
**Visalia City Council
Regular Meeting Agenda**



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

Monday, November 21, 2011
City Hall Council Chambers
707 W. Acequia, Visalia, CA 93291
WORK SESSION 4:00 PM; CLOSED SESSION 6:00 PM;
REGULAR SESSION 4:30 PM

4:00 PM **INVOCATION - Pastor Stephen Elliott, Grace Community Church**

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS/RECOGNITION

1. Presentation of Proclamation to Southern California Edison for 125 years of service in the City.

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)

2. Annual Let's Make A Difference Day Presentation & Report.
3. Item removed at the request of staff.
4. Authorization to issue a Request for Proposals (RFP) to purchase Infrastructure Management Software and hire a consulting firm to perform a Citywide roadway pavement inventory and also to allocate \$200,000 in Gas Tax funds to pay for them.

4:30 PM **CALL TO ORDER REGULAR SESSION**

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 a time the Public Hearing is opened for comment.

In fairness to all who wish to speak tonight, 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.

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.

5. Authorization to read ordinances by title only.
6. Authorize the City Manager to execute a lease renewal with Golden State YMCA for the use of certain property located within Whitendale Park, 600 W. Beech Street, for the purpose of pre-school and child care programming.
7. Authorization for the City Manager to execute a Pipeline Crossing Agreement with Union Pacific Railroad to construct a pipeline to transport recycled water from the Water Conservation Plant to Valley Oaks Golf Course and Plaza Park.
8. Award Contract for Aviation Fuel Supplier to Air Petro Corporation to provide fuel for retail sales at the Visalia Municipal Airport.
9. Award the construction contract and authorize the City Manager to execute an agreement for the Santa Fe Street Pedestrian Corridor to the low bidder, DOD Construction, in the amount of \$142,494.50 and request an additional appropriation of \$27,000 from the Gas Tax fund.
10. Authorization to purchase three (3) 35 foot low floor CNG expansion fixed route buses from Gillig Corporation in the amount up to \$480,000 each for a total not to exceed \$1,440,000.
11. Notification and acceptance of the AVOID the 18 DUI grant award from the Governor's Office of Traffic Safety (OTS), and authorization for the City Manager to execute the grant agreement and appropriate \$272,000 in the General Fund for grant expenditures.

12. Authorize the City Manager to apply for a Public Benefit Grant from the San Joaquin Valley Air Pollution Control District to purchase five hybrid passenger vehicles. Allocate \$25,000 from the Vehicle Replacement Fund to pay for the City's match.
13. Approval of the 2011/12 transit agreement with Tulare County.
14. Authorization to submit a Letter of No Prejudice (LONP) to Caltrans for the Transit Operations & Maintenance Facility project in order to use future Prop 1B funds for this project. Resolution No. 2011-72 required.
15. Authorize the City Manager to enter into a professional services agreement with Mendoza & Associates for Construction Management and Resident Engineer Services for the Plaza Drive Interchange Modification and Widening Project. Contract amount not to exceed \$1,861,871.25. Project Number 3011-00000-720000-0-9438.
16. Item removed at the request of staff.
17. Request authorization to file a Notice of Completion for Taco Bell Off-Site Sewer Extension, Site Plan Review 10-065, located at 2421 N. Dinuba Boulevard.
18. Adoption of an inducement resolution so that the City may issue tax exempt debt to finance the cost of the new Animal Care Center. (Resolution No. 2011-73)

ITEMS OF INTEREST

ADJOURN TO CLOSED SESSION

Closed Session will commence immediately following Work Session. See separate Closed Session agenda for details.

CLOSED SESSION REPORT

ADJOURNMENT

Upcoming Council Meetings

- City Council Regular Meeting, Monday, December 05, 2011
- City Council Closed Session, Monday, December 05, 2011
- City Council Regular Meeting, Monday, December 19, 2011

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 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, nloliva@ci.visalia.ca.us.

**Resolution of Commendation
Southern California Edison**

WHEREAS, this year, Two Thousand and Eleven, marks the 125th anniversary of Edison International, the parent company of Southern California Edison and Edison Mission Group; and

WHEREAS, on July 4, 1886, the first streetlights were illuminated in the City of Visalia by Southern California Edison, and today, Southern California Edison provides electric utility service to nearly 14 million people in 15 counties of Central, Coastal and Southern California; and

WHEREAS, the City of Visalia and Southern California Edison have enjoyed a fruitful, mutually beneficial partnership in meeting the needs of the community; and

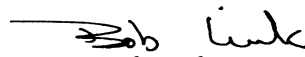
WHEREAS, lighting projects such as the Washington School, brought together community members, the City and Southern California Edison to create safer environments with the addition of 55 new street lights to better light that area of town; and


WHEREAS, the City and Southern California Edison partnered in the Lincoln Oval area to add six new solar-powered streetlights on Northeast 2nd, 3rd and 4th streets to provide increased lighting and a safer environment in the neighborhood; and

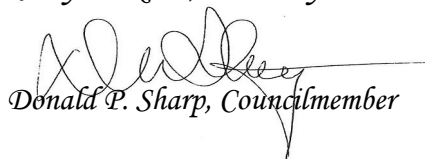
WHEREAS, the City looks forward to continuing its partnership with Southern California Edison for the next 125 years.

NOW, THEREFORE BE IT RESOLVED that the Visalia City Council salutes Southern California Edison for its 125 years of dedicated service and growth and its commitment to serving the community.

Dated: November 21, 2011


Bob Link, Mayor


Amy Shuklian, Vice-Mayor


Donald P. Sharp, Councilmember


E. Warren Gubler, Councilmember


Steven A. Nelsen, Councilmember



CITY OF VISALIA MAKE A DIFFERENCE DAY



October 22, 2011

COORDINATED BY PARKS & URBAN FORESTRY DIVISIONS

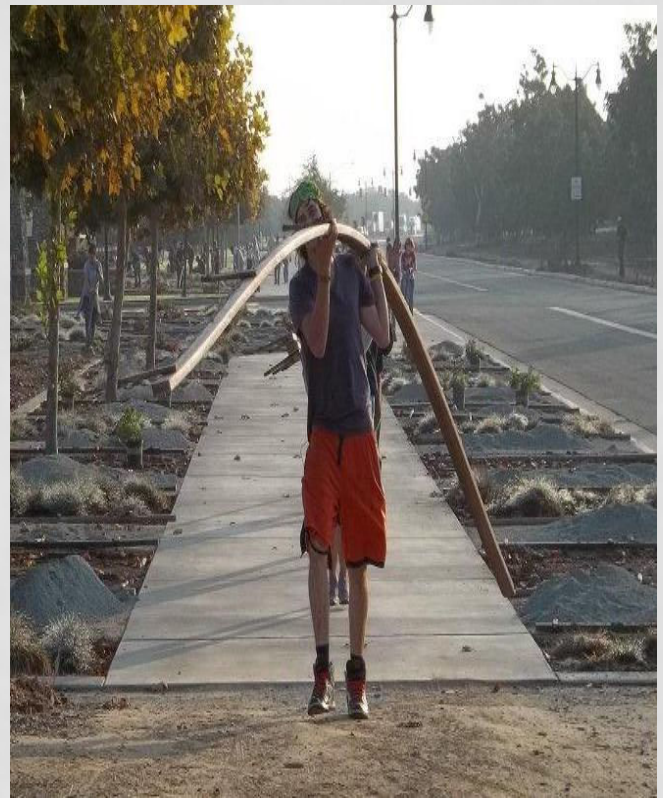
- * JIM BEAN, PARKS & UF MANAGER
- * JEFF FULTZ, PARKS SUPERVISOR
- * DAVID PENDERGRAFT, UF SUPERVISOR
- * RAY PALOMINO, BLDG SERVICES COORD.
- * MELISSA TRACY, SR. ADMIN ASST.
- * HEIDI GANDOLA, LDS CHURCH
- * BRIAN KEMPF, URBAN TREE FOUNDATION

RIVERWAY SPORTS PARK



- Church of Jesus Christ Latter Day Saints
- Central Valley Parkour
- Private Citizens

- 77 volunteers
- 231 hours
- 22 yards of DG spread
- Removed plastic lumber
- 54 roses planted



PACKWOOD RIPARIAN



- Church of Jesus Christ Latter Day Saints
- NIKE Outlet Store
- Private Citizens

- 48 volunteers
- 144 hours
- 64 yards of chip spread



SEVEN OAKS PARK



- Church of Jesus Christ Latter Day Saints
- Private citizens

- 50 volunteers
- 150 hours
- 56 yards of chip spread



MAIN STREET PLANTERS



- Church of Jesus Christ Latter Day Saints
- Private citizens

- 30 volunteers
- 90 hours
- 16 planters
- 730 plants, 3 trees planted



COBBLESTONE PONDING BASIN



- Sunset Rotary Club
- Private citizens

- 20 volunteers
- 70 hours
- 75 native trees, 50 native shrubs planted



BLAIN PARK



- Church of Jesus Christ Latter Day Saints
- Neighborhood residents
- Private citizens

- 35 volunteers
- 105 hours
- 52 trees planted and staked

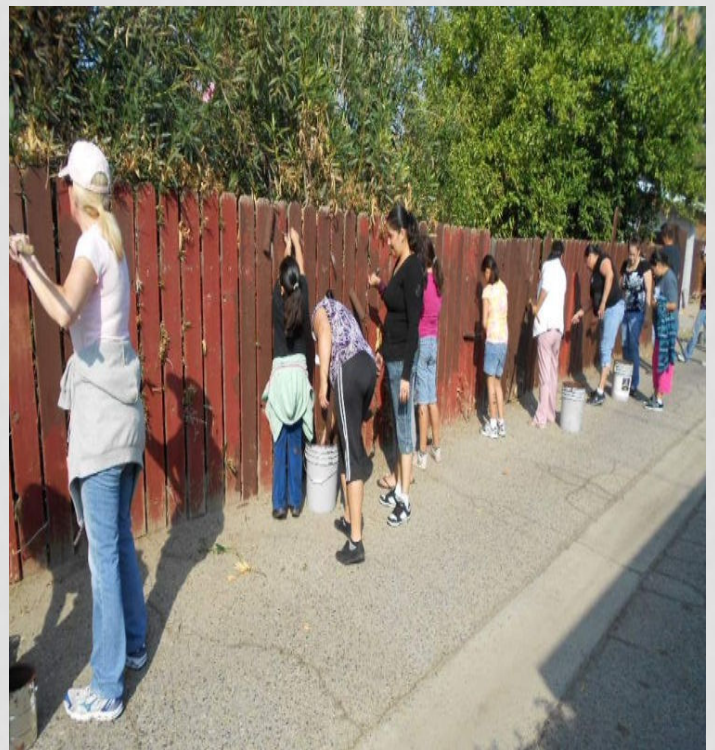


HOUSTON ALLEYWAY



- Neighborhood Church
- Neighborhood residents
- Private citizens

- 50 volunteers
- 150 hours
- 12,000 sq ft of wooden fence covered



MILL CREEK

STEVENSON & CONYER



- Church of Jesus Christ Latter Day Saints
- Private citizens



- 30 volunteers
- 90 hours
- 7 yards of DG spread
- 32 yards of chip spread
- Trash and weed removed

SANTA FE ROADSIDE



- Church of Jesus Christ Latter Day Saints
- Private citizens

- 23 volunteers
- 69 hours
- 8,200 sq ft of wooden fence painted



SUMMERS PARK



- Private citizens

- 5 volunteers
- 15 hours
- 5 trees planted and staked



MILL CREEK

HYDE & MAIN STREET



- 23 volunteers
- 69 hours
- 75 native shrubs planted

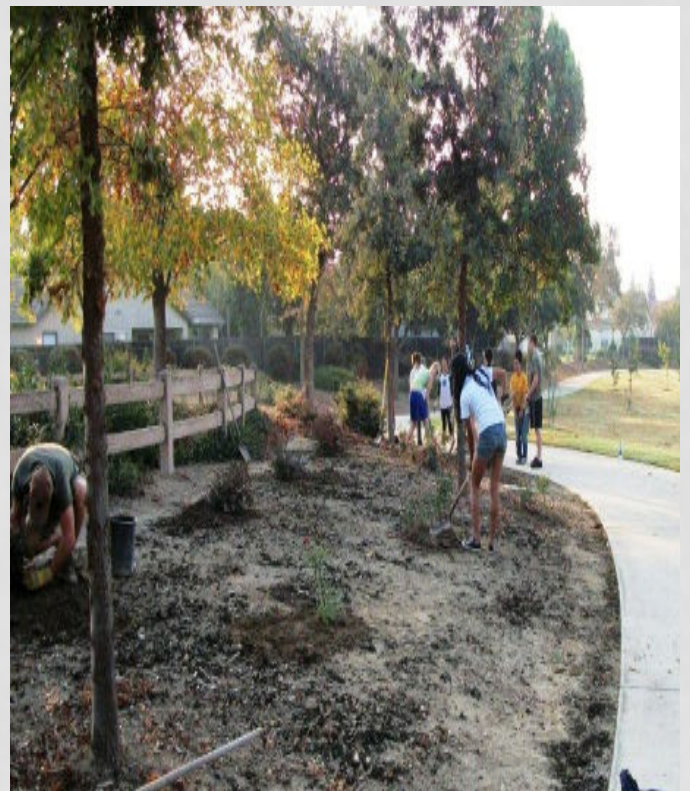
- Neighborhood Church
- Private citizens

STONEBROOK PARK



- El Diamante High School – Green Club

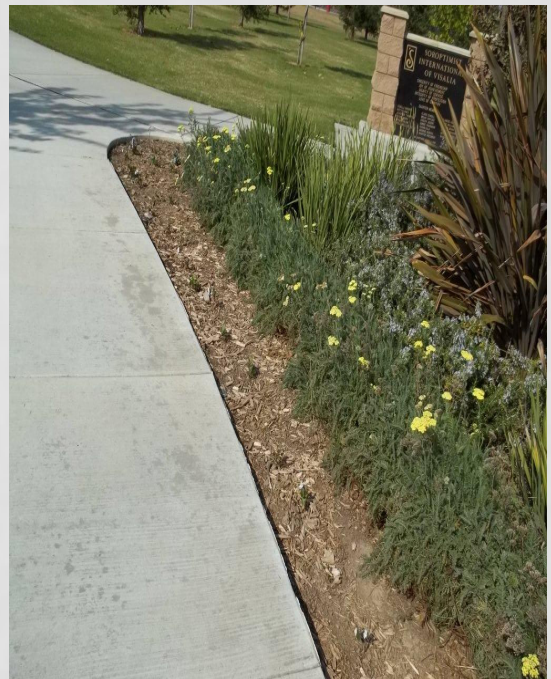
- 10 volunteers
- 30 hours
- 4 trees planted
- 7 shrubs planted



SOROPTIMIST PARK



- Soroptimist Club Members
- 5 volunteers
- 10 hours
- 2 flats of annuals planted



ST. JOHNS RIVER



- Church of Christ
- 60 volunteers
- 420 hours
- Removed 30 yards of green waste

SUCCESS!



428 volunteers achieved 1643 total project hours
A special "THANK YOU" to all that participated!

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization to issue a Request for Proposals (RFP) to purchase Infrastructure Management Software, hire a consulting firm to perform a citywide roadway pavement inventory, and develop a Pavement Management Program (PMP). In addition, allocate \$200,000 in Gas Tax funds to pay for the software, inventory, and consulting services.

Deadline for Action: N/A

Submitting Department: Public Works/Community Development

Contact Name and Phone Number:
Andrew Benelli, Public Works Director, 713-4340
Chris Young, Community Development Director, 713-4392
Norm Goldstrom, Associate Engineer, 713-4638
Chris Crawford, Associate Engineer, 713-4331

Department Recommendation:

Staff recommends authorizing the City Manager to issue a Request for Proposals to purchase Infrastructure Management Software, hire a consulting firm to perform a citywide roadway pavement inventory, and develop a Pavement Management Program (PMP). In addition, allocate \$200,000 in Gas Tax funds to pay for the software, inventory, and consulting services.

Summary/background:

The City of Visalia currently maintains approximately 491 centerline street miles within its jurisdictional limits. While being one of the City's largest assets, the maintenance associated with the pavement in this street network is a significant ongoing cost to the City. Over the past 10 years there have been many advances in pavement condition assessment technology, pavement management software systems, and compatibility with Geographic Information Systems (GIS). The Visalia Public Works Division would like to follow the lead of many other California municipalities and develop a Pavement Management Program (PMP) to direct maintenance activities and extend the life of street pavements while optimizing the use of maintenance tax dollars.

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.): 10

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.

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Developing a complete Pavement Management Program will consist of hiring an outside consultant to perform the following tasks:

- 1) Evaluate the existing pavement management and asset management software systems available and determine which system is the most appropriate to meet the City's needs/requirements. The selected software will be as user friendly as possible, highly compatible with the City's GIS Mapping Software, and will be a module of a suite of enterprise asset management tools. This will give the city the flexibility to expand the software system to other asset management activities to more efficiently manage signs, sidewalks, curb ramps, utilities, and other items.
- 2) Perform a City-Wide Pavement Condition Assessment of the entire street network. This typically involves the consultant utilizing a vehicle equipped with laser enhanced road surface testing devices to travel the city roads and collect pavement condition data which will then be processed and loaded into the City's pavement management software. Visual inspection may also be used as part of the pavement condition assessment.
- 3) Using the information above and coordinating with City staff to determine the appropriate maintenance strategies and develop a complete Pavement Management Program.
- 4) Train City Staff to use the software program to perform pavement database updates, create pavement condition maps, run various pavement management funding scenarios, and perform other tasks.

The final result will be a fully functioning pavement management software system and a 5 year Pavement Management Program to direct street maintenance and improvement activities for the most effective use of tax dollars.

As part of a continuously functioning Pavement Management Program it is understood that many Cities are performing pavement data collection and assessment for one quarter to one third of their street network each year to keep the plan up to date. Approximate costs associated with this annual assessment will be determined with the consultant and presented to Council with the completion of the Pavement Management Program.

A good roadway inventory and pavement management program will help the City to get the best cost-to-benefit ratio for the money invested in pavement repairs. Pavement management software is an important tool that assists staff in assessing existing pavement conditions and scheduling work at the appropriate time before the condition of the pavement deteriorates to a level that requires reconstruction. With proper maintenance, many local streets can last 30 years or more, if traffic is light. Arterial and Collector streets, with heavy traffic, can last over 20 years with proper maintenance. Without maintenance the asphalt dries out and cracks develop. These cracks reduce the strength of the road section and allow water to infiltrate under the pavement significantly decreasing the life of the roadway. Without maintenance, streets with heavy traffic will usually last less than ten or fifteen years. Preventive maintenance programs include applying rejuvenating oil, slurry seals, rubberized cape seals, chip seals, crack filling, overlays and other strategies. A proactive maintenance program can double the life of the pavement and result in significant long term savings.

Pavement management and maintenance are eligible uses for Gas Tax funds. There is \$365,000 allocated for a chip seal capital project in the 11/12 Fiscal Year Budget. Staff recommends reducing this amount to \$165,000 and establishing a new capital project for Pavement Management and Inventory for \$200,000. Any funds that are not required will go back into the Gas Tax Fund and be used for pavement maintenance.

The results of the Pavement Management Program options and strategies will be presented during budget discussions along with funding recommendations.

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

Alternatives: Do not authorize the City Manager to authorize the RFP. With the lack of an effective Pavement Management Program to guide maintenance activities, the most likely outcome is wasted maintenance resources in the interim with higher roadway reconstruction costs in the future.

Attachments: None

Recommended Motion (and Alternative Motions if expected):

Authorize the City Manager to issue a Request for Proposals to purchase Infrastructure Management Software, hire a consulting firm to perform a citywide roadway pavement inventory, and develop a Pavement Management Program (PMP). In addition, allocate \$200,000 in Gas Tax funds to pay for the software, inventory, and consulting services.

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)*

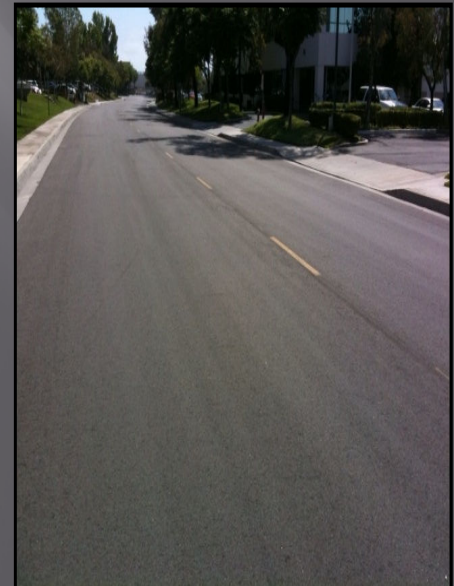
Copies of this report have been provided to:



CITY OF VISALIA, CA

*PAVEMENT MANAGEMENT
PROGRAM OVERVIEW*

NOVEMBER 21, 2011



What is a Pavement Management Program?

▣ A Tool to Answer Questions:

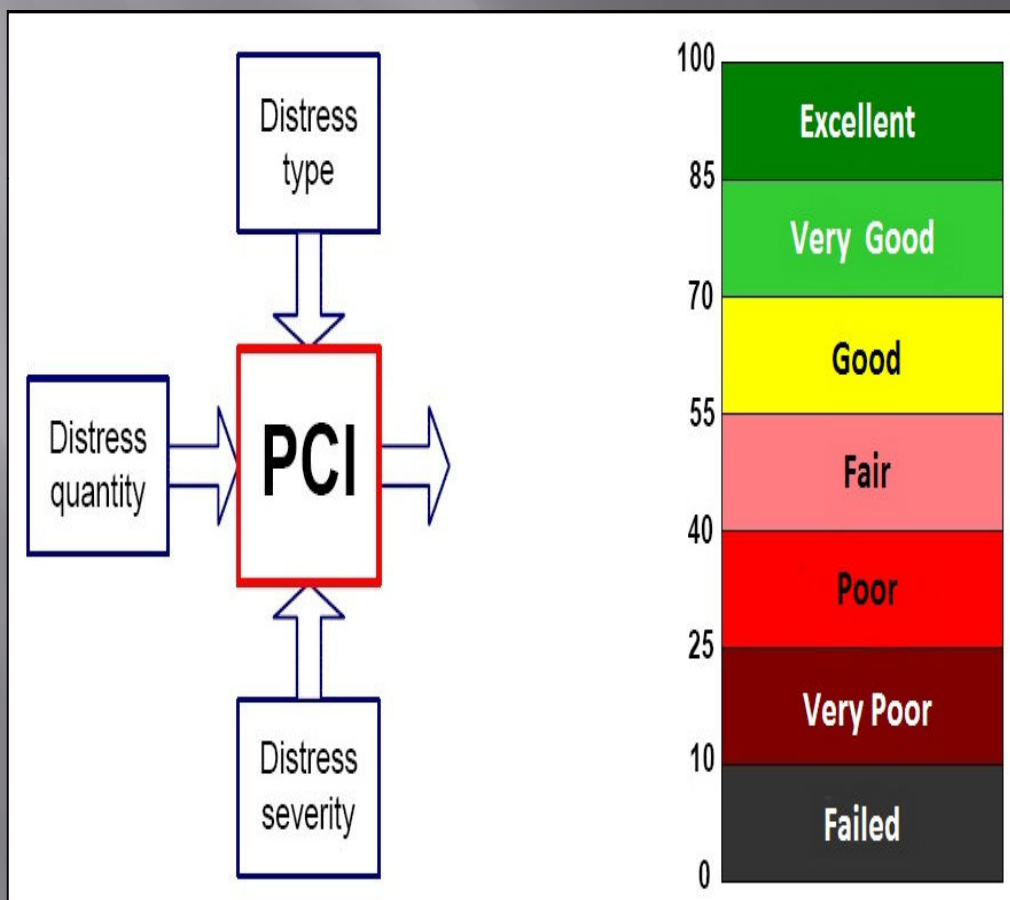
- What do I have?
- What condition is it in?
- What do I need to repair?
- How much money do I need?
- When should I spend it?
- What if?

Steps to Develop the City's Pavement Management Program

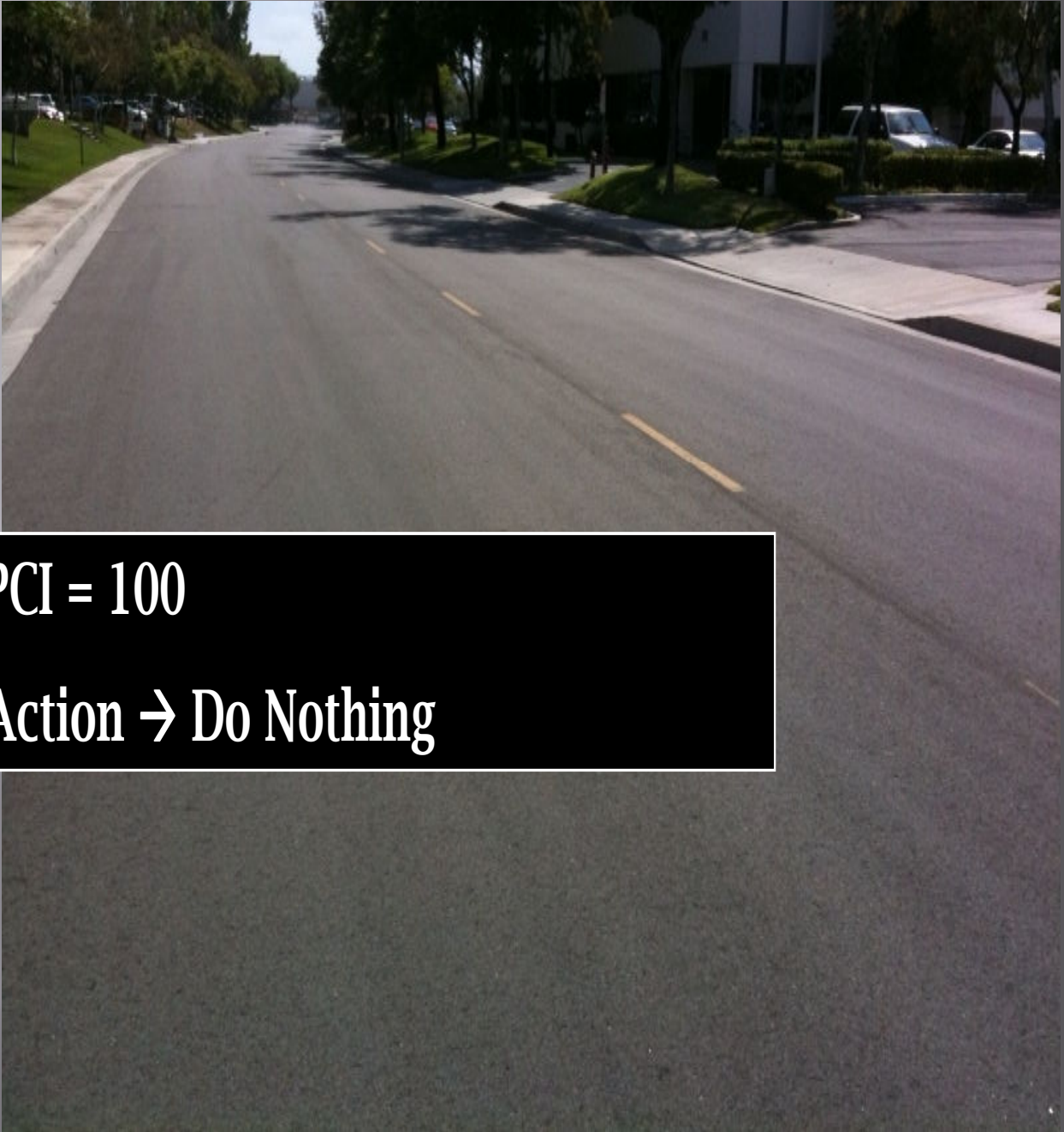
- Step 1: Retain a consultant to evaluate software infrastructure management systems
- Step 2: Perform a Pavement Condition Index (PCI) Data Collection Field Survey
- Step 3: Process Field Data
- Step 4: Determine Rehabilitation Strategies / Life-cycle Analysis
- Step 5: Analyze Budgets/Strategies and Develop Pavement Management Program
- Step 6: Link with City GIS System
- Step 7: Software Training for selected City Staff
- Step 8: Implementation & Maintenance

Pavement Condition Index (PCI)

- The PCI is a condition rating that ranges from 0 to 100
- Weighted average PCI = pavement section PCI * by its area / by the total square footage of the specific network or pavement area.



PCI = 100
Action → Do Nothing

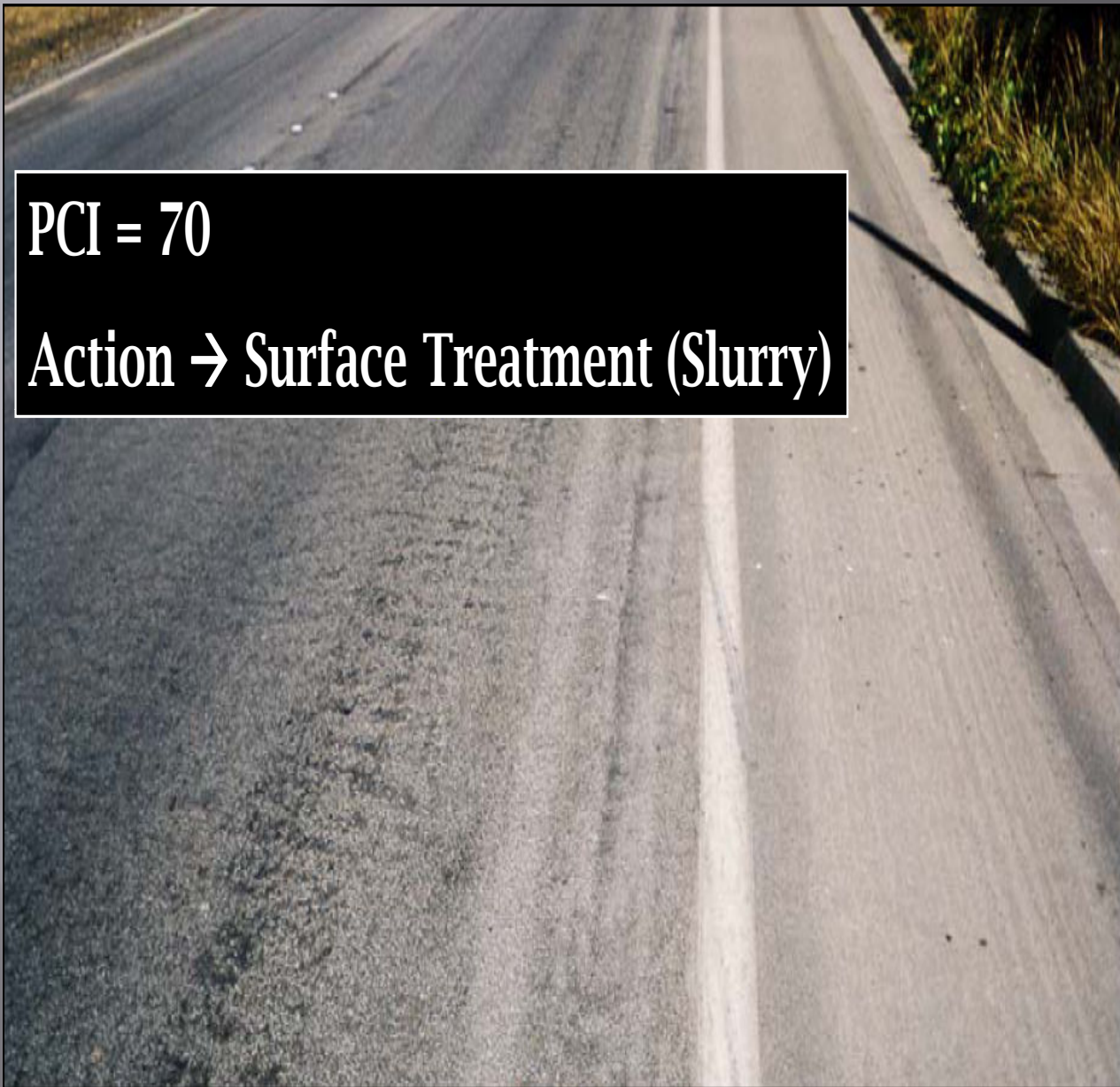


PCI = 100

Action → Do Nothing

PCI = 70

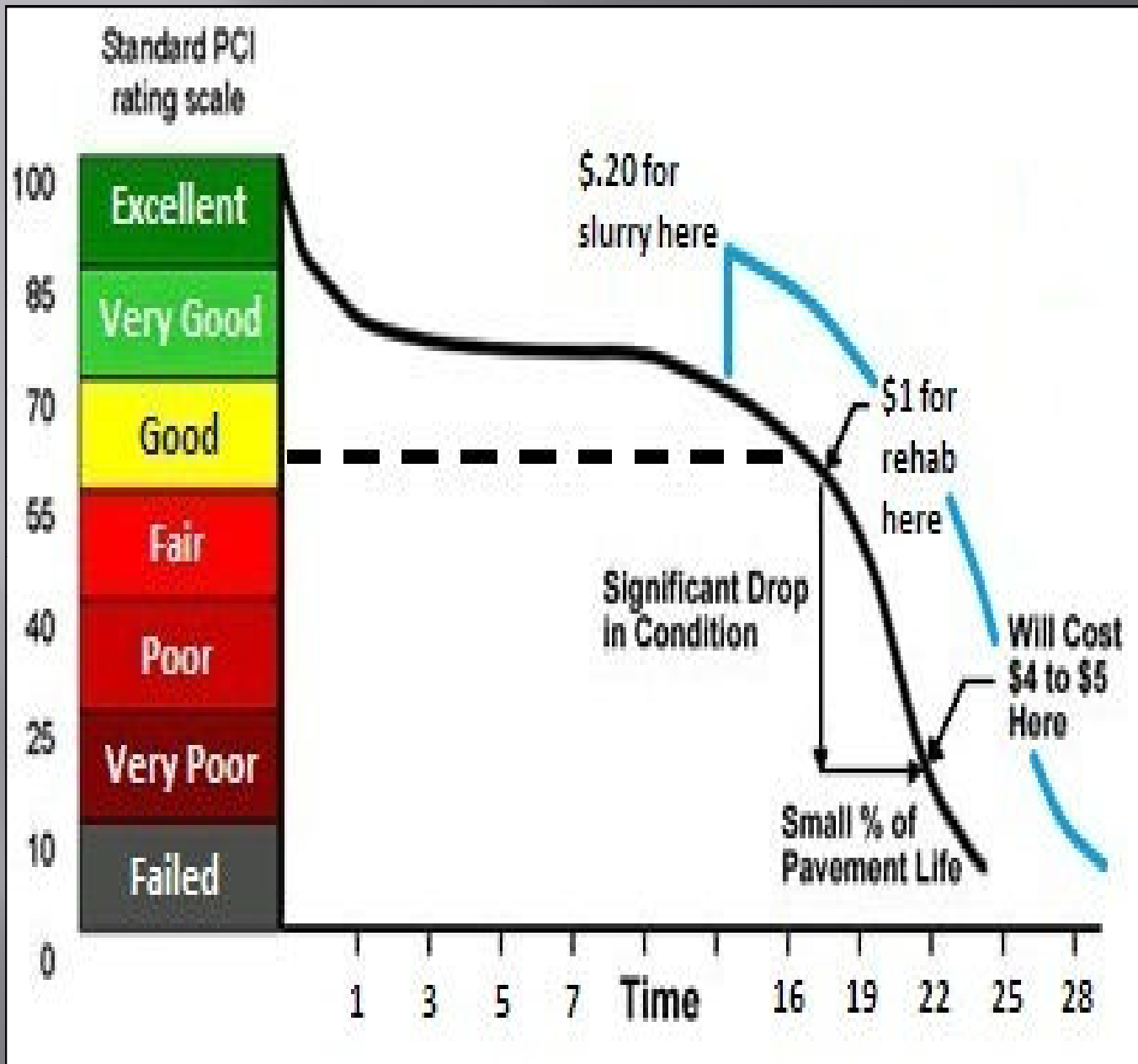
Action → Surface Treatment (Slurry)



PCI = 50
Action → Structural Improvement
(Overlay)



PAVEMENT LIFE CYCLE



Why the City needs a Pavement Management Program

- Evaluate Existing Pavement Conditions
- Provide direction for Maintenance Crews
- Provide direction for future Capital Improvement Projects
- Optimize the use of tax payer dollars
- Provide a safe and comfortable city street network

Staff Recommendation

- Staff Recommends that the City Council authorize staff to issue a Request for Proposal (RFP) to purchase Infrastructure Management Software, hire a consulting firm to perform a citywide roadway pavement inventory, and develop a Pavement Management Program (PMP).
- In Addition, Staff Recommends the allocation of \$200,000 in Gas Tax funds to pay for the software, inventory, and consulting services.

CONCLUSION

▣ Questions? - Comments

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorize the City Manager to execute a lease renewal with Golden State YMCA for the use of certain property located within Whitendale Park, 600 W. Beech Street, for the purpose of pre-school and child care programming.

Deadline for Action:

Submitting Department: Parks and Recreation

Contact Name and Phone Number: John Bradley, Recreation Supervisor, (559) 713-4585

Department Recommendation: City staff recommends that the City Council authorize the City Manager to execute a lease renewal with Golden State YMCA for the use of certain property located within Whitendale Park, 600 W. Beech Street, for the purpose of pre-school and child care programming.

Summary/background: In 1995, the City entered into a lease agreement with Golden State YMCA for the use of certain property located at Whitendale Park for the purpose of providing pre-school and child care programs. This lease allowed the YMCA to locate two modular structures on the premises to serve as classrooms for programs. In addition, the YMCA installed a playground and surrounded their program area with fencing.

The YMCA plans to continue to provide full time child care while providing kindergarten readiness and development of social skills in a fun, safe and nurturing environment. Activities at this location have included literature, music, science, art and motor skill development.

Unfortunately, in 2009, the YMCA went several months without receiving reimbursements from the State for their child care programs. This caused the closing of a few of the YMCA's facilities, including the program at Whitendale. Once the State passed a budget and resumed payments to the YMCA, the program could not re-build enrollment at that time, families had simply found other child care options. The YMCA's goal was to re-open the program at Whitendale in 2011 but has yet to reach the number of students to re-open. The facility can accommodate a maximum of 43 participants. The current waiting list has 10 participants with a requirement of 28 participants to be able to financially justify re-opening the facility. Although the facility is not currently operating, the YMCA has continued to pay the City of Visalia the

For action by:
 City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
 (Initials & date required)

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

City Mgr _____
 (Initials Required)

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annual lease payment and will continue to pay that payment even if the facility is not operating. The YMCA continues to accept children on a wait list and hope to have enough students to open soon.

The original agreement with the YMCA was executed in 1995 for a term of four (4) years, or until rescinded. The original agreement called for an annual lease payment of \$336.00 per year with an annual inflator based on the Consumer Price Index (CPI). In addition to the annual lease amount, the YMCA was responsible for all facility and ground maintenance related to their program area. The City was responsible for maintenance and upkeep of the irrigation system in and around the facility.

In 2009, the City Amended the Lease Agreement with the YMCA to include language requiring the YMCA to conduct state mandated Playground Safety Certification Inspections and requiring documentation and retention of records required by the state.

The new agreement replaces the original agreement and reflects a five (5) year term with changes as follows:

- Added Playground Certification Inspection Language
- The annual lease shall be \$500 beginning in 2012 and shall be adjusted annual by the CPI. This is consistent with the current payment amount.
- The YMCA shall reimburse annually to the City the direct cost for irrigation maintenance and repair in an amount not to exceed \$1,000 per year.

The maintenance cost has been included in this agreement to recover City resources expended in and around the YMCA facility related to the irrigation system. After reviewing prior year allocations from the Park Maintenance Division, City staff discovered that the City was expending more in maintenance costs than was received in Lease revenues. The new agreement corrects this.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Lease Agreement

Recommended Motion (and Alternative Motions if expected): I move to authorize the City Manager to execute a lease renewal with Golden State YMCA for the use of certain property located within Whitendale Park, 600 W. Beech Street, for the purpose of pre-school and child care programming.

Copies of this report have been provided to:
Golden State YMCA

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization for the City Manager to execute a Pipeline Crossing Agreement with Union Pacific Railroad to construct a pipeline to transport recycled water from the Water Conservation Plant to Valley Oaks Golf Course and Plaza Park.

Deadline for Action: N/A

Submitting Department: Public Works

Contact Name and Phone Number: Manuel Molina, Associate Engineer, 713-4491

Department Recommendation:

Staff recommends authorizing the City Manager to execute a Pipeline Crossing Agreement with Union Pacific Railroad to allow the City to install a 42-inch diameter pipeline under Union Pacific's tracks that will supply recycled water (upgraded from secondary to tertiary treatment) from the Water Conservation Plant on the west side of Highway 99 to Valley Oaks Golf Course and Plaza Park.

Summary/background:

The City is working on a project to upgrade the Water Conservation Plant so that all effluent will be treated to extremely clean tertiary levels. The project also includes installation of a pipeline to deliver recycled water wastewater to Plaza Park and Valley Oak Golf Course for irrigation of landscaped areas. The pipeline will start at the Water Conservation Plant, near Road 68 and Avenue 288, and pass under State Route 99 and the Union Pacific Railroad tracks and then through City-owned farmland, south of the airport. The line then follows Plaza Drive to reach the park and golf course. The Pipeline Crossing Agreement with Union Pacific must be executed to allow the pipeline to be installed under the tracks.

The terms of the Agreement are typical of Railroad Crossing agreements that the City has entered into in the past. The terms have been reviewed by the Public Utilities Commission, City Attorney and City Staff and found to be acceptable. There is not a requirement for the City to make annual payments to the Railroad or maintain insurance except when working within Union Pacific's right-of-way. In addition to train "flagging" fees during the installation of pipe at the railroad crossing, the City will be required to pay \$2,986 to cover Union Pacific's staff time to process the agreement.

For action by:
 City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
 (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.

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This pipeline agreement is necessary for the City to reach its objectives regarding beneficial re-use of tertiary-treated water to be available following the future upgrade of the City's Water Conservation Plant. The upgrade will increase the level of wastewater treatment at the plant to enable treated water to be used for irrigation of landscaped areas through a "purple pipe" system. Staff recommends that Council authorize this agreement to enable the pipeline to be constructed as part of the upcoming Water Conservation Plant upgrade.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: none

Alternatives: None recommended.

Attachments: Exhibit "A"

Recommended Motion (and Alternative Motions if expected):

Authorize the City Manager to execute a Pipeline Crossing Agreement with Union Pacific Railroad to install a recycled water pipeline from the Water Conservation Plant to Plaza Park and Valley Oak Golf Course.

Environmental Assessment Status

CEQA Review: To be part of pipeline project construction review.
NEPA Review:

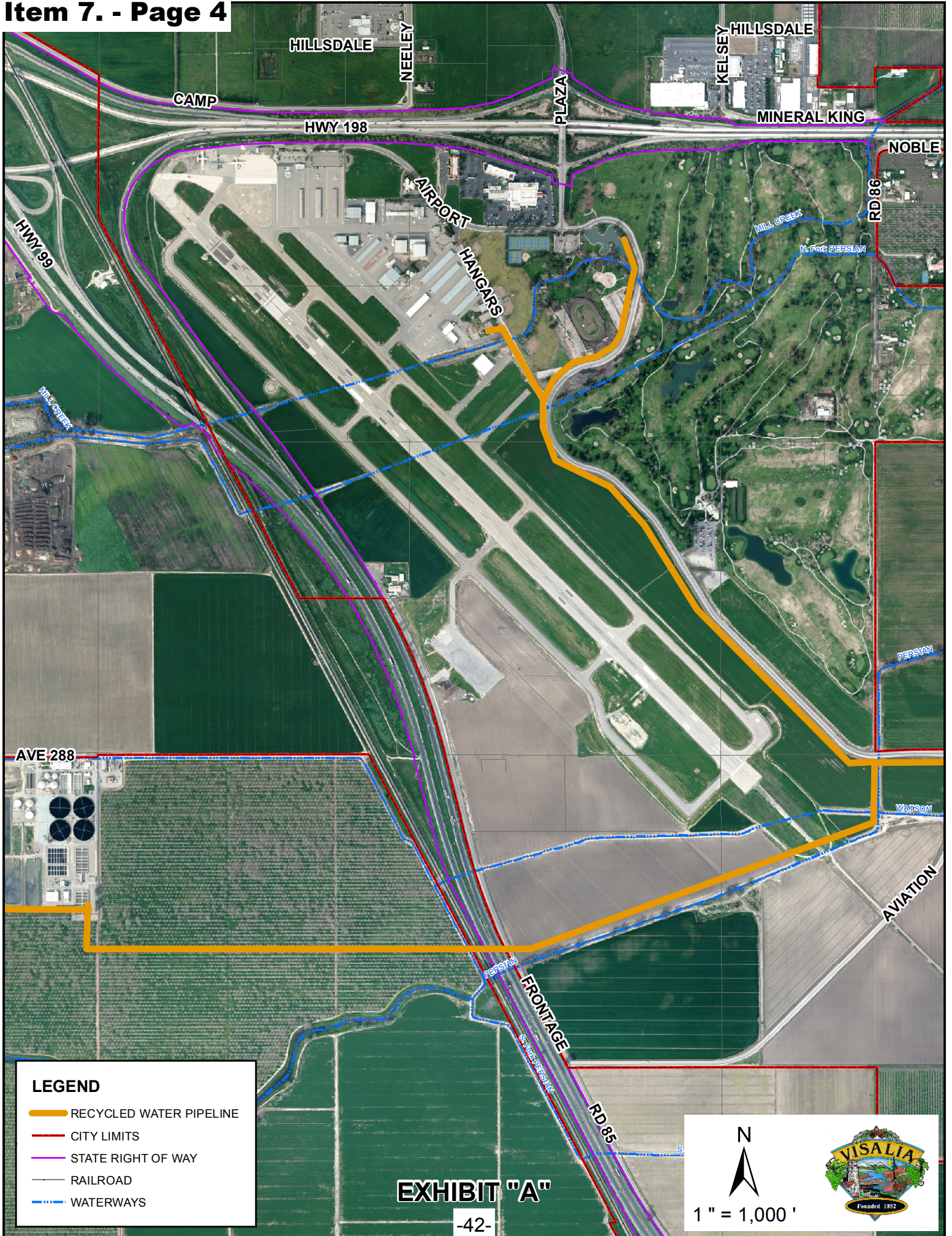
Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

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Page 2

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**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Award Contract for Aviation Fuel Supplier to Air Petro Corporation to provide fuel for retail sales at the Visalia Municipal Airport.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number:
Mario Cifuentez – Airport Manager, 713-4480

Department Recommendation: Staff recommends that Council authorize the City Manager to execute the Aviation Retail Fuel Supply Agreement with Air Petro Corporation, to provide retail fuel supply for the Visalia Municipal Airport.

Summary/background:

In April 2010, Chevron Aviation made a decision to remove themselves as a direct provider of Aviation Fuels to all retail operations, nationwide. As such, they made to the decision to only provide their products through regional “jobbers”. Chevron chose the Hiller Group on the East coast and they selected Air Petro corporation as their West coast jobber.

In October 2010, the City issued a Request for Proposals (RFP) seeking fuel suppliers for the airport’s retail fuel operation. The City published the RFP and mailed copies to the 4 fuel providers on the West coast. The City received only one response to the Aviation Fuel RFP, due mainly to the fact that the airport has experienced a sharp decline in fuel sales over the past few years. The decline mirrors that of the industry as a whole and is a direct result of the downturn in the economy and corporations and individuals choosing to fly less. However, the industry appears to finally be turning around and fuel sales at the airport are up 20% so far in FY 11/12 over the previous year.

The sole respondent was Air Petro, which had already taken over for Chevron and was already providing the airport with its fuel, in the interim, until a contract could be negotiated with a fuel provider. In addition to the standard provisions to provide fuel, their proposal also provided some extra incentives not included in the previous contract with Chevron, including funding for improvements to the fueling equipment, which will result in lower maintenance costs for the airport. The new contract also provides for reimbursement to the airport for marketing expenses. With the cost of fuel so high everywhere, pilots have begun using the internet to

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)

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Item 8. - Page 2

check fuel prices and plan their fuel stops accordingly. The co-op marketing money provided in this new contract will allow the airport to market our products and services on several aviation web sites, which up until now we haven't had the funding to do. The hope is that the online marketing will show pilots flying up and down the valley that the Visalia Airport has competitive fuel pricing and the ability to provide fast refueling operations, which could help to increase aircraft operations and ultimately increase fuel sales and revenue for the airport enterprise fund.

As part of the proposal, Air Petro provided the City with a history of fuel pricing for other comparable airport retail vendors. Staff analyzed the proposal and pricing history and had some questions about what appeared to be pricing structure changes. All of the pricing comparisons that were provided were for similar airport operations, which were run by municipalities. After reviewing a 6 month history for those vendors, it became apparent that they were being charged on a different pricing structure than Visalia was. Air Petro worked with the airport to identify the difference, which turned out to be a problem with the formula used to calculate the shipping charges for deliveries to Visalia. The City was overcharged on four (4) deliveries, until the error was discovered. Upon being notified of the discrepancy, Air Petro immediately reduced the shipping charges of subsequent loads to compensate the Airport fund for the error.

The City of Visalia has operated the retail fueling operation, at the airport, since the late 70's when the private operator went out of business. Since that time, the airport has always provided fuel to both based tenants and transient aircraft and the fueling operation has become one of the most significant revenue sources for the airport.

The airport enterprise fund is a \$2 million per year operation and the fueling operation accounts for approximately 50% of the total revenue for the airport operation. Less the cost of goods sold, the fueling operation provided approximately \$220,529 in net resources for the airport in FY 10/11. The revenue generated from the fuel sales is a large part of the money used as the matching funds to accept those FAA grants necessary to ensure the growth and continued safe operation of the airport. The Airport enterprise fund relies heavily on the revenue derived from the fueling operation to keep the fund self-sufficient. Faced with operating without the fueling revenue, the airport would be forced to make up the lost revenue in the form of increased hangar rents, ground lease rates, fuel flowage fees to tenants, landing fees and other airport fees that would only serve to drive users away from the Visalia Airport

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Not award this contract and lose a source of retail fuel product.

Attachments: Aviation Retail Fuel Supply Agreement

Recommended Motion (and Alternative Motions if expected): Move to Award the Contract for the Aviation Fuel Supplier to Air Petro Corporation to provide fuel for retail sales at the Visalia Municipal Airport

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: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Award the construction contract and authorize the City Manager to execute an agreement for the Santa Fe Street Pedestrian Corridor to the low bidder, DOD Construction, in the amount of \$142,494.50 and request an additional appropriation of \$27,000 from the Gas Tax fund. Project Number 3011-0-720000-0-8209.

Deadline for Action: November 21, 2011

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:
Greg Dais, Project Manager, 713-4256
Adam Ennis, Assistant Director of Engineering, 713-4323
Chris Young, Community Development Director, 713-4392

Department Recommendation: Staff recommends that Visalia City Council award the construction contract for the Santa Fe Street Pedestrian Corridor project to the low bidder, DOD Construction, in the amount of \$142,494.50 and request an additional appropriation of \$27,000 from the Gas Tax fund. Project Number 3011-0-720000-0-8209.

Summary: The Santa Fe Street Pedestrian Corridor project involves improving the pedestrian corridor along the western side of Santa Fe Street between Main Street and Murray Avenue. Construction items include; sidewalk, decorative street lighting, "street trees" with irrigation, benches and trash receptacles to be installed along the corridor. This project serves to aesthetically and functionally enhance pedestrian access from Main Street to the City of Visalia's Downtown Transit Center.

On October 27, 2011, five (5) bids were opened and the low bidder was DOD Construction in Bakersfield, CA at \$142,494.50. The 5% local preference is not allowed by State law on construction contracts. The project is scheduled to start in January 2012 and will take thirty working days to complete.

A Transportation Enhancement (TE) Grant provided \$6,000 towards design, right of way and grant processing with the City required to fund the remainder of these costs. Construction cost

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

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): ____.

Review:

Dept. Head _____
(Initials & date required)

Finance AS 11/16/11
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

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of the project is funded by a combination of the federal Transportation Enhancement (TE) Grant and a required 12.6% local match from the City's Gas Tax transportation fund.

Staff requests that Council authorize an additional appropriation of \$27,000 from the Gas Tax Fund (1111). This additional funding will cover costs for funding processing, design of the project, right-of-way and the required match for construction of the project.

Background: This project will greatly enhance the experience of transit users and the downtown business community as well. It will be a corridor that is simultaneously safer (sidewalks and lighting), more attractive (trees, benches, sidewalks, streetlights), and more user-friendly (ADA-compliant sidewalks, shade from the trees, and benches on which to rest). It will promote a cleaner downtown by providing convenient trash receptacles. It also encourages multimodal transportation by making it pleasant to walk to and from the new Transit Center.

The Santa Fe Street Pedestrian Corridor Murray to Main Street Project also fits into the Transportation Aesthetics and Scenic Values Specific Division because the trees and decorative streetlights will greatly enhance the appearance of the transportation corridor in connection with the Santa Fe Street Transit Center. In addition to pedestrians and transit riders, motorists and cyclists will also appreciate the visual enhancement of the downtown area resulting from this project.

On October 27, 2011, the City of Visalia opened five (5) bids submitted for the Santa Fe Pedestrian Corridor Project. The result of the bid opening is below:

Contractor	Total
DOD Construction (Bakersfield, CA)	\$142,494.50
RC General Engineering Inc., (Visalia, CA)	\$164,648.95
Hobbs Construction (Fresno, CA)	\$192,355.00
American Paving Co. (Fresno, CA)	\$273,086.40
Halopoff & Sons (Porterville, CA)	\$250,607.57

DOD Construction is in the progress of completing a Safe Route to School project in the City of Wasco. City of Wasco representatives indicated that they would recommend DOD Construction for this City project. DOD Construction is also in the process of completing a sidewalk, handicap ramps and pave out in the City of Corcoran. City of Corcoran representatives also recommended DOD construction for similar work.

Funding

Due to design, right of way and City match costs, it is necessary to appropriate additional local funding of \$27,000 to ensure project costs are covered. No portion of the General Fund will be used on this project. Below is a breakdown of costs and funding.

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Pre-Construction Cost (Design, Funding Processing and Right of Way):

Total pre-construction cost	\$ 36,000
Grant Funding	<u>\$ - 6,000</u>
Total City share for pre-construction cost	\$ 30,000

Construction Costs (Contractor, Surveying, Testing, Construction Management):

Estimated Construction Cost	\$ 170,494
Grant Funding	<u>\$ - 149,012</u>
Total Construction City Match	\$ 21,482

Total City Share:

Pre-Construction Cost	\$ 30,000
Construction Cost	<u>\$ 21,482</u>
Total City Share	\$ 51,482
Previously Budgeted	<u>\$ - 25,000</u>

Additional Appropriation Needed \$ 26,482

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Project Site Map – Exhibit #1

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 the Santa Fe Street Pedestrian Corridor project to the low bidder, DOD Construction, in the amount of \$142,494.50 and authorize an additional appropriation of \$27,000 from the Gas Tax Fund for this project. Project Number 3011-0-720000-0-8209.

Environmental Assessment Status

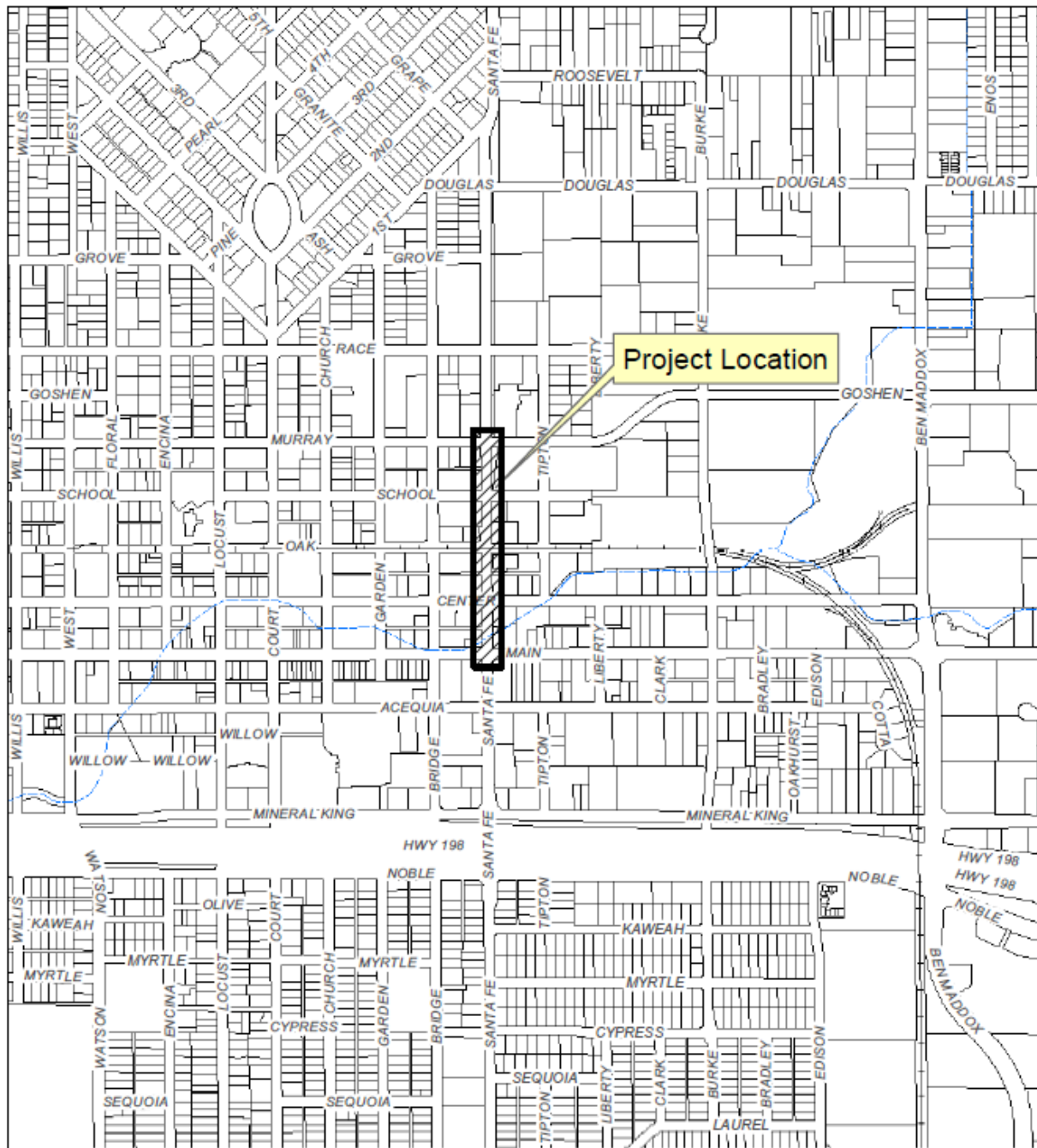
CEQA Review: Categorical Exemption – April 2010

NEPA Review: Categorical Exclusion under 23 CFR 771.117(c): activity (c) 3 – April 2011

Recertification:

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:



Santa Fe St Pedestrian Corridor



Scale: 1"=800'

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization to purchase three (3) 35 foot low floor CNG expansion fixed route buses from Gillig Corporation in the amount up to \$480,000 each for a total not to exceed \$1,440,000 with grants and other restricted transit funding.

Deadline for Action: November 21, 2011

Submitting Department: Administration Department – Transit Division

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

Department Recommendation

Authorization to purchase three (3) 35 foot low floor CNG expansion fixed route buses from Gillig Corporation in the amount up to \$480,000 each for a total not to exceed \$1,440,000 with grants and other restricted transit funding.

Summary

Staff is requesting authorization from Council to Purchase three (3) 35 foot low floor fixed route expansion buses from Gillig Corporation for use in the City of Visalia bus operations. Staff is taking advantage of purchasing options that Akron, Ohio Metro Regional Transit Authority has in place with Gillig Corporation (commonly known as piggybacking). The price is based on a competitive bidding process conducted by Akron. Council approved a Congestion Mitigation Air Quality (CMAQ) grant application for this purchase in September. While this project is eligible for 100% funding with CMAQ funds of \$1,350,000, the total cost exceeds the federal amount available; therefore, approximately \$88,000 will be required from the Local Transportation Fund (LTF) which is derived from state 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.

Discussion:

These expansion buses will provide needed capacity generated by recent ridership increases of 10-20%. This purchase is another major step toward making the City bus fleet 100%

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.

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alternative fuel. With this purchase, the City will have an alternative fuel fleet of twenty-seven (27) fixed route buses, twelve (12) Dial-A-Ride buses and three (3) CNG trolleys or a total of 42 out of 48 transit vehicles. This is consistent with current City policy to utilize alternative fuel wherever possible. Fueling the buses is performed via the CNG fueling facility, located on Cain Street between the Corporation Yard, and the bus operations facility, at a savings of over 30% compared with the cost of diesel or gasoline fuel. By 2016, the goal is to have the bus fleet comprised 100% of alternative fuel vehicles, although staff will continue to look for opportunities to accelerate this effort wherever possible.

Prior Council/Board Actions:

Council authorized CMAQ application for the purchase of these buses on 9/19/11.

Committee/Commission Review and Actions: None

Alternatives: None recommended

Attachments: None

Recommended Motion (and Alternative Motions if expected):

I move that the City Council authorize staff to appropriate funds and purchase three (3) 35 foot low floor fixed route CNG buses from Gillig Corporation in the amount up to \$480,000 each for a total not to exceed \$1,440,000 with grants and other restricted transit funding.

Environmental Assessment Status

CEQA Review:

NEPA Review:

Financial Impact

Funding Source:

Account Number: 4511-00000-720000-0-9223

Budget Recap:

Total Estimated cost: \$ 1,440,000

Amount Budgeted: \$ 1,440,000

New funding required: \$ 0

Council Policy Change: Yes _____ No X

New Revenue: \$ 0

*Lost Revenue: \$

New Personnel: \$

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
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Notification and acceptance of the AVOID the 18 DUI grant award from the Governor’s Office of Traffic Safety (OTS), and authorization for the City Manager to execute the grant agreement and appropriate \$272,000 in the General Fund for grant expenditures.

Deadline for Action: N/A

Submitting Department: Police

Contact Name and Phone Number: Chief Colleen Mestas, xt. 4215; Captain Rick Haskill, xt. 4205; Lieutenant Ed Lynn, xt. 4104; Sergeant Chris McLain, xt. 4232

Department Recommendation: It is recommended that the City Council authorize the City Manager to execute an agreement with the Governor’s Office of Traffic Safety (OTS) and appropriate \$272,000 in the General Fund for grant expenditures.

Summary/background: The Visalia Police Department has received notification of a grant award from the California Office of Traffic Safety for the AVOID the 18 DUI grant.

The Governor’s Office of Traffic Safety is sponsoring the AVOID grant, which provides participating agencies the overtime funds, equipment, and resources necessary to operate complete DUI enforcement programs. With various strategies, DUI enforcement is aggressively targeted through checkpoints, saturation details, warrant details, court stings, and task force operations. The AVOID campaign is dedicated to reducing the number of alcohol related collisions, increase the number of DUI related arrests, and raise general public awareness regarding the problems associated with drinking and driving.

The AVOID grant is a regional DUI effort in Tulare and Kings County. Based upon its size and prior history with grants, the Visalia Police Department is serving, at the request of OTS, as the host agency for this campaign. Participating agencies include police departments from the cities of Dinuba, Exeter, Farmersville, Tulare, Porterville, Woodlake, the College of the Sequoias, the Tulare County Sheriff’s Office, the Tulare County Probation Department, and the Visalia office of the California Highway Patrol. Kings County is represented by police departments from the cities of Hanford, Lemoore, Corcoran, Avenal, the Kings County Sheriff’s Office, the Kings County Probation Department, and the Hanford office of the California Highway Patrol.

As the host agency, the Visalia Police Department will be overseeing the grant during this collaborative effort. The grant will provide for all operational, administrative, and equipment costs associated with the

For action by:
 City Council
 Redev. Agency Bd.
 VPFA

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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campaign. In addition to the overtime expenses, the Police Department will also be receiving funds for additional DUI related equipment, PAS devices, and calibration tools.

The DUI enforcement and education grant will provide up to \$272,000 with no matching funds required by the City of Visalia. The funding period for this grant is October 1, 2011 through September 30, 2012. However, as a result of a delay involving OTS, the Police Department recently received all correspondence related to the grant. The grant provides for all participating agencies the overtime needed for allocated personnel.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions:

Alternatives: Refuse grant funding.

Attachments: None

Recommended Motion (and Alternative Motions if expected): I move that the City Council authorize the City Manager to execute the grant agreement with the Governor’s Office of Traffic Safety and appropriate \$ 272, 000 in the General Fund for grant expenditures.

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: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization to submit a \$100,000 grant to San Joaquin Valley Air Pollution Control District for five hybrid passenger cars. Allocate a total of \$25,000 (approximately \$5,000 from each account) from the Vehicle Replacement Fund, Solid Waste and Wastewater as matching funds to purchase the cars.

Deadline for Action: N/A

Submitting Department: Public Works

Contact Name and Phone Number:
Andrew Benelli, Public Works Director, 713-4340

Department Recommendation:

Staff recommends authorizing the City Manager to submit a Public Benefit Grant Application to San Joaquin Valley Air Pollution Control District (SJVAPCD) for five hybrid passenger cars. Also allocate \$25,000 the Vehicle Replacement Fund, Solid Waste and Wastewater as matching funds to pay for the cars.

Summary/background:

The San Joaquin Valley Air Pollution Control District is offering grants to purchase hybrid cars through the Public Benefits Grant Program. These grants funds up to \$20,000 per car with the grant recipients paying any cost above this amount. The funds are available on a first-come, first-served basis to cities, counties and special districts. Each agency can apply for up to five cars. Due to the first-come, first-served process, staff has submitted the application and is asking for verification of Council support for accepting the grant funds. The application can be withdrawn if the Council does not approve the allocation of the matching funds.

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.): 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.

If the City receives the grant, the cars will be used in the following divisions:

1. Fire Prevention to replace a 1999 Ford Crown Victoria
2. Fire Prevention to replace a 2001 Ford Crown Victoria
3. Natural Resources to replace a 1996 Chevy S10 Pickup
4. Recreation to replace a 1996 Chevy Lumina
5. Parking Enforcement to replace a 1999 Go-4 Scooter

The cars that will be replaced all have high mileage and are scheduled for replacement. The matching funds for four of the cars will be from the Vehicle Replacement Fund. The match for the car going to Natural Resources will be half from Wastewater and half from Solid Waste.

If the City is awarded the grant, a Request for Bids will be issued to purchase the cars. The grant allows any brand of hybrid or electric car. Staff research indicates that Toyota Prius' and Honda Civics are the least expensive hybrids (less than \$25,000), but other cars could also be considered. The total cost to the City will not exceed \$25,000 for approximately \$125,000 in total value. The City's local preference policy allows Tulare County dealers to bid five-percent higher and still be considered the low bidder. The City can also legally buy from the dealer that was the low bidder on the State contract. The bids will be presented to City Council for final approval.

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

Alternatives: Do not authorize the City Manager to submit the grant application.

Attachments: None

Recommended Motion (and Alternative Motions if expected):

Authorize the City Manager to submit a grant application to San Joaquin Valley Air Pollution Control District to purchase five hybrid passenger cars and allocate funds to pay for the cost of the cars that exceed the grant award up to \$25,000 from the Vehicle Replacement Fund, Solid Waste and Wastewater.

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: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Approval of the 2011/12 transit agreement with Tulare County.

Deadline for Action: November 21, 2011.

Submitting Department: Administration – Transit Division

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

Department Recommendation: Approve the 2011/12 transit agreement with Tulare County and authorize the City Manager to execute the necessary documents.

Summary/background: This agreement is an annual agreement between the City of Visalia and Tulare County to provide Visalia Transit (VT) service to the unincorporated areas of the greater Visalia Urbanized Area contiguous to the City, including Goshen.

The agreement includes a transfer of \$309,395 from the County to the City equal to the County portion of the VT service provided. Of this amount, \$198,452 is transferred from the County’s portion of the Local Transportation Fund and the remaining \$110,943 is comprised of federal funds and farebox revenues which the City collects and retains. This \$309,395 covers the service to Goshen and the other county pockets within the Visalia Urbanized Area. It does not include any service to Farmersville or Exeter as this is addressed through separate agreements with those cities.

Various formulas are used to determine the percentage of service provided to the County and then this percentage is applied to the entire VTT budget to determine the County’s share. The formulas were developed the first year of the annual agreement in 1981 and updated each year since. The formulas are based on a percentage of the ridership who reside in the County (5% for Fixed Route & 8% for Dial-A-Ride), a multiplier factor adjusting for the distance to get to and from the County (1.3), and the number of service hours expended within the County areas (8%). The funds are taken from the County’s share of the Federal Transit Administration (FTA) Section 5307, County Local Transportation Fund and farebox revenues.

Prior Council/Board Actions: Since 1981, the City and County have entered into annually updated agreements for the provision and coordination of public transit services in the Visalia Urbanized Area.

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)

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Committee/Commission Review and Actions: None

Alternatives: The City could elect not to service the unincorporated sections of the Visalia Urbanized Area, requiring the County to find an alternate provider. Such action could result in less efficiency and increased costs in the Visalia Region.

Attachments: Copy of the Agreement

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move that the City Council approve the 2011/12 Transit Agreement between the City of Visalia and the County of Tulare providing Visalia Transit (VT) service to the unincorporated sections of the greater Visalia Urbanized Area contiguous to the City, and authorize the City Manager to execute the necessary documents.

Financial Impact

Funding Source:

Account Number:

Total Estimated cost: \$0	New Revenue: \$ 0
Amount Budgeted: \$ 0	Lost Revenue: \$
New funding required:\$	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: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization to submit a Letter of No Prejudice (LONP) to Caltrans for the Transit Operations & Maintenance Facility project in order to use future 2006 Proposition 1B Transportation Bond Act (Prop 1B) funds for this project.
Resolution No. 2011_____required.

Deadline for Action: November 21, 2011

Submitting Department: Administration Department – Transit Division

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

Department Recommendation

Authorization to submit a required Letter of No Prejudice (LONP) to Caltrans for the Transit Operations & Maintenance Facility expansion project in order to use future 2006 Proposition 1B Transportation Bond Act (Prop 1B) funds for this project.

Summary/Discussion:

The City of Visalia Transit received and used American Recovery & Reinvestment Act (ARRA) funds of \$873,552 to construct the Transit Operations & Maintenance Facility. The rest of the funds were programmed for Prop 1B. In order to keep the project on schedule, the City of Visalia is using Local Transportation Funds (LTF) that will be reimbursed once Prop 1B funds are available. The City of Visalia programmed its 2009/10 (\$706,231) and 2010/11 (2,752,200) Prop 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) allocations for funding of the Transit Operations & Maintenance Facility. A delay in the project’s construction would not allow it to be completed as planned.

Assembly Bill 672, signed by the Governor on October 11, 2009, authorizes the California Transportation Commission (CTC) to approve a Letter of No Prejudice, which allows local agencies to proceed with their eligible projects using other sources of revenue prior to an allocation of funds with the expectation, but no guarantee, the CTC will approve a Prop 1B PTMISEA fund allocation when bond funds become available. In the event that the allocation of Prop 1B PTMISEA funds for this project are not made available in time for project construction completion, having a LONP would give the City of Visalia the flexibility to use LTF

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 potentially be reimbursed at a later date. The funds approved by voters through Prop 1B are guaranteed; however, delayed due to the State's difficulty in selling the required bonds. In an effort to address this issue, and allow agencies to benefit from the competitive construction market, the Legislature passed a law allowing agencies to use local funds up front and be reimbursed later when bond funds are available. This Letter of No Prejudice is required and is specific to the Bus Operations and Maintenance Facility Expansion project in the amount of \$3,458,431. Staff has managed these funds in a way that the Prop 1B and LTF funds are both available for this project and can be used for future projects once all the Prop 1B funds have been received. It is expected that this will occur anytime within the next 1-3 years.

Background:

The Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA) was created by Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the \$19.925 billion available to Transportation, \$3.6 billion dollars was allocated to PTMISEA to be available to transit operators over a ten-year period. PTMISEA funds may be used for transit rehabilitation, safety or modernization improvements, capital service enhancements or expansions, new capital projects, bus rapid transit improvements, or rolling stock (buses and rail cars) procurement, rehabilitation or replacement. Funds in this account are appropriated annually by the Legislature to the State Controllers Office (SCO) for allocation in accordance with Public Utilities Code formula distributions. TCAG receives the regional apportionment of these funds, which are distributed to agencies based upon population. Only agencies that are transit operators are eligible for an allocation of funds under State Transit Assistance per Public Utilities Code (PUC), Section 99314. TCAG serves as the project sponsor for any agencies that cannot directly receive funds under Section 99314, but are eligible for an allocation of funds under the State Transit Assistance per PUC, Section 99313.

Prior Council/Board Actions: None.

Committee/Commission Review and Actions: None

Alternatives: None recommended

Attachments: Resolution

Recommended Motion (and Alternative Motions if expected):

I move that the City Council authorize staff to submit a Letter of No Prejudice (LONP) to Caltrans for the Transit Operations & Maintenance Facility project in order to use future 2006 Proposition 1B Transportation Bond Act (Prop 1B) funds for this project. **Resolution No. 2011___Required.**

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Financial Impact

Funding Source:

Account Number:

Budget Recap:

Total Estimated cost: \$ 0

Amount Budgeted: \$ 0

New funding required: \$0

Council Policy Change: Yes _____ No X

New Revenue: \$ 0

*Lost Revenue: \$

New Personnel: \$

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)*

RESOLUTION NO. 2011-__

A resolution of the City Council approving a Letter of No Prejudice for the City of Visalia for the Transit Operations & Maintenance Facility Expansion project.

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006, authorized the issuance of \$19.925 billion in State general obligation bonds for specific transportation programs intended to relieve congestion, facilitate goods movement, improve air quality, and enhance the safety of the states transportation system, and

WHEREAS, the State's current economic condition has placed these programs at risk due to the difficulty in selling bonds and the lack of bond funds; and

WHEREAS, the authority and scope for a Letter of No Prejudice come from Government Code Section 8879.501, added by Chapter 463 (Assembly Bill 672) of the Statutes of 2009. The Bill was signed by the Governor on October 11, 2009, and establishes guidelines for approval of Letters of No Prejudice (LONP) for projects or project components approved for funding from the Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA); and

WHEREAS, a project sponsor under PTMISEA may apply to Caltrans for a LONP for an approved PTMISEA project.

WHEREAS, the LONP allows the City of Visalia to expend its own Local Transportation Fund (LTF) and incur reimbursable expense for any component of a program project prior to actual allocation of Proposition 1B funds; and

WHEREAS, the Local Transportation Fund advance will be repaid throughout the upcoming fiscal years with Prop 1B PTMISEA funds; and

WHEREAS, it is understood by the City of Visalia that proceeding is done so at City of Visalia's own risk, as project expense reimbursement under the LONP depends on the availability of Proposition 1B bond funds.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the submittal by City of Visalia Transit staff to submit a Letter of No Prejudice to Caltrans for approval for the City of Visalia Operations & Maintenance Facility expansion in the amount of \$3,458,431.

I, Steve M. Salomon City Clerk of City of Visalia, certify the foregoing is the full and true resolution 2011-__ passed and adopted by Council of the City of Visalia at a regular meeting held on November 21, 2011.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorize the City Manager to enter into a professional services agreement with Mendoza & Associates for Construction Management and Resident Engineer Services for the Plaza Drive Interchange Modification and Widening Project, Project Number 3011-00000-720000-0-9438. The fee will be an amount not to exceed \$1,861,871.25. The construction contract is \$15,884,953.65.

Deadline for Action: November 21, 2011

Submitting Department: Community Development
Engineering Division

Contact Name and Phone Number: Fred Lampe 713-4270,
Adam Ennis, 713-4323, Chris Young, 713-4392

Department Recommendation: Staff recommends that the Visalia City Council authorize the City Manager to enter into a professional services agreement with Mendoza & Associates for Construction Management and Resident Engineer Services for the Plaza Drive Interchange Modification and Widening Project. The fee will be an amount not to exceed \$1,861,871.25. The construction contract is \$15,884,953.65. Construction is expected to begin in January or February, 2011. Contract award will be pending Caltrans and Economic Development Administration (EDA) approval.

Summary: The Plaza Drive Interchange Modification and Widening Project will widen Plaza Drive from Airport Drive to Goshen Avenue. Modifications to the interchange at State Route 198 include bridge and ramp widening. Auxiliary lanes will be added to State Route 198 connecting the ramps at Plaza Drive to the ramps at State Route 99.

On November 1st, 2011 the City received proposals from four firms to provide Construction Management (CM) and Resident Engineer (RE) services for the Plaza Drive Interchange Modification and Widening Project. Mendoza & Associates was chosen as the most qualified firm and will perform the services on a time and material basis with a not to exceed limit of \$1,861,871.25.

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.

Background: The City of Visalia entered into a cooperative agreement with the State Department of Transportation (Caltrans) for the construction of the Plaza Drive Interchange Modification and Widening Project. The City agreed to complete the interchange modifications, bridge widening, and auxiliary lanes according to Caltrans specifications and with Caltrans oversight. The cooperative agreement requires the City to provide a field site representative, who is a California licensed Civil Engineer, to perform the functions of the Resident Engineer. The cooperative agreement directs the City to provide qualified support staff to assist the Resident Engineer in, but not limited to, structural representative, construction surveys, soils and foundation tests, measurement and computation of quantities, testing of construction materials, checking shop drawings, preparation of estimates and reports, preparation of "As-Built" drawings, and other inspection and staff services necessary to assure the construction is being performed in accordance with the plans and specifications.

Since 2005 the City has constructed several large projects including the Acequia Parking Structure, the Sports Park, the Transit Maintenance Facility, the Santa Fe Overcrossing, and the Ben Maddox Bridge Widening. Construction management firms were hired by the city to review plans and specifications, provide constructability reviews, conduct the bid process, and provide contract administration, coordination, planning, and contractor oversight. Construction managers also reviewed, tracked, and processed construction schedules, requests for information, submittals, potential change orders, and potential claims. The project management firms were able to commit their staff as needed to provide these specialized services and to meet the requirements of the various funding sources.

This project has many special needs and requirements. The CM/RE or his designate will be present at all times during construction. Challenges include demolition and disposal of portions of the existing bridge, state highway closures, California Highway Patrol coordination, and construction of the temporary support for the bridge widening. Throughout the project the construction manager will coordinate highway lane closures and full highway closures with detours, and multiple stages of traffic control. Night work will be required. Construction of the concrete drilled pile footings, erection of the bridge false work, and construction of the bridge deck are all strictly regulated by Caltrans. Caltrans has detailed requirements for inspection, testing, traffic control, and record keeping. Caltrans construction projects often combine the responsibilities of the Resident Engineer and Construction Manager, with one firm hired to provide both services. By combining the Resident Engineer and Construction Manager in one firm, the coordination and record keeping are less redundant and more uniform and consistent. Because of the need for qualified personnel and the specialized structural requirements of State Highway bridge construction, city staff believes that the combined Construction Management and Resident Engineer Firm is the best method of managing the construction of the Plaza Drive Interchange Modification and Widening Project

On October 4, 2011 the City Purchasing Department issued a Request for Proposals (RFP) for the Construction Management (CM) & Resident Engineer (RE) Services for the Plaza Drive Interchange Modification and Widening Project. Four firms submitted proposals. The proposals were rated by a committee of City and Caltrans staff. Mendoza & Associates was chosen for their qualifications, the similar projects they have managed, and their familiarity with Caltrans District 6 personnel and procedures.

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The four firms responding to the RFP were:

Caltrop
Harris & Associates
Mendoza & Associates
Omni Means

Mendoza & Associates successfully managed two Highway 198 overcrossing projects for the City of Visalia, the Santa Fe Overcrossing and the Ben Maddox Widening. The projects were completed on time with minimal change orders. The construction contracts were \$5.5 million for the Santa Fe Overcrossing and \$4.8 million for the Ben Maddox project. Both projects included bridge structures with Caltrans oversight.

Fees for the Construction Management and Resident Engineer Services for the Santa Fe Overcrossing and the Ben Maddox Widening Projects were between thirteen percent (13%) and eighteen percent (18%) of the construction contract amounts.

The fee for the Plaza Drive Interchange Modifications and Widening Project are twelve percent (12%) of the construction contract amount. A pre-award audit of Mendoza & Associates' accounting system and procedures is required by the project's funding sources due to the dollar amount of the contract.

Prior Council/Board Actions:

- 1999 – Approve PSR
- February 2006 – Approve time extension
- August, 2006 – Approve Mitigated Negative Declaration
- August, 2007 – Approve Contract with TRC
- May, 2011 – Approve TRC Scope Amendment
- August, 2011 – Approve Developing Architectural Themes
- October, 2011 – Approve TRC Scope Amendment
- November, 2011 – Award Construction Contract to Emmett's Excavation, Inc.

Committee/Commission Review and Actions:

Alternatives:

Use City staff to manage the construction, hiring additional specialized personnel as needed.

Re-distribute the Request for Proposals with a revised scope.

Attachments: Project Site Map – Exhibit #1

Recommended Motion (and Alternative Motions if expected): I move to authorize the City Manager to enter into a professional services agreement with Mendoza & Associates for Construction Management and Resident Engineer Services for the Plaza Drive Interchange Modification and Widening Project, Project Number 3011-00000-720000-0-9438. The fee will be an amount not to exceed \$1,861,871.25.

Environmental Assessment Status

CEQA Review: Mitigated Negative Declaration – approved by council August 2006

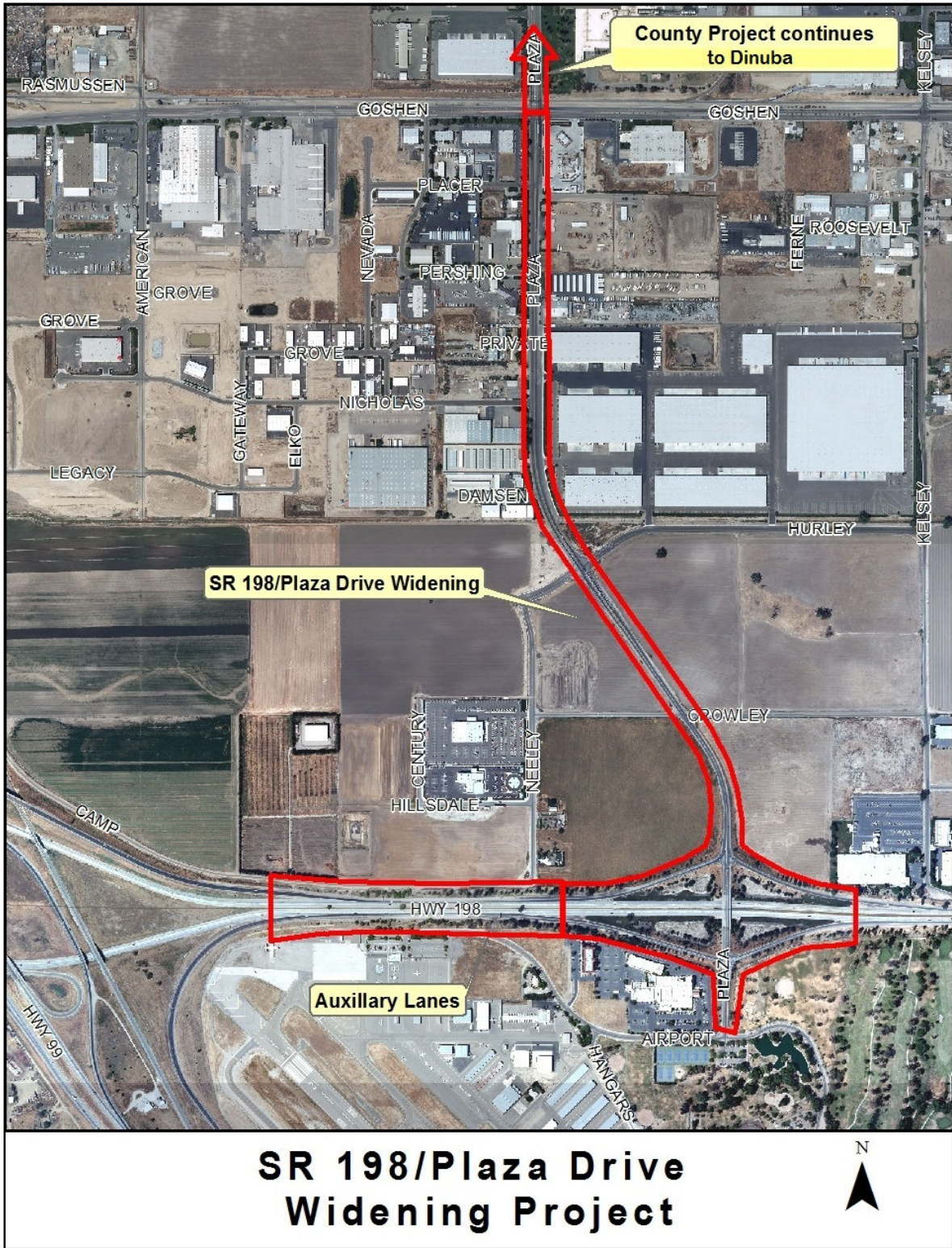
NEPA Review: Finding of No Significant Impact – August 2006

Recertification: February 2011

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:

Exhibit 1
Project Site Map



**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Request authorization to file a Notice of Completion for Taco Bell Off-Site Sewer Extension, Site Plan Review 10-065, located at 2421 N Dinuba Boulevard.

Deadline for Action: N/A

Submitting Department: Community Development
Engineering Division

Contact Name and Phone Number:
Jose Herrera, Public Works Inspector, 713-4446
Adam Ennis, Asst. Community Dev. Director, 713-4323
Chris Young, Community Development Director, 713-4392

Department Recommendation: Staff recommends that Council grant authorization to file a Notice of Completion for Taco Bell Off-Site Sewer Extension, Site Plan 10-065, located at 2421 N Dinuba Boulevard.

Summary/Background: All of the required public improvements related to this commercial project have been completed and are ready for acceptance by the City Engineer. The developer for the off-site sewer extension for this commercial project is Randy George Construction. Randy George Construction has submitted a warranty bond in the amount of \$1,922.10, as required by the Project Improvements Agreement, to guarantee the work, labor and materials furnished for the construction of the public improvements for a period of one (1) year.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

The development plan for this commercial project was approved by the Site Plan Review Committee on June 2, 2010 and was assigned as Site Plan 10-065.

Conditional Use Permit 2010-13 for Taco Bell was approved by Planning Commission at the meeting on November 22, 2010.

Alternatives: N/A

Attachments: Developer Disclosure Form and Location sketch/vicinity map.

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.): 1Min.

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.

Recommended Motion (and Alternative Motions if expected):

I hereby move to authorize the filing of a Notice of Completion for Taco Bell Off-Site Sewer Extension, Site Plan 10-065, located at 2421 N Dinuba Boulevard.

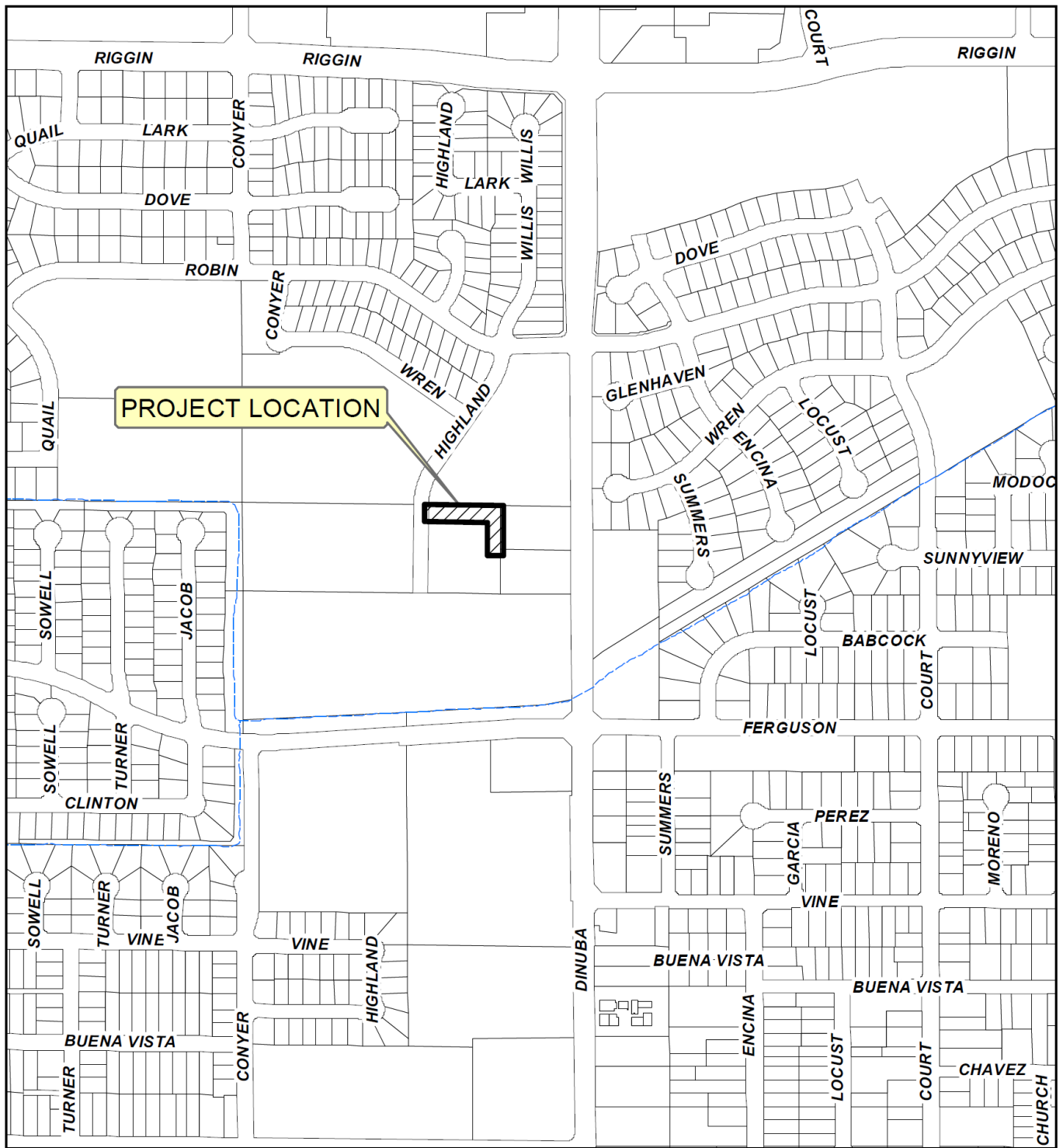
Environmental Assessment Status

CEQA Review: Environmental finding completed with Conditional Use Permit 2010-13.

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:



Sanitary Sewer Extension Taco Bell Development Project



Scale: 1"=500'

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 21, 2011

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Adoption of an inducement resolution (Resolution No. 2011-____) so that the City may issue tax exempt debt to finance the cost of the new Animal Care Center.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number:
Mario Cifuentez – Animal Control Liaison, 713-4480

Department Recommendation: Staff recommends that Council authorize an inducement resolution (Resolution No. 2011-____) authoring the City to issue tax exempt debt to finance the cost of the new Animal Care Center.

Summary/background:

On November 7, 2011, Council received an update on the design of the Animal Care Center and ultimately took the following action:

1. Authorized the architect to move forward with construction document drawings
2. Approved the bidding of the project with the kennel pods as bid alternatives.
3. Authorized staff to enter into negotiations with partner cities regarding future use of the new facility.
4. Authorized staff to solicit funding for the new facility from local lending institutions

The design phase of the project is nearing completion, and the architect is beginning work on the construction drawings. The current project timeline anticipates that the project will go out to bid in March 2012.

Project Financing

The Animal Care Center is projected to cost approximately \$7.2 million dollars in total costs; assuming all current partner cities commit to using the facility. If any of the cities choose not to use the new facility, the project scope will be adjusted.

The City does not have designated funding for the project and will, therefore, have to borrow the funds to cover the project. This inducement resolution gives notice to the U.S. Treasury

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.

Item 18. - Page 2

Department that the City may expend funds on the project, prior to obtaining tax-exempt financing, and intends to reimburse itself for said expenses once the funding is obtained.

Prior Council/Board Actions: November 7, 2011 – Council authorized the completion of construction drawings and authorized staff to bid the project with the kennel pods as bid alternatives.

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Recommended Motion (and Alternative Motions if expected): Move Adoption of inducement resolution (Resolution No. 2011-___) so that the City may issue tax exempt debt to finance the cost of the new Animal Care Center.

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:

ATTACHMENT 1

Resolution No. 2011-___

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA
REGARDING ITS INTENTION TO ENABLE REIMBURSEMENT
OF INTERIM EXPENDITURES
FROM PROCEEDS OF A POSSIBLE FUTURE DEBT ISSUANCE

WHEREAS, the City of Visalia ("City") may finance the costs of construction of a new Animal Care Center (the "Project");

WHEREAS, the City may finance the Project or portions of the Project with the proceeds of obligations, the interest upon which is excluded from gross income for federal income tax purposes, (the "Obligations"); and

WHEREAS, prior to incurring Obligations the city may incur certain expenditures with respect to the Project from available monies of the City, which expenditures are desired to be reimbursed by the City from a portion of the proceeds of the Obligations;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Visalia hereby resolve, order and determine as follows:

1. The City hereby states its intention and reasonably expects to reimburse Project costs incurred prior to the incurrence of the Obligations with proceeds of the Obligations.
2. The reasonably expected maximum principal amount of the Obligations is \$7,975,000.
3. This resolution is being adopted on or prior to the date (the "Expenditures Date or Dates") that the City will expend monies for the portion of the Project costs to be reimbursed from the proceeds of the Obligations.
4. The expected date of incurrence of the Obligations will be within one year of the Expenditures Date or Dates to the date the Project is placed in service, whichever occurs last.
5. Proceeds of the Obligations to be used to reimburse for Project costs are not expected to be used directly or indirectly to pay debt service with respect to any obligation (other than to pay current debt service coming due within the next succeeding one year period on any tax-exempt obligation of the City (other than the Obligation)) or to be held as a reasonably required reserve or replacement fund with respect to an obligation of the City or any entity related in any manner to the City, or to reimburse any expenditure that was originally paid with the proceeds of any obligation, or to place funds that are or will be used in such manner.

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6. The resolution is consistent with the budgetary and financial circumstances of the City, as of the date hereof. No monies from sources other than the Obligation are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City (or any related party) pursuant to its budget or financial statement.
7. The resolution is adopted as official action of the Issuer in order to comply with Treasury Regulation 1.103-18 and any other regulations of the Internal Revenue Service relating to the qualifications for reimbursement of City expenditures incurred prior to the date of incurrence of the Obligations, is part of the City's office proceedings, and will be available for inspection by the general public at the main administrative office of the City.

All the recitals in this Resolution are true and correct and the City Council of the City of Visalia so finds, determines and represents.

ADOPTED, this 21st day of November, 2011

MAYOR

ATTEST:

CITY CLERK