competitively apply for foundation and corporate funding. 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.

Through the CoC, the City continues to move forward towards combating homelessness. The Continuum of Care administers an annual "Point in Time" survey every year 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 of the homeless by asking questions such as age, language, how long they have been homeless, employment, number of children etc. This year, there were 534 surveys collected, a 23% decrease over 2010. The number of homeless persons also decreased between 2010 and 2011. The following factors have affected the count:

- Net decrease of 54 adults in the 2011 count.
- Decrease of 332 in unsheltered persons.
- Number of homeless children decreased by 108.
- Additions and eliminations of communities in the 2011.

The following table shows the number of sheltered and unsheltered homeless persons during the 2011 Point in Time. The total number of homeless individuals is 804 of which (540 individuals) 67% were sheltered and (228 individuals) 28% were unsheltered. Of the 804 homeless individuals in Kings/Tulare Counties; the City of Visalia reported a total of 428.

	Sheltered		Unsheltered		Total	
	#	%	#	%	#	%
Adults	426	63%	222	33%	676	84%
Children	114	89%	6	5%	128	16%
Total	540	67%	228	28%	804	100%

With the completion of this survey, the Continuum of Care can better gauge its progress in its effort to combat homelessness and also improve the allocation of funding. With the data, the continuum also fulfills reporting requirements to the U.S. Department of Housing and Urban Development (HUD).

The following table shows the results of the survey for the City of Visalia.

Visalia
2011 Point in Time Results

Age Group	<20	20	9%	Ethnicity	African American	11	5%	What is your income by source?*	Wages	14	6%	What is/are the reason(s) for your CURRENT experience of homelessness?*	Alcohol/Drug	69	32%			
	21-29	34	16%		Native American	18	8%		Child Support	3	1%		Medical	7	3%			
	30-39	59	27%		White	94	43%		Retirement/SS	0	0%		Mental Health	7	3%			
	40-49	44	20%		Asian/Pacific Islander	6	3%		Veteran's Benefits	2	1%		Physical disabilities	5	2%			
	50-59	46	21%		Hispanic/Latino	75	34%		GA	10	4%		Argument w/ fam/friends	17	8%			
	60-69	5	2%		Multi-Cultural	2	1%		Food Stamps	52	21%		Domestic Violence	19	9%			
	70+	2	1%		Other	0	0%		TANF	11	4%		Discharged from Hospital	1	0%			
	Unknown	8	4%		Unknown	12	6%		SSDI	7	3%		Discharged from Prison	11	5%			
	Total	218	100%		Total	218	100%		SDI	2	1%		Divorce/Separation	9	4%			
	In the past three years, how many times have you been homeless?	1 Time	84		39%	Primary Language	English		145	67%	Do you have any of the following Disabilities?*		Physical	36	32%	Services Needed*	Family Violence	3
2 Times		27	12%	Spanish	14		6%	Mental	20	18%		Eviction	7	3%				
3 Times		12	6%	Bilingual	13		6%	HIV/AIDS	2	2%		Mortgage foreclosure	3	1%				
4 Times		3	1%	Hmong	0		0%	Substance Abuse	76	67%		No affordable housing	14	6%				
5 Times		4	2%	Lao	0		0%	Dual Diagnosis	5	4%		Substandard housing	1	0%				
6 or more		4	2%	Other	0		0%	PTSD	2	2%		Aged out of foster care	13	6%				
Unknown	84	39%	Unknown	46	21%	Other	43	32%	Lost benefits	2	1%							
Total	218	100%	Total	218	100%	Total Respondents	113	100%	Lost public assistance	1	0%							
How long homeless this time?	<2mo	23	11%	Highest level of Education	Grade School	26	12%	Are you Employed?	YES	23	11%	Chronically Homeless?	Food/Hot meal	116	53%			
	2-6mo	44	20%		HS/GED	102	47%		NO	155	71%		NO	144	66%			
	7-12mo	19	9%		Some College	37	17%		Unknown	39	18%		Unknown	51	23%			
	13-24mo	10	5%		College Degree	5	2%		Never	1	0%		Total	218	100%			
	25-36mo	10	5%		No School	7	3%		Total	218	100%		If under 18 w/parent?	YES	0	0%		
	37-48mo	2	1%		Unknown	41	19%		If No, Last Employment Date:	<2mo	5			2%	NO	2	1%	
49-60mo	3	1%	Location of Previous Housing	60+	5	2%	2-6mo	7		3%	Services Needed*	Health		88	40%			
Unknown	94	43%		Kings County	10	5%	7-12mo	2		1%		Housing		126	58%			
Total	218	100%		Tulare County	138	63%	13-24mo	8		4%		Legal		64	29%			
Current Housing	EH	70		32%	Another County	23	11%	25-36mo		5		2%		Job Training	83	38%		
	TH	97		44%	Out of State	7	3%	>60mo		2		1%	Education	69	32%			
	Street	36		17%	Out of Country	5	2%	Unknown	155	71%		Child Care	13	6%				
	Unknown	13	6%	Unknown	35	16%	N/A	24	11%	Other	16	7%						
	Total	218	100%	Total	218	100%	Total	218	100%	None	3	1%						
	Gender	Male	155	71%	Size House/Apt Needed	1bd	61	28%	Pregnant?	YES	1	0%	Households with Children	YES	52	4%		
Female		63	29%	2bd		52	24%	NO		217	100%	NO		166	96%			
Unknown		0	0%	3bd		6	3%	Unknown		0	0%	Unknown		0	0%			
Total		218	100%	4bd		4	2%	Total		218	100%	Total		218	100%			
Are you a Veteran?		YES	12	6%		5bd	0	0%		Homeless w/Spouse?	YES	10		5%	Visalia	Surveys	218	
		NO	200	92%		None Wanted	4	2%			NO	167		77%		Adults	111	
	Unknown	6	3%	Unknown	36	17%	Unknown	41	19%		Children	2						
	Total	218	100%	Unknown	47	22%	Total	218	100%		Total	331						
	Jail/Prison?	YES	94	43%	DV Victim?	YES	22	10%	Spouse completed survey?		YES	0	0%	Total		YES	52	4%
		NO	70	32%		NO	149	68%			NO	155	71%			NO	166	96%
Unknown		54	25%	Unknown		47	22%	Unknown		63	29%	Unknown	0		0%			
Total		218	100%	Total		218	100%	Total		218	100%	Total	218		100%			
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10		5%	Total	YES	10		5%			
		NO	167	77%			NO	167		77%		NO	166		96%			
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
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Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		218	100%	Total		218	100%	Total	218		100%							
Homeless w/Spouse?		YES	10	5%		Homeless w/Spouse?	YES	10	5%		Total	YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
	Unknown	41	19%	Unknown	41		19%	Unknown	0	0%								
	Total	218	100%	Total	218		100%	Total	218	100%								
	Homeless w/Spouse?	YES	10	5%	Homeless w/Spouse?		YES	10	5%	Total		YES	10	5%				
		NO	167	77%			NO	167	77%			NO	166	96%				
Unknown		41	19%	Unknown		41	19%	Unknown	0		0%							
Total		2																

3. Identify new Federal resources obtained from Homeless SuperNOFA.

In addition to receiving a \$1.1 million dollar award in 2008, the Continuum also received a total of \$348,739 in July 2010, for supportive housing units in Visalia.

Specific Homeless Prevention Elements

1. Identify actions taken to prevent homelessness.

The City continues a strong partnership with the Continuum of Care. For a full report on the City's efforts to address homelessness, see page 9.

Emergency Shelter Grants (ESG) N/A

1. Identify actions to address emergency shelter and transitional housing needs of homeless individuals and families (including significant subpopulations such as those living on the streets).
2. Assessment of Relationship of ESG Funds to Goals and Objectives
 - a. Evaluate progress made in using ESG funds to address homeless and homeless prevention needs, goals, and specific objectives established in the Consolidated Plan.
 - b. Detail how ESG projects are related to implementation of comprehensive homeless planning strategy, including the number and types of individuals and persons in households served with ESG funds.
3. Matching Resources
 - a. Provide specific sources and amounts of new funding used to meet match as required by 42 USC 11375(a)(1), including cash resources, grants, and staff salaries, as well as in-kind contributions such as the value of a building or lease, donated materials, or volunteer time.
4. State Method of Distribution
 - a. States must describe their method of distribution and how it rated and selected its local government agencies and private nonprofit organizations acting as subrecipients.
5. Activity and Beneficiary Data
 - a. Completion of attached Emergency Shelter Grant Program Performance Chart or other reports showing ESGP expenditures by type of activity. Also describe any problems in collecting, reporting, and evaluating the reliability of this information.
 - b. Homeless Discharge Coordination
 - i. As part of the government developing and implementing a homeless discharge coordination policy, ESG homeless prevention funds may be used to assist very-low income individuals and families at risk of becoming homeless after being released from publicly funded institutions such as health care facilities, foster care or other youth facilities, or corrections institutions or programs.
 - c. Explain how your government is instituting a homeless discharge coordination policy, and how ESG homeless prevention funds are being used in this effort.

CAPER ESG response: **The City does not currently receive Emergency Shelter Grants.**

COMMUNITY DEVELOPMENT

Community Development

*Please also refer to the Community Development Table in the Needs.xls workbook.

1. Assessment of Relationship of CDBG Funds to Goals and Objectives
 - a. Assess use of CDBG funds in relation to the priorities, needs, goals, and specific objectives in the Consolidated Plan, particularly the highest priority activities.
 - b. Evaluate progress made toward meeting goals for providing affordable housing using CDBG funds, including the number and types of households served.
 - c. Indicate the extent to which CDBG funds were used for activities that benefited extremely low-income, low-income, and moderate-income persons.

All CDBG funds were used to benefit very-low, low- and moderate-income persons or to aid in the elimination of slum and blight. The City of Visalia spent 100 percent of its CDBG funds to benefit low and moderate income individuals (minimum 70 percent is required).

2. Changes in Program Objectives
 - a. Identify the nature of and the reasons for any changes in program objectives and how the jurisdiction would change its program as a result of its experiences.

The City of Visalia has not changed the CDBG program and continues to use CDBG funds to provide affordable housing, safe suitable living environments and economic opportunities primarily for low to moderate income families. There is always an ongoing need for CDBG funds to fulfill the objectives and needs of the community.

3. Assessment of Efforts in Carrying Out Planned Actions
 - a. Indicate how grantee pursued all resources indicated in the Consolidated Plan.

The City of Visalia pursued all potential resources as indicated in the Consolidated Plan by working with developers, non-profits and other agencies to leverage a variety of funds for the construction and rehabilitation of affordable housing projects and programs, opportunities for low and moderate income people to become homeowners, assistance with rehabilitation, and through neighborhood preservation services.

- b. Indicate how grantee provided certifications of consistency in a fair and impartial manner.

The City considers all requests submitted in writing. Requests are evaluated and taken into consideration within the guidelines of the Consolidated Plan. The City of Visalia certifies that it is administering the CDBG/HOME program in compliance with its Consolidated Plan and rules, regulations, and certifications required by HUD of its grantees.

- c. Indicate how grantee did not hinder Consolidated Plan implementation by action or willful inaction.

No actions were taken to limit the implementation of the Consolidated Plan.

4. For Funds Not Used for National Objectives

- a. Indicate how use of CDBG funds did not meet national objectives.

All CDBG funds utilized met CDBG National Objectives.

- b. Indicate how did not comply with overall benefit certification.

CDBG funded activities met all requirements providing overall benefit to low and moderate income persons.

5. Anti-displacement and Relocation – for activities that involve acquisition, rehabilitation or demolition of occupied real property

- a. Describe steps actually taken to minimize the amount of displacement resulting from the CDBG-assisted activities.

While several of the City’s affordable housing programs utilized CDBG funds for acquisition and rehabilitation, no permanent displacement occurred under any of these programs. The City did not utilize CDBG funds for demolition.

- b. Describe steps taken to identify households, businesses, farms or nonprofit organizations who occupied properties subject to the Uniform Relocation Act or Section 104(d) of the Housing and Community Development Act of 1974, as amended, and whether or not they were displaced, and the nature of their needs and preferences.

Not Applicable

- c. Describe steps taken to ensure the timely issuance of information notices to displaced households, businesses, farms, or nonprofit organizations.

Not Applicable

6. Low/Mod Job Activities – for economic development activities undertaken where jobs were made available but not taken by low- or moderate-income persons

- a. Describe actions taken by grantee and businesses to ensure first consideration was or will be given to low/mod persons.

Not Applicable

- b. List by job title of all the permanent jobs created/retained and those that were made available to low/mod persons.

Not Applicable

- c. If any of jobs claimed as being available to low/mod persons require special skill, work experience, or education, provide a description of steps being taken or that will be taken to provide such skills, experience, or education.

Not Applicable

7. Low/Mod Limited Clientele Activities – for activities not falling within one of the categories of presumed limited clientele low and moderate income benefit

- a. Describe how the nature, location, or other information demonstrates the activities benefit a limited clientele at least 51% of whom are low- and moderate-income.

Activities that do not fall within a category of presumed limited clientele requires Census Tract data that demonstrates it benefits a limited clientele at least 51% of whom are low-and moderate-income individuals.

- 8. Program income received
 - a. Detail the amount of program income reported that was returned to each individual revolving fund, e.g., housing rehabilitation, economic development, or other type of revolving fund.

The following table identifies Program Income by funding source not by activity.

- b. Detail the amount repaid on each float-funded activity.

The City does not have any float-funded activities.

Detail all other loan repayments broken down by the categories of housing rehabilitation, economic development, or other.

Not Applicable

- c. Detail the amount of income received from the sale of property by parcel.

Not Applicable

- 9. Prior period adjustments – where reimbursement was made this reporting period for expenditures (made in previous reporting periods) that have been disallowed, provide the following information:
 - a. The activity name and number as shown in IDIS;

Not Applicable

- b. The program year(s) in which the expenditure(s) for the disallowed activity(ies) was reported;

Not Applicable

- c. The amount returned to line-of-credit or program account; and

Not Applicable

- d. Total amount to be reimbursed and the time period over which the reimbursement is to be made, if the reimbursement is made with multi-year payments.

Not Applicable

- 10. Loans and other receivables

- a. List the principal balance for each float-funded activity outstanding as of the end of the reporting period and the date(s) by which the funds are expected to be received.

There were no-float-funded activities.

- b. List the total number of other loans outstanding and the principal balance owed as of the end of the reporting period.

Loan Portfolio						
<i>Month: June 2010</i>						
	Amortized		Deferred		Totals	
	\$	#	\$	#	\$	#
HOUSING REHABILITATION (HRP, ERBN)	700,216	30	1,483,288	89	2,183,504	119
RENTAL REHABILITATION (RRP)	108,432	5	-	-	108,432	5
HOMEBUYER'S ASSISTANCE (HAP) deferred for the first 5 years	912,997	54	3,559,153	77	4,472,150	131
Total	1,721,644	89	5,042,441	166	6,764,085	255

- c. List separately the total number of outstanding loans that are deferred or forgivable, the principal balance owed as of the end of the reporting period, and the terms of the deferral or forgiveness.

Loan terms vary from 20 to 30 years and/or until the property is sold or owner is deceased. The following table shows the number and principal balance owed on loans that are deferred.

OUTSTANDING HOUSING LOAN BALANCES		
	DEFERRED	
	\$	#
HOUSING REHABILITATION		
CDBG (961)	1,149,747	78
HOME (449)	301,081	10
EAST L/M (446)	32,460	1
SUBTOTAL	1,483,288	89
HOMEBUYER'S ASSISTANCE		
HOME VIAH (988)	2,568,571	44
HOME FTHB (486)	165,416	10
HOME FTHB (1156)	807,252	13
CAL HOME FTHB (1293)	17,913	10
Habitat (1320)	815,162	17
SUBTOTAL	3,559,153	77
GRAND TOTAL	5,042,441	166

- d. Detail the total number and amount of loans made with CDBG funds that have gone into default and for which the balance was forgiven or written off during the reporting period.

Currently, the City's portfolio includes one CDBG loan that is currently delinquent for \$983. Typically, loans that are under three payments behind are monitored but are given the opportunity to work toward bringing their account current. No loans were written-off or forgiven in 2010-11.

OUTSTANDING HOUSING LOAN BALANCES		
	DELINQUENT	
	\$	#
HOUSING REHABILITATION		
CDBG (961)	1,000	3
SUBTOTAL	1,000	3

- e. Provide a List of the parcels of property owned by the grantee or its subrecipients that have been acquired or improved using CDBG funds and that are available for sale as of the end of the reporting period.

No CDBG funds were utilized to purchase property during the program year.

- 6. Lump sum agreements
 - a. Provide the name of the financial institution.
 - b. Provide the date the funds were deposited.
 - c. Provide the date the use of funds commenced.
 - d. Provide the percentage of funds disbursed within 180 days of deposit in the institution.

Not Applicable

- 7. Housing Rehabilitation – for each type of rehabilitation program for which projects/units were reported as completed during the program year
 - a. Identify the type of program and number of projects/units completed for each program.
 - b. Provide the total CDBG funds involved in the program.
 - c. Detail other public and private funds involved in the project.

Mobile Home Senior Home Repair (CDBG) – This program, administered by Self-Help Enterprises allows extremely low and low-income senior citizens to make minor repairs to their mobile home. Assistance may include; re-roofing, heating and cooling repairs, handicap access, electrical and plumbing issues. The total amount spent on this program in 2010-11 was \$93,657. Additionally, Self-Help Enterprises utilizes other in-house programs to leverage the resources available to senior citizens who typically are on a fixed income. As of December 31, 2011, this program will be put on indefinite hold due to the reduction in funding.

Senior Home Repair Minor Repairs (CDBG) – This program, administered by Community Services and Employment Training (CSET) assisted senior citizens by addressing minor repairs to their home. Repairs included plumbing repairs, cooler/air conditioning repairs, roof repairs, door & window repairs, and electrical repairs, flooring and carpentry repairs. In fiscal year 2010-11, the City of Visalia allocated a total of \$91,000 and expended \$82,526 to address 619 repairs for 102 clients (one household may have multiple repairs), including 18 new clients assisted during the program year. This program has been put on hold due to the reduction in funding.

8. Neighborhood Revitalization Strategies – for grantees that have HUD-approved neighborhood revitalization strategies
 - a. Describe progress against benchmarks for the program year. For grantees with Federally-designated EZs or ECs that received HUD approval for a neighborhood revitalization strategy, reports that are required as part of the EZ/EC process shall suffice for purposes of reporting progress.

Not Applicable

Antipoverty Strategy

1. Describe actions taken during the last year to reduce the number of persons living below the poverty level.

Consolidated Plan Goal

Due to the need in addressing physical and social deterioration and related issues, the City, as part of a countywide effort, will continue to:

- Promote development of new jobs in skilled positions,
- Provide incentives to businesses to expand including job training and placement services,
- Support to the Continuum of Care for services to the homeless and people "at risk" of becoming homeless.

As of June 2011, the State of California Labor Market Information Center indicates that there is a 15.8% unemployment rate in the Visalia-Porterville Metropolitan Statistical Area, which the same rate as June 2010. The City continues to make unemployment a priority as it continues to increase efforts to improve the economic development and expansion opportunities city-wide. Included in these efforts is to provide assistance to businesses who will provide job retention and creation opportunities.

The City will also continue working with and supporting both private and non-profit agencies who serve to stabilize the job market. Some of these agencies include; the Workforce Investment Board, Economic Development Corporation, and the Chamber of Commerce. The City will also continue to support the Continuum of Care with efforts to move those that are homeless from emergency, to transitional, to affordable housing as well as support for agencies who provide homeless board.

The City believes that three of the greatest assets to meeting the needs of the underserved population are education, coordination of services and availability of resources. The City continues to address all of these areas by forging cooperative efforts with public and private organizations sharing a common mission of improving the quality of life for individuals eligible for HUD assistance. Agencies with whom we will continue to collaborate on housing, social services, employment and skills training, neighborhood revitalization and economic development include:

City of Visalia - Citizens Advisory
Committee
Community Services & Employment
Training (CSET)

Family Services of Tulare County
Habitat for Humanity

City of Visalia Council

Continuum of Care
Kings/Tulare Hispanic Chamber of
Commerce
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 Enterprise	Tulare County Resource Management Agency
Tulare County Health & Human Services Agency	Tulare County Mental Health Association
Tulare County Association of Realtors	Visalia Chamber of Commerce
Valley Regional Center	Visalia Economic Development Corporation
Visalia Rescue Mission	Visalia Unified School District
Visalia Emergency Aid Council	Wittman Village Community Center
YWCA and YMCA	

The City will continue to pool its resources with these and other organizations to provide a continuum of services addressing the full range of needs of low and moderate-income families of Visalia. The City will continue working to obtain additional funds from State and Federal sources for housing and community development projects.

NON-HOMELESS SPECIAL NEEDS

Non-Homeless Special Needs

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Identify actions taken to address special needs of persons that are not homeless but require supportive housing, (including persons with HIV/AIDS and their families).

The City provided Redevelopment Low Mod Set Aside Funds as a loan in the amount of \$342,687 to Kaweah Management Company to acquire and rehabilitate the property located at Encina and Oak. The triplex was acquired for the purpose of creating affordable housing to be utilized as "supportive housing" for persons with developmental disabilities. The grand opening was celebrated on September 8, 2009 and qualified tenants have moved in.

Specific HOPWA Objectives

Not Applicable

OTHER NARRATIVE

Include any CAPER information that was not covered by narratives in any other section.

APPENDIXES

Appendix "A", Action Plan Amendments
Appendix "B", Summary of Citizen Comments
Appendix "C",
Appendix "D",
Appendix "E",
Appendix "F",
Appendix "G",
Appendix "H",
Appendix "I",
Appendix "J",