

Visalia City Council Agenda



For the special meeting of: Monday, June 26, 2006

Location: Visalia Convention Center

Mayor: Jesus J. Gamboa
Vice Mayor: Greg Kirkpatrick
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Bob Link

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session Items –

1. Discussion of City Policy on Williamson Act Cancellations and 1240 Exchange Program, with participation from Tamara Galanter of Shute Mihaly & Weinberger, LLP, by conference phone and the City Attorney's Office.
2. Review and provide direction on Lowery Ranch Master Plan (Applicant: Mangano Homes.)
3. Review and provide direction on North Park Promenade Shopping Center located at Riggin Avenue and N. Dinuba Boulevard (Applicant: Donahue Schriber.)
4. Item removed from agenda.

**Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.*

ITEMS OF INTEREST

CLOSED SESSION

6:00 p.m. (Or, immediately following Work Session)

5. Conference with Legal Council – Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Case Name: Hettick v. City of Visalia; TCSC Case No. 05-214421
6. Conference with Legal Counsel – Anticipated Litigation (2)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)

7. Conference with Labor Negotiator
Employee Groups: Confidential, Department Head Employees & City Manager
Agency Negotiator: Carol Cairns, Janice Avila
8. Conference with Real Property Negotiators
Property: Approximately 12.0 acres located south of Hillsdale Avenue, west of Neeley Avenue Alignment
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Andrew Benelli, Visalia Auto Plaza Associates, LLC
9. Conference with Real Property Negotiators
Property: northwest corner of Freeway 99 and Caldwell Avenue
Under Negotiation: Price, terms, conditions of the sale of an interest in real property
Negotiators: Steve Salomon, Michael Olmos, Alex Peltzer, Bob Dowds
10. Conference with Real Property Negotiators
Property: 210-216 N. Tipton, APN 094-240-030 and 031
Under Negotiation: Price, terms, conditions of potential purchase and sale agreement
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Ken Kugler representing Duval L. & Margaret A. Kugler

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

Proclamation Presentation in honor of Recreation & Parks Month for the Month of July.

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight. In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker 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 address.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

11. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.

- a) Authorization to read ordinances by title only.
 - b) Approval of the reappointment of Adam Peck to the Visalia Planning Commission for a 4 year term ending June 2010.
 - c) Authorization to bid the construction of the lift station for the Ranch basin on Goshen Avenue between Demaree and Akers street without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1221-00000-720000-0-9430-2006.
 - d) Authorization for the City Manager to Accept Ownership of (1) Portable Module From the Visalia Unified School District and Relocate Module to the City Owned Facility on Airport Drive That Houses Valley Oak SPCA and Prepare the Module for Occupancy at an Estimated Cost of \$35,000.
12. REGULAR ITEM – Presentation on Convention and Visitors Bureau activities and authorization for the City Manager to enter a contract with the CVB to provide convention and tourism sales and marketing services through June 30, 2007.
13. REGULAR ITEM - Disaster Preparedness Update, Summary of the 2006 Storm Events, and 2006 Snowmelt Impacts.
14. REGULAR ITEM – Status report on proposed TCAG Transportation Sales Tax Measure.
(Written material, if available, may be distributed before or at this meeting.)

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, July 3, 2006 – NO MEETING

Monday, July 17, 2006

Monday, August 7, 2006

Monday, August 21, 2006

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

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.

Visalia City Council Agenda

For the regular adjourned meeting of: Monday, June 19, 2006 to
Monday, June 26, 2006

Location: Visalia Convention Center

Mayor: Jesus J. Gamboa
Vice Mayor: Greg Kirkpatrick
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Bob Link

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

The regular meeting of Monday, June 19, 2006, was adjourned to Monday, June 26, 2006, at 8:00 p.m. (or, immediately following the end of the June 26, 2006, Special Meeting) for the following item(s):

REGULAR SESSION

8:00 P.M. (Or, immediately following Special Meeting of June 26, 2006)

- Remain jointly as the Visalia Redevelopment Agency Board, Visalia Public Finance Authority and the Visalia City Council for the following item, adjourned from Monday, June 19, 2006:

15. PUBLIC HEARING – Approval of the City of Visalia’s multi-year budget for the fiscal years 2006-2007 and 2007-08 for the following: City of Visalia, Redevelopment Agency of the City of Visalia, Visalia Public Finance Authority. **City of Visalia Resolution 2006-59, RDA Resolution 2006-01, VPFA Resolution 2006-01 required, City of Visalia Appropriations Resolution 2006-60.**

- Adjourn as the Visalia Redevelopment Agency Board, Visalia Public Finance Authority and remain seated as the Visalia City Council

Upcoming Council Meetings

Monday, July 3, 2006 – NO MEETING
Monday, July 17, 2006
Monday, August 7, 2006
Monday, August 21, 2006

Work Session 4:00 p.m.
Regular Session 7:00 p.m.
City Hall Council Chambers
707 West Acequia Avenue

Last printed 06/23/2006 3:29 PM

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SHUTE, MIHALY & WEINBERGER LLP

ATTORNEYS AT LAW

E. CLEMENT SHUTE, JR.*
MARK I. WEINBERGER (1948-2005)
FRAN M. LAYTON
RACHEL B. HOOPER
ELLEN J. GARBER
TAMARA S. GALANTER
ELLISON FOLK
RICHARD S. TAYLOR
WILLIAM J. WHITE
ROBERT S. PERLMUTTER
OSA L. WOLFF
JANETTE E. SCHUE
MATTHEW D. ZINN
CATHERINE C. ENGBERG
AMY J. BRICKER
JENNY K. HARBINE

*SENIOR COUNSEL

396 HAYES STREET
SAN FRANCISCO, CALIFORNIA 94102
TELEPHONE: (415) 552-7272
FACSIMILE: (415) 552-5816
WWW.SMWLAW.COM


GABRIEL M.B. ROSS
DEBORAH L. KEETH
WINTER KING
KEVIN P. BUNDY
ANDREA RUIZ-ESQUIDE
SHERIDAN J. PAUKER

LAUREL L. IMPETT, AICP
CARMEN J. BORG, AICP
URBAN PLANNERS

DAVID NAWI
ANDREW W. SCHWARTZ
OF COUNSEL

MEMORANDUM

TO: Honorable Mayor and City Council
City of Visalia

FROM: Tamara Galanter 
Shute Mihaly & Weinberger LLP

DATE: June 21, 2006

RE: City Policy on Williamson Act Cancellations and 1240 Exchanges

OVERVIEW

Developer Mangano Homes is moving forward with a proposal to develop property located north of Riggin Avenue and west of Demaree Road known as the "Lowery Ranch." Currently, 450 acres of the Ranch are under Williamson Act contracts, requiring that the lands remain in their current agricultural state for the duration of the contracts, until 2013 at the earliest. Mangano Homes seeks cancellation of the Williamson Act contracts in order to develop the property prior to the expiration of the contracts, and has expressed interest in participating in what are known as 1240 exchanges. A 1240 exchange would involve the cancellation of Williamson Act contracts on the Lowery Ranch in exchange for the placement of permanent agricultural conservation easements on other comparable parcels of land.

Mangano Homes' interest in a 1240 exchange raises two questions for the City Council: (1) How should the City handle requests for Williamson Act cancellations—should it deal with such requests on an ad hoc basis, or should it adopt a more broadly applicable policy regarding 1240 exchanges? And (2) If the City is interested in

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establishing a policy that will guide this as well as future Williamson Act cancellations in Visalia, should the City designate or prioritize locations for such agricultural easements, and if so, which areas are the most suitable and desirable for permanent agricultural protection?

WILLIAMSON ACT CANCELLATIONS

Under the Williamson Act, landowners desiring to terminate a Williamson Act contract before it expires have two options. The landowner can elect to pay a "cancellation fee" of 12.5% of the assessed value of the contracted land (valued as if it were free of the Williamson Act contract), which is then transmitted to the State General Fund. In order for a landowner to exercise this cancellation option, the City must make findings either that the cancellation is consistent with the purposes of the Williamson Act or that cancellation would be in the public interest, and the Act sets forth a number of criteria to be used in making each of these determinations.

Second, rather than simply paying the cancellation fee, a canceling landowner may participate in a 1240 exchange, whereby, in exchange for cancellation of a Williamson Act contract on the landowner's property, the landowner provides for a permanent agricultural conservation easement on comparable agricultural property. The landowner is responsible for payment of the same cancellation fee as in an ordinary cancellation, but in a 1240 exchange, the money goes towards the purchase of the development rights to create the agricultural conservation easement and thus remains within the community.

For a 1240 exchange, concurrent with pursuing the required cancellation procedure, the landowner identifies an alternative parcel of commercial agricultural land that is suitable for a permanent agricultural conservation easement. This agricultural conservation easement property must meet specific requirements. The easement property must (a) be at least as large as the size of the canceled parcel, (b) have equal or greater suitability for agriculture, (c) be located within two miles of a City's sphere of influence, and (d) be likely to be converted to nonagricultural use in the foreseeable future. The City, as well as the Director of Conservation and the Secretary of Resources must each determine that the proposed agricultural conservation easement meets all of the requirements of the Act in order to approve the exchange.

QUESTION 1: SHOULD THE CITY ADOPT A WILLIAMSON ACT CANCELLATION POLICY?

The effort by Mangano Homes to engage in a Williamson Act 1240 exchange has provided the City with an excellent opportunity to consider its policy regarding

Williamson Act cancellations. Broadly, there are two options for the city to respond to Mangano Homes' and future requests. First, the City can decide to address Williamson Act cancellation requests on an ad hoc basis, and treat each proposed cancellation as it sees best under the circumstances. The advantage of such a policy is that it provides the city with maximal flexibility in dealing with cancellation requests, allowing the City room to change its goals as circumstances change over time. The disadvantage with taking an ad hoc approach is that it will be more difficult for the City to achieve a broadly coordinated agricultural land conservation result and may result in haphazard conservation of discontinuous parcels.

The second option for the City is to adopt a policy for addressing all Williamson Act cancellation requests. This could involve an amendment to the City's Williamson Act Implementation Policy and, if desired, amendments to agricultural policies in the City's general plan and any specific plans.

A Williamson Act cancellation policy could take several forms. For instance, the City could make it a policy to deny all Williamson Act cancellation requests, or to grant all cancellation requests where the City is able to make the requisite findings under the Act.

While these policies may have the advantage of simplicity, they provide little direct benefit to the City. A policy of denying all cancellation requests will be effective in freezing for a period of time the current distribution of conserved agricultural land, but may inhibit planned urban growth and result in disorderly and discontinuous development. A policy of granting all requests where the City is able to make the requisite findings similarly grants the City little discretion going forward and has the added disadvantage of allowing the payment of cancellation fees to the State rather than requiring the money to remain within the community.

More promisingly, the City could adopt a policy of requiring landowners seeking cancellation to participate in 1240 exchanges. One clear advantage of requiring 1240 exchanges is that the cancellation fees, rather than being paid to the State General Fund, will instead be contributed towards the purchase of agricultural conservation easements in or near the City. Since the City has discretion in approving 1240 exchanges, it can use this discretion to ensure that the areas proposed for agricultural conservation will provide a conservation benefit to the City. Because the landowner obtains no direct financial benefit from engaging in a 1240 exchange rather than a standard cancellation, absent requirements for agricultural mitigation, or an active City policy requiring or encouraging 1240 exchanges, there is little incentive for a landowner to go through the 1240 exchange process.

If the City desires more flexibility, it could adopt a policy requiring landowners seeking cancellation to participate in a 1240 exchange, if feasible. By making the City's policy apply only where "feasible," a term which the City has discretion to define, the City can reserve the right to waive the 1240 exchange requirement where its imposition would be unduly onerous, would fail to advance the City's agricultural conservation goals, or where it is not possible to find replacement land suitable for permanent agricultural easement that meets the requirements of the Act.

QUESTION 2: SHOULD THE CITY DESIGNATE OR PRIORITIZE LOCATIONS FOR 1240 EXCHANGE EASEMENTS, AND IF SO, WHICH AREAS ARE THE MOST SUITABLE AND DESIRABLE FOR PERMANENT AGRICULTURAL PROTECTION?

If the City adopts a policy regarding 1240 exchanges, the City will likely want to specify or prioritize certain areas as desirable for protection in order to obtain the maximal agriculture conservation benefit from such a policy. In addition, even if the City decides to proceed on an ad hoc basis, if it decides to pursue a 1240 exchange with Mangano Homes for the Lowery Ranch property, it will want to consider which location of the City is most suitable for an agricultural conservation easement. Specifying regions in advance that the City would prefer to see permanently protected will enable the city to proactively pursue a coordinated approach to agricultural land preservation and create an effective permanent greenbelt or urban growth boundary.

It is not necessary at this stage for the City to specify individual parcels of land that it desires to put into permanent agricultural conservation easement. Indeed, it may in fact be undesirable for the City to do so, since this could have an unintended effect on the value of the development rights on those parcels and on landowners' willingness to sell these development rights. The City could decide to (a) designate a single preferred area for siting agricultural conservation easements, (b) create a list of acceptable areas for easements, or (c) create a hierarchy of locations, ranking locations according to their desirability for preservation.

Candidate areas that the City may want to consider for agricultural easements and for negotiation with Mangano Homes for a 1240 exchange include: (i) land to the south in the current buffer between Visalia and Tulare; (ii) land to the east in the current buffer between Visalia and Farmersville; (iii) land north of the St. John's river; (iv) land along the scenic 198 corridor; and (v) City-owned land near the Caldwell and Highway 99 interchange, and the sewage treatment plant.

June 21, 2006

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In evaluating the desirability of each of these areas, the City should take into account several factors. It should consider where it may wish to establish a permanent greenbelt or urban growth boundary. This determination may depend on the City's plans for future growth, what areas require the most urgent protection from development, and future uses anticipated for various parcels.

The City should also consider whether the property in the area will be able to meet the requirements for the 1240 exchange program listed above in the last paragraph of the section on Williamson Act Cancellations. For example, does the area provide long-term suitability for agriculture while at the same time facing a threat of development in the foreseeable future?

Additionally, the City should consider the cost per acre of obtaining agricultural easements on particular land. Since the 1240 exchange program requires that the size of the agricultural conservation easement be equal to or greater than the size of the contracted parcel, and because the canceling landowner is only required to contribute 12.5% of the cancellation value of the contracted parcel to purchase the easement, it may be infeasible to arrange 1240 exchanges for parcels where the development value is too high without contribution from other sources. In particular, this might affect attempts to use the 1240 exchange program to permanently protect areas along the scenic 198 corridor. Finally, the City should consider the likelihood that the Department of Conservation would find the easement property acceptable.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Lowery Ranch Master Plan Update

Deadline for Action: None

Submitting Department: Community Development

Contact Name and Phone Number:

Fred Brusuelas, AICP 713-4364; Michael Olmos 713-4332

Department Recommendation: Staff recommends the City Council provide comments to staff and the developer (Mangano Homes) regarding the revised Master Plan. Staff also recommends the City Council authorize the filing of a planned development application for City review and approval. In addition, staff would like to solicit Council comments regarding the following:

- The Master Plan layout now incorporates a town center at Linwood and Shannon Parkway, along with mixed use and several multiple family residential areas. These areas of higher urban density are situated along the Shannon Parkway corridor, near the future VUSD School complex. The Master Plan does not show designs or land use mix information for these areas. This information will need to be provided as part of the Master Plan review process. Staff recommends the master plan design be modified to enhance land use relationships in the area adjacent to elementary school and neighborhood park be shifted to connect to the basin. This will enable the town center and future school site to blend with Modoc Basin and Modoc Ditch.
- The project has moved to a more conventional neighborhood design, incorporating more of a grid system. The number of cul-de-sacs has been reduced from 94 to 37. Most cul-de-sacs provide paseos (walkways) to adjoining streets, parks, or waterways/ trails. Council input on the concentration of proposed cul-de-sacs is requested, and whether cul-de-sacs should be reduced in number in favor of a stronger grid layout.
- Linwood Avenue is intended to extend north from Riggin Avenue to Avenue 300. This design will require that a portion of Modoc Basin be filled. The applicant has indicated that discussions are underway with Modoc Ditch Company to potentially transfer

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.):_30_____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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ownership of Modoc Basin to the City. The basin would then be used for storm drainage and groundwater recharge. The basin could be reduced in size, enabling Linwood to be extended and allowing a community park to be incorporated into the facility. The Linwood extension is shown in the City's adopted Circulation Element.

- The Lowery Ranch project will result in physical amenities above and beyond typical development projects. The storm basin and city parks being proposed must be properly funded to ensure the desired functional and aesthetic outcome. It is therefore recommended that an appropriate fee structure be established to pay for construction and maintenance of amenities beyond typical City facilities.
- Linwood Avenue , a collector status street, will constitute the major north-south roadway serving Lowery Ranch. This corridor should be designed in boulevard fashion providing enhanced vehicular and pedestrian access between the Modoc Basin Park/Pond facility and the Town Center and elementary school site.
- An overall residential density of 5.64 dwelling units per acre is proposed. Council has discussed the potential for increasing densities in new developments. Council input is requested on whether the density should be further increased for the Lowery Ranch project.
- The Park and Recreation Commission must play a vital role in creating final recommendations to the City Council. Their review of the Lowery Ranch Master Plan is essential to address the important issues of waterways, trails, open space and recreational facilities.

The applicant, Mangano Homes, has made significant changes to the original Master Plan concept based on past City input. The applicant requests Council input on the latest design and authorization to move the project to the entitlement stage.

Summary/background: The City Council and Planning Commission previously conducted an April 2006 joint work session to review and discuss the proposed Lowery Ranch Master Plan proposal. Numerous comments were made by the City Council and Planning Commission during the work session that have been incorporated into the newly revised design. The revised design shows the northerly connection of Linwood Avenue at Riggin Avenue, a modified storm water basin, creation of a town center, reduced cul-de-sac streets, reduced pocket parks, and an overall increased residential density from 4.4 dwelling units per acre to 5.64 dwelling units per acre. (See attached Lowery Ranch Project Narrative for additional changes).

The applicants are seeking an initiation of their Master Plan and several items are moving ahead of the Master Plan review process. The applicants have submitted items to the Site Plan Review Committee for review and have started preliminary steps toward implementing an agricultural preserve 1240 exchange program. Discussions are moving forward about transferring Modoc Basin to the City as part of Master Plan implementation. It is the request of the applicant that input be received from the City Council, prior to moving forward with their formal Master Plan application submittal.

Major City Council issues and topics related to "Big Picture Goals" of residential density, development capacity, affordable housing strategies, and farmland mitigation should be discussed so that staff and the applicant have a clear understanding as to how the Master Plan design should be crafted.

Several issues will be incorporated into the Master Plan process, including, but not limited to, the following:

- Establishment of a 1240 agricultural conservation easement exchange program;
- Development of an effective mechanism for assuring that the Master Plan is implemented (specific plan, planned development, development/ annexation agreements, etc.);
- Timing of entitlement approvals and development of sensitive land use components (multiple family areas, town center, etc.) so that these components are developed prior to or in conjunction with single family neighborhoods;
- Design of Modoc Basin as a City-owned combined regional park/ storm water retention basin/ groundwater recharge facility that is well connected to Lowery Ranch residential areas and town center and other nearby neighborhoods;
- Creation of a pedestrian trail along Modoc Ditch
- Connectivity to the planned future VUSD complex to be located at the northwest corner of Riggin Avenue and Akers Street;
- Phasing of development and annexation of Lowery Ranch Master Plan area;
- Funding of park and trail facilities, particularly pocket parks and trails, with emphasis on using Landscape and Light Districts to fund land acquisition and maintenance.

It is the desire of staff to meet the full expectations of the City Council goals and objectives. The time spent at this level of preliminary review will improve the overall process and final outcome. This proposed project is not a simple project. The size of this project and its community impact in the city's northwest area deserve the requisite attention to detail.

Prior Council/Board Actions: The City Council previously concluded that the process for review and approval of the project should be a Master Plan.

Committee/Commission Review and Actions: None

Alternatives: Council may request further changes prior to authorizing the project to move to the entitlement stage. Council can direct such changes be reviewed at another work session.

Attachments: Lowery Ranch Project Narrative
Revised Lowery Ranch Master Plan
Previous Lowery Ranch Master Plan
Ownership Disclosure Statement

Recommended Motion (and Alternative Motions if expected): I recommend the City Council authorize the applicant to file the various entitlement applications for the Lowery Ranch Master Plan and incorporate those comments made by the Council.

Environmental Assessment Status

CEQA Review: To be completed for entitlement process.

NEPA Review: None

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: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Review of North Park Promenade Shopping Center located at Riggins Avenue and N. Dinuba Boulevard

Deadline for Action: None

Submitting Department: Community Development

Contact Name and Phone Number:
Fred Brusuelas, AICP 713-4364

Department Recommendation: Staff recommends that the City Council comment on the design proposal and authorize the Specific Plan process to move forward.

Summary: In recent months, City staff has worked with the applicant Donahue Schrieber Company of Costa Mesa, on design issues affecting the proposed shopping center. The applicant has made changes based on staff input. Because the site is designated Community Commercial in the General Plan, a specific plan must be prepared and adopted per plan policies. Several issues remain to be resolved during the specific plan process if authorized by Council. These issues include, but are not limited to, the following:

- This project will have two nationally recognized major tenants (general merchandise and home improvement shown as Major A and Major F). The street frontages along Riggins and N. Dinuba are currently open to these stores with a landscaped setback and parking lots. Based on staff comments, other areas of the shopping center have shop and restaurant pads to help soften the streetscape and create an internal village shopping environment. The applicant indicates that additional buildings along Riggins Avenue west of Dinuba Boulevard is impractical due to the narrow depth of the lot. Both major tenants also have significant parking standards (exceeding City standards). Council comment is requested regarding whether further redesign is needed to reduce expansive parking fields in front of the major tenants.
- Compatibility with and connectivity to surrounding existing and future neighborhoods will need critical evaluation and implementation measures in the specific plan. Developed

For action by:

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

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Est. Time
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(Initials & date required)

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

City Mgr _____
(Initials Required)

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neighborhoods exist on the south side of Riggin Avenue on both sides of N. Dinuba and future projects have been approved or are anticipated north of Riggin. The specific plan will need to include building treatment/ orientation, noise mitigation, traffic mitigation, and other measures to assure neighborhood compatibility. Further, it is critical that the project be designed to effectively connect to and encourage pedestrians and bicycle travel from residential neighborhoods, the City Sports Park, and the St. Johns pedestrian trail.

- The applicant has worked to address staff concerns regarding external treatments, including corner enhancements, landscaped setbacks, parking lot pedestrian corridors, and other areas that influence pedestrian movements. Of particular concern is the encouragement of pedestrian traffic from the Sports Park to this shopping center. Pedestrian facilities will be given emphasis as the design is further refined during the specific plan process.
- Visual attractiveness will also be emphasized during the specific plan process. N. Dinuba Boulevard is a major entryway to the City and this project will provide a first glimpse of the City for visitors entering from the north. The specific plan will address architectural treatment to enhance views from local streets as well as from residential areas surrounding the shopping center site.

Background: The applicant is proposing this commercial development at the northeast corner and northwest corner of Riggin Avenue and Dinuba Blvd. (State Highway 63). The project comprises a 23.16 acre site (northeast corner) and 16.82 acre site (northwest corner) totaling 461,000 square feet of gross floor area. Each site has a major big box retailer and smaller retail buildings. (See attached drawings)

The applicant has conducted meetings with city officials, city staff, and the Site Plan Review Committee. During the course of the meeting numerous comments and suggestions were made and have been incorporated into current design. The design emphasis has been directed at creating a community sense of place, pedestrian accessibility, avoidance of ordinary site design, minimizing typical big box design, establishing the proper interface buffers with adjacent properties, and minimizing on-site parking. One major objective of this project is to have a quality commercial development that fits the character of the emerging North Visalia Area and serves as both a destination point and northside community entryway.

Attention to site planning details, landscaping, aesthetics, architectural design, vehicular access, and pedestrian access are expected to be emphasized during the public hearing review process. A “village” feel for the theme and character of the commercial area is being encouraged with architectural design that reflects natural qualities of the area.

An important aspect of this commercial development proposal is the required Specific Plan that must be prepared to address the adjoining land use context, street circulation and land use compatibility. The Specific Plan Preparation will address the essential land use and circulation issues of context and compatibility. The current General Plan and Zoning will be used as a basis to prepare the Specific Plan. Additional comments by the City Council are requested prior to moving forward with the Specific Plan.

Prior Council/Board Actions: The City Council has previously reviewed and commented on commercial projects prior to a Specific Plan review process.

Committee/Commission Review and Actions: None

Alternatives: The City Council may direct staff to prepare further critical review and return for further discussion.

Attachments: North Park Promenade Site Plan
Aerial illustration of site and surrounding area
Ownership Disclosure Form

Recommended Motion (and Alternative Motions if expected): I move that City Council comments be incorporated into the project and authorize the Specific Plan process to move forward.

Environmental Assessment Status

CEQA Review: None

NEPA Review: None

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: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 11b

Agenda Item Wording: Approval of the reappointment of Adam Peck to the Visalia Planning Commission for a 4 year term ending June 2010.

Deadline for Action: June 30, 2006

Submitting Department: Community Development

Contact Name and Phone Number: Fred Brusuelas 713-4364

Department Recommendation: Staff recommends approval of Adam Peck for reappointment to a 4 year term.

Summary/background:

Prior Council/Board Actions: Adam Peck was appointed by the City Council on January 9, 2006 to fill the vacated position left by Doug Thompson. This Planning Commission term ends June 2006. Staff is recommending that Mr. Peck be reappoint for a 4 year term ending June 2010.

Committee/Commission Review and Actions: None

Alternatives: The City Council may consider a term of two years for a Planning Commission appointment.

Attachments: Planning Commission appointment list.

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.

Recommended Motion (and Alternative Motions if expected): I recommend that Adam Peck be reappointed to a 4 year term on the Visalia Planning Commission ending June 2010.

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:

City of Visalia Agenda Item Transmittal

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 11c

Agenda Item Wording: Authorization to bid the construction of a storm drain lift station for the Ranch Basin on Goshen Avenue between Demaree and Akers Street without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1221-00000-720000-0-9430-2006.

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713-4492,
Peter Spiro 713-4256

Department Recommendation and Summary: Staff recommends that the City Council authorize construction of the Ranch Basin lift station on Goshen Avenue between Demaree and Akers without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1221-00000-720000-0-9430-2006.

The Project includes installation of a pump station that connects the city storm basin to the storm drain trunk line in Goshen Avenue. The connection will cross San Joaquin Valley Railroad's right of way. The City of Visalia has obtained the required easement.

In addition, the contract will include the installation of approximately 850 lineal feet of decorative wrought iron fence alongside Goshen Avenue frontage.

The pump installation project will be advertised for bids at the end of this month. Southern California Edison has been notified and will be installing a 3-phase connection to service the pump site. The project is expected to cost about \$150,000. Funds for construction of this project are allocated in the Fiscal Year 2006/2007 Budget.

Council is empowered to authorize the construction of capital improvement projects without the requirement of paying prevailing wage if only locally generated funds are used to pay for the project. In this case, the City will use locally generated storm drainage acquisition fees to finance the project.

Alternatives: Bid as a prevailing wage rate project.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1 Min.

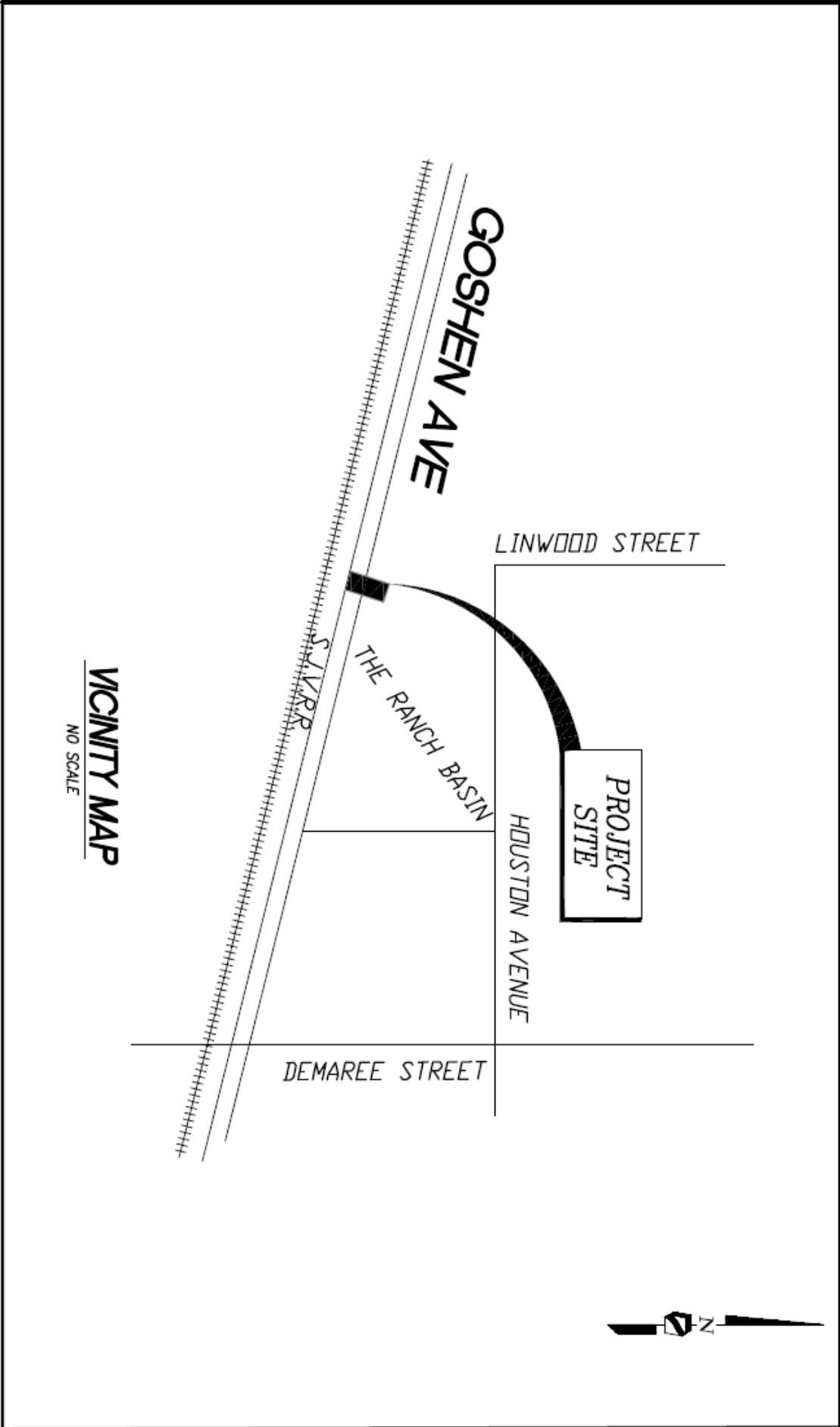
Review:

Dept. Head _____
(Initials & date required)

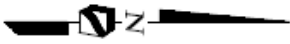
Finance _____
City Atty _____
(Initials & date required or N/A)

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.



VICINITY MAP
NO SCALE



**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 11d

Agenda Item Wording: Authorization for the City Manager to Accept Ownership of (1) Portable Module From the Visalia Unified School District and Relocate Module to the City Owned Facility on Airport Drive That Houses Valley Oak SPCA and Prepare the Module for Occupancy at an Estimated Cost of \$35,000.

Deadline for Action:

June 26, 2006

Submitting Department:

Administration

Contact Name and Phone Number: Carol L. Cairns, Assistant City Manager 713-4324

Department Recommendation:

Staff recommends the City Manager be authorized to accept ownership one (1) portable module from the Visalia Unified School District and prepare the module for occupancy at an estimated cost of \$35,000. The cost would be funded from budgetary savings in the FY 2005/06 General Fund budget.

Summary/background:

The City was contacted by the Visalia Unified School District staff to inquire of our interest in obtaining one of their portable modules that will either be moved or demolished within the next two weeks. City staff reviewed potential City facility needs and concluded that Valley Oak SPCA is in dire need of additional space at the SPCA facility on Airport Drive.

The City contracts with Valley Oak SPCA to provide animal control services for the city. The City owns the property and the facility where Valley Oak is housed. The City leases the facility to Valley Oak at an annual rent of \$15,600. No major repairs or renovation have taken place on the facility. On January 1, 2000, the City reimbursed Valley Oak \$16,000 for the purchase of 10 new kennels. That has been the only new additional building added to the grounds. The facility is very old and badly in need of repair. The module would provide much needed air conditioned work space and would cost the City a fraction of what a new building would cost.

Valley Oak has long range plans to construct a new facility, however, their space needs are immediate. The additional of the module would allow for an air conditioned building to be utilized for reception, licensing, computer room and office space. The existing reception area which is in a very small area of the main building will be converted to supply storage area. (photo's attached)

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 cost to the City is for moving, preparing the foundation and utility hook ups. There is no charge for the unit itself from the Visalia Unified School District. The estimated cost to make the module ready for occupancy is \$35,000. The module is 30' by 32' and has a new air conditioning unit.

The school district needs to dispose of these portables within the next two weeks. As a result, the City would need to make a decision quickly. However, the potential to provide a much more functional and safer building at the SPCA facility at such a low cost should be considered. Further, the building would remain the City's. As a result, Staff requests that the Council authorize the purchase of the portable from budgetary savings in the 05/06 General Fund budget.

Prior Council/Board Actions:

n/a

Committee/Commission Review and Actions:

n/a

Alternatives:

Do not accept the module

Attachments:

photos of current SPCA buildings

Recommended Motion (and Alternative Motions if expected) I move the City Council authorize the City Manager to accept ownership of (1) one portable module from the Visalia Unified School District and relocate module to the City owned facility on Airport Drive that houses Valley Oak SPCA and prepare the module for occupancy for an estimated amount of \$35,000.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 12

Agenda Item Wording: Presentation on Convention and Visitors Bureau activities and authorization for the City Manager to enter into a contract with the CVB to provide convention and tourism sales and marketing services through June 30, 2007.

Deadline for Action: July 1, 2006

Submitting Department: Administration

Contact Name and Phone Number: Leslie Caviglia, 713-4317;
Wally Roeben, 713-4004

Department Recommendation:

It is recommended that the City Council authorize the City Manager to enter into a contract with the Visalia Convention and Visitors Bureau to provide convention and tourism sales and marketing through June 30, 2007.

Department Discussion:

In July, 2004, the Council appointed a Task Force to review the City's visitor attraction efforts. At that point, the Convention Bureau was operated by the City and the Tourism Bureau was operated by the Chamber. The Task Force concluded that the community would be better served if the two organizations were combined into a single unit to ensure there was more coordination. It was further recommended that the operation become a separate non-profit entity, the Visalia Convention and Visitor's Bureau (VCVB) with very specific and targeted goals. The Task Force outlined a focused set of objectives for the VCVB, including forming a non-profit within the 12-18 months, developing a tracking system and establishing a comprehensive website. The Task Force also recommended and the Council concurred that the Visalia Chamber of Commerce should oversee the new entity for at least the first year of operation, under the direction of a Management Oversight Committee appointed by the Council.

The Management Oversight Committee is comprised of:

Vice Mayor Greg Kirkpatrick, Council Member Bob Link, Donn Ritter (UPS), Nancy Lockwood (Lockwood Agency), Suheil Kare (Radisson Hotel, replaced by Joe Kuhn of the Presidian), Robert Lee (Lampighter), Samantha Rummage (Holiday Inn), Anil Chagan (Comfort Suites), Armondo Apadaca (Depot), Mike Mellion (Mimi's Café), Mark Tilchen (Sequoia Natural History Association), Glenn Morris (Visalia Economic Development Corporation), Molly Bambl (Fairfield Inn), and ad hoc members Mike Cully (Visalia Chamber), Leslie Caviglia (City) and Wally Roeben (Visalia Convention Center).

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 6/20/06
Finance N/a

City Atty _____

City Mgr SMS 6/22/06

Goals Accomplished:

During the first year, the Management Oversight Committee has worked very hard and has accomplished many of the objectives originally recommended by the Visitor Task Force in their 2005 recommendations. These accomplishments include:

- *In the final phases of forming a new non-profit entity (which will include two Council representatives on the non-profit's board)
- *Implementing new lead tracking systems
- *Developing more co-op sales and advertising opportunities
- *Revising the Bureau's tradeshow schedule to better focus on our target markets
- *Developing a new visitor's guide and brochure
- *Beginning to generate new revenues (visitor's guide revenues)

In addition, the Bureau is in the midst of establishing a comprehensive visitor website, and is working on new tours featuring local and regional attractions.

The Bureau's accomplishments are significant, especially given that only about half of the staffing positions have been filled for much of the year. In fact, a second position at the Bureau is currently vacant, and the Bureau will begin recruiting for the second position if the Council approves the new contract.

Recommendations for Coming Year:

The Management Oversight Committee is recommending, and staff concurs, that the City contract with the VCVB, as soon as their incorporation paperwork is approved, for convention and visitor sales and marketing services in FY 2006/2007. (See attached draft contract.) Staff is recommending that the contract be approved with a specific work program that includes the following:

- *The Bureau return to the Council with specific goals and objectives by September 15, 2006, with an emphasis on selling Visalia as a convention destination
- *The website be operational by September 1, 2006
- *The Bureau help promote the Gateway and Sequoia National Park shuttles that will be operational during the tourist season, 2007
- *Develop at least 3 mini-tours featuring local and regional attractions, including a plan for promoting those tours, no later than December 31, 2006.

The VCVB Board has worked out an arrangement with the Visalia Economic Development Corporation (VEDC) for the VEDC Executive Director, Glenn Morris, to also be the Executive Director of the Visalia Convention and Visitor's Bureau for at least the coming year. While there is not a need for a full time Director at this point, the Board does feel that some hands-on management is still needed. As Vice Chair of the Management Oversight Committee, Glenn is intimately involved with economic development and understands the benefit of a strong hospitality industry to the community's economic health. Given his consulting experience as a professional meeting planner, Glenn is uniquely qualified to provide this oversight. In addition to his wealth of experience, the VEDC and the VCVB are both subtenants of the Chamber of Commerce, so he can readily provide the oversight the VCVB Board feels is necessary. The VCVB will pay the VEDC a management fee.

The City Attorney is working with the VCVB Board to file the appropriate paperwork. A final contract would be signed between the City and the VCVB as soon as the VCVB is officially incorporated, which is expected to occur in early July. A final copy of the bylaws will be provided to the Council. The other details involved in the operation of the independent agency are well

underway. Liability insurance is being purchased, employment contracts are being finalized, a bank account is being opened, bookkeeping has been arranged for, etc. The VCVB Board is confident that they are in a position to transition the employees from the Chamber to the new entity in July.

Staff is recommending that the Council approve \$239,000 for the operation of the Bureau in the coming year. Given the expenses that were incurred this year, and the projections for the coming year, this amount should be adequate to provide the staff support and the appropriate marketing, advertising and sales tools for the coming year. It is recognized that as the Bureau develops, some additional funding may be appropriate, but for the coming year, the \$239,000 recommended in the Budget currently under consideration by the Council should be adequate. The VCVB Board concurs with this recommendation.

It should be noted that City staff has also recommended a \$20,974 increase to the Tulare County Economic Development Corporation for tourism attraction efforts as outlined in the Sequoia Region marketing study. The TCEDC will focus on tourism, and the VCVB will concentrate on convention sales. While the VCVB will also have some tourism responsibilities and interaction, the main focus of this organization is group sales.

Representatives from the Management Oversight Committee will be present at the Council meeting to provide a presentation regarding the Bureau's recent efforts and the plans for the future.

Prior Council/Board Actions:

June, 2005 – Council approved management agreement for CVB with the Visalia Chamber of Commerce

May, 2005 – Council received the Visitor's Task Force recommendations and concurred that the Visitor and Convention Bureaus should be combined into one unit and managed for the first year by the Chamber of Commerce.

July, 2004 – The Council appointed a Visitor's Task Force to review the current sales and marketing efforts and make recommendations to improve the effectiveness of the operations.

Committee/Commission Review and Actions:

Alternatives:

To have the City oversee the operations of the CVB on a temporary basis

To have the Chamber continue to oversee the operations on a temporary basis.

Attachments:

Draft contract for services

Tracking form

Copies of ads

Recommended Motion (and Alternative Motions if expected):

Move to authorize the City Manager to enter into the contract with the Visalia Convention and Visitors Bureau attached as Attachment A and to make administrative, non-substantive changes as needed to such contract before executing.

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
Agenda Item Transmittal**

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 13

Agenda Item Wording: Disaster Preparedness Update, Summary of the 2006 Storm Events, and 2006 Snowmelt Impacts

Deadline for Action: N/A

Submitting Department: Fire Department

Contact Name and Phone Number:

George Sandoval, Fire Chief – 713-4218
Danny Wristen, Battalion Chief – 713-4056
Andy Benelli, Public Works Director – 713-4340

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

Department Recommendation:

The Fire Department recommends that the City Council review & comment on this report.

Summary/Background:

2006 has been a challenging year for the City of Visalia and the Disaster Preparedness Program. Three different storm events have provided challenges to the response capabilities of our community and allowed the Fire Department to examine our ability to respond to and mitigate disasters that may impact our community. Since the January Storm Event, the Fire Department, in cooperation with several other departments, has closely examined our ability to monitor pending storms, response procedures, Emergency Operations Center procedures and flood control mitigation efforts. In addition, the runoff from the heavy snow that occurred this winter has had an impact on the waterways that run through our community. The following is a summary of the three storm events and the snowmelt issues, and a closer examination of actions that have been taken to prepare for and mitigate future incidents that may impact our community.

EOC Activation January 2, 2006

During the week of December 25, 2005, the National Weather Service began to discuss the potential of a series of Pacific storms that could impact the Central Valley. These storms set into motion a series of events that would challenge the response capabilities of several city departments. For the 24 hour period ending at 8:00am on Monday, January 2, 2006, the City of Visalia received about 3.00 inches of rain. This was nearly one-third of the normal rainfall that we receive in a total year and should be considered a major storm.

During the morning hours of January 2, the impacts of the storm became quite evident. The City of Visalia was facing a significant incident in North-West Visalia and several other storm related issues throughout the community. At the same time, the City was receiving additional storm related calls for service.

These issues prompted the City Manager to open the Emergency Operations Center and institute the Emergency Operations Plan. As the EOC became staffed and fully functional, the EOC staff began to mitigate the storm related incidents and manage the effects of the storm on the community. The EOC remained open and staffed until 5:00pm on Tuesday, January 3, 2006. At the height of the event, over 100 City employees were assisting in the mitigation of the emergency. They were joined by private contractors, Tulare County personnel and countless volunteers who worked together in mitigating the incident.

On Wednesday, January 3, the efforts of City of Visalia expanded to assessment and recovery. Building inspectors were sent to the affected neighborhoods to evaluate the damage and found that a total of twenty-two homes suffered damage from the flood issues. The City began to assist residents where we were able with recovery, reviewing our response to the incident, and working with Tulare County towards a Declaration of Emergency for our area.

A large portion of the Recovery Phase includes reviewing our response to the emergency, assessing additional mitigation measures and making recommendations for the future. The City of Visalia conducted debriefing sessions for all those involved in the response. The debriefing sessions provided us with the information needed to identify the recommendations included in this report.

It should be noted that several other areas in our region suffered storm related damage from this series of storms. The City of Fresno for example had 15 ponding basins overflow and also had flood damage to residential structures. The storm drain systems in our region are not designed to handle the impacts of a 50-year storm, and if it happened again tomorrow, flooding would again be an issue. Even though our community was adversely impacted by the storm, this event will allow the City of Visalia to examine its response and mitigation plans, and be better prepared for the future.

EOC Activation February 27, 2006

In response to the potential threat of another large Pacific Storm, the City of Visalia opened the Emergency Operations Center on February 27, 2006 at 0900 hrs. The EOC functioned until 0800 hrs the next day, February 28, 2006. Weather reports were predicting the potential of 2 ½ inches of rain in 36 hours, and the decision was made to open the EOC. The storm track moved through Southern California and the Bay Area, but did not impact our region with its full potential.

This activation of the EOC allowed the Fire Department to utilize many of the following recommendations and new policies that are included in the next section of the report. Even though this storm did not challenge the response capabilities of the City like the January Storm Event, it did provide an opportunity to further enhance our disaster response system and exercise new systems and policies under real circumstances.

EOC Activation April 3, 2006

On April 3rd, 2006, a significant storm event rolled into the southern half of California causing significant storm related events throughout Tulare County. Flood events and levee breaches affected the northern portions of the county. Due to the significance of the event and the quantity of rainfall experienced by the City of Visalia, the City's Emergency Operations Center (EOC) was partially activated on the night of April 3rd. Activation was in place by 2330 hrs utilizing personnel from Police, Fire, Human Resources and Public Works. During the time that the EOC was activated, EOC staff processed 65 calls for service through the EOC. These calls included reports of street flooding, the need for sandbags and other storm related issues. The calls were prioritized, evaluated by City personnel in the field and the disposition reported back to the EOC for tracking.

Continued staffing during the event involved personnel from Police, Fire, Human Resources, Streets, Parks, Public Works, Waste Water and others. There was no significant damage to infrastructure or private property in the City of Visalia. A final briefing occurred at 0800 on the morning of April 6th. Tulare County EOC was notified of our closure. Tulare County advised that they would continue their operations through April 6th, and were continuing evaluation of waterways in the area.

This activation again allowed the Fire Department and other City Departments to utilize new emergency operation procedures and improve our ability to handle potential disaster events. EOC staff members have now had the opportunity for three activations over the last three months, these experiences will prove invaluable as we continue to evaluate and improve our abilities to function during disaster events.

2006 Snowmelt Impacts

Winter 2006 has had a major impact on the Central Valley, and is still impacting our community. The heavy snow pack in the mountains, combined with the late spring rain storms and rising temperatures, has filled Kaweah Lake to its capacity. Even with the increased capacity that Lake Kaweah now has, water has come over the spillway on several occasions this spring. The impact to our community is that our waterways are running full and required careful monitoring. We have had minor problems with the Persian Ditch (golf course and airport), Mill Creek (Redwood area) and the Modoc Ditch (Shannon Ranch). We have worked with Kaweah Delta Water Conservation District and the People's Ditch Company to avoid any major problems associated with the increased water levels in the waterways.

Disaster Preparedness Actions Taken

On January 9, 2006, City staff presented an update on the January Storm Event to the City Council and recommended the following actions to Council, which were approved:

1. In conjunction with independent consultants, assess the storm drain system, and the assumptions upon which it is based, and report the findings to Council later this year.
2. Purchase 2 mobile storm water pumps to move water from basins which are overwhelmed.
3. Proceed with the scheduled installation of the lift station at the Houston/Linwood ponding basin. Construction is scheduled for summer 2006.

4. Include the storm emergency and after emergency response costs as a budget amendment in the mid-year report.
5. Prepare an emergency response report.

As a result of Councils direction, several of the recommendations have been completed, and the others are in process. Item #1, the assessment of the storm drain system, is a complex issue and has been started. Phase I of the Storm Drain Master Plan Review has been completed and will be moving into the second phase this summer. Additional information concerning the Storm Drain Master Plan is included later in the report.

Public Works is in the process of reviewing the capacities of the temporary ponding basins throughout the community, and will be done with this process soon. Public Works will be reporting additional information concerning this issue to Council later this year. The mobile storm water pumps identified in Item #2 have been purchased and were placed at the Linwood / Houston Ponding Basin during the recent storms.

Item #3, the lift station at the Houston/Linwood Ponding Basin is planned for installation this summer and additional excavation at the site has taken place in between storms. Council did fund the purchase of the mobile storm water pumps in the mid-year budget review as a part of Item #4. This staff report is the recommendations that were developed from the emergency response report identified in Item #5.

In addition to the actions that were taken as a result of the January 9, 2006, Council meeting, the Fire Department has taken the lead on improving our response and mitigation procedures. New procedures are now in place to monitor storms that may impact Visalia, as well as how we respond to those threats. The three EOC activations that we have had this year, have allowed the Fire Department and other City departments to exercise these new procedures. With each EOC activation, City staff was able to evaluate new procedures and continually make any needed improvements.

The Fire Department has also revitalized a citywide Disaster Preparedness Committee with representatives from each City department. This group will evaluate disaster preparedness issues that may impact our community, develop policies and procedures related to disaster preparedness, and make recommendations to the Department Head Group and the City Council. In addition, this will be the core group of city staff members that will work in the EOC.

Public Works has also had a key role in evaluating response procedures and developing pre-emergency mitigation measures to assist in preventing further storm related issues. Four major areas that that are being concentrated on are as follows:

(1) STORM RESPONSE

City staff is currently investigating and updating procedures for inspecting the storm drainage collection and disposal system during large storm events. A checklist has been developed that lists all of the pump stations, ponding basins, and outlet structures. This checklist provides staff with a systematic method of inspecting all of the critical components of the system to insure that nothing is overlooked during a heavy storm. The checklist is divided by drainage areas so that employees or volunteers that are unfamiliar with the collection system can assist in making inspections and assessments during an emergency event. The checklist provides information on the size of the lift station pumps and some basic information to allow inexperienced individuals enough information for them to be able to determine if the system is operating

properly. The list also includes areas that have a history of flooding because of inlets that are subject to blockage, small pipeline or other problems.

(2) EXISTING SYSTEM ANALYSIS

Engineering staff is performing an analysis of the City's existing 45 permanent storm drain basins. The available storage of each basin is being determined and compared to the storage requirements that are needed for the service area. The study has not identified any basins where the storage requirement exceeds the available storage. However, the analysis did identify some basins that need increased capacity before additional subdivisions are approved. Three basins that will need additional capacity are: River Run Ranch Basin on St. Johns Parkway and Madera, Rancho Santa Fe Basin on Monte Vista and Burke, and the Ranch Basin on Houston and Linwood. These basins will all require lift stations before additional developments are constructed in their service areas. City staff is working with developers to design and construct these improvements.

The City is currently working on a project to install new control panels at 33 existing storm water lift stations. The new control panels are the first phase of a plan to install a Supervisory Control and Data Acquisition (SCADA) system to serve all of the storm water and sewer system lift stations. A SCADA system will allow staff to monitor the performance of the pumps on a computer at the Treatment Plant (or other location). This will reduce the dependency for a technician to visit the pumps during every storm event. The software will also include high water alarms on the lift stations and will help schedule pump maintenance and replacement. The new control panels will immediately increase the reliability of the system and in the future the SCADA system will significantly improve reliability and reduce staff inspection hours.

Historically, most flooding in Visalia has been the result of runoff water exceeding the capacity of the natural channels. The construction of Terminus Dam has significantly reduced the threat of flooding from the Kaweah River and its distributaries. However, there is still the potential that Mill Creek or the other channels overtop during a large storm event. The City Council has approved an agreement with Kaweah Delta Conservation District that allows the City to store storm water runoff in upstream basins before it reaches the distributaries within the City. This provides additional capacity in the channels for urban runoff. During the January storms Mill Creek had little or no flow where it enters the City near McAuliff Street. However, downstream of the City near Shirk Street the channel was running full. The agreement that is now in place will provide the City with the ability to have the channels at a low flow level on the upstream side of the City (eastside) even during large events.

Many areas of Visalia have the potential to flood from natural channels or manmade channels overtopping the banks when debris builds up and plugs culverts or bridge openings. The City is responsible for keeping many of the channels clear of debris. The City has agreements with several of the irrigation districts that allow urban runoff to flow into the irrigation canals. These agreements also require that the City maintain the channels. City staff is recommending that in the Fiscal Year 2006/08 City Budget that additional equipment be purchased to better maintain the channels. The equipment will also be used to better maintain basins. The budget also allocates funds for additional man hours to better maintain the channels.

(3) NEW DEVELOPMENT RESPONSIBILITY

The Development Services Division has instigated a requirement that all proposed subdivisions submit drainage calculations proving that the City's basin and collection system has capacity to accommodate the runoff from their project. In the past, the developer's engineers were required to submit calculations for their project and had to show that the subdivision conformed to the City's Storm Water Master Plan. The Master Plan includes a complete analysis of all of the existing and proposed disposal systems in the City. In most instances this is an adequate method to provide an effective drainage system. However, the City's Storm Water Master Plan is now over ten years old and in some areas the designs have not precisely followed the systems proposed by the Master Plan. There is also the potential that the collection system or disposal basin is not fully completed to the specifications of the Master Plan. Requiring the developer's engineer to analyze the entire system that serves their subdivision provides a double check or a redundant calculation that helps to guarantee that nothing has been missed.

The City's Storm Water Master Plan recommends that all new developments are designed such that the surface of ponded water during a 100-year rainfall event does not rise more than one-foot above the lowest top of curb in a development. This requirement is commonly referred to as the "Overland Flow Requirement" by City engineers and consultants. With this requirement, when storm water overwhelms the system or when the system is blocked, the water is able to flow down the street and out to the collector or arterial before reaching a depth that will flood homes in the subdivision. The City requires that all new homes are at least one-foot above the top of the curb in front of the house. In the past, exceptions to this requirement have been made for developments that would have a substantial financial impact in meeting this requirement. To meet this requirement projects in low areas must import soil to raise the grade of the streets. In some areas large amounts of material are needed to raise the grades to meet this requirement. Importing the material can be very expensive. The City has allowed some developments to be constructed that do not meet the Overland Flow requirement. In these instances, the developers were required to increase the size of the pipes in the drainage system and add inlets to the system to prevent flooding. The City is no longer allowing any exceptions or substitutions to meet the Overland Flow requirement. This will make some low areas of the City more expensive to develop but will increase the protection that these homes have against flooding when built.

(4) STORM WATER MASTER PLAN

The City is currently working with consultant to update the Storm Water Master Plan. The first phase of the Master Plan was prepared by Keller Wegley Engineering and is now complete. The first phase involved an analysis of the natural and manmade channels within the City. The report also identified contractual agreements that have been made with the various irrigation districts. Many of these agreements limit the volume of runoff that can be discharged into the channels. The second phase of the master plan will include detailed analyses of the existing storm water system. Boyle Engineering has been selected to prepare the second phase of the Master Plan. Boyle will be using computer modeling to evaluate the collection system, the lift station capacities and the basin storage. Staff anticipates they will identify several deficiencies in the system. An example of a deficiency might be a pipeline that is too small or a lift station that needs a larger pump. The report may also include recommendations to make the system perform better or perform more efficiently.

The Storm Water Master Plan will also involve planning the storm drain systems in areas that will develop in the next twenty years. The plan will identify locations for future basins and

recommend minimum pipe sizes for the trunk lines that carry the water to the basins. The report will also include an analysis of the cost to develop the collection system and basins. The analysis will help City staff establish fair and reasonable Development Impact Fees to pay for storm drainage.

Future Disaster Preparedness Projects

- Continue to update and improve the Emergency Operations Plan
- Provide National Incident Management System (NIMS) training to all City employees
- Provide an update to all City employees in the Standardized Emergency Management System (SEMS)
- Evaluate the impacts of the Asian Bird Flu on Visalia
- Develop the Northwest Fire Station into the primary EOC location

CONCLUSION

This review summarizes the City of Visalia's response to the storm that impacted our community from December 31, 2005 to January 3, 2006. In addition, we have reviewed the other EOC activations that occurred in February and April of this year, and the impacts of the snowmelt. These events have provided an opportunity to assess our response capabilities and refine them in anticipation of a future major event. The actions included in this report are only a starting point for the Visalia Fire Department to enhance our Disaster Preparedness Program. As these actions are implemented and additional training takes place, other improvements will become obvious, and the Fire Department will continue to enhance our response capabilities.

The City of Visalia has not faced a true disaster since the Terminus Dam was constructed in the 1950's. Prior to that, flooding was common in the community and severe on several occasions. Responding to and managing disasters is not a common occurrence for our community and we should not be surprised that there are areas that can be improved. Several policies have been implemented to help protect the homes and property in Visalia from being damaged during storm events. The storms that occurred in the winter of 2005/06 were in excess of a 50-year event. That does not mean that it will be 50 years before the next heavy rain. A 50-year event is a storm that has a one in one hundred chance of occurring in any given year. The Visalia Fire Department, with assistance from Public Works will take the necessary actions to improve the capabilities of our community to prevent and/or mitigate disasters.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments:

City Manager Recommendation:

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes_____ No_____	

Recommended Motion (and Alternative Motions if expected):

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No
Review and Action: Prior:
Required:

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk): 15

Agenda Item Wording: Adoption of the City of Visalia 2006-07/2007-08 multi-year budget (Resolution No. 2006-59 required) RDA 2006-01 Resolution; VPFA 2006-01 Resolution; City of Visalia Appropriations Resolution 2006-60

Deadline for Action: June 30, 2006

Submitting Department: Administration / Finance Division

Contact Name and Phone Number:

Eric Frost, 713-4474
Gus Aiello, 713-4423
Ruth Martinez, 713-4327

Department Recommendation:

That the City Council do the following:

1. Approve the West 198 Master Plan CIP item for \$100,000 in both FY 06/07 and 07/08. (This separate vote was requested by two council members. Further, the amount has been reduced based upon Council comments.)
2. Adopt the 2006/07 and 2007/08 City of Visalia Budget with following total appropriations, including the West 198 CIP Project:

Fiscal Year 2006/07	\$154,271,430
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Fiscal Year 2007/08	\$140,306,916
---------------------	---------------

3. Adopt the 2006/07 and 2007/08 appropriations for the City of Visalia Redevelopment Agency Budget, which is included in the total budget appropriations:

Fiscal Year 2006/07	\$ 6,815,738
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Fiscal Year 2007/08	\$ 6,039,405
---------------------	--------------

4. Certify the Measure T Spending Plan for 2006/07

5. Adopt the City of Visalia Proposition 4 General Fund Appropriation Limit for 2006/07 in the amount of \$88,571,009. General Fund revenues subject to the limit for 06/07 are \$42,811,100.

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.): 30

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.

Discussion:

The proposed budget was distributed on June 9, 2006, a public hearing was held on June 19, 2006, Council reviewed the budget at various work sessions (May 15, June 5, 12, 19) and the budget now needs to be considered for adoption.

The appropriation breakdown for all the funds is \$154,271,430 for 2006/07 and \$140,306,916 for 2007/08, as shown on Table I, Proposed Appropriations:

Table I
Proposed Appropriations

<u>Fund Type</u>	<u>2006-07 Appropriation</u>	<u>2007-08 Appropriation</u>
General Fund (<i>Police, Fire, General Government</i>)	\$55,211,621	\$57,636,834
Capital Projects Fund (<i>Transportation, Impact Fees</i>)	26,484,250	18,242,958
Special Revenue Funds (<i>RDA, CDBG, Police & Fire Sales Tax (Measure T)</i>)	17,745,780	15,007,405
Debt Service Funds (<i>RDA debt, 1996A&B debt, Los Rios</i>)	67,218	69,731
Business-Type Funds (<i>Wastewater, Airport, Golf</i>)	53,950,577	47,884,581
Internal Service Funds (<i>MIS, Fleet, Risk</i>)	811,984	1,465,408
Total	\$154,271,430	\$140,306,916

In addition, the Redevelopment Agency proposes to spend the following amounts and are authorized by the City Council sitting as the Redevelopment Agency Board as shown in Table II, Redevelopment Appropriations:

Table II
Redevelopment Agency

<u>Fund Type</u>	<u>2006-07 Appropriation</u>	<u>2007-08 Appropriation</u>
Special Revenue Funds (<i>East, Mooney, Downtown, Central, Low/Mod. and Revolving Funds</i>)	\$6,805,285	\$6,028,743
Debt Service (<i>East RDA Bond</i>)	10,453	10,662
Total	\$6,815,738	\$6,039,405

Corrections to the Document: The draft document an has one correction to be made.

- **Administration Department - Community Arts Program Division 50538 (Budget page 5-4)** – The FY07/08 appropriation was listed as \$80,000. It has been corrected to \$50,000.

Attachment #1, Revised Two-Year Budget Summary reflects this correction as well as the budget revisions to capital projects as described in the following section.

A number of clean-up items will also be made to revenue calculations in the budget to reflect current information. These changes will not affect the appropriation amount.

Budget Revisions: Council has amended the proposed capital projects. The final results of the Capital Improvement Program review is included in Attachment #2, “2006/07 – 20011/2012 Capital Improvement Program”. The plan is proposed to expend \$95 million over the next two years.

Appropriation changes to the proposed CIP are as follows:

- **Convention Center Fund, Fund 4131 (Project #4 - Attachment #2, Page 49):** Council directed staff to advance the funding of the Convention Center's telescopic seating project into FY06/07 for a total of \$1.45 million instead of splitting the project between two years. The project will take at least 6 months to bid and design. This action may require the City to accelerate an advance to the Convention Center by 6 months over what was originally proposed in the draft budget.
- **General Fund, Fund 0011 (Various Projects - Attachment #2, Pages 1-5):** As directed by Council the following are revisions to the General Fund CIP:
 - A. Item #3, portable stage, includes language indicating the project will only move forward with 50% donation from outside organizations.
 - B. Item #14, West 198 Master Plan, will be voted on separately from the remaining budget items. In addition, before any monies are expended, Council will approve a specific contract for a definite dollar amount. The total budget amount has been reduced from \$300,000 to \$200,000 based upon Council comments.
 - C. Item #37, the cost for the purchase and installation for a second repeater changed from \$120,000 to \$50,000 (reduction of \$70,000).
 - D. Item #48, (2) portable IP camera systems in the amounts of \$26,840 and \$27,640, have been moved from 2007/08 and 2008/09 to 2006/07 and 2007/08. Although Council asked that both cameras be moved forward to the 2006/07 year, Chief Carden requests that the cameras be purchased over two years to allow the department time to evaluate their best use and application.
- **Information Services Fund, Fund 5111 (Project #10-#13 - Attachment #2, Page 74c):** As directed by Council, items #10 thru #13, Public Safety Master Plan elements, that were pulled out have been put back in the fund. It is noted, also per Council direction, that this project be frozen until Council receives an update on the status of the County master plan study and approval by Council to expend funds on this project.

Measure T (Attachment #3): The "Recertification of the Measure T Plan", details the recertified plan reviewed by Council on June 19, 2006. Adopting the budget proposes recertifying the plan also.

Appropriations Limit (Attachment #4):

Proposition 4, informally known as the "Gann Initiative", limits the amount of tax proceeds state and local governments can spend each year. The City is required to adopt the limit each year. The proposed appropriations limit for Visalia is much higher than available tax revenues. Therefore, the limit does not affect operations. The proposed limit for 2006/07 is \$88,571,009 and estimated General Fund revenues subject to the limit are only \$42,811,100.

Prior Council Questions:

Mayor Gamboa asked that statistics on Public Safety's share of the budget be presented. Two tables below show Chart I, Relative Share of the General Fund Budget and Chart II, Full-time City Employees. Both sets of information show increases in Public Safety emphasis from 1993 to 1998. Thereafter, the share of the budget has remained somewhat constant.

Chart I

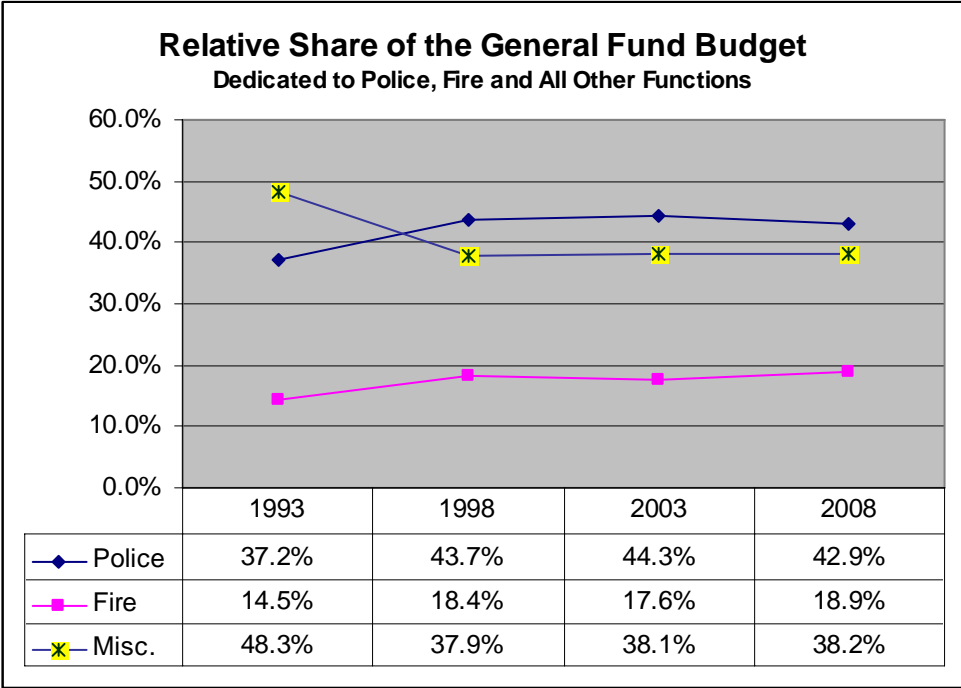
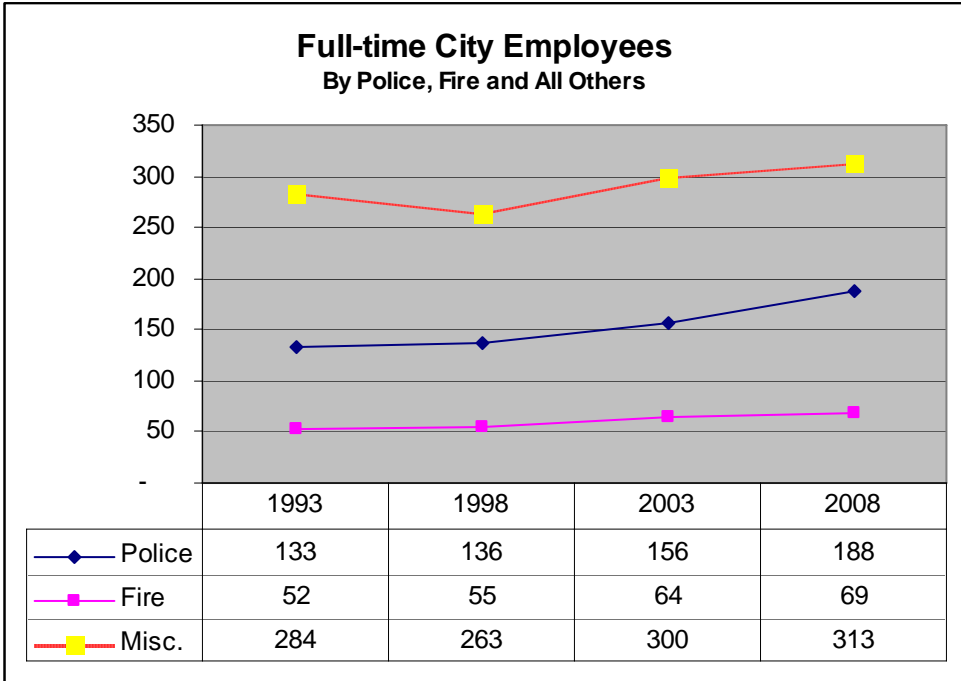


Chart II



Staff items to be returned to Council:

Council has directed staff to bring back a number of items for further consideration. Monies may have been set aside for these issues, but are subject to a further review by Council. Those items to be specifically brought back are:

- **SPCA Contribution Increase** (\$80,000). This item will be presented to Council after staff has worked with the SPCA to answer questions previously asked by Council as well as the justification for the increase request. No additional monies will be expended until the Council approves any increase.
- **Visalia Oaks Stadium Expansion.** On July 17 2006, the owner of the Visalia Oaks will make a presentation on the need for improvements at the Oaks Stadium for Council's consideration.
- **Golf Course Presentation.** Councilmember Link as that we emphasize customer service at Valley Oaks. Staff will bring back to Council an update report in September.
- **Public Safety Master Plan.** Elements of the proposed Public Safety Master Plan are included in the budget but will be frozen unless Council acts. Staff is reviewing the County's Dispatch consolidation study and understanding the differences between the City's and the County's dispatch systems. After researching these items, staff will bring the matter back to Council. Time is of the essence and at least an interim report will be brought back to Council by September.
- **Civic Center/Public Safety Building Project.** Because of the immensity of the proposed Civic Center Development, a separate report and plan will be presented to Council on proposed next steps.
- **NW Fire Training Facility - joint effort w/ other entities.** The Fire Department has the following to report:
 - a) After speaking with the Tulare/Kings fire chiefs, the new Tulare County fire chief, and COS, no one wishes to participate up front as a cash contributing partner. They are interested in renting the facility.
 - b) COS has requested that the City send a letter to the new President. A letter has been sent asking for the new COS President to consider this request. The City Manager has a meeting with President Scroggins on July 6.
- **Website.** Staff will bring to Council a specific recommendation for Council review before proceeding ahead with the rebuilding of the City's website.
- **Retiree Health Cost.** Staff will work with an actuary to determine the potential liability of the City's retiree health cost, meet with interested retirees and bring the matter back to Council in the fall.
- **Impact and Maintenance Fees.** A number of fees will need to be reviewed by Council, namely:
 - Waterways (The projected negative balances in this fund warrant a review of this fee.)
 - Police and Fire Impact Fees (The impact fees are for capital assets. The cost of the Police precincts is now known and the potential cost of the Northwest Fire Station is known. Revisions may be appropriate.)

- Transportation Impact Fees (When the City revised its Transportation Impact Fee, the Industrial and Commercial components last adjustment was not implemented in order to provide these larger developments time to adjust to the fee. It is appropriate to now consider a time table to adjust those fees.)
- Storm Drain (These fees have not been examined for some time and need to be examined.)
- **Building Permit Fees.** Council has implemented two, 25% building permit fee suspensions. Staff believes that the Building Safety Reserve Fund will decline to \$550,000 this next fiscal year. As the fund's cash balances decline to that level, staff will bring back to Council an appropriate action to reinstate some portion of the suspended fees or reduce costs.
- **Gang Intervention Effort.** The Police Chief and Parks and Recreation Director are working to develop an interagency effort to develop gang intervention strategies. Their report will be brought back to Council before the end of the year.
- **Parking Structure Revenue Program.** A plan on how the parking structure will be run needs to be completed before the West Acequia parking structure is completed. The financing plan for the structure anticipated that some amount of revenue would be available to partially fund cost of that structure. Staff will bring back to Council a proposed plan prior to the end of the year.

Prior Council Actions: The Council conducted work sessions on part of the budget on 5/15, 6/5, 6/12 and 6/19. On June 19, 2006, the Council held a public hearing to consider comments on the budget.

Committee/Commission Review and Actions: The CAC approved the Measure T certification on June 7, 2006.

Alternatives: Adopt the proposed budget and freeze authority on parts of the budget the Council wishes to consider further, or continue the discussion on the City budget to July 17, 2006 but authorize current operating expenditures until further deliberation can be accomplished.

Attachments:

- Resolution #2006-___ Adopting the 2006/07 and 2007/08 Budget
- Attachment #1, Revised Two-Year Budget Summary
- Attachment #2, 2006/07 – 2011/2012 Capital Improvement Program
- Attachment #3, Recertification of the Measure T Spending Plan for 2006/07
- Attachment #4, City of Visalia Proposition 4 Appropriation Limit for 2006/07

Recommended Motion (and Alternative Motions if expected):

That the City Council does the following:

1. Approve the West 198 Master Plan CIP item for \$100,000 in both FY 06/07 and 07/08
2. Adopt the 2006/07 and 2007/08 City of Visalia Budget with the following appropriations, including the West 198 CIP:

FY 06/07	\$154,271,430
FY 07/08	\$140,306,916

3. Adopt the 2006/07 and 2007/08 appropriations for the City of Visalia Redevelopment Agency Budget, which is included in the total budget appropriations:

FY 06/07	\$6,815,738
FY 07/08	\$6,039,405

4. Certify the Measure T Spending Plan for 2006/07
5. Adopt the City of Visalia Proposition 4 Appropriation Limit for 2006/07 in the amount of \$88,571,009

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 RESOLUTION NO. 2006-59

RDA RESOLUTION NO. 2006-01
VPFA RESOLUTIN NO. 2006-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, REDEVELOPMENT AGENCY BOARD, AND VISALIA PUBLIC FINANCE AUTHORITY (VPFA) ADOPTING THE APPROPRIATION LEVELS FOR ALL FUNDS FOR FISCAL YEARS 2006-07 AND 2007-08 AND RE-APPROPRIATING CERTAIN CAPITAL PROJECTS AND OPERATING FUNDS WHICH DO NOT MEET THE CRITERIA TO BE ENCUMBERED OR DESIGNATED FROM PRIOR YEARS.

WHEREAS, the Visalia City Council held a public hearing on June 19, 2006 on the proposed multi-year budget for the City of Visalia for the 2006-07 and 2007-08 fiscal years, and

WHEREAS, the re-appropriation of certain capital projects and operating funds that are encumbered or designated from prior years is necessary, and

WHEREAS, authorization from City Council and Redevelopment Agency Board is necessary for:

1. The City Manager to transfer appropriations within fund budgets including salary and capital accounts and staff levels, provided, however, that the total appropriations are not increased thereby.
2. The Administrative Services Director to transfer appropriations among the items within departmental budgets, except for salary and capital accounts.
3. Staff to transfer or lend monies from one fund to another as specified in the budget document

WHEREAS, the approval of the Capital Improvement Program for 2006-07 and 2007-08 and in concept out to 2011-2012, as part of the 2006-07/2007-08 multi-year budget is necessary.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Visalia that the budget for the 2006-07 fiscal year totaling \$154,271,430 and for the 2007-08 fiscal year totaling \$140,306,916 be approved.

BE IT FURTHER RESOLVED by the Redevelopment Agency Board of Visalia that the budget for the 2006-07 fiscal year be \$6,815,738 and for Fiscal Year 2007/08 be \$6,039,405 and is hereby approved.

BE IT FURTHER RESOLVED THAT:

1. The City Manager is authorized to transfer appropriations within fund budgets including salary and capital accounts and staff levels, provided, however, that the total appropriations are not increased thereby.
2. The Administrative Services Director is authorized to transfer appropriations among the items within departmental budgets, except for salary and capital accounts.

3. Staff is authorized to transfer or lend monies from one fund to another as specified in the budget document.

BE IT FURTHER RESOLVED by the City Council of the City of Visalia that for all funds, for capital projects and/or operating funds that are encumbered or designated from prior years, be re-appropriated, and

BE IT FURTHER RESOLVED by the City Council of the City of Visalia that any currently active capital projects and operating funds that do not meet the criteria to be encumbered or designated, be re-appropriated.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 26, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: City Council approval of Resolution No. 2006-__60__ adopting the 2006-07 appropriations limit for the City of Visalia's General Fund.

Deadline for Action: June 30, 2006

Submitting Department: Administration / Finance Division

Contact Name and Phone Number:
Eric Frost, 713-4474
Ruth Martinez, 713-4327

Department Recommendation:

That the City Council adopt Resolution No. 2006-__60__ establishing the appropriations limit for the 2006-07 fiscal year in the amount of \$88,571,009 for the General Fund.

Discussion:

The Appropriation Limitation imposed by Propositions 4 and 111 creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The limit is based on actual appropriations during the 1978-79 fiscal year and is increased each year by a factor comprised of the change in population combined with the change in California per capita personal income.

The General Fund is the only fund subject to the appropriation limit. Any challenge to the appropriations limit must be brought within 45 days from the effective date of the resolution.

The State of California Department of Finance is mandated to provide the population and California per capita personal income change data for local jurisdictions to calculate their appropriations limit. Based on the following data received from the Department of Finance, a population change of 2.89% and per capita income change of 3.96%, the appropriations limit for 2006-07 is \$88,571,009. The total appropriation subject to limitation for the 2006-07 fiscal year is \$42,811,100 which is well under the appropriations limit.

Prior Council/Board Actions: June 20, 2005 - Council adoption of Resolution No. 2005-78 establishing the appropriations limit for the 2005-06 fiscal year.

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.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments:

Attachment 1 – Resolution No. 2006-

Attachment 2 – Appropriation Calculations

Attachment 2 – CA Department of Finance Letter on Price and Population

Recommended Motion (and Alternative Motions if expected):

I recommend that the City Council adopt Resolution No. 2006-__60_____ establishing the appropriations limit for the 2006-07 fiscal year in the amount of \$88,571,009 for the General Fund.

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:

RESOLUTION NO. 2006-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
ESTABLISHING THE 2006-07 APPROPRIATIONS LIMIT

WHEREAS, in 1979, California voters approved Proposition 4 (Article XIII-B of the California State Constitution). Informally known as the "Gann Initiative," Article XIII-B provides limits to the amount of tax proceeds state and local governments can spend each year.

WHEREAS, in 1980, the State Legislature added Section 9710 of the Government Code stating that the governing body of each City must establish, by resolution, an appropriations limit for the following year. The limit for any fiscal year is equal to the previous year's limit, adjusted for population changes and the change in the U.S. Consumer Price Index (or California per capita personal income, if smaller). The necessary statistical information is provided by the California Department of Finance.

WHEREAS, Proposition 111 modified Article XIII-B. A City may choose which annual adjustments to use. The adjustment factors include the growth in the California Per Capita Income, or the growth in the non-residential assessed valuation due to construction within the City and the population growth within the City or county.

AND IT FURTHER provided for the 2006-07 fiscal year, any challenge to the appropriations limit must be brought within 45 days from the effective date of the resolution.

NOW, THEREFORE, BE IT RESOLVED that the appropriations limit as defined by Propositions 4 and 111 is set at \$ 88,571,009 for 2006-07 fiscal using a percentage change growth factor of 2.89% and change in per capita income of 3.96% as established by the California Department of Finance.