

Visalia City Council Agenda



For the regular meeting of: Monday, October 2, 2006

Location: City Hall Council Chambers

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.

Employee Introductions:

Vince Elizondo, Park and Recreation Director introduces Tim Ruiz, Recreation Supervisor, Michelle Fitzgerald, Recreation Coordinator.

WORK SESSION

5:00 p.m.

Public Comment on Work Session Items -

1. Approving Building Industry Association proposal to provide funds for wildflower seeding in the median of Highway 198, between Shirk and Mooney Blvd.
2. Report on the City's wastewater discharge permit recently adopted by the Water Resources Control Board, and authorization of a Professional Services Agreement with Carollo Engineers to conduct the short term permit-required tasks.

**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)

3. Conference with Legal Counsel - Anticipated Litigation (1)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
GC) **Resolution 2006-100**

4. Conference with Legal Counsel - Potential Litigation (2)
(Initiation of litigation pursuant to subdivision (c) of Section 54956.9 GC)
5. Conference with Real Property
Property: 315 East Acequia
Under Negotiation: Price, terms conditions of purchase
Negotiators: Steve Salomon, Mike Olmos, Leslie Caviglia, Wally Roeben, and Anil Chagan
6. Public Employee Performance Evaluation
Title: City Manager

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Floyd Westbrook, Visalia Christian Ministries

SPECIAL PRESENTATIONS/RECOGNITION

Proclamation presentation in recognition of "Medical Assistant Week."

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

7. **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) Authorize City of Visalia to endorse supporting Propositions 1A-Transportation Investment Fund, 1B-Highway Safety, Traffic Reduction, Air Quality, Port Security Bond Act of 2006, 1C-Housing and Emergency Shelter Trust Fund Act of 2006, 1D-Education Facilities Kindergarten-University Public Education Facilities Bond Act of 2006, 1E-Disaster Preparedness and Flood Protection Bond Act of 2006, and 84-Water Quality, Safety and Supply-Flood Control- Natural Resource Protection- Park Improvements. City Council Opposition of Proposition 90-Government Acquisition, Regulation of Private Property.
 - c) Authorization to record a Notice of Completion for the 30 kW Photovoltaic solar energy installation at the Visalia Airport.
 - d) Authorization to record the final parcel map for Tentative Parcel Map 2006-08, located at the northeast corner of Dinuba Boulevard and Riggin Avenue. APN 079-071-007 thru 011 & 019.
 - e) Authorize the Recordation of the Amended Final Map for Sterling Oaks Unit #1, located at the Southeast corner of Demaree Street and Riggin Ave (91 lots).
 - f) Authorization to award bid #06-07-02 "Cape Seal various streets" and added alternatives.
 - g) Authorization to apply for California Department of Transportation Environmental Justice Planning Grant for evaluation of the Oval Park area. Adopting **Resolution 2006-95**.
 - h) Adoption of **Resolution 2006-96** and approving application for California River Parkways Grant for \$670,000 to develop picnic facilities, trails, and additional riparian landscaping on the St. Johns River Park. Authorize letter of support for Tulare County Proposition 50.
 - i) Adoption of **Resolution 2006- 97** authorizing the dissolution of the Visalia Capital Improvement Corporation (CIC).
 - j) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation* of the final map(s) related thereto (if applicable):
 - a. Authorize the Recordation of the Final Map for Walnut Village, located on the south side of Walnut Avenue between Chinowth Street and Linwood Street (11 lots and 1 common lot) and the Formation of Landscape and Lighting District No. 06-08, Walnut Village (**Resolution Nos. 2006-98 and 2006-99 required**).
8. PUBLIC HEARING to consider reinstating the building permit fees to 85% of the pre-fee reduction rates. After hearing testimony, consider approval of proposed Building Permit Fee Schedule per **Resolution 2006- 92**.

9. CONTINUED PUBLIC HEARING -Presentation and discussion of angled parking along the south side of Center Avenue between Bridge Street and Conyer Street and additional angled will also be added parking along various roadways in the downtown area. Authorize staff to seal the road way surface of Center Avenue between Bridge Street and Conyer Street and re-stripe Center Avenue for angled parking along the south side of Center Street.
Resolution No. 2006-94 required.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, October 16, 2006

Monday, November 6, 2006

Monday, November 20, 2006

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Support for the Building Industry Association's (BIA) proposal to seed the west SR198 median with wildflowers.

Deadline for Action:

Submitting Department: Administration

Contact Name and Phone Number:

Steve Salomon (559) 713-4312

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.): _____

Department Recommendation and Summary: Authorize the Mayor to send a letter to CalTrans supporting the BIA's efforts to donate funds for the seeding of wildflowers in the west SR198 median.

Background: Attached is a letter from the BIA asking the Council's support for this community project. A similar project was done in Fresno County on SR168.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Letter from Building Industry Association (BIA)

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

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 ___	

Copies of this report have been provided to: Jim Robinson and Bob Keenan

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: October 2, 2006

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Report on the City's wastewater discharge permit recently adopted by the Water Resources Control Board, and authorization of a Professional Services Agreement to conduct the permit-required tasks.

Deadline for Action: October 2, 2006

Submitting Department: Public Works

Contact Name and Phone Number: Andrew Benelli, Director, 713-4340, Jim Ross, Manager, 713-4466

Department Recommendation

Staff recommends that Council authorizes the City Manager to execute a Professional Services Agreement with Carollo Engineers to conduct the various studies required in the city's discharge permit in an amount not to exceed \$243,000. Many of these studies are due within 60 – 90 days, and it is impractical to conduct a formal proposal process due to time constraints.

This agreement will not include the Treatment Plant Master Plan. City staff will issue a formal request for proposals to hire a consultant to prepare the Master Plan, as authorized by Council on August 21, 2006.

Discussion

The City of Visalia wastewater treatment plant (WWTP) operates under a discharge permit issued by the State Water Resources Control Board (SWRCB) and administered by the Regional Water Quality Control Board (RWQCB, or Regional Board) in Fresno. The WWTP has operated under the same discharge permit since 1997, despite its having expired in 2002.

In June 2006, in order to meet deadlines from the US EPA, the Regional Board staff circulated a Draft permit, or Tentative Order (TO) for the City of Visalia. The TO was revised several times as a result of evolving Board policy as well as comments made by the City, the State Department of Health Services (DHS), and the California Sportfishing Protection Alliance (CSPA).

After the City agreed to a provision requiring the identification of recreational and agricultural uses downstream of the plant, the Board adopted the permit, with the Chairman alone voting against adoption.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):_15_

Review: AJB
Dept. Head 9/27/06
(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.

Discharge Permit Overview:

The Discharge Permit requires numerous tasks be conducted on a fairly tight time schedule. While city staff is able to perform some of the tasks required by the permit, the majority of tasks are of a specialized nature, requiring professional services from an outside firm. Because of the time constraints and the interdependence of several task items, staff is recommending that tasks be coordinated and performed by a single consultant.

Carollo Engineers has been involved with the renewal of the discharge permit from the outset, and it is reasonable that they build upon the work they have done to date. The Table below identifies the tasks requiring the services of an outside firm, due dates, and Carollo's estimated cost to perform the task.

Description*	Purpose	Initial Milestone Date	Cost, Not to Exceed
Work plan to discourage recreational use of Mill Creek	Proper noticing of public	12/21/06	\$15,000
Technical Report identifying potential priority pollutants (Title 22)	Identify pollutants of concern for extensive monitoring	03/21/07	\$19,000
Use area agricultural management plan	Proper usage of recycled water for ag uses; monitor long term impact to use area	03/21/07	\$20,000
Implement interim dechlorination	Eliminate chlorine toxicity in Mill Creek	03/21/07	\$35,000
Evaluate groundwater monitoring network; identify additional monitoring well requirements	Identify groundwater impacts	01/21/07	\$69,000
Land use and Groundwater limitation studies	Propose appropriate discharge limits based on usage downgradient of the WWTP	12/21/06	\$85,000
*Tasks that are to be completed by City staff are not included in this table.		Total	\$243,000

The Permit also requires the City to complete a Treatment Plant Master Plan that includes a technical evaluation of the WWTP's nitrogen control systems, sludge handling facilities, and all process units of the plant. This plan must also identify whether the City intends to stop discharge to Mill Creek, and if so, how the effluent is to be managed. The Master Plan must be completed by September 21, 2007.

At the August 21, 2006 Council meeting, Council authorized advertising for a Request for Proposal to perform the Master Plan. The scope of work is being prepared and must be submitted to the Regional Board for their approval prior to commencing work. Any deficiencies identified in the Master Plan must be corrected within 4.5 years, including construction of any new process units necessary to fully comply with the discharge permit.

While the Master Plan and other tasks listed above will identify the specific long term needs of the treatment plant, some general assumptions, based on industry standards, can be made as to what upgrades will be required. These include:

1. Disposal Area (\$1 to 5 million). Functional as soon as possible. Effluent will be stored in ponds during the wet season, and used on farmland during the growing season. The current 80 acres of ponds will not provide sufficient storage capacity. It is likely that the additional 160 acres of ponds west of the WWTP (Basin 4) can be used for this purpose. At a minimum, a pipeline will need to be constructed from the treatment plant to Basin 4. Access structures can be constructed along the way to allow use for irrigation of nearby land. Use agreements and contracts with neighboring farmers will be needed.
2. Nitrification / Denitrification (\$8 million): Functional within 4.5 years. Nitrate (NO_3) in groundwater interferes with the body's ability to properly utilize oxygen. Ammonia (NH_3) in surface waters is toxic to aquatic organisms. Nitrification / Denitrification is a simple process that utilizes air to convert the various nitrogen compounds in wastewater into nitrogen gas that is harmlessly released to the atmosphere.
3. Solids Handling facility (\$8 million): Functional within 4.5 years. The construction of a mechanical solids dewatering facility to replace the solar drying beds is needed. This will prevent treated, nitrogen-rich solids from contacting the ground, thereby preventing nitrogen from leaching into groundwater.
4. Dechlorination (\$150,000): Functional within 6 months. Chlorine is toxic to aquatic organisms. Until completion of the Treatment Plant Master Plan and cessation of Mill Creek discharge, a temporary dechlorination facility is required.
5. Tertiary Filtration: (\$22 million): **ONLY IF DISCHARGE TO MILL CREEK CONTINUES.** Functional within 4.5 years. In order to meet a 2.2 MPN level of disinfection, tertiary filtration prior to disinfection will be required. This will produce a very high quality effluent that would be fully unrestricted for alluses, excluding domestic water supply.

Summary

Over the next 4.5 years, the treatment plant will require approximately \$20 million in plant upgrades in order to comply with the requirements of the discharge permit. Discharge to Mill Creek will have to be discontinued and direct reuse for agricultural irrigation will have to be implemented. Use agreements with neighboring farmers will be required. Additional ponds will be needed, or at a minimum, a pipeline connecting Basin 4 to the treatment plant will need to be installed.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: none

Recommended Motion (and Alternative Motions if expected):

Move to authorize City Manager to execute a Professional Services Agreement with Carollo Engineers in the amount of \$243,000 to conduct the various studies required in the wastewater discharge permit.

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: October 2, 2006

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

Agenda Item Wording: City Council Endorsement Supporting Propositions 1A-Transportation Investment Fund, 1B-Highway Safety, Traffic Reduction, Air Quality, Port Security Bond Act of 2006, 1C-Housing and Emergency Shelter Trust Fund Act of 2006, 1D-Education Facilities. Kindergarten-University Public Education Facilities Bond Act of 2006, 1E-Disaster Preparedness and Flood Protection Bond Act of 2006, and 84-Water Quality, Safety and Supply-Flood Control- Natural Resource Protection- Park Improvements.

City Council Opposition of Proposition 90-Government Acquisition, Regulation of Private Property.

Deadline for Action:
October 2, 2006

Submitting Department:
Administration

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

Department Recommendation:
Staff recommends that City Council endorse the above Propositions and Oppose Proposition 90.

Summary/background:
The League of California Cities has taken the recommended positions on the above listed Propositions. In addition, Self-Help Enterprises has requested the City Council endorse Proposition 1C as it will benefit Tulare County significantly. Proposition 1C is also endorsed by the California Chamber of Commerce. Habitat for Humanity, AARP and the California Building Industry Association. Detail of the various Propositions is attached for review.

SUPPORT

1A-Transportation Investment Fund. Makes it more difficult for the Legislature to suspend Proposition 42, related to sales-tax revenue funding for transportation purposes.

1B-Highway Safety, Traffic Reduction, Air Quality, Port Security Bond Act of 2006. \$19.9 billion bond to pay for road repairs and expansions, repair bridges, expand public transportation and improve security.

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.

1C-Housing and Emergency Shelter Trust Fund Act of 2006. \$2.85 billion housing bond for:

- affordable home ownership programs
- affordable housing construction programs
- housing for farmworkers
- homeless permanent housing construction
- homeless shelter housing construction
- transit-oriented development

1D-Education Facilities. Kindergarten-University Public Education Facilities Bond Act of 2006. \$10.4 billion bond for school and university construction.

1E-Disaster Preparedness and Flood Protection Bond of 2006. \$4.09 billion bond to repair levees and flood control infrastructure.

Proposition 84-Water Quality, Safety and Supply, Flood Control. Natural Resource Protection. Park Improvements. Initiative Statute.

OPPOSE

Proposition 90

“The League has joined with taxpayer, homeowner, police and fire, education, business, environmental, local government and community groups to oppose a deceptive initiative on California’s November ballot, dubbed the “*Taxpayer Trap*” initiative. Proponents say this measure is about eminent domain reform. The trap is hidden within the fine print of the measure---far-reaching provisions that will cost taxpayers billions of dollars.”

Prior Council/Board Actions:

n/a

Committee/Commission Review and Actions:

n/a

Alternatives:

take no position on the propositions

Attachments:

summary of propositions

Recommended Motion (and Alternative Motions if expected): I move the City Council endorse Propositions: 1A, 1B, 1C, 1D, 1E, and 84. I move City Council not endorse Proposition 90.

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: October 2, 2006

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

Agenda Item Wording: Request Council authorization to record a Notice of Completion for the 30 kW Photovoltaic solar energy installation at the Visalia Airport.

Deadline for Action: none

Submitting Department: Community Development

Contact Name and Phone Number:

Michael Olmos, Assistant City Manager, 713-4332

Sharon Sheltzer, Project Manager, 713-4414

Department Recommendation: That Council authorizes staff to file a Notice of Completion for the photovoltaic installation including two solar arrays: the parking shade structure and parapet on the south side of the Pilot's Lounge building. The project is complete and successfully generating electricity. The construction permit was finalized by the Building department on February 2, 2006, the system was commissioned by Southern California Edison (hooked up to the net-metering interconnection) on April 10, 2006, and the final contract requirement was completed on September 12, 2006 with the system tie-in to web based solar monitoring on the Sunny Portal website.

Summary/background:

Deventec Inc., Energy Management Solutions, was selected to install a 30 kW photovoltaic solar energy installation at the Visalia Airport, to provide electricity to the Pilot's Lounge and an airport hangar. The contract was for \$175,500 after a California Energy Commission rebate of \$83,028. There were no Change Orders.

The system was informally activated in February after the final inspection and has been generating electricity and reducing the electric bills since that time. The paper and other work required by Southern California Edison was completed by April 10, 2006 for the solar system to sell back its unused portion of generated electricity and provide a yearly credit to the City. This is referred to as their net metering system. The Sunny Portal web site monitoring system is tracking the electrical generation since the April 10 net metering activation date because it reads the six invertors, even though the graphic representation only shows activity since the August start date of the web monitoring. The City is on track to producing the estimated 60,000 kWh per year, having produced 34,000 kWh from April 10 through August 2006. The historic yearly average electricity usage for the Pilot's Lounge and three rows of hangars (meter #1573-

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
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Est. Time (Min.): 2

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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82) has been 97,000 kWh for a cost of \$13,000. We can anticipate a minimum yearly savings of \$8,060, as a result of the PV system, and an additional savings from switching to a "Time-of-use" SCE schedule that allows the City to be paid a higher rate for electricity produced and returned to SCE during peak periods. This projected savings will adjust according to the cost of electricity.

Production information can be accessed at www.sunnyportal.com by accessing the "Publicly Available Plants" icon on the left side of the page. The Visalia airport is presently alphabetically listed and on page 10 of the public sites. A password is not necessary.

Prior Council/Board Actions April 18, 2005 Authorization to enter into contract with Deventec, Inc.

Recommended Motion (and Alternative Motions if expected): Move to authorize to record a Notice of Completion for the 30 kW Photovoltaic solar energy installation at the Visalia Airport.

Committee/Commission Review and Actions:

Alternatives: NA

Attachments: Project Summary

Environmental Assessment Status

CEQA Review:NA

NEPA Review:

Tracking Information: File a Notice of Completion at the County Recorder's office

Copies of this report have been provided to:

Sharon SheltzerThis document last revised: 9/29/06 12:38:00 PM

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File location and name: H:\(1) AGENDAS for Council\2006\100206\Item 7c PV Notice of Completion.doc

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

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

Agenda Item Wording: Authorization to record the final parcel map for Tentative Parcel Map 2006-08, located at the northeast corner of Riggins Avenue and Dinuba Boulevard (SR-63). APN 079-071-006, 008, 009, 010, 011 & 019

Deadline for Action: N/A

Submitting Department: Public Works

Contact Name and Phone Number:

Andrew Benelli 713-4340
Doug Damko 713-4268

Department Recommendation: Staff recommends that City Council approves the recordation of the final parcel map of Tentative Parcel Map 2006-08. The final parcel map is creating four parcels that separate the property according to the zoning. Parcel 1 is zoned Community Commercial (CCM) and is presently being developed for the North Park Promenade East shopping center. Parcels 2, 3 and 4 are zoned R-1-6 and R-M-2 and are planned to be further subdivided. Right of way dedications for all public streets are being done with this parcel map with the exception of Santa Fe Street. The Santa Fe Street alignment will be established with the development of Parcel 2. Improvements to these public streets will be done at the time of development of each of the parcels. North Visalia Holdings is the subdivider for this parcel map.

Summary/background: A review of the attached tentative parcel map shows a conceptual roundabout at the intersection of Shannon Parkway and the existing Atchison, Topeka and Santa Fe Railroad property. This concept is premised on the City purchasing the railroad property and then using the property for Santa Fe Street. In reality, this concept roundabout is not feasible at this exact location because it would fall on top of the existing levee of the St. John's River. Staff supports the idea of a 3 legged roundabout at this intersection but the intersection would need to be moved further to the west to be fully outside the St. John's River levee. The alignment of Santa Fe Street would also need to move west outside of the railroad property. A full design of the roundabout with this parcel map is premature and will be need to be done at the time of development of Parcel 2, which is zoned R-1-6. Because of these issues the attached final parcel map does not show any right of way being established for the

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

roundabout or show the right of way alignment for Santa Fe Street. It is anticipated that Santa Fe Street will be located within the railroad property until it needs to curve westerly to tie into the roundabout located west of the St. John's River levee.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: Tentative Parcel Map 2006-08 was approved by the Planning Commission on March 27, 2006.

Alternatives: N/A

Attachments: 1) location map; 2) final parcel map; 3) tentative parcel map; 4) notice of disclosure

Recommended Motion (and Alternative Motions if expected):

Move to authorize recordation of the final parcel map of Tentative Parcel Map 2006-08.

Environmental Assessment Status

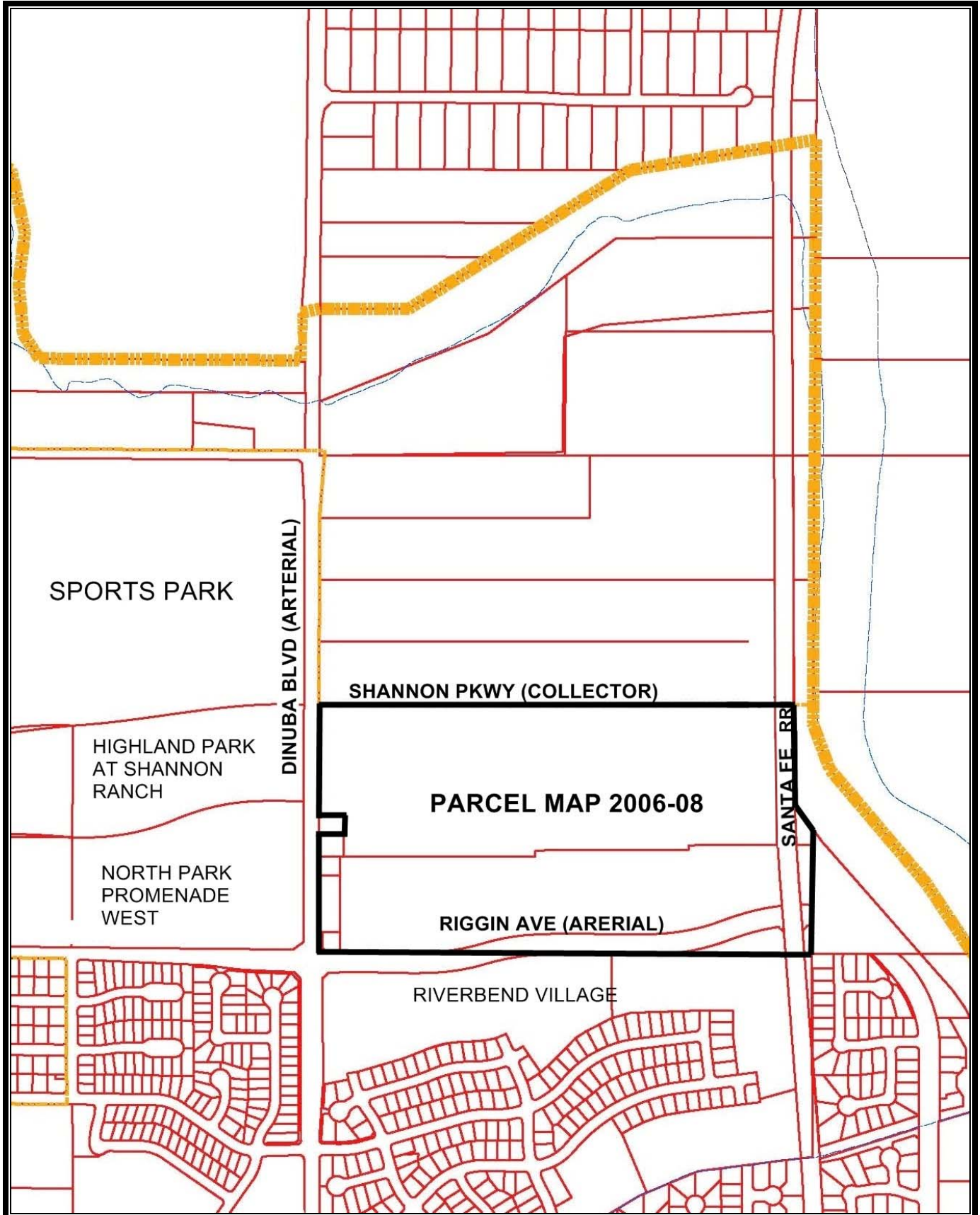
CEQA Review:

NEPA Review:

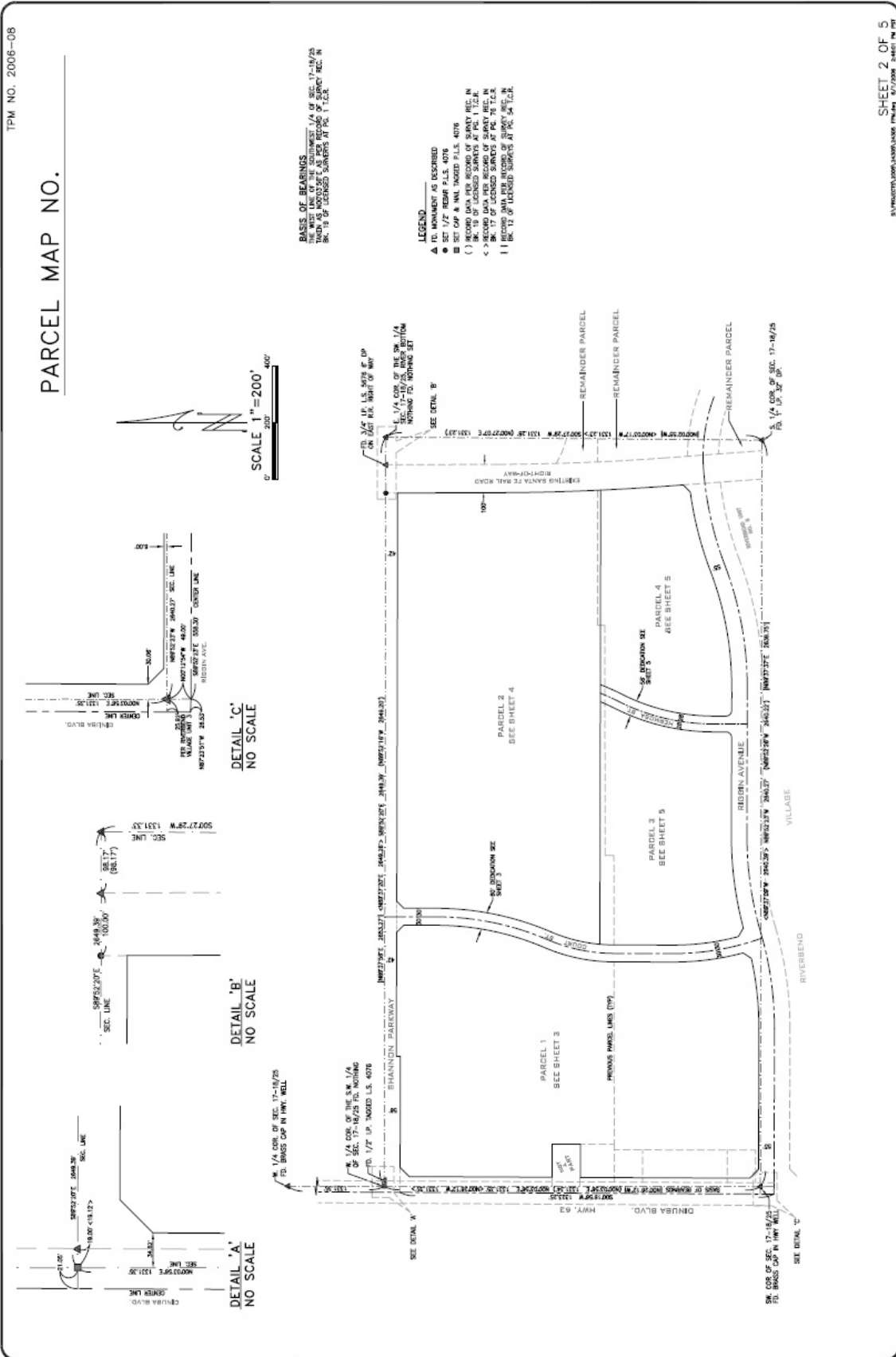
Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

LOCATION MAP



FINAL PARCEL MAP



**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2nd 2006

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

Agenda Item Wording: Authorize the recordation of an amended final map for Sterling Oaks Unit #1, located at the southeast corner of Demaree Street and Riggin Avenue (91 lots).

Deadline for Action: N/A

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713-4340
Peter Spiro 713-4256

Department Recommendation and Summary:

Staff recommends that City Council authorize the recordation of an amended final map for Sterling Oaks Unit #1 containing 91 Lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,333,530.50 and Labor and Material Bond in the amount of \$666,765.25; 3) cash payment of \$425,167.35 distributed to various accounts; and 4) Final Map. This subdivision is being developed by Ennis Land Development LCC.

On Dec 5th, 2005, City Council approved the recordation of the final map for Sterling Oaks Unit #1. A design change in the alignment of Riggin Avenue needed and that changed the street centerline and accordingly some lots dimensions (location of a curve in the centerline that is used to accommodate the Oak trees in a median island shifted 22' to the east). City ordinance requires that the corrected map be approved by the City Council before it is recorded.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. A Maintenance Bond valued at 100% of the cost of the public improvements will be required prior to recording the Notice of Completion. The Maintenance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm

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
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 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty NA
(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.

water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

According to Resolution No. 2004-117, adopted by City Council on October 18, 2004, the City will reimburse the developer for street improvements made to Arterial or Collector streets. This development constructed 2,600 linear feet of street improvements on Demaree Street (Arterial) and 1,300 linear feet of curb and gutter on Riggin Avenue. The developer has also installed a 36-inch diameter storm drain trunk line in the Demaree Street right of way that is needed to convey the storm run-off to Modoc basin. The City will be reimbursing the developer (Ennis Homes) approximately \$1,305,091.17. The reimbursement will be paid with a combination of fee credits for Transportation Impact Fees and cash payment.

Prior Council/Board Actions: On December 5th, 2005, City Council Approved the recordation of the final map for Sterling Oaks Unit #1 and created the landscaping and lighting district associated with the new subdivision.

Alternatives: N/A

Attachments: Exhibits "A"-Location Map-

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to authorize the recordation of the Amended Final Map for Sterling Oaks Unit #1.

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_____	

Exhibit "A"

Assessment Diagram
Assessment District No. 05-23
City of Visalia, Tulare County, California



Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-23
Sterling Oaks
Fiscal Year 2005-06

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-23
Sterling Oaks
Fiscal Year 2005-06



CITY OF VISALIA
Ownership Disclosure

SITE:

Address or APN(s) _____
Short Title or Name of proposed project STERLING OAKS UNIT NO. 1
Summary description of the proposed project Development of 71 homesites

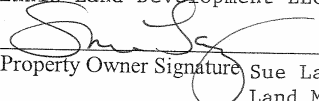
PROPERTY OWNER(S):

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) Ennis Land Development LLC Name (print) _____
643 N. Westwood St
Mailing Address Porterville, CA 93257 Mailing Address _____
Phone (559) 781-8888 Phone _____

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application.
Ennis Land Development LLC

11/16/05
Date


Property Owner Signature Sue Lafferty
Land Manager

Date

Property Owner Signature

OTHER INVOLVED PARTIES:

Fill in all that apply.

It is planned that the property will be sold to Ennis Homes, Inc.
(Write "none" if property owner(s) do not plan to sell property.)

Developer/Builder Ennis Land Development LLC
Mailing Address 643 N. Westwood St, Porterville, CA 93257
Phone (559) 781-8888 Fax (559) 781-3606

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

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

Agenda Item Wording: Authorization to award bid #06-07-02 "Cape Seal Various City Streets" and negotiated additions to International Surfacing Systems for \$642,665.

Deadline for Action: NA

Submitting Department: Public Works

Contact Name and Phone Number:

Andrew Benelli, 713-4340
Earl Nielsen, 713-4533

Department Recommendation:

Staff recommends awarding the bid to cape seal 23 city street segments to International Surfacing Systems for \$642,665.

Summary/Background:

On July 21, 2006 City staff issued a request for bids to place a cape seal on several City street segments currently listed in a failing condition. Two bids were received, with the low bid submitted by International Surfacing Systems for \$495,397. Their unit price for the cape seal was bid at \$5.38 per square yard. The other bid was submitted by Manhole Adjusting Contractors Inc. for \$787,921, with a cape seal unit price of \$8.06 per square yard.

Because the low bid amount was significantly less than the identified funding available for the project, staff negotiated with the low bidder for nine additional street segments at the same unit prices, for an additional cost of \$147,267. Total amount of the contract award will be \$642,665 with the additional streets.

A cape seal is a process that incorporates a rubberized membrane layer with a slurry seal overcoat. The process incorporates recycled tires in the manufacturing process of the rubberized material. Last year staff had a sample course applied to a one-block area of Main Street between Bridge and Santa Fe streets. The application has held up well and staff recommends using this process as a cost effective and environmentally friendly method to rejuvenate those areas of City streets that are in a poor condition (**see attachment #2 for listing of street segments and their associated costs**). All of the street segments included in this project are streets that are in a failing condition. This project will help City staff catch up on the maintenance program for these streets and extend their useful life.

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.): 2

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Sources of Funding:

Funding will be provided from multiple sources, including:

- Last year’s unspent Street maintenance capital project budgets rolled over for this project.
- Other current Street Maintenance Capital project budgets that are available for use for this project.

By using existing budget dollars along with funds rolled over from last year, this project will be fully funded without requesting any additional appropriations from the General Fund.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives:

1. Do not award the bid.

Attachments:

1. City of Visalia bid document (cover page only).
2. Listing of street segments and associated bid costs

Recommended Motion (and Alternative Motions if expected):

I move to award the bid and negotiated additional streets for the project “Cape Seal Various City Streets” to international Surfacing Systems.

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
REQUEST FOR BID ("RFB")**

RFB NO.06-07-02

PROJECT: CAPE SEAL & SLURRY SEAL VARIOUS CITY STREETS

BIDS ARE DUE NO LATER THAN 1:00 PM ON AUGUST 18, 2006

The City of Visalia expressly reserves the right to modify, or withdraw from, the process initiated and described herein. No rights shall be vested in any party, individual or entity by virtue of its preparation to participate in, or its participation in, such process. The City expressly reserves the right to modify, for any reason, the schedule and any provision contained herein. The City reserves to itself the selection of winning respondent(s), if any, in the exercise of its sole discretion. No binding commitment shall arise on the part of the City to any respondent under this Request for Bid until and unless the parties sign documents of agreement that become effective in accordance with their terms. Responses to this RFB, however, shall be held firm by Respondent for at least ninety (90) days.

**Advertisement Dates : July 21, 2006
July 26, 2006**

Attachment 2
List of Street Segments Included In Bid Award

BASE BID STREET SEGMENTS					
No.	Street Segment	Quantity	Unit	Unit Price	Amount
1	Shirk-Caldwell to Hwy 198				
	SAM application with Fog Seal	25,040	Sq. Yd.	\$ 3.94	\$ 98,657.60
	Traffic Control	1	Each	\$ 6,400.00	\$ 6,400.00
2	Chinowth-from Caldwell to Whitendale				
	Cape Seal	10,442	Sq. Yd.	\$ 5.38	\$ 56,177.96
	Traffic Control	1	Each	\$ 4,400.00	\$ 4,400.00
3	Beech-from Terrace to Mooney				
	Cape Seal	7,104	Sq. Yd.	\$ 5.38	\$ 38,219.52
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
4	Tulare-from Crowe to Woodland				
	Cape Seal	4,333	Sq. Yd.	\$ 5.38	\$ 23,311.54
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
5	Giddings-from Mineral King to Main St				
	Cape Seal	4,439	Sq. Yd.	\$ 5.38	\$ 23,881.82
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
6	Feemster-from Demaree to Chinowth				
	Cape Seal	4,752	Sq. Yd.	\$ 5.38	\$ 25,565.76
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
7	Judy-from Chinowth to Demaree				
	Cape Seal	4,752	Sq. Yd.	\$ 5.38	\$ 25,565.76
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
8	Hillsdale-from Akers west to address #5846				
	Cape Seal	7,000	Sq. Yd.	\$ 5.38	\$ 37,660.00
	Traffic Control	1	Each	\$ 3,000.00	\$ 3,000.00
9	Feemster-from Irma to Goddard				
	Cape Seal	3,360	Sq. Yd.	\$ 5.38	\$ 18,076.80
	Traffic Control	1	Each	\$ 1,500.00	\$ 1,500.00
10	Howard-from Pinkham to 100' east of Goddard				
	Cape Seal	6,067	Sq. Yd.	\$ 5.38	\$ 32,640.46
	Traffic Control	1	Each	\$ 4,300.00	\$ 4,300.00
11	Irma-Paradise to 100' east of Howard				
	Cape Seal	3,083	Sq. Yd.	\$ 5.38	\$ 16,586.54
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00

Attachment 2
List of Street Segments Included In Bid Award

BASE BID STREET SEGMENTS					
No.	Street Segment	Quantity	Unit	Unit Price	Amount
12	Goddard-from Paradise to 100' east of Howard				
	Cape Seal	3,033	Sq. Yd.	\$ 5.38	\$ 16,317.54
	Traffic Control	1	Each	\$ 1,500.00	\$ 1,500.00
13	Paradise-from Pinkham to Goddard				
	Cape Seal	5,367	Sq. Yd.	\$ 5.38	\$ 28,874.46
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
14	Rose-from Bradley east to the End				
	Cape Seal	3,227	Sq. Yd.	\$ 5.38	\$ 17,361.26
	Traffic Control	1	Each	\$ 1,400.00	\$ 1,400.00

	<i>Cape Seal Total</i>	91,999	Sq. Yd.		\$ 458,897.02
	<i>Traffic Control Total</i>				\$ 36,500.00
BASE BID TOTAL \$					\$ 495,397.02

ADDITIONAL STREET SEGMENTS					
No.	Street Segment	Quantity	Unit	Unit Price	Amount
1	Cambridge-from Bradley east to the end				
	Cape Seal	4,619	Sq. Yd.	\$ 5.38	\$ 24,850.22
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
2	Vassar-from Cotta east to the End				
	Cape Seal	794	Sq. Yd.	\$ 5.38	\$ 4,271.72
	Traffic Control	1	Each	\$ 1,000.00	\$ 1,000.00
3	Jackie-from Victor north to the end				
	Cape Seal	623	Sq. Yd.	\$ 5.38	\$ 3,351.74
	Traffic Control	1	Each	\$ 1,000.00	\$ 1,000.00
4	Cotta-from Walnut to Cambridge				
	Cape Seal	2,130	Sq. Yd.	\$ 5.38	\$ 11,459.40
	Traffic Control	1	Each	\$ 1,500.00	\$ 1,500.00
5	Duran-from Lovers Lane north to end				
	Cape Seal	5,742	Sq. Yd.	\$ 5.38	\$ 30,891.96
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
6	Duran Ct.-entire Cul-De-Sac				
	Cape Seal	680	Sq. Yd.	\$ 5.38	\$ 3,658.40
	Traffic Control	1	Each	\$ 1,000.00	\$ 1,000.00

Attachment 2
List of Street Segments Included In Bid Award

ADDITIONAL STREET SEGMENTS					
No.	Street Segment	Quantity	Unit	Unit Price	Amount
7	Manzanita-from Douglas to Roosevelt				
	Cape Seal	2311	Sq. Yd.	\$ 5.38	\$ 12,433.18
	Traffic Control	1	Each	\$ 1,500.00	\$ 1,500.00
8	Memory-from Fairhaven to Cherry				
	Cape Seal	4,491	Sq. Yd.	\$ 5.38	\$ 24,161.58
	Traffic Control	1	Each	\$ 2,500.00	\$ 2,500.00
9	Coppola-from Demaree to Mooney				
	Cape Seal	3288	Sq. Yd.	\$ 5.38	\$ 17,689.44
	Traffic Control	1	Each	\$ 2,000.00	\$ 2,000.00
	9 SEGMENT ADDITIONS Total	24,678	Sq. Yd.		\$ 147,267.64

	TOTAL ALL 23 SEGMENTS	136,736	Sq. Yd.		\$ 642,664.66
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**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

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

Agenda Item Wording: Authorization to apply for a California Department of Transportation Environmental Justice Planning Grant for evaluation of traffic and pedestrian conditions and recommendations for improvement at the Oval Park area.

Resolution 2006-95

Deadline for Action: October 12, 2006

Submitting Department: Community Development

Contact Name and Phone Number: Tim Burns 713-4172
Michael Carr 713-4595

Department Recommendation: Staff recommends Council authorize submittal of the grant application

Summary/background: On Thursday, May 11, 2006 several City representatives met with the Northern Visalia Neighborhood Advisory Committee and members of the community to discuss concerns expressed regarding the Oval Park area. During the meeting concerns were expressed regarding public safety, infrastructure, park maintenance, land use, cross walks and pedestrian facilities. As a result of the concerns expressed, Assistant City Manager Olmos and Public Works Director Benelli conducted a follow up site inspection with Cal Trans representative Al Dias to further evaluate the traffic conditions in the area and to discuss possible alternatives to calm traffic and improve pedestrian facilities along State Route 63.

After reviewing the situation AL Dias suggested that the City consider applying for an Environmental Justice Planning Grant. The stated purpose of the grant program is to promote community involvement in planning to improve mobility, access, and safety while promoting economic opportunity, equity, environmental protection, and affordable housing for low income, minority, and Native American communities.

The proposed grant for the Oval would evaluate how the area might be improved with respect to CalTrans facilities and identify recommended street calming, pedestrian and landscape improvements. Staff is in the process of completing the application process for submittal with Council's consent. The grant request is for \$150,000.00 and requires that the City provide a 10% match in funds. The grant is a planning grant intended to provide funding to assist in

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.

assessing traffic and pedestrian issues in the Oval area and a plan of action for improving those conditions to enhance quality of life for persons living around and using the Oval Park area.

Recommendations coming from the study will identify improvements to calm traffic, improve pedestrian movements, and enhance environmental conditions (landscaping, lighting, etc.). Future capital improvement projects would be considered to install improvements around Oval Park. This study will provide the basis to apply for future State grants to construct improvements and prioritize City's spending in this area.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives: Proceed in evaluation without apply for planning grant funding.

Attachments: Resolution 2006-95

Recommended Motion (and Alternative Motions if expected): Authorization to pursue Department of Transportation Environmental Justice Planning Grant to address traffic and pedestrian conditions in the Oval Park area. Resolution 2006-95

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- 95

A RESOLUTION OF THE CITY OF VISALIA CITY COUNCIL APPROVING AN APPLICATION FOR GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR AN ENVIRONMENTAL JUSTICE: CONTENT SENSITIVE PLANNING

WHEREAS, the City of Visalia City Council hereby authorizes the submittal of an application to the California Department of Transportation for funding under Environmental Justice: Content-Sensitive Planning, the execution of a standard agreement if selected for such funding and any amendments thereto, and any related documents necessary to participate in the Environmental Justice: Content- Sensitive Planning Program; and

WHEREAS, the City of Visalia, a Charter city of the State of California, wishes to apply for and receive an allocation of funds through the Environmental Justice: Content- Sensitive Planning Program; and

WHEREAS, the California Department of Transportation has issued a Notice of Funding Availability for the Transportation Planning Grants the Department of Transportation is authorized to approve funding allocations utilizing monies made available by the State Highway Account , subject to the terms and conditions of the statute and the Environmental Justice Content- Sensitive Planning Program Guidelines, and

WHEREAS, the City of Visalia wishes to submit an application to obtain from the California Department of Transportation an allocation of Environmental Justice Content-Sensitive Planning funds in the amount of \$150,000 to include a 10% match by the City.

IT IS NOW THEREFORE RESOLVED THAT:

1. The City of Visalia shall submit to the California Department of Transportation an application to participate in the Environmental Justice Content- Sensitive Planning Program in response to the California Department of Transportation, Transportation Planning Grants Fiscal Year 2007-2008, which will request a funding allocation for the following activities:
 - a. Conduct a traffic survey of State Route 63 Lincoln Park Oval area.
 - b. Host four (4) community neighborhood meetings.
 - c. Develop survey.
 - d. Conduct door to door interviews.
 - e. Complete final report/ analysis
 - f. The grant funds will be utilized in the city limits of the City of Visalia, located in the County of Tulare, State of California.

2. If the application for funding is approved, the City of Visalia hereby agrees to use the Environmental Justice: Content- Sensitive Planning funds for eligible activity in the manner presented in the application as approved by the California Department of Transportation and in accordance with program guidelines cited above. It also may execute any and all other instruments necessary or required by the California Department of Transportation for participation in the Environmental Justice: Content-Sensitive Planning Program.

3. The City of Visalia authorizes the City Manager, or his designee as agent, to execute in the name of the City of Visalia, the application, the Standard Agreement, and all other documents required by the California Department of Transportation for participation in the Environmental Justice: Content- Sensitive Planning Program, and any amendments thereto.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

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

Agenda Item Wording: Adopt Resolution 2006-96 approving the application for a California River Parkways Grant for approximately \$ 670,000 to develop picnic facilities, trails, and additional riparian landscaping in the St. John's River Park, authorize letter of support for Tulare County Proposition 50 grant application and authorize the City Manager to execute agreements related to the grant application.

Deadline for Action: October 2, 2006

Submitting Department: Parks and Recreation

Contact Name and Phone Number: Paul Shepard 713-4209
Don Stone 713-4397

Department Recommendation: Adopt Resolution 2006-96 approving the application for a California River Parkways Grant for approximately \$670,000 to develop picnic facilities, trails, authorize letter supporting Tulare County Proposition 50 grant application to develop a trail and other improvements at Mooney Grove Park and authorize the City Manager to execute all agreements related to the grant.

Summary/background: On November 5, 2002, California voters passed the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) that included the California River Parkways Program. It is a competitive grant program for river parkways projects. Eligible projects must meet a minimum of two out of five statutory conditions and provide public access or be a component of a larger parkway plan that provides public access. \$32.5 million is currently available for the second round of grant awards.

Staff recommends the submission of a \$ 670,000 grant application to develop a trailhead and low impact recreation area on the St. John's River Park. The project would improve approximately 21 acres along the river between Ben Maddox and Buena Vista Street. For over twenty years this area has been used as a temporary storage area for the Streets and Parks Division. The grant application proposes to relocate the storage to another location and convert this area to recreation uses.

The proposed grant project would include the following:

- Clean-up of storage area at Ben Maddox Ave.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):_1__

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

- A 6 to 8 stall parking lot at Gowdy Street
- An interpretative trail through the existing twelve acres of Valley Oak forest.
- Improved irrigation and landscape, including a meadow area in two locations, restoration of native riparian trees and shrubs.
- Trail lighting
- Picnic tables, drinking fountains, pet waste stations, signs, and benches
- Two viewing areas on river
- Monument signs (“St Johns River Parkway”) on Ben Maddox Ave. and St Johns Parkway at Cain Street

Staff requests matching funds of approximately \$130,000. This includes Streets Division in-kind labor and equipment to relocate the asphalt and concrete (\$85,000) and a contribution from Park and Recreation Foundation (\$3,000). Staff also recommends that \$50,000 from the Waterway Fund project (9756) identified in the Capital Improvements Program as matching funds for development projects be used for project. While matching funding is not a requirement of the grant, projects that provide matching funds will have a better chance of success.

The project will create a significant additional recreation enhancement to the river park. The parking lot and recreation improvements will encourage more park use and the area lighting will improve the perception of safety for users. The project interpretative element will provide educational elements on the natural and cultural history of the area. This project will preserve and enhance a significant natural habitat area, enhance the existing playground site on St Johns Parkway, and add several grassy open space areas.

Staff also requests the Council approve a letter supporting the County of Tulare’s River Parkway grant application to develop a trail along Cameron Creek at Mooney Grove Park. In return the Board of Supervisors’ will provide a support letter for the City’s project. Staff has received assurance from the Department of Resources that this will benefit both applications since all grants are scored as a group and not by region. Other partners in the grant application include Community Services and Employment Training, the Tulare County Youth Corp, Visalia Park and Recreation Foundation, the Audubon Society, and Kaweah Delta Water Conservation District.

Prior Council/Board Actions: This grant application is in conformance with St. John’s River Park Master Plan adopted by Resolution 88-160.

Committee/Commission Review and Actions:

Alternatives:

Attachments: Location map, resolution 2006-96

Recommended Motion (and Alternative Motions if expected): Adopt **Resolution 2006-96** approving the application for a California River Parkways Grant for approximately \$670,000 to develop picnic facilities, trails, and additional riparian landscaping in the St. John’s River Park , authorize the City Manager to execute agreements related to the grant application, and authorize support for Tulare County Proposition 50 grant application to develop a trail and other improvements at Mooney Grove Park.

Environmental Assessment Status

CEQA Review: An Initial Study will be prepared for the grant application and, if successful, CEQA compliance will be required within one year of the grant award.

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:

Resolution No: 2006-96
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE WATER SECURITY,
CLEAN
DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 (Proposition 50)

WHEREAS, the Legislature and Governor of the State of California have provided Funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the Project.

NOW, THEREFORE, BE IT RESOLVED that the Visalia City Council hereby:

1. Approves the filing of an application for the St. John's River Park project;
2. Certifies that Applicant understands the assurances and certification in the application, and
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the Project(s) consistent with the land tenure requirements; or will secure the resources to do so, and
4. Certifies that it will comply with the provisions of Section 1771.8 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 50 Funds, and
5. If applicable, certifies that the Project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained, and
6. Appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned Project(s).

Approved and adopted the _____ day of _____ 2006. I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the City Council of the City of Visalia.

Following Roll Call Vote: Ayes: _____
 Nos: _____
 Absent: _____

Clerk/Secretary for the Governing Board

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

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

Agenda Item Wording: Resolution dissolving the Capital Improvement Corporation of the City of Visalia (CIC). Resolution 2006-96

Deadline for Action: None

Submitting Department: Administrative Services

Contact Name and Phone Number: Cass Cook, 713-4425

Department Recommendation: Staff recommends that Council dissolve the CIC. Currently the law firm Sidley Austin Brown & Wood provides annual services for which the City is charged \$1,000 a year. Since the CIC is no longer in operation, staff recommends its dissolution.

Summary/background: The City of Visalia City Council presides as the Board of Directors for the Capital Improvement Corporation (CIC). The CIC was formed in April of 1992 to assist in the financing of the Radisson Hotel, a taxable debt. The outstanding debt was paid off in January of 2003. Since the debt on the hotel was fully retired and the City does not anticipate operating a taxable enterprise like the hotel, the CIC is no longer needed. The City has others ways to issue tax-exempt debt.

Prior Council/Board Actions:

On October 28, 2002, Council authorized the early pay-off of the Radisson Hotel debt. The CIC was formed in April of 1992 to assist in the financing of the hotel project.

Committee/Commission Review and Actions:

Alternatives: Allow the CIC to continue to exist.

Attachments:

Resolution 2006-96
Certificate of Dissolution
Request for Tax Clearance

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.): 3

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): Approval of resolution 2006-96 which authorizes the dissolution of the Capital Improvement Corporation of the City of Visalia. Ratification of the filing of the Request for Tax Clearance. Authorization of the Certificate of Dissolution.

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: October 2, 2006

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

Agenda Item Wording: Authorize the Recordation of the Final Map for Walnut Village, located on the south side of Walnut Avenue between Chinowth Street and Linwood Street (11 lots and 1 common lot) and the Formation of Landscape and Lighting District No. 06-08, Walnut Village (**Resolution Nos. 06-98 and 06-99** required).

APN: 119-040-005 & 006

Deadline for Action: October 16, 2006

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:
Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

Final Map

Staff recommends that City Council approve the recordation of the final map for Walnut Village containing 11 multi-family lots with 44 units. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$40,877.50 and Labor and Material Bond in the amount of \$20,438.75; 3) cash payment of \$350.10 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. A Maintenance Bond valued at 10% of the cost of the public improvements will be required prior to recording the Notice of Completion. The Maintenance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

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

For placement on which agenda:
 Work Session
 Closed Session
Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:
Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Walnut Avenue (Arterial). The City will be reimbursing approximately \$22,855.25 to the developer (West Star Construction) by giving a cash payment.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 06-98 Initiating Proceedings for Formation of Assessment District No. 06-08, Walnut Village; adopt the Engineer's Report as submitted; and adopt Resolution No. 06-99 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

The Landscape & Lighting District will only consist of the streetlights on Walnut Avenue. The landscaping is to be maintained by a Home Owners Association.

The City of Visalia has been allowing the developers of subdivisions to form assessment districts under the Landscape and Lighting Act of 1972, and now under Proposition 218, in lieu of using homeowners associations for the maintenance of common features such as landscaping, irrigation systems, street lights and trees on local streets. The maintenance of these improvements is a special benefit to the development and enhances the land values to the individual property owners in the district.

The Landscape and Lighting Act allows for the use of summary proceedings when all the affected property owners have given their written consent. This process waives the requirement for a public hearing since the owners of this development have given their written consent to form this district. This development is planned to be done in several phases.

Prior Council/Board Actions: The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance the subdivision.

Committee/Commission Review and Actions: The tentative subdivision map for Walnut Village subdivision was approved by the Planning Commission on February 13, 2006.

Alternatives: N/A

Attachments: Location Map; Subdivision Map; Resolution Initiating Proceedings; Clerk's Certification; Resolution Ordering the Improvements; Exhibits "A", "B", "C", "D"

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for Walnut Village and I move to adopt Resolution No. 06-98 Initiating Proceedings for Formation of Assessment District No. 06-08 "Walnut Village" and adopt Resolution No. 06-99 Ordering the Improvements for Assessment District No. 06-08 "Walnut Village."

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)*

RESOLUTION NO. 06-98

RESOLUTION INITIATING PROCEEDINGS
FOR FORMATION OF
ASSESSMENT DISTRICT 06-08
WALNUT VILLAGE
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the maintenance of street lights.
2. The proposed district shall be designated "Assessment District No. 06-08, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 06-08, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Walnut Village".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 06-08
WALNUT VILLAGE
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 06-08, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 2nd day of October, 2006 by its Resolution No. 06-99

This document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

RESOLUTION NO. 06-99

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 06-08
WALUNT VILLAGE
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for "Assessment District No. 06-08, City of Visalia, Tulare County, California" and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2006-07.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Intentionally left blank
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "B"

Landscape Location Diagram

INTENTIONALLY LEFT BLANK

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-08
Walnut Village
Fiscal Year 2006-07

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$40.80	06-0801	Walnut Village
To Be Assigned	\$40.80	06-0802	Walnut Village
To Be Assigned	\$40.80	06-0803	Walnut Village
To Be Assigned	\$40.80	06-0804	Walnut Village
To Be Assigned	\$40.80	06-0805	Walnut Village
To Be Assigned	\$40.80	06-0806	Walnut Village
To Be Assigned	\$40.80	06-0807	Walnut Village
To Be Assigned	\$40.80	06-0808	Walnut Village
To Be Assigned	\$40.80	06-0809	Walnut Village
To Be Assigned	\$40.80	06-0810	Walnut Village
To Be Assigned	\$40.80	06-0811	Walnut Village

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-08
Walnut Village
Fiscal Year 2006-07

General Description

This Assessment District is located on the south side of Walnut Avenue between Chinowth Street and Linwood Street. Exhibit "A" is a map of Assessment District 06-08. This District includes the maintenance of street lights and any other applicable equipment or improvements. The total number of lots within the district is 11.

Determination of Benefit

The lighting is to provide safety and visual impressions for the area. The maintenance of the street lights is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments, the City Council has determined that street lights should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally, including lots not adjacent to street lights. The lots not adjacent to street lights benefit by the uniform maintenance and overall appearance of the District.

Estimated Costs

The estimated costs to maintain the District includes the costs to maintain street lights and any other applicable equipment or improvements.

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Street Lights	Each	2	\$105.00	\$210.00
Project Management Costs	Lots	11	\$18.00	\$198.00
TOTAL				\$408.00
10% Reserve Fund				\$40.80
GRAND TOTAL				\$448.80
COST PER LOT				\$40.80

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-08
Walnut Village
Fiscal Year 2006-07

Annual Cost Increase

This assessment district shall be subject to a maximum annual assessment (A_{\max}) for any given year "n" based on the following formula:

$$A_{\max} \text{ for any given year "n"} = (\$448.80) (1.05)^{(n-1)}$$

where "n" equals the age of the assessment district with year one (1) being the year that the assessment district was formed;

The actual annual assessment for any given year will be based on the estimated cost of maintaining the improvements in the district plus any prior years' deficit and less any carryover. In no case shall the annual assessment be greater than maximum annual assessment as calculated by the formula above. The maximum annual increase for any given year shall be limited to 10% as long as the annual assessment does not exceed the maximum annual assessment as calculated by the formula above.

The reserve fund shall be maintained at a level of 10% of the estimated annual cost of maintaining the improvements in the district. If the reserve fund falls below 10%, then an amount will be calculated to restore the reserve fund to a level of 10%. This amount will be recognized as a deficit and applied to next year's annual assessment.

Example 1. The estimated year four cost of maintaining the improvements in the district is \$ 489.19 [a 9% increase over the base year estimated cost of \$ 448.80]. The maximum annual assessment for year four is \$ 519.54 [$A_{\max} = (\$ 448.80) (1.05)^{(4-1)}$]. The assessment will be set at \$ 489.19 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$ 507.14 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$ 448.80]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$10.14 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$ 519.54 [$A_{\max} = (\$448.80) (1.05)^{(4-1)}$]. The year four assessment will be set at \$ 507.14 plus the deficit amount of \$10.14 which equals \$517.28 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$ 489.19 [a 9% increase over the base year assessment of \$448.80] and damage occurred to the masonry wall raising the year five expenses to \$ 547.54 [a 22%

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-08
Walnut Village
Fiscal Year 2006-07

increase over the previous year assessment]. The year five assessment will be capped at \$ 538.11 (a 10% increase over the previous year) and below the maximum annual assessment of \$ 545.52 [$A_{\max} = (\$448.80) (1.05)^{(5-1)}$]. The difference of \$ 9.43 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

I hereby certify that this report was prepared under my supervision and this report is based on information obtained from the improvement plans of the subject development.

Andrew Benelli
Assistant Director Engineering

RCE 50022

Date

City of Visalia Agenda Item Transmittal

Meeting Date: October 2, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: PUBLIC HEARING to consider reinstating the building permit fees to 85% of the pre-fee reduction rates. After hearing testimony, consider approval of proposed Building Permit Fee Schedule per **Resolution No. 2006-92**.

Deadline for Action: None

Submitting Department: Community Development and Administrative Services

Contact Name and Phone Number:

Mike Olmos, Assistant City Manager, 713-4332
Eric Frost, Administrative Services Director, 713-4474

Department Recommendation: Because the Building Safety Fund reserve balance is projected to drop below the targeted minimum amount of \$550,000, staff recommends reinstating the building permit fee to 85% of the pre-fee reduction amount. The increased fees will be effective sixty days from the date of adoption, December 2, 2006.

Summary/background: Developers pre-pay fees for permits that will be processed in approximately three to four months. These permits revenues may only be used to pay costs associated with the services for which the fees are collected. The fee structure should correspond to the service delivery cost. Because the fees are prepaid, a reserve fund should exist to allow the building safety staff to process the three to four month backlog in the event of a slow down in the building industry.

On January 20, 2004 and again on August 2, 2004, Council authorized a 25% temporary suspension of building permit fees, resulting in the combined 45% total fee reduction, in order to stabilize the Building Safety Fund reserve balance between \$550,000 and \$800,000. Since 2004, the fund balance has experienced a gradual decrease due to the continued intensity of construction activities. Staff recommends reinstating of the overall building permit fee to 85% of the pre-suspension rate, a 48% increase from current levels. The reinstatement would leave in place a 15% reduction from the May 5, 2001 rate. This reinstatement is necessary because past balances have now been returned to developers and the fee should be set at current costs, approximately \$76.81 per hour.

Building Safety Reserve Account

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.): 20 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.

Building permit fees are collected in advance to pay for the cost of services approximately three to four months in the future. The fees should not be more than the cost to provide services and the reserve fund should maintain enough funds to process the backlog of permits. Although this is a logical notion, from a practical standpoint having the exact cost for future services is difficult to achieve, as volumes of permits change from month to month.

The reserve account, which is kept in a separate fund, is being managed within a range to process the three to four months worth of permits. Currently, the floor, or minimum amount, is set at \$550,000 and the ceiling is set at \$800,000. City staff propose to increase the floor to \$650,000 and the ceiling to \$960,000, based on most recent cost projections to process three to four months worth of work.

City staff update and report the status of permit volumes and the reserve balances to the BIA on a monthly basis. Staff will continue to monitor the reserve and begin discussions regarding any adjustments to the fee when the reserve hits a level of \$800,000.

Building Safety Reserve Corridor

In the past, the City and the Building Industry Association (BIA) agreed to maintain a building safety reserve which represents three to four months of the building safety divisions operating expenses. The current window, or corridor, is \$550,000 to \$800,000, and represents the cost to process three to four months of permit backlog.

Assuming the current level of building activity continues, the proposed 85% fee increase results in a building safety reserve of approximately \$650,000 by the end of June, 2007. Developers prepay permit fees and the actual services are delivered at a later time. Currently, the estimate to complete the process is approximately 3 to 4 months average. In the event all activity ceased, the building safety staff must process the 3 to 4 month backlog.

The original \$550,000 floor represented approximately 3 months of the Building Safety operations budget. A January Council agenda item recommended a ceiling of \$800,000. However, the floor and ceiling should be adjusted as budgets change in order to maintain an appropriate reserve balance.

The 2006/07 operations budget of \$3.4 million includes contractual services in the amount of \$525,000 annually, which may be eliminated in the event of a severe slowdown. Eliminating these services yields monthly expenses of \$240,000 per month. In order to fund the cost to process all outstanding permits at current projected expense rates, the fund would need a reserve of \$720,000, above the recommended reserve of \$650,000. Table A - Projected Fund Balance, displays the calculation:

Table A
Projected Fund Balance (000's)

Projected Expenses	3,407
Less Contracted Services	<u>(525)</u>
Total	<u>2,882</u> /12 = 240 per month
3 Mos. Expenses	<u>240 x 3 = 720</u>

Because staff is working with projections and in order to present a more conservative approach, staff recommends increasing the reserve balance from \$550,000 to \$650,000 rather than \$720,000. At the same time, the ceiling should be increased proportionately. Staff recommends a corridor of \$650,000 to \$960,000, which represents approximately three to four

months of the building safety division's operating expenses. Table B – Change in Reserve Corridor, displays the proposed change in the corridor from the current structure to the recommended corridor level.

Table B
Change in Reserve Corridor (000's)

	<u>Current</u>	<u>Recommended</u>
Floor	550	650
Ceiling	800	960

These levels should be adjusted periodically to ensure a reserve of three to four months. This should be done by consistently examining expenses as done in Table A - Projected Fund Balance. Staff currently reviews actual expenditures and the building safety reserve on a monthly basis and shares this data with the BIA. In the event that expenses warrant an adjustment to the reserve (up or down), staff will discuss proposed reserve adjustment with the BIA and return to Council with a recommendation to either lower or raise the permit fees, depending on the activity in the home building industry.

BIA Opinion

City staff members have met with the BIA regarding the increase to permit fees and their opinion is they should be notified when the reserve fund approaches \$800,000, which the City agrees and will comply with. The BIA further recommends the corridor be set at \$650,000 to \$800,000, which is a ceiling \$150,000 less than recommended by City staff. Their rationale is that the City should not hold more than a three month reserve, currently estimated at \$720,000. When considering a change to the corridor, City staff applied the same 3 to 4 month range as the current corridor, which represents three to four month of expenses. City staff recommend the higher ceiling to remain within the corridor established in the past and to maintain a prudent reserve of three to four months operating expenses.

Growth in Operating Expenses

The City of Visalia has experienced record growth over the past few years. Calendar year 2006 will be the highest construction year in the history of the City of Visalia, with valuation of construction estimated to be around \$500 million. In efforts to support this growth, the Buildings division has experienced increases in costs due to increases in staffing and indirect support for building safety activities. Even with the increases in staffing, the Buildings division continues to “roll over” (defer to the following day) approximately 200 inspection requests per month. Table I – Building Safety Staffing, details the staffing levels for fiscal year 2006/07.

Table I
Building Safety Staffing

	<u>Allocated</u>	<u>Vacant</u>
Full time employees	13	1
Hourly employees	4	3
Contract employees	8	1
Total	<u>25</u>	<u>5</u>

There is currently one full time position, one full time contract position and three part-time hourly (1,000 hour maximum) positions vacant, for a total of 3.5 full-time equivalency. Staff has proposed not to fill the full time contract and one of the part time positions. The intent is to monitor future growth and possibly avoid implementing a reduction in force in the event of an

anticipated slow down in the building industry. The Building Division staff has worked hard to increase efficiencies in providing building services so that operating costs can be minimized.

Although there is a sense that the pace has slowed, building permits continue to remain at high levels. Table II - Building Permit Data below displays record high building permits in fiscal year 2005/06 and a projection for 2006/07.

Table II
Building Permit Data

	FY 05/06	FY 06/07
	Actual	Projected
# New SFD	1,524	1,494
Valuation	\$ 338,782,120	\$ 332,006,478
# Multi-Family	288	282
Valuation	\$ 25,148,806	\$ 24,645,830
# Res. Adds/Alts	2,087	2,045
	\$ 28,775,472	\$ 28,199,963
# New Comm	66	65
	\$ 97,108,096	\$ 95,165,934
# Comm Adds/Alts	469	460
	\$ 29,344,491	\$ 28,757,602
# Misc Permits	1,532	1,501
# Total Permits	5,966	5,847
Total Valuation	\$ 519,158,986	\$ 508,775,807

However, with increased service demands, expenses have also increased. In addition, the Buildings Safety Reserve has partially funded building permits for the past two years. That money is no longer available.

Fund Status

Table III– Building Safety Reserve balance with Current Fee Structure, summarizes the building safety reserve fund balance assuming the current fee structure and activity level remains in effect.

Table III
Building Safety Reserve Balance with Current Fee Structure

	04/05	05/06	06/07
Beginning Reserve Balance	\$ 1,833,582	\$ 1,238,880	\$ 870,421 *
Annual Revenue	2,056,001	2,655,532	2,485,000
Annual Expense	2,650,703	3,023,991	3,407,000
Change in Reserve	(594,702)	(368,459)	(922,000)
Year End Reserve Balance	\$ 1,238,880	\$ 870,421	\$ (51,579)

* Subject to Audit Adjustment

Table IV – Building Safety Reserve Balance with Reinstatement to 85% of the Pre-Suspension Fee Amount, summarizes the fund assuming an 85% reinstatement of the overall suspension.

Table IV
Building Safety Reserve Balance with Reinstatement to 85%
of the Pre-Suspension Fee Amount

	<u>04/05</u>	<u>05/06</u>	<u>06/07</u>
Beginning Reserve Balance	\$ 1,833,582	\$ 1,238,880	\$ 870,421 *
Annual Revenue	2,056,001	2,655,532	3,187,000
Annual Expense	2,650,703	3,023,991	3,407,000
Change in Reserve	(594,702)	(368,459)	(220,000)
Year End Reserve Balance	\$ 1,238,880	\$ 870,421	\$ 650,421

* Subject to Audit Adjustment

As evident from Table III– Building Safety Reserve balance with Current Fee Structure, the pendulum has now swung the other way and the building fund reserve balance is projected to dip below the minimum level of \$550,000 in fiscal year 2006/07. As seen in Table IV – Building Safety Reserve Balance with Reinstatement to 85% of the Pre-Suspension Fee Amount, the reinstatement of the building permit fee suspension results in a fund balance of approximately \$650,000 by the end of fiscal year 2006/07, still below the \$720,000 3-month reserve requirement. Though not proposed, a 90% reinstatement of the combined suspensions would yield a reserve balance of \$782,000. In any case, the Building Safety Reserve fund is no longer available to pay for current service costs under the current fee structure. Reinstating the fee is now appropriate to recover cost of services.

Fee Comparisons

Table V – Fee Comparisons, displays the history of the building permit fee.

Table V
Fee Comparisons

	<u>Dec-03</u>	<u>Jan-04</u>	<u>Aug-04</u>	<u>Dec-06</u>
		<u>25% Suspension</u>	<u>25% Suspension</u>	<u>Proposed</u>
Fee	\$ 2,340	\$ 1,760	\$ 1,340	\$ 1,980

Prior to the first 25% fee suspension in January 2004, the building plan check and inspection fee for a typical 2,000 sq. ft. single family dwelling was \$2,340. The initial suspension reduced this fee to \$1,760 and the following suspension to \$1,340. With the fee reinstatement, a typical 2,000 sq. ft. single family dwelling would be \$1,980.

Table VI – Hourly Rate Comparison, compares the City’s proposed hourly rate to the the City of Portville.

Table VI
Hourly Rate Comparison

	City of Visalia <u>Proposed</u>	City of Porterville <u>Actual</u>
Hourly Rate	\$ 76.81	\$ 80.00

An updated fee schedule including the 85% reinstatement is attached for reference and indicates an hourly rate of \$67.04 for plan check and \$86.57 for inspection for an average hourly rate of \$76.81. Comparatively, the City of Porterville's hourly rate is \$80.00.

Reserve Balance Options

When considering the amount of required reserves, there are two additional options to consider:

- A reinstatement to 90% of the pre-suspension fee would result in a fund balance of \$720,000 by the end of fiscal year 2006/07 if current activity levels continue. This option assumes expense projections remain the same.
- A reinstatement to 80% of the pre-suspension fee would yield a fund balance of \$533,000 by the end of fiscal year 2006/07 if current activity levels continue. This option assumes expense projections remain the same.

Public Noticing

In order to reinstate the Building Permit Fee to 85% of the pre-suspension rate, proper public noticing requirements will be followed as per Government Code Section 5.1.20 of the California Municipal Law Handbook. The effective date of the partial suspension elimination will be 60 days from the time Resolution 2006-92 is approved by Council. Thus, the fee would be effective as of December 2, 2006.

Prior Council/Board Actions:

- January 20, 2004 – Council authorized a temporary suspension of 25% of building permit fees effective immediately
- August 2, 2004 – Council authorized a temporary suspension of an additional 25% of building permit fees effective August 9, 2005

Committee/Commission Review and Actions:

Alternatives:

1. Continue with the current fee schedule.
2. Reinstatement 90% of the overall fee suspension.
3. Reinstatement 80% of the overall fee suspension.

Attachments: Resolution No. 2006-92
Exhibit "A" to Resolution 2006-92, Building Permit Fee schedule
Exhibit "B", Monthly Detail of Revenues and Expenses

Recommended Motion (and Alternative Motions if expected):

Adopt Resolution No. 2006-92 to the revise the Building Permit Fee schedule.

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. 2006-92

RESOLUTION OF THE VISALIA CITY COUNCIL
OF THE CITY OF VISALIA ADOPTING REVISED BUILDING PERMIT FEES

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

WHEREAS, the City Council of the City of Visalia adopted Resolution 2001-16 to establish a revised Building Permit Fee Schedule; and

WHEREAS, the City Council of the City of Visalia on January 21, 2004 temporary suspended 25% of the Building Permit Fee; and again on August 9, 2004 temporary suspended an additional 25% of the Building Fee; and

WHEREAS, the Building Safety Fund reserve balance is projected to drop below the targeted minimum amount of \$550,000; and

WHEREAS, the building permit fees will be reinstated 85% of the pre-fee reduction rate; and

WHEREAS, notice pursuant to Government Code Section 5.1.20 has been given; and

WHEREAS, the City Council of the City of Visalia did conduct a public hearing on the proposed Building Permit Fee Schedule on October 2, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Visalia adopts the Building Permit Fee Schedule as given in Exhibit "A". The revised fee schedule shall be effective sixty calendar days after the approval of this resolution, December 2, 2006.

PASSED AND ADOPTED: STEVEN M. SALOMON, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Steven M. Salomon, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2006- passed and adopted by the Council of the City of Visalia at a regular meeting held on .

Dated: STEVEN M. SALOMON, CITY CLERK

By, Chief Deputy
CLERK'S CERTIFICATION TO COUNTY AUDITOR

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 2, 2006

Agenda Item Number (Assigned by City Clerk): 9

Agenda Item Wording: Presentation and discussion of angled parking along the south side of Center Avenue between Bridge Street and Conyer Street and additional angled parking along various roadways in the downtown area. Allocate funds to seal coat the road way surface of Center Avenue between Bridge Street and Conyer Street and re-stripe Center Avenue for angled parking along the south side of Center Street. Allocate additional funding for the design and construction of traffic calming planters at the ends of each block associated with the angled parking. Establish a speed zone of 35 miles per hour for Center Avenue between Ben Maddox Way and Hall Street except for the portion of Center Avenue between Bridge Street and Conyer Street will be established as a 30 mile per hour zone. **Resolution No. 2006-__ required.**

Deadline for Action: None

Submitting Department: Public Works –Traffic Safety Division

Contact Name and Phone Number:

Andrew Benelli, 713-4340
Eric Bons, 713-4350

Department Recommendation

Authorize staff to seal the road way surface of Center Avenue between Bridge Street and Conyer Street and re-stripe Center Avenue for angled parking along the south side of Center Street. Additional angled parking will also be added along Conyer Street, Johnson Street, and Garden Street in the downtown area. Appropriate \$50,000 from the General Fund – Motor Vehicle In-lieu (0012) and \$15,000 from the General Fund (0011) for re-striping the roadway. Appropriate \$150,000 from the Gas Tax Fund (1111) for the design and construction of traffic calming planters at the end of each block associated with the angled parking. Adoption of **Resolution No. 2006-__** establishing the speed zones on Center Avenue between Ben Maddox Way and Hall Street.

Summary/Background

The need for additional parking in the downtown district is increasing with the economic growth of the downtown district. A parking study prepared by TPG Consulting, Inc. of Visalia has identified Center Avenue as an area where additional parking can be created by the re-striping of Center Avenue between Conyer Street and Bridge Street. Additional angled parking was also recommended along various roadways in the downtown area. Angled parking would be painted along the south side of Center Street, two lanes of one way (west bound) traffic, and

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 10

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

parallel parking along the north side of Center Avenue. The average daily traffic on Center Avenue is shown in the table below.

Center Avenue
Average Daily Traffic (ADT) Counts

Location	Left Lane	Middle Lane	Right Lane	Total
100 feet West of Locust St (SR-63)	1,927	2,969	2,382	7,278
150 feet East of Locust St (SR-63)	3,005	2,971	2,410	8,386
150 feet East of Court St. (SR-63)	2,461	2,004	2,611	7,076

Converting the parking along the south side of Center Avenue to be diagonal will create an additional 55 parking stalls (see Table A). An additional 25 angled parking stalls will be created on the other minor streets in the downtown area (see Table B). The angled parking will create an area where the employees of the downtown merchants can park all day to open Main Street parking to costumers visiting the downtown stores.

The angled parking will create the need to decrease the speed along this section of Center Avenue. Staff recommends that the speed limit is reduced from 35 miles per hour to 30 miles per hour in the area that is changed to diagonal parking (Bridge to Conyer). The other segments of Center will continue to have a 35 mile per hour speed limit.

The configuration of the angled parking may increase low speed accidents at adjoining intersections and by cars backing into the adjoining travel lane. However, in theory there should be a reduction in injury accidents because vehicles are traveling at lower speeds. The reduction from three to two travel lanes will decrease the capacity of Center Avenue to carry vehicles. Approximately 8,000 vehicles per day travel along this portion of Center Avenue. Center Avenue currently has three travel lanes and operates at a Level of Service "A". A reduction to two travel lanes will not diminish the Level of Service.

The table below shows the difference between the existing conditions and the proposed parking along the south side of Center Avenue between Bridge Street and Conyer Street.

Table A

Center Avenue Angled Parking
(South side parking only)

Street Location	Limits	Existing Parallel Parking	Proposed Angled Parking	Gain / Loss
Center Avenue	Between Conyer and Stevenson	8	18	10
Center Avenue	Between Stevenson and Johnson	7	9	2
Center Avenue	Between Johnson and Willis	8	13	5
Center Avenue	Between Willis and West	8	13	5
Center Avenue	Between West and Floral	6	14	8
Center Avenue	Between Floral and Encina	5	13	8
Center Avenue	Between Encina and Locust	5	7	2
Center Avenue	Between Locust and Court	3	3	0
Center Avenue	Between Court and Church	5	8	3
Center Avenue	Between Church and Garden	6	9	3
Center Avenue	Between Garden and Bridge	9	18	9
		70	125	55

Additional angled parking will be added on the minor street at the following locations;

Table B

Additional Downtown Angled Parking

Street Location	Limits	Existing Parallel Parking	Proposed Angled Parking	Gain/Losses
Conyer Street	East side between Main Street and Center Avenue.	8	15	7
Johnson Street	East side between Main Street and Center Avenue	9	14	5
Garden Street	East side between School Ave and Oak Ave	8	15	7
Garden Street	East side between Main Street and Center Ave	10	16	6
				25

The net gain of parking spaces in the downtown area with the modification to Center Avenue and the additional north/south streets is approximately 80 parking stalls. The projected project time line is shown below. Approximately nine weeks are needed to complete the project. However, cold or wet weather could delay the completion. The slurry seal cannot be applied when the temperatures are below 50 degrees Fahrenheit or when the pavement is damp. If the weather is favorable the work would be completed during the Christmas Shopping season.

<u>Description</u>	<u>Duration</u>	<u>Date</u>
City Council	1 Day	October 2, 2006
Prepare construction plans & specifications	2 weeks	3rd week of October 2006
Advertise project	2 weeks	1st week of November 2006
Award project	2 weeks	November 20, 2006
Construction	3 weeks	3rd week of December

The angled parking along the south side of Center Avenue was presented to the Visalia Chamber of Commerce and they gave a vote of approval with the recommendation to add corner islands or "bulb outs" similar to those on Main Street. Bulb outs would improve the aesthetics and allow for additional street trees and landscaping. The estimated cost of \$150,000 includes the associated demolition, construction of curbing, landscaping, irrigation, and additional signing. The cost to maintain simple landscaping within the bulb outs would be approximately \$5,000 per year. The construction of the bulb outs can be completed as a separate project in order to implement the angle parking sooner.

The cost of sealing is approximately \$50,000. The cost of the construction of the bulb outs is approximately \$150,000. The cost of re-striping is approximately \$15,000. The total amount that needs to be allocated is \$215,000. The funding for the roadway sealing and construction of the bulb outs will be from the General Fund – Motor Vehicle In-lieu (0012) and the re-striping will be from the General Fund (0011). The General Fund (0011) had a projected available fund balance of \$2,000,000 and the General Fund – Motor Vehicle In-lieu (0012) was projected to have \$180,000 of available fund balance as of 7/1/06. This action will reduce the available fund balance by \$50,000 and \$15,000, respectively.

A citizen concern was raised at the City Council meeting of September 25, 2006 regarding the need for handicap parking stalls and if they could be incorporated into the angled parking revisions. Some of the Center Avenue parking will be adjacent to City owned public parking lots. Those lots already have handicap parking stalls which better serve the disabled community because they are closer to the business. The handicap stalls in the parking lots also provide level areas to unload wheelchairs. Handicap parking stalls will be provided on Center Street in areas that are not adjacent to City parking lots.

Staff is recommending that the parking on Center Street between Locust and Court remain as parallel. There is currently room to park three cars on the south side of the street and this will not be changed. Both Court and Locust are one way streets. This allows the turns onto Center to begin and end closer to the south side of Center Street. Diagonal parked vehicles would protrude into the travel path of vehicles that were turning from northbound on Court to westbound on Center. Vehicles backing out of the diagonal parking would not be able to anticipate cars turning onto Center from Court. This could result in some minor accidents so staff is recommending that parallel parking remain in this area.

Most of the areas that are proposed for diagonal parking currently allow parking all day. There are a few areas that restrict the parking to two hours and there are some loading zones. Most of the diagonal parking will initially allow parking all day. Any areas that currently have two hour

parking will continue to be signed for two hour parking. The areas that are currently marked as loading zones will continue to be marked as loading zones after the street is changed to diagonal parking. Staff will work with the merchants and with the Downtown Parking Task Force to address any requests to change the current parking restrictions.

This proposal has been presented to the Downtown Visalians and Alliance, Visalia Chamber of Commerce, the Citizens Advisory Committee, and to the general public in a Community meeting. All the groups and citizens were in support of angled parking along Center Avenue. The concerns raised were regarding the parking time restrictions.

Department Recommendation:

Authorize staff to seal the road way surface and construct bulb outs along Center Avenue between Bridge Street and Conyer Street and re-stripe Center Avenue for angled parking along the south side of Center Street. Authorize the expenditure of \$200,000 from the General Fund – Motor Vehicle In-lieu (0012) and \$15,000 from the General Fund (0011) for re-striping the roadway.

Prior Council/Board Actions:

None

Committee/Commission Review and Actions:

Alternatives: Maintain Center Avenue, Conyer Street, Johnson Street, and Garden Street in the downtown area to remain in their current configuration.

Attachments: **Exhibit A** – Conceptual intersection design
Resolution No. 2006- __, Establishing the speed limit zones on Center Avenue between Ben Maddox Way and Hall Street.

Recommended Motion (and Alternative Motions if expected):

Move to authorize staff to seal the road way surface and construct bulb outs along Center Avenue between Bridge Street and Conyer Street and re-stripe Center Avenue for angled parking along the south side of Center Street additional angled parking will also be added along various roadways in the downtown area. Authorize the expenditure of \$200,000 from the General Fund – Motor Vehicle In-lieu (0012) and \$15,000 from the General Fund (0011) for re-striping the roadway. Establish a speed zone of 35 miles per hour for Center Avenue between Ben Maddox Way and Hall Street except for the portion of Center Avenue between Bridge Street and Conyer Street will be a 30-mile per hour zone. **Resolution No. 2006-__ required.**

Environmental Assessment Status

CEQA Review: Not applicable

NEPA Review: Not applicable

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

RESOLUTION No. 2006 – ___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA AMENDIGN THE
OFFICAL SPEED ZONE LIST PURSUANT TO
CHAPTER 10.12 INCLUSIVE OF TITLE 10, VEHICLES AND TRAFFIC**

WHEREAS, The Council of the City of Visalia, pursuant to Chapter 10.12 inclusive of Title 10, Vehicles and Traffic, of the Ordinance Code, may enact prima facie speed limits on various roadways or portions thereof within the City of Visalia; and

WHEREAS, an “Engineering and Traffic” survey was performed pursuant to Section 10.12.060 of the Ordinance Code; and

WHEREAS, said prima facie speed limits are enacted pursuant to the provisions as set forth within the California Vehicle Code;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Visalia as follows:

Under the provisions of Chapter 10.12 inclusive of Title 10, Vehicles and Traffic, of the Ordinance Code, the prima facie speed limit for the following roadway, or portions thereof, are hereby determined and declared to be as shown below, and shall be included in the official City of Visalia Speed Zone List:

East – West Street	Prima Facie Speed Limit
Center Avenue – Ben Maddox Way to Bridge Street	35 MPH
Center Avenue – Bridge Street to Conyer Street	30 MPH
Center Avenue – Conyer Street to Hall Street	35 MPH

The portion of Center Avenue between Bridge Street and Conyer Street is reduced 5 miles per hour below the 85th percentile due to the angled parking along the south side of Center Avenue between Bridge Street and Conyer Street and the reduction from the existing three lanes of travel to two lane of travel.

The above prima facie speed limits shall become effective with the posting of the appropriate speed limit signs.

PASSED AND ADOPTED: