



# Visalia City Council Agenda

For the regular meeting of: Monday, November 6, 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

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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.

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## **WORK SESSION AND ACTION ITEMS (as described)**

**4:00 p.m.**

### **Public Comment on Work Session Items -**

1. Update by Sequoia Regional Institute regarding Fresno State Upper Division classes on College of Sequoia campus.
2. Petition to construct higher walls at the Visalia Police Department new precincts.
3. Update on Public Safety Master Plan:
  - a. Recommendation on Public Safety Answering Point
  - b. Evaluation of Computer Aided Dispatch options:
    1. Request to issuance of limited request for proposal for computer aided dispatch system.
    2. Recommendation to implement wireless communication component of Public Safety Master.

*\*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)**

4. Conference with Legal Counsel – Anticipated Litigation (2)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
5. Conference with Real Property Negotiators  
Property: 40,292 square feet (0.92 acre) located on the north side of K Avenue, west of Lovers Lane  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, David Jacobs, and Union Pacific Railroad
6. Conference with Real Property Negotiators  
Property: 438 S. Locust Street and 720 W. Mineral King Avenue.  
Under Negotiation: Price, terms, conditions of acquisition and/or disposition  
Negotiators: Steve Salomon, Mike Olmos, Colleen Carlson, Presbytery of San Joaquin
7. Conference with Real Property Negotiators  
Property: 101 N.W. 5<sup>th</sup> St.; APN: 094-053-023  
Under Negotiation: Price, terms conditions of purchase  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Samuel L. Davis
8. Public Employee Performance Evaluation  
Title: City Manager

**SPECIAL PRESENTATIONS/RECOGNITION**

**6:30 p.m.**

Recognition of John Vartanian longtime owner of the “Vintage Press” and community leader.

**REGULAR SESSION**

**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Rich Guerra, First Assembly of God

**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

9. 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) Appointment of new members Elaine Martell and David Wilson to the Transit Advisory Committee.
  - c) Authorization to grant an easement to Southern California Edison for utility facilities installed on City owned property located at the northeast corner of Mill Creek Parkway and Manzanita Street.
  - d) Approval of the FY 06 State Homeland Security Grant Program to the Visalia Fire Department in the amount of \$51,300.
  - e) Authorization to allocate an additional \$199,975 of HOME funds as gap financing to assist the Kaweah Management Company to construct a 10 unit affordable housing project located at Robinwood Court, north of Hillsdale Avenue, and west of Visalia Medical Clinic. Authorize the City Manager to execute a contract amendment and authorize the Administrative Services Director to make the necessary budget adjustments.
  - f) Authorization for the City Manager to execute an agreement with Boyle Engineering Corp. to prepare a comprehensive update to the Storm Water Master Plan. Also, to move funds of \$300,000 to transfer from the Storm Sewer Fund into the project (1221-00000-720000-0-9067).
  - g) Item removed from the agenda.
  - h) Second Reading of the following Ordinance(s) :
    1. **Ordinance 2006-15** Amend the Administrative Enforcement Ordinance (Chapter13 of Title1). *(A separate Motion by the Council is required.)*
    2. **Ordinance 2006-16** Amend the General Nuisance Ordinance (Chapter 40 of Title 8 of the Municipal Code). *(A separate Motion by the Council is required.)*
  - i) Authorization to file Notice of Completion for the following:
    1. Park West No. 7, Phase 3 Subdivision 10 lots located on Stevenson Street between Dorothea Avenue and La Vida Avenue.
    2. Silver Oaks Unit #1, containing 81 lots, located south of Ferguson Avenue and west of Demaree Street.
    3. Intersection modifications at Dinuba Boulevard and Ferguson Avenue. Project No. 1611-00000-720000-0-9524 in the amount of \$90,372.77.

10. REGULAR ITEM - Update on Air Service at the Visalia Airport and Authorization for the City Manager to execute the Airline Lease Agreement between the City of Visalia and Air Midwest Airlines for approximately 2792 square feet in the Airport Terminal Building.
11. CERTIFICATION HEARING - Approval of the Recommended Certification to add 604 S. Mooney Boulevard to the Local Register of Historic Structures: A request by the City of Visalia Historic Preservation Advisory Committee to add the structure/site located at 604 S. Mooney Boulevard, including the freestanding sign, to the Local Register of Historic Structures as an "Exceptionally" Classified "Art Moderne" Style building. The site is located at 604 S. Mooney Boulevard, Property Owner, Ralph and Isabelle Kazarian, APN: 096-031-016, 015, 021. **Resolution 2006-104.**
12. REGULAR ITEM - Approval of the **Introduction of Ordinance 2006-17** for Text Amendment No. 2006-03: a request by The Visalia Loyal Order of Moose to amend Zoning Ordinance Section 17.18.050 by amending Line #561 of the Zoning Matrix to add Private Clubs and Lodges as a "Conditional" use in the C-R (Regional Commercial) Zone.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

**Upcoming Council Meetings**

Monday, November 20, 2006  
Monday, December 4, 2006  
Monday, December 18, 2006

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

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

# City of Visalia Agenda Item Transmittal

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 1

**Agenda Item Wording:** Overview and Objectives of College of the Sequoias and California State University Fresno Off Campus Center ( Four Year Degree Program) and Hiring of Program Administrator

**Deadline for Action:**

update only-no time requirement

**Submitting Department**

Administration

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

**Department Summary:**

On October 6, 2006, at the BIZ Talk Business Conference a special press conference was held to announce the signing of a new Memorandum of Understanding between the Sequoia Region Institute for Higher Education, College of the Sequoias and California State University Fresno. This MOU is designed to address the expansion of the four year degree program and campus facilities for the students of Tulare/Kings Counties who attend or will consider attending California State University Fresno classes at the College of the Sequoias. It will also assist in increasing attendance to eventually enroll 250 Full Time Equivalent Students studying to receive baccalaureate degrees.

This is an essential, vital step in not only providing students with four year degree programs in Visalia, but will establish the attendance needed to pursue the full status designation required by the State to eventually pursue a separate stand alone institution.

A key component of the new agreement was the hiring of a program administrator. Dr. Don Goodyear past President of COS has been selected as the program administrator and comes to the program with tremendous history and working relationship with CSUF. Dr. Goodyear will be presenting an update on the progress of the Campus Center concept and the program objectives and time lines.

As you will recall the Sequoia Institute for Higher Education was formed this past year under the umbrella of the Tulare Economic Development Corporation. The Mission of the Institute is to work collaboratively to improve community systems that have an impact on learning and workforce competitiveness. The Goal is to provide higher education degree opportunities to a

**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.

broad segment of the population for the residents of Tulare and Kings Counties and surrounding areas within 15 minutes of their residency.

The MOU provides for:

- Administration of the program will be through the Institute for Higher Education.
- A part-time administrator has been hired. The City Council approved providing the
- The original nursing facility at COS will be converted to the new CSUF campus facility.
- The Institute for Higher Education will contribute \$100,000 for facility remodel and upgrade and marketing of the program.
- CSUF will complete additional classroom upgrade (computer technology) at COS at a cost of \$100,000.
- CSUF will complete upgrade of classroom at CSUF for teleconferencing at a cost of \$100,000.
- Institute for Higher Education will provide a gap analysis to assist in determining class offerings.
- CSUF and COS will jointly develop the curriculum.

Dr. Goodyear is currently in the process of applying for a \$50,000 grant through the State resulting from a bill the Assemblymember Maze introduced this past year. The grant monies would be used to develop and implement marketing and outreach for the CSUF four-year programs offered at the COS campus. The City has submitted a letter of support for the grant application which is due by December 1, 2006.

**Prior Council/Board Actions:**

approval of \$50,000 for 3 years for program administrator salary

**Committee/Commission Review and Actions:**

n/a

**Alternatives:**

**Attachments:**

**Recommended Motion (and Alternative Motions if expected):**

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 2

**Agenda Item Wording:** Group B Petition (Precinct background information)

**Deadline for Action:**

**Submitting Department:** Group "B"

**Contact Name and Phone Number:** Chief Bob Carden, 713-4215

**Department Recommendation:** N/A

**Summary/background:.** Group "B" is approaching City Council to present a petition requesting reconsideration of the wall construction type and height for both walls of the new police precincts.

**Prior Council/Board Actions:** No action taken.

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** Memo - Precinct Historical Summary

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 15

**Review:**

**Dept. Head** \_\_\_\_\_

**Finance** \_\_\_\_\_

**City Atty** \_\_\_\_\_

**City Mgr** \_\_\_\_\_

**Recommended Motion (and Alternative Motions if expected):**



*Environmental Assessment Status*

**CEQA Review: N/A**

**NEPA Review: N/A**

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

Copies of this report have been provided to:

**City of Visalia**  
**Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 3 a

**Agenda Item Wording:** Tulare County 9-1-1 Public Safety Answering Points (PSAPs)

**Deadline for Action:** N/A

**Submitting Department:** Police/Fire

**Contact Name and Phone Number:** Chief Bob Carden, xt. 4215;  
Chief George Sandoval, xt. 4218

**Department Recommendation:** (1) It is recommended by Police & Fire Department Staff that City Council direct that City Staff approach Tulare County for clarification as to how governance of a Consolidated Communication Center would be accomplished; (2) It is recommended by Police & Fire Department Staff that questions pertaining to the GeoComm Study outlined in this report be forwarded to Tulare County for further clarification.

**Summary/background:** GeoComm Corporation was retained in August 2005 by the Tulare County Board of Supervisors (acting through the County Health and Human Services Agency) to conduct a feasibility and viability study and options analysis of the potential consolidation of Enhanced 911 Public Safety Answering Points (PSAPs) operated by law enforcement, fire and ambulance agencies in Tulare County.

On August 25, 2005, GeoComm met with representatives of the Tulare County Sheriff's Department, each of the seven city police departments in the County, Visalia Fire, Tulare County Combined Ambulance Dispatch (TCCAD), and the Tulare County Fire/CDF PSAP (public safety answering point) to familiarize attendees with the scope and purpose of the study and to set up preliminary site visits to several of the PSAPS in the County later that day and the following day. GeoComm staff conducted additional visits to the involved agencies in October 2005.

On April 20, 2006, another meeting was scheduled with GeoComm staff to discuss the contents of their analysis. Four of the seven city police departments (Tulare, Lindsay, Dinuba and Woodlake) were not in attendance at this second meeting. Questions and corrections were addressed at this meeting.

In May 2006, we received a revised GeoComm 9-1-1 PSAP Consolidation Study report. The most notable change in the report was the projected labor cost savings that was reduced from \$1,778,371 in the original study to \$890,097 in the final study. These were the only costs addressed in the study. Although not specified in the final report, this revision appears to be the result of re-factoring the personnel cost by

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**For placement on which agenda:**

Work Session  
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**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): \_

**Review:**

**Dept. Head** \_\_\_\_\_

**Finance** \_\_\_\_\_

**City Atty** \_\_\_\_\_

**City Mgr** \_\_\_\_\_

using Visalia's Communications Operators' current salary range and benefit package as the baseline. The GeoComm study stated it did not determine the "specific costs required 'up front, one-time' to implement (their) recommendations, but they could far exceed \$1,500,000, not to mention the one-time costs of building a new PSAP or converting existing space to be a new PSAP."

On August 17, 2006, GeoComm met with various representatives, including some City Managers, of each PSAP organization to once again review their Consolidation Study. During that meeting, GeoComm's reaffirmed that while consolidated communications would be advantageous, they believed it would require a minimum of four years before a comprehensive and consolidated communications center would become operational. With regard to funding the center, the GeoComm representative suggested that a fee added to all land-line monthly telephone bills, designated as a 9-1-1 communications fee, could provide the needed funds.

### **Historical Perspective**

There are eleven **P**ublic **S**afety **A**nswering **P**oints (PSAPs) in Tulare County: Tulare County Sheriff's Department, Visalia Police, Porterville Police, Tulare Police, Dinuba Police, Exeter Police, Woodlake Police, Lindsay Police and Farmersville Police Departments. Nine of the PSAPs are primary where all wired (and some wireless) 911 calls are initially answered. Four of the Primary PSAPs (Farmersville, Exeter, Lindsay and Woodlake) are part-time which are operated only during weekday business hours, and where after hours, the dispatching tasks are handled by the Sheriff's Department PSAP. Two of the PSAPs are secondary where a Primary PSAP transfers 911 calls for handling/dispatching (CDF/County Fire and the ambulance dispatch center (TCCAD)).

#### **Visalia Communications Center:**

Visalia's Communication Center averages 288 police and 32 fire calls per day entered into the CAD (Computer Aided Dispatch) system. These numbers do not include the numerous calls that are received and are handled without the need to generate a call for service. Visalia averages over 35,000 9-1-1 calls per year, with seven-digit calls averaging well over 144,000 per year.

Visalia's Communication Center was constructed in the early 1970's on the basement floor of the Public Safety Building. The Center operates five dispatch/call-taking stations and current workspace is at capacity. Federal Communication Commission UHF/VHF radio licenses allow the use of three radio channels for police, two radio channels for fire, and two radio channels for public works. The public works channels are currently monitored by Dispatch and they are used to communicate directly with each other during critical incidents such as the recent flooding. The Communication consoles also have the ability to monitor and communicate with the Tulare County Sheriff Department, County Division of Forestry and California Highway Patrol.

The 9-1-1 system, radio equipment and phone equipment are located in the Public Safety Building. The equipment room houses phone lines, computer aided dispatching computers, radio channels, a voting system and various other technical equipment. The City maintains eight communication radio towers throughout the City.

At the beginning of 2006, the Visalia Police Department received and utilized \$121,000 in Homeland Security funding to add a police radio channel and upgrade to all digital radio equipment. This upgrade will meet the Department's infrastructure needs at dispatch and the communication towers for the next several years and comply with the upcoming FCC regulation changes for 2013 pertaining to "narrow

banding”. It should be pointed out however, that all vehicle and hand-held radios will probably need to be upgraded to meet the narrow banding requirement.

The Visalia Communications Center currently has an employee allocation of seventeen full-time employees; one Supervisor, four Senior Communication Operators, and twelve Communication Operators. The Center has also been granted two temporary positions to assist with staffing. There is one full-time Communications Operator opening and the two temporary positions are currently not filled. The minimum staffing level is three and the maximum (due to limited space) is five. It would be preferable to add allocated positions to bring the minimum staffing level to four due to ever increasing call loads.

It is anticipated that the new Police Headquarters building, currently in the planning stage and to be constructed in the next two or three years, will include plans for a new 9-1-1 Communications Center as provided for in Measure T. Current and future growth of the City, both in population and area, will be a major consideration in the size and design of this Center to insure it is functional for many years to come.

#### Visalia Communications Center Duties:

This portion of this report is intended to identify two sets of tasks; those which are currently performed by Visalia’s Communication Operators that would also be part of the tasks performed in a Consolidated Communications Center, and those which are performed by Visalia Communication Operators that would not necessarily be handled by a consolidated dispatch. A list of each follows for review:

##### Tasks likely to be provided by a Consolidated Communications Center:

- Handling all incoming phone calls on 9-1-1 emergency lines
- Dispatching and monitoring all police and fire units
- Confirming all stolen property/missing persons with other agencies
- Confirming all warrants
- Contacting tow companies, utilities, lab technician for blood draws, etc.
- Issuance of all report numbers
- Emergency Medical Dispatching
- Officer requests (10-27’s – drivers license checks, 10-28’s - vehicle registration information and 10-29’s - warrant checks)
- After hour contact of on-call judges, District Attorney for homicides, SPCA, responsible parties for businesses
- Call out of SWAT, Rapid Response, Detectives, Crime Lab

##### Tasks that likely will not be provided by a Consolidated Communications Center:

- Handling all incoming calls on non-emergency phone lines, internal and ring down phones lines (PD front door, PD lobby, fire door)
- Monitoring security cameras that are located in the front lobby, rear door and booking room, etc.
- Entry of all property as stolen, (entry timeframe for stolen or recovered vehicle information mandated by law), found, lost, safekeeping, and held for evidence into NCIC/CLETS

- Entry of all vehicles as towed, impounded, repossessed, private property tow, stolen, etc. into NCIC/CLETS
- Processing of all traffic citations (Running and attaching drivers license information and criminal histories)
- Entry of all missing/located persons into NCIC/CLETS (Entry timeframe mandated by law)
- 24-hour monitoring the teletype computer for all incoming messages (NCIC/CLETS)
- Entering restraining orders and maintaining the file for the orders
- Entry of all registered sex offenders into NCIC/CLETS
- Sending pages to appropriate department personnel with information regarding all major crimes
- Maintaining logs for all incoming/outgoing teletypes, stolen vehicles, criminal histories, 290 registrants and restraining orders
- Provide extra coverage for details. (i.e. DUI, Saturations, etc.)
- Call out of City Streets Department, Recreation Department, Public Works, tree services, volunteers, etc.

In all likelihood, if an agreement could not be reached to have the Consolidated Communication Center accept responsibility for completing these duties, additional personnel would probably be required to handle these job functions.

### **GeoComm Study Analysis**

On July 6, 2006, City staff from Information Services and the Police and Fire Departments met to provide an objective review of the GeoComm study and to serve as a forum for comments or questions pertaining to the study. The following comments are a result of that meeting, with suggested advantages listed first, and followed by questions the group felt needed further clarification.

#### **Identified Possible Advantages of Consolidated Communications**

Economy of Scale Efficiencies: Consolidation of communication services could have a positive impact on inefficiencies and duplication of services.

Improved training – Depending upon building design and available training staff, a separate training room specially equipped with state-of-the-art dispatch training equipment could assist in improving training opportunities.

Personnel growth opportunities – The GeoComm consolidation study recommends 59.19 FTE shift working dispatchers, 5 FTE lead dispatchers, 2 functional managers (training and technical services) and 1 managing director. Currently, VPD's Communications Center has 12 FTE and 2 temporary FTE shift working dispatchers, 4 FTE Sr. Communications Operators and 1 Communications Supervisor.

Specialized service for Fire and Police - Fire and EMS related 9-1-1 calls would be directed to dedicated Fire/EMS dispatchers. Currently, the Visalia Communications Unit has dispatchers who are responsible for dispatching and monitoring both the Police and Fire radio channels. This possibly could result in an increased focus in Fire, EMS & EMD dispatch services; although, may reduce staff flexibility.

Consolidated dispatch centers are successful in other areas – There are examples of consolidated (in various formats) organizations across the country. In California, one example is the Santa Cruz Consolidated Emergency Communications Center which provides 9-1-1 and public safety dispatch services for the County of Santa Cruz, City of Santa Cruz, City of Watsonville and the City of Capitola. Santa Cruz’s operation handles 9-1-1 calls (59,920 in 2005) as well as 7-digit emergency (38,944 in 2005) and non-emergency calls (137,709 in 2005) placed to the participating agencies. A comprehensive survey of existing consolidated communication centers as rated by their user agencies was not completed for purposes of this report, but would be a benefit in determining the success of consolidation.

Bigger center will be better able to take surges – With the consolidated Primary PSAP working in the same facility, if adequately staffed, they would share the merged workload. There would be more people to handle things like extraordinary events and wireless 9-1-1 call spikes. It seems plausible that this would be a particular benefit for the smaller agencies. Visalia’s Communications Center is currently set up with five stations that can be either call taking and/or dispatching positions.

Enhanced standardization throughout the County - Consolidation, with one CAD and one RMS system used universally within the County, would assist the Tulare County District Attorney’s Office by enabling them to deal with just one type of report format and one type of computer printout instead of five.

Addresses some recruitment concerns - There would be only one entity recruiting new communications operators, eliminating competition between agencies for competent candidates, while reducing overall recruitment costs.

Enhanced communications between police and fire agencies – According to the GeoComm study, “The law enforcement two-way radio environment in Tulare County is about as fully interoperable as any we have seen the United States. Every agency operates in the UHF band, and shares access to a number of radio channels through a mature series of strategically located receivers and repeaters located throughout the county, in addition to city owned transmitters. The one exception would be limited interoperability with the CHP. CHP would continue to have its own system. This interoperability could also be readily extended to the various EMS agencies, as they also operate in the UHF band. The Fire service agencies are equally interoperable with the fire service on the 105 MHz VHF band, but they lack full interoperability with law enforcement and EMS.” Consolidation could eventually result in further enhancing radio interoperability among user agencies.

Grants/Cooperative efforts could be more successful – It is a well known fact that grant applications targeting cooperative ventures are given priority consideration and have a greater chance of success.

Standardization of salaries – The City of Visalia’s Communications Center employees are the highest paid in the County. The GeoComm study recommends that the pay and benefits for a combined communications center be not less than the highest currently paid dispatcher pay range at the PSAPs today. This would have a distinct advantage to those Communication Center employees currently receiving lesser wages.

**Issues Not Included in Study / Identified Questions Regarding Consolidated Communications**

What form of governance will be used to operate a consolidated communications center? Will governance be by a Joint Powers Agreement? GeoComm has suggested the preferred configuration for the consolidation of the E9-1-1 PSAP operation in Tulare County to be as follows: 1) A new broad-based "PSAP Board" be tasked to own, operate, and manage this new PSAP serving Tulare County, and this PSAP Board be a joint creation of county and city government. 2) This governing board should have representation from public safety response entities served by the PSAP, local elected officials, and professional staff from the operating PSAPs.

Currently, it is unknown how many local agencies would have an interest in pursuing consolidated efforts. During the campaign process for Measure "T", it was determined that a new headquarters building and a 911 emergency communications center would be constructed with Measure "T" funds. There is a possibility that some local agencies may have an interest in contracting dispatch services with the Visalia Police Department. These are important issues that may need to be addressed before other matters are pursued.

Who will perform the tasks that the Visalia Communications Center dispatchers and other city dispatchers complete now, should a consolidated 9-1-1 communication center not be able to provide these services. What would be the anticipated cost associated with hiring additional personnel to handle these tasks? For example, if Visalia Communication Center's dispatch will no longer perform the current peripheral duties identified earlier in this report, this probably will necessitate hiring additional personnel, available 24 hours a day. Creating a 24 hour position may require as many as 5.5 additional full time clerical employees.

Which computer aided dispatch (CAD) system and Report Management System (RMS) would be used and at what cost? Currently there are five different CAD systems currently utilized by PSAP's within Tulare County (PSSI, ADSi, TracNet, TriTech and West Covina Service Group). A decision on which CAD/RMS system to use would need to be made. Purchase of a CAD/RMS System and any necessary data conversion costs can be costly.

To what extent do MDT's/MDC's and radio infrastructure have to be coordinated? Will this and other technical aspects of a Consolidated Communications Center require another oversight agency/Joint Powers Agreement. What consideration should be given to funding should changes in radio infrastructure be necessary?

Differences in police service practices - Particular services provided by public safety organizations can vary significantly. For example, one agency may send a police officer to tag or tow abandoned vehicles, one agency may send a Community Service Officer on these calls, and yet another may utilize volunteers. Another example, one agency may dispatch an officer to a vehicle "lock-out" while another may not. The more user agencies, the more complicated this becomes. GeoComm's study implies that, depending on the CAD System, it may be possible to make agency service distinctions, although uniformity in policy and procedure would be preferable. It is possible that user agencies may need to be willing to discuss the possibility of modifying service to achieve standardization.

Will agencies be willing to share air time? Collectively, Tulare County Sheriff's Office, Visalia PD, Tulare PD and Porterville PD utilize a great deal of radio air time. While some of this is mitigated with Mobile Data Terminals, use of the radio will be busy. Talk groups may be required to achieve the best efficiency. Some agencies that have not been required to share air with other agencies, may find this to be a new experience.

Is the shift staffing levels suggested by the GeoComm Study adequate? The GeoComm study recommends that shift allotments consist of four dedicated call-taker positions for the entire consolidated

center at any given time. The Visalia Communications Center, utilizing four call-takers (and one radio dispatcher), is often inundated with phone calls. This being the case, will the shift staffing allotments suggested by the GeoComm Study be adequate, considering the increase in user agencies, especially if the Center is required to handle seven-digit calls?

Communications Director Selection and Recruitment - The recommended salary in the GeoComm study for the Communications Director who will oversee the entire consolidated communications center is less than VPD's Communications Supervisor's current salary. Is this adequate?

Labor Bargaining Issues and Subsequent Cost - Labor issues, such as seniority in shift, vacation sign-ups, and salary and benefits were not fully addressed in the GeoComm proposal. Should bargaining result in pay increases, how would increase costs be assessed to user agencies?

Redundancy issues - The GeoComm study confirms that "Any competent 9-1-1 network or radio dispatching system recognizes the potential for needing a back-up facility." The study provides four avenues to provide this: 1) The PSAP owning entity needs to have a nearly 100 percent redundant duplicate PSAP standing by (unoccupied) and ready to take over on a moment's notice; 2) The PSAP needs to make arrangements with a neighboring entity of adequate size (such as Fresno County) to be the alternate routing point for Tulare County's 9-1-1 calls and then equip that neighboring PSAP with RF control stations and high antennas capable of accessing and controlling the Tulare County radio system; 3) The PSAP needs to arrange with a PSAP facility within Tulare County that will continue to exist to serve as the back up for the main county PSAP (GeoComm recommends the CDF PSAP in Visalia); or 4) The PSAP needs to build and equip a mobile communications van/trailer large enough to house ten or so workers and radio and 9-1-1 gear and be able to move it to where needed, when needed. Each of these alternatives requires an unspecified initial and ongoing cost factor which is not addressed in the study.

What are the actual economics involved with a consolidated communications center? - The study did not address the economics issue in any detail. Additional study on potential savings or additional costs of operating a Consolidated Dispatch (i.e. subsidizing smaller agencies) is needed. Further, a comprehensive look at alternative cost formulas would be beneficial.

### **Other Operational Issues**

The GeoComm identified many questions that must be addressed before attempting to estimate the actual cost of opening and operating a consolidated communications center.

The GeoComm study doesn't include provisions for staff other than 59.19 FTE shift working dispatchers, 5 FTE lead dispatchers, 2 functional managers (training and technical services) and 1 managing director. Will this staffing allocation be sufficient to handle the following necessary job functions?

- purchasing
- personnel
- accounting
- secretarial
- payroll
- budget preparation
- grounds and building maintenance
- safety



- records
- quantifying performance
- facilitating quality data analysis to determine equipment, procedural and training needs
- coordinating the development, approval and distribution of the policies and procedures
- overseeing the operation of the electronic systems within the organization
- investigating problems involving routine use of CAD
- interfacing between the organization and the CAD vendor to resolve problems
- suggesting system enhancements
- system troubleshooting and minor maintenance on workstation hardware
- performing additions, moves, change and trouble-shooting of telephone sets and features monitor the system for proper operation
- maintaining reports of 9-1-1 and seven-digit calls to the Center
- interfacing between the organization and SBC regarding all telephone lines and circuits supporting 9-1-1
- overseeing the operation of the communications consoles and ancillary equipment and their connections to User's radio systems
- interfacing with User agencies' service organizations when necessary to facilitate repair of radio issues
- providing management support for User departments pertaining to their Records Management System (RMS)
- troubleshooting, reporting and tracking RMS issues and interface with RMS software vendors
- overseeing the Mobile Data Computer (MDC) System for User agencies including managing vendor installations, software configuration and troubleshooting of MDC software, the MDC Server and associated equipment

Some of these tasks require 24 hour staff availability in case of system trouble or failure.

Finally, neither one-time capital costs for acquiring or building a new facility or initial equipment costs for the facility, nor any equipment costs to achieve standardization of participating agencies were part of GeoComm's study. If applicable, these are very important issues that remain to be addressed.

### **Conclusion**

The intention of this report has been to provide an objective discussion of the potential advantages of a consolidated dispatch, while at the same time, identifying those areas that may not have been thoroughly answered in the GeoComm Study.

The issue of governance is certainly a matter that requires further discussion and it may be beneficial to address this issue before further investment is made in a more in-depth study.

### **Prior Council/Board Actions:**

### **Committee/Commission Review and Actions:**

### **Alternatives:**

**Attachments:** Tulare County 9-1-1 Public Safety Answering Points PowerPoint Presentation

**Recommended Motion (and Alternative Motions if expected):**

(1) I move that City Staff is directed to approach Tulare County for clarification as to how governance of a Consolidated Communication Center would be accomplished; (2) That questions pertaining to the GeoComm Study outlined in this report be forwarded to Tulare County for further clarification.

***Environmental Assessment Status***

**CEQA Review: N/A**

**NEPA Review: N/A**

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

Copies of this report have been provided to:

# City of Visalia Agenda Item Transmittal

**Meeting Date:** Nov. 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 3 b

**Agenda Item Wording:** Evaluation of Application Data Systems, Inc (ADSi) and Public Safety Systems, Inc (PSSI) computer-aided dispatch, records management, and mobile computer systems.

**Deadline for Action:** None

**Submitting Department:** Police, Fire, Information Services

**Contact Name and Phone Number:**

Police Chief Carden x4215, Fire Chief Sandoval x4218, Eric Frost x4474

**Department Recommendation:**

Staff recommends ***developing a limited Computer Aided Dispatch Request for Proposal which may include a city-defined system demonstration.*** After evaluating the proposals, the City may give each vendor a certain amount of time to setup their system, convert and load test data, and perform a rigorous step-by-step, in-depth demonstration as determined by the City, not the vendor. Staff would "score" each vendor and their demonstration. This would take several months to complete. To shepherd the process to completion, staff would recommend hiring a consultant to complete the process at an approximate cost of \$30,000.

***Staff also recommends proceeding ahead with the installation of a replacement wireless service for Police and Fire MDTs.***

Part of the Public Safety Master Plan was to improve the carrying capacity of the wireless network. The carrying capacity is now limited to one transmission tower. To improve capacity, staff recommended in installation of a wireless service. The installation of this service will not affect whatever dispatch system is ultimately selected but will improve response time for the police officer's mobile digital terminals. These costs are already included in the department's operating budget.

**Summary/background:**

In June 2006, Visalia Police, Fire, and Information Services presented a Public Safety Technology Master Plan to Council. Within that Master Plan was a recommendation to upgrade the City's existing computer-aided dispatch (CAD) system and mobile data or computer systems (MDTs) with the latest software offerings from Public Safety Systems, Inc (PSSI). PSSI has provided the CAD and Police records management systems for the City of Visalia since the early 1980's.

Council accepted the Public Safety Technology Master Plan and directed staff to follow-up on two items:

**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.

- 1) evaluate the proposed county-wide Public Safety Answering Point (PSAP) Consolidation Study, and;
- 2) review the software offerings of Application Data Systems, Inc (ADSi), the current vendor for the Tulare County Sheriff.

These two items represent two separate decision points. While the PSAP Consolidation Study and the ADSi review have some overlap, this report covers *only* the CAD ADSi software evaluation.

### Evaluation Process

Before discussing the relative merits of either CAD system, it is important to put this decision in context. All county law enforcement agencies will benefit from improved coordination and cooperation among its various law enforcement agencies. By having the same software platform, this goal is advanced, which ever system is eventually selected. Thus, the comparison of the two systems might be a comparison of two good alternatives, both of which could be acceptable. The ADSi and PSSI may be a choice between a good system and a better system with differing financial consequences.

Staff recommends limiting the review to these two vendors because:

A selection of PSSI would allow the department to avoid the training cost necessary to educate the workforce on a new system. Thus, a sole source recommendation could be made in order to keep the current work practices, or,

A selection of ADSi would promote greater potential compatibility with the Sheriff's office because both agencies would use the same system. To have true interoperability, both agencies would need to address their protocols, making them comparable or interchangeable.

In comparing the ADSi and PSSI systems, it is important to note that several components make up the public safety software system:

- Computer-aided dispatch – CAD. This is the system utilized by dispatchers to receive and dispatch calls for service. A subset of this system is designed for Police calls for service, and another subset for Fire calls for service. Both these subsets are currently provided by PSSI.
- Records management system – RMS. This is the system that takes dispatched calls for service and incorporates follow-up information from the incident into a report. A subset of this system is designed for Police records (called ICIS, from PSSI), and a separate subset for Fire records (called SunPro, from Bio-Key).
- Mobile data or computer systems – MDTs. These are the laptop units in patrol vehicles and, proposed, for fire vehicles. The existing MDT software is provided by Bio-Key but has PSSI functionality built into it. The Master Plan proposal was to run dedicated PSSI MDT software for both Police and Fire.

With these three major components in mind (CAD, RMS, and MDTs), staff setup a process to evaluate the ADSi system versus PSSI. As staff is quite familiar with the PSSI components, nearly all efforts have been focused on the ADSi systems. To date, this has been a four-step process. The first step began with an ADSi proposal review attended by Joel House from ADSi, Police, Fire, Finance, IS, and Councilmember Landers. Mr. House was very gracious in answering questions about the pricing and proposed ADSi software. Mr. House's pricing must

be viewed as preliminary because of the limited amount of time and effort he was able to put into the proposal.

The second step was to schedule site visits to Tulare County Sheriffs (TCSO) the week of July 10<sup>th</sup> to review the various components. Sgt. Singleton from TCSO facilitated these visits. The RMS system for Police/Sheriffs was reviewed first, then the MDT system, and finally, the CAD system. Several staff findings are contained within the attached interoffice memorandums. Staff has only reviewed the Fire records, dispatch, and MDT capabilities of the ADSi system through the ADSi demonstration given in step three. Some observations of the TCSO implementation are included in the functional comparison within Table 1.

On October 5 and 6 of 2006, representatives from Visalia fire, dispatch and information services traveled to Tucson Arizona to view the ADSi CAD and fire records management software in action. Tucson is very pleased with the service that they have received from ADSi. The opinions on ADSi CAD for our application did not change after this visit. The fire records system is working well for them. Tucson is using an older version of the system. There have been some improvements that Tucson has not yet purchased. Visalia Fire is currently using Sunpro software. This integrates well into the PSSI system, and is working well. The next CAD will need to interface with the fire record system. PSSI has working software for Sunpro at this time. Currently, ADSi does not. ADSi probably could make it work, but would need to be asked to make that interface. Further, ADSi has not interfaced with the California fire marshals office yet, which is required. The training cost and additional ADSi software needed to export our reports to the State may be substantial.

The third step involved a detailed vendor presentation by ADSi on August 15<sup>th</sup>. During this daylong presentation, various Police and Fire staff viewed a demonstration of the proposed ADSi modules. This included the new RMS system, CAD, and MDT systems proposed for Tulare County. ADSi again graciously provided several of their staff for this day-long event. The new ADSi records system is noticeably different from the TCSO present system because the TCSO has an older version. The RMS items 1 and 2 from Table 1 above seem to have been adequately addressed.

<b>Item</b>	<b>Function</b>	<b>Description</b>	<b>Table 1</b>
1	RMS	The County's version of the RMS system was quite dated and not the current offering from the vendor (this is scheduled to be updated)	
2	RMS	No real security, auditing or reporting features are in the current RMS	
3	CAD	No fire dispatch system, fire records system, or fire experience at TCSO	
4	CAD	Mapping system for dispatch works reasonably well, nice graphical display of units	
5	CAD	Single call-taking action at a time (a dispatcher can not simultaneously be working multiple calls)	
6	CAD	Limited "remarks" capabilities without opening up another incident	
7	CAD	Pending dispatch calls are moved to second or third screens, rather than one page for all calls	
8	CAD	Command line function is more cumbersome and limited than PSSI	
9	CAD	Much of the functionality is mouse/menu driven (this is significantly slower than entering commands at a command line)	
10	MDT	Similar in functionality to existing Bio-Key implementation (with added PSSI capabilities)	
11	MDT	Requires screen functions to be "switched" regularly to see everything going on	
12	MDT	Unit status (other officers on calls) is not updated automatically	

The fourth step was a preliminary financial review comparing the upgrade costs for the existing PSSI systems with the new purchase of the ADSi systems. This task is awkward for a couple of reasons: one, getting a true “apples to apples” comparison in licensing, features, and capabilities is very difficult; and, two, the pricing details for each vendor are proprietary. Additionally, there were no negotiations with either vendor (i.e., this was not a competitive bid situation, vendors were simply asked for pricing) and final pricing is anticipated to be more favorable for the City. The results of this comparison, with a few notable issues are illustrated in the Table 2 below:

<b>Pricing Comparison</b>	<b>ADSi</b>	<b>Table 2 PSSI</b>
Price as Originally Quoted	\$519,500	\$733,850
Hardware Included		\$(64,500)
Replication/Redundancy		\$(17,500)
Sunpro Integration		\$(20,000)
Parallel Implementation Costs		\$(12,500)
<b>Total</b>	<b>\$519,500</b>	<b>\$619,350</b>
<b>Annual Maintenance</b>	<b>\$94,200</b>	<b>\$71,125</b>
<b>Price Difference to Annual Maintenance Breakeven</b>	<b>4.3</b>	<b>Years</b>

Please note, that ADSi was initially less expensive. However, ADSi has a higher annual maintenance fee. On a total life cycle cost basis, PSSI is cheaper if the CAD system is used more than 4.3 years.

Finally, there are major feature differences between the proposals as quoted. Some of those features that favor the PSSI proposal are:

- GIS system address load into the CAD system
- Fire Zetron integration (this is a radio-based “tone” dispatch triggered from the CAD system)
- Existing Mobile (MDT) interface (absent the current delays due to system capacity issues)
- Seamless migration of system components (minimal system downtime)
- Proximity recommendation of available units
- Police/Fire staff retraining on one (1) module, versus three
- Information Services staff retraining on the entire system

It is important to note that the system features mentioned above may be available from ADSi, but are not currently included in the proposal. To their credit, ADSi has indicated a willingness to work on developing these for the City of Visalia, but the features do not currently exist. The staff training issues reflect the reality that a replacement of one module (the MDT piece of PSSI’s proposal) is significantly simpler than the replacement of the entire public safety system. While these system features and training issues may be hard to quantify, financially, they favor PSSI.

In summary, the preliminary financial analysis favors the PSSI proposal from a long-term cost-of-ownership, resources committed to the project, and overall system feature completeness. Nevertheless, as found on the ADSi website, pricing is just part of the picture as shown in the following quote:

“The “lowest” bid is not always the least expensive solution. Here are a few examples: Training and conversion could be under-bid by one vendor, overbid by another. Building tables and files, mapping layers and other tasks that need to be completed in order for your new system to be operational could be either under bid or not bid at all. Some proposals include “vaporware” that will never materialize. Project Management costs could be too low by one vendor; too high by another. If you look close, the more expensive vendor may have bid more work on building your geofile or map layers, or a better interface to CLETS... the examples are endless. Select a system based solely on price and I guarantee your decision could be terribly wrong.”

“Fallacies of the RFP process”, ADSi, <http://www.e9.com/news.php>

### Evaluation Findings

This evaluation can continue in much greater depth, but at this point the staff has found the following:

- RMS – the newest ADSi records system appears to be functionally comparable to the PSSI records system (ICIS) that the City has been running for about six years. This has not been demonstrated with “live” data yet, but the functionality appears quite similar.
- MDTs – the MDT system comparison favors PSSI. (Note that the existing Bio-Key with PSSI functionality was still preferred over the ADSi MDT implementation.) This is primarily due to ease-of-use and ability to automatically get status updates. (System speed is still an issue due to limited wireless carrying capacity.)
- CAD – the CAD system comparison also favors PSSI. One of the most important factors cited by dispatchers was the usability of the command line interface. For sheer speed and the ability to multitask effectively, the PSSI “working screen” or command line interface was judged superior to the ADSi command line interface.

Could the ADSi system work for the City of Visalia? Probably. Is it the *best* system from a feature standpoint, cost of ownership, scalability, performance, or vendor reputation? May be not. Both vendors have been in the CAD business for a long time and have satisfied clients, which is very positive. PSSI has more large cities and counties (Atlanta, GA; Phoenix, AZ; Denver, CO; the Pentagon; Santa Monica, CA; Oregon State Police, etc. ADSi has Tucson, AZ and Baton Rouge, AL.) Finally, the ADSi estimation for project management, training, data conversion, and migration/integration seems exceedingly low. ADSi did not have the benefit of responding to a full RFP and would probably need to rethink its pricing. However, the existing records system has over 3.5 million records in 15 modules; the existing dispatch system has over 3.5 million records in 50 data sets. A recent estimate for data conversion of the City’s financial system records to another system was over \$225,000 – a conversion in which the vendor knows both the originating and the destination data formats.

### Other Considerations

Many people assume that “interoperability” is a function of the software used in systems, when in fact; interoperability is really the result of common business processes. A car and truck made by the same manufacturer do not magically share “interoperable” parts – only if they are designed with the exact same processes and structures in mind are parts “interoperable”. This “interoperability” of business processes is a huge issue with the consolidated dispatch study, and a much lesser issue of the actual dispatch software and systems. In general, it is much easier to “interface” systems to exchange data than it is to get agreement on the processes that create that data.

Thus, if the City’s goal is to achieve “interoperability”, two tasks need to be achieved: common platform and common business protocols. The common protocols may be the most important tasks, aligning offense coding, reporting protocols, and standardizing reporting processes.

Protocols are independent from system selection. Nationally, there are two standards, one quite recent, that define the requirements for data interoperability between dispatch systems.

**Staff Recommendation.** Because:

1. The differences in the system are not overwhelmingly in favor of one system and the City;
2. The City does not need to upgrade its CAD system overnight; and,
3. The City should strongly consider movement towards increased interoperability for its communication systems

Staff recommends ***developing a limited Computer Aided Dispatch Request for Proposal which may include a city-defined system demonstration.*** Proposals would be limited to ADSi and PSSI. After evaluating the proposals, the City may give each vendor a certain amount of time to setup their system, convert and load test data, and perform a rigorous step-by-step, in-depth demonstration as determined by the City, not the vendor. Staff would “score” each vendor and their demonstration. This would take several months to complete. To shepherd the process to completion, staff would recommend hiring a consultant to complete the process at an approximate cost of \$30,000.

***Staff also recommends proceeding ahead with the installation of a replacement wireless service for Police and Fire MDTs.*** Part of the Public Safety Master Plan was to improve the carrying capacity of the wireless network. The carrying capacity is now limited to one transmission tower. To improve capacity, staff recommended in installation of a wireless service. The installation of this service will not affect whatever dispatch system is ultimately selected but will improve response time for the police officer’s mobile digital terminals. These costs are already included in the department’s operating budget.

**Prior Council/Board Actions:**

June 12, 2006 – Presentation of the Public Safety Technology Master Plan at Council Worksession.

**Committee/Commission Review and Actions:**

Not Applicable.

**Alternatives:**

1. ***Implement the Public Safety Technology Master Plan as proposed.*** Public Safety Systems, Inc (PSSI) would remain the City’s vendor for Police and Fire.
2. ***Issue a full RFP for public safety systems.*** If the directive is for a full Request for Proposal to competitively bid the public safety systems, Council should anticipate at least a six to twelve month timeline, heavy staff involvement, and probably a consultant to facilitate the process.
3. ***Do nothing and wait for direction from the consolidated dispatch study.*** This may be a four to six year timeframe (as per the County’s Geocomm consultant) to put the structure in place for a regional dispatch. Unfortunately, the City’s existing systems can not wait that long for replacement.

**Attachments:**

Three interoffice memorandums – from Javier Ruiz, Chris McLain, and Gloria House



**Recommended Motion (and Alternative Motions if expected):**

Direct staff to **develop a limited Computer Aided Dispatch Request for Proposal which may include a city-defined system demonstration.** The proposals are to be limited to ADSi and PSSI. Also direct staff to hire a consultant to complete the process at an approximate cost of \$30,000.

**Also direct staff to proceed ahead with the installation of a replacement wireless service for Police and Fire MDTs.**

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9b

**Agenda Item Wording:** Appointment of new members Elaine Martell and David Wilson to the Transit Advisory Committee.

**Deadline for Action:** November 6, 2006

**Submitting Department:** Administration Department – Transit Division

**Contact Name and Phone Number:** Monty Cox, X4591

**Department Recommendation**

It is recommended that Elaine Martell and David Wilson be appointed to the Transit Advisory Committee for a three year term.

**Summary/Background**

The Transit Advisory Committee currently has 2 vacancies. Applicants were recruited from various organizations in addition to the general public. An interview process was held by the Transit Advisory Committee on October 1 to review the applications that were received. During this process, the committee felt Elaine Martell and David Wilson had skills, experience and interest that the committee requires. They recommend both to be appointed. The Citizens Advisory Committee (CAC) reviewed and approved this recommendation on November 1. The recommendation is now being forwarded to the City Council for approval and appointment.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:** The positions can be left vacant.

**Attachments:** Applications for Elaine Martell and David Wilson.

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): \_\_\_\_\_

**Review:**

**Dept. Head** \_\_\_\_\_  
**(Initials & date required)**

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

**City Mgr** \_\_\_\_\_  
**(Initials Required)**

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

**Recommended Motion (and Alternative Motions if expected):**

I move to appoint Elaine Martell and David Wilson to the Transit Advisory Committee.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

# City of Visalia Agenda Item Transmittal

**Meeting Date:** October 2, 2006

**Agenda Item Number (Assigned by City Clerk):** 9c

**Agenda Item Wording:** Request authorization to grant an easement to Southern California Edison for utility facilities installed on City owned property located at the northeast corner of Mill Creek Parkway and Manzanita Street.

**Deadline for Action:** None

**Submitting Department:** Public Works

**Contact Name and Phone Number:**  
Jim Funk, 4540, David Jacobs, 4492

**Department Recommendation:**

That the City Council authorize the City Manager to sign the Grant of Easement to Southern California Edison (SCE) for SCE facilities located on City owned land at the northeast corner of Mill Creek Parkway and Manzanita Street.

**Summary/background:**

As part of the McAuliff Street Improvement project between Houston Avenue and Mill Creek Parkway, Southern California Edison Company was requested to relocate some of their existing poles and wires. Southern California Edison had prior rights to the pole locations though private easements. Pole relocation was necessary to work with the McAuliff Street and Mill Creek Parkway road alignments. Due to the shift in pole locations that accommodated the chosen alignments additional down guys were required to stabilize the lines and poles. At the northeast corner of Manzanita Street and Mill Creek Parkway the new down guys landed outside SCE's existing easements; the guy wires are embedded in City owned property. Therefore, SCE is requesting an easement to protect its facilities at the present location. Southern California Edison has prepared the easement description that has been reviewed by, and is acceptable to, the Engineering Division.

**Prior Council/Board Actions:**

Subject: SCE utility easement  
Jim Funk

This document last revised: 11/3/06 7:54:00 AM

File location and name: H:\(1) AGENDAS for Council\2006\110606\Item 9c SCE Easement Mill Creek Parkway.doc

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 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.

April 17, 2006 City Council awarded a contract to R.J. Berry Jr, Inc. for the McAuliff Street Improvement Project

**Committee/Commission Review and Actions:** N/A

**Alternatives:** NA

**Attachments:** Grant of Easement, Location Map

**Recommended Motion (and Alternative Motions if expected):** That the City Council authorize the City Manager to sign the Grant of Easement to Southern California Edison (SCE) for utility facilities installed on City owned property located at the northeast corner of Mill Creek Parkway and Manzanita Street.

***Environmental Assessment Status***

**CEQA Review:** not required

**NEPA Review:** N/A

**Tracking Information:**

Sign Grant of Easements, forward copies to utility companies and record.

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 06, 2006

**Agenda Item Number (Assigned by City Clerk):** 9d

**Agenda Item Wording:** Approve the FY06 State Homeland Security Grant Program to the Visalia Fire Department in the amount of \$51,300.

**Deadline for Action:** N/A

**Submitting Department:** Fire Department

**Contact Name and Phone Number:**  
Battalion Chief Danny Wristen – 713-4056

**Department Recommendation:** The Fire Department recommends that the City Council approve the \$51,300 FY06 State Homeland Security Grant award to the Visalia Fire Department. This grant does not require any matching funds.

**Summary/background:** The Visalia Fire Department has participated in the Homeland Security Grant Program since its inception in 2001. During this time we have received \$224,514 in Homeland Security Grant funding to support our operations. This grant is managed by the Tulare County Office of Emergency Services and we apply through that agency.

Every year the Homeland Security Grant Program offers different categories to provide funding. The FY06 Program included a training category, which is not included most years. Our request focused on the training category and will provide needed training for the Fire Department. The FY06 Grant includes a training upgrade for our Haz Mat Team members that will focus on Weapons of Mass Destruction. The grant will also provide terrorism training for all Fire Department personnel. In addition, the grant will provide training in the National Incident Management System (NIMS) to all Fire Department personnel.

We did request a limited amount of equipment related to the Haz Mat Team. The FY06 Grant will provide a Bioterrorism Detection Kit, with training aids, to assist with identifying bioterrorism material. The grant will also provide 2 Night Vision Scopes to assist in identifying hazardous materials during night time operations.

**Prior Council/Board Actions:** None

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 10

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

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

**City Mgr** \_\_\_\_\_  
(Initials Required)

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

**Committee/Commission Review and Actions:** None

**Alternatives:** None

**Attachments:** Training Approval Letter and Equipment Approval Letter

**Recommended Motion (and Alternative Motions if expected):** I move approval of the FY06 State Homeland Security Grant to the Visalia Fire Department in the amount of \$51,300.

***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: None

# City of Visalia Agenda Item Transmittal

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9e

**Agenda Item Wording :** Authorization for allocation of an additional \$199,975 of HOME funds as gap financing to assist The Kaweah Management Company to construct a 10 unit affordable housing project located at Robinwood Court north of Hillsdale Avenue and west of the Visalia Medical Clinic, for a total HOME commitment of \$1,299,975; authorize the City Manager to execute a contract amendment and authorize the Administrative Services Director to make the necessary budget adjustments.

**Deadline for Action:** none

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Steve Salomon, City Manager, 713-4312

Michael Olmos, Director of Community Development, 713-4332

Sharon Sheltzer, Project Manager, 713-4414

**Department Recommendation and Summary:**

Staff recommends:

1. Authorization for allocation of an additional \$199,975 HOME funds as gap financing to assist The Kaweah Management Company to construct a 10 unit affordable housing project located at Robinwood Court north of Hillsdale and west of the Visalia Medical Clinic, for a total allocation of \$1,299,975 of HOME funds and;
2. Authorize the City Manager to execute an amendment to the April 26, 2006 contract for this transaction between the Kaweah Management Company and the City of Visalia, and
3. Authorize the Administrative Services director to make the necessary budget adjustments.

**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** \_\_\_\_\_  
(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.

Summary

On March 6 the City council authorized allocation of \$1,100,000 in Federal HOME funds to assist the Kaweah Management Company, a non-profit agency associated with the Tulare County Housing Authority, to construct a 10-unit affordable housing project on Robinwood Court, north of Hillsdale Avenue. The construction cost estimates have come in approximately \$250,000 higher than estimated by The Kaweah Management Company for the Robinwood affordable housing project. The Kaweah Management Company provided an additional Developer contribution of \$50,000. They have a building permit and a low bid Contractor, and are ready to begin construction but for the lack of about \$200,000 in additional funds. The City has already agreed to provide \$1,100,000 HOME funding for this project and can provide up to



a maximum of \$1,299,975 for these 10 units according to HOME regulations. Staff recommends that Council authorize the maximum allowable expenditure to allow this project to move forward.

### Background

The City has partnered with the Tulare County Housing Authority on past affordable housing projects including the 95 unit Kimball Court elderly low income housing project, the Tulare Avenue Transitional Living Center and the 70 unit Millcreek Parkway affordable housing project that is now under construction. The Kaweah Management Company, a 501(c)3 non-profit housing corporation affiliated with the Housing Authority, acquired three multi-family lots on Robinwood Court with the intention of developing affordable rental housing. The Kaweah Management Company will oversee the development which includes the finance package, and the design and construction. Property management will be provided by The Tulare County Housing Authority. The Housing Authority could elect to sub-contract to a private property management company. The Kaweah Management Company will retain ownership of the project.

The three lots are located at the end of a cul-de-sac on Robinwood Court. Due to one story height limitations under existing conditional use permits, this project will be restricted to ten units. Prevailing wages are not required to be paid when developing 11 or fewer units when using HOME funds. The project will provide one three-bedroom duplex, two two-bedroom duplexes, three detached two-bedroom units and one handicapped accessible two-bedroom detached unit. These units will also have detached garages with photovoltaic units mounted on the roof to provide reduced energy bills for the future tenants. The rents are anticipated to be in the \$500 range for the two bedroom units and \$700 for the three bedroom units but will be adjusted to reflect final costs and in accordance with the formula provided by the HOME regulations. For seven (7) units, renters' household income levels shall not exceed 60% of the Tulare County Median-Income Level. With respect to two (2) of the units, renters' household income levels shall not exceed 50% of the Median-Income Level and with respect to one (1) unit, the renters' household income shall not exceed 80% of the Median-Income Level.

The use of \$800,000 of City HOME funds in the form of a forgivable loan for this project was approved by amendment #2 to the 2004/5 Action Plan, and the money has been rolled forward into the next fiscal year. Total development costs were originally estimated by the Kaweah Management Company in 2004 to be \$1,486,510. The Kaweah Management Company anticipated combining the HOME funds with a \$686,510 bank loan to cover the development costs. This debt would be serviced, along with maintenance and management costs, with the anticipated rental income.

The Kaweah Management Company recalculated construction costs in February 2006 and determined that the total development costs were estimated to be \$1,892,484. With the increase in construction costs and the rent restrictions imposed by HOME funding, the funding gap widened by \$405,974. The Kaweah Management Company proposed to provide a Developer contribution of \$226,250, to reduce the project long term debt (bank loan) from \$686,510 to \$566,234 to accommodate lower rental receipts, and requested the City to provide an additional \$300,000 in HOME funds. The City Council approved these additional funds and the execution of a contract for \$1,100,000 between the City and The Kaweah Management Company on March 6, 2006.

Consequently, the Kaweah Management Company put the project out to bid two times attempting to build the Robinwood infill project within the budgeted amount. Diaz Construction

was the low bidder and the Kaweah Management Company worked with them on cost cutting measures to obtain the final construction hard cost of \$1,399,665 which includes the photovoltaic energy system. Please review the attached Kaweah Management Company proforma for the cost breakdown including soft costs, with the final complete development cost estimate of \$2,066,609. The final estimated costs create a \$199,975 funding gap that is proposed to be filled by the additional HOME allocation.

### Proposed Sources and Uses

<b>Sources</b>		<b>Uses</b>
City of Visalia HOME funds	1,299,975	Soft and hard costs
TCHA Developer contribution	266,609	Soft and hard costs
Bank loan (long term debt)	<u>500,000</u>	Soft and hard costs
Total development costs	\$2,066,584	

Finance Division has been consulted and has determined that \$199,975 of additional unallocated HOME funds is available in the fiscal year 2006/07 and can be budgeted for this project.

A contract was signed on April 26, 2006 for the provision of \$1,100,000 HOME funds to the Kaweah Management Company to be used for construction of ten units of affordable rental housing. HOME funds require an affordability covenant be attached to the units for a minimum of 20 years and this project will extend the affordability covenant to 30 years. The \$1,100,000 (\$110,000 per unit) is to be provided in the form of a loan, without interest, to be forgiven 1/30 per year, as evidenced in the Promissory Note Exhibit "C" attached to the contract. To the extent there are Residual Receipts from the Project, the Kaweah Management Company shall pay 100% of the Residual Receipts to the City on an annual basis. This contract would be amended for the increased funding if approved by Council, but the remaining provisions would stay in place.

**Prior Council/Board Actions:** In August of 2005 the City Council adopted a Housing Element Update, identifying housing needs for all income levels in our local population. The number of affordable housing units (from very low income to moderate income) either approved or built between 2001 and 2005 is 623. According to the Housing Element, Visalia's remaining fair share of affordable housing units to be developed between 2005 and 2008 is 6,627 units. This project is a part of the City's attempt to achieve this goal.

**Committee/Commission Review and Actions:** None

**Alternatives:** none

**Attachments:** Additional funding request from the Kaweah Management Company and proforma  
Maps of Robinwood site

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):**

1. Authorization for allocation of an additional \$199,975 HOME funds as gap financing to assist The Kaweah Management Company to construct a 10 unit affordable housing project located at Robinwood Court north of Hillsdale Avenue and west of the Visalia Medical Clinic, in addition to previously approved \$1,100,000 of HOME funds, and;
2. Authorize the City Manager to execute an amendment to the April 26, 2006 contract for this transaction between the Kaweah Management Company and the City of Visalia, and;
3. Authorize Administrative Services Director to make the necessary budget adjustments.

***Financial Impact***

**Funding Source:**

Account Number: 1831-63658-670058-0-R58100

**Budget Recap:**

Total Estimated cost: \$1,299,975	New Revenue:\$199,975
Amount Budgeted: \$800,000	Lost Revenue:\$
New funding required:\$199,975	New Personnel: \$
Council Policy Change: Yes___ No__x__	

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes No x

Review and Action: Prior:

Required: CEQA evaluation was complete as part of the 1990 General Plan and Zoning process

**NEPA Review:**

Required? Yes x No

Review and Action: Prior:

Required: Phase I Environmental Site Assessment Sept. 2005  
Next step by Kaweah Management Company

**Tracking Information:** Contract amendment will be prepared and budget adjustments made.

**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:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9f

**Agenda Item Wording:** Authorize the City Manager to execute an agreement, in the amount of \$368,670.00, with Boyle Engineering Corporation to prepare a comprehensive Update to the Storm Water Master Plan for the Visalia Urban Area. Also request authorization to transfer \$300,000.00 from the Storm Sewer Fund into this project. (Project No. 1221-00000-720000-0-9067)

**Deadline for Action:** November 6, 2006

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:** David Jacobs, City Engineer, 713-4492 & Andrew Benelli, Public Works Director, 713-4340.

**Department Recommendation:** Staff recommends that the City Council authorize the City Manager to execute an agreement between the City and Boyle Engineering Corp. in the amount of \$ 368,670.00, to prepare an Update to the City's Storm Water Master Plan. Staff also requests authorization to transfer \$300,000.00 from the Storm Sewer Fund into this project. (Project No. 1221-00000-720000-0-9067)

**Summary:** Visalia's existing Storm Water Master Plan was prepared by Boyle Engineering Corporation and adopted by City Council in 1994. The population within the Visalia City limits in 1994 was 88,000. In 2006, our population is now 112,000. Due to the significant growth that was taking place in Visalia, in 2000, it was staff's recommendation that monies be budgeted to update our Storm Water Master Plan. The City Council approved monies in the 2000-2001 Capital Improvement program to prepare the requested update.

This Master Plan Update, in addition to other work items, will accomplish the following:

- Analyze the entire existing system
- Provide landscaping criteria for all existing & proposed ponds
- Consider the City's future storm system needs for all the area within the urban development boundary
- Recommend existing system improvements
- Recommend alternative solutions to deal with future development

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 2 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.

- Evaluate the adequacy of the existing system financing program (impact fees) and recommend financing solutions for future development
- Meet with City Council, on a number of occasions, in a study session setting, to review various work items, discuss possible alternatives, and receive feedback
- Present the City with a final report that represents the best interests of the entire existing & future city residents.

**Background:**

In April 2005, the City Council authorized the Purchasing Division to request proposals from qualified firms to update the Storm Water Master Plan. Prior to sending out the Request for Proposals (RFP), Public Works staff, working with the Kaweah Delta Water Conservation District, determined that there was need, to put in writing, a number of verbal working agreements that existed between the City and various ditch companies. In January 2006, engineers working for the Kaweah Delta Water Conservation District completed a document clarifying the verbal agreements titled " Phase I Storm Water Master Plan Update".

In March 2006, Request for Proposals were sent out to all known central California engineering firms for formal proposals to update Visalia's Storm Water Master Plan. On March 15, 2006 a pre-proposal meeting was held to answer questions that any of the firms considering submitting proposals might have. Representatives from four firms attended the meeting. On April 7, 2006 the City received only one proposal, from Boyle Engineering Corporation. Phone calls to the other firms attending the pre-proposal meeting clarified that the firms were interested in the project but did not propose due to the detailed work and time required to prepare the necessary document. Boyle Engineering Corp. did decide to partner with 2 local firms, Provost & Pritchard and TPG Consultants, to assist them in the work effort.

The initial proposal received from Boyle Engineering Corp. was in the amount of \$ 312,970.00. After carefully reviewing the proposal, the City Manager requested that a meeting be held to make certain Boyle's proposal consider all of the City's concerns. During the meeting it was clear that Boyle had additional work to do to satisfy the City's needs. One change in Boyle's Scope of Services was to add a Landscape Architecture firm to their team. The Landscape Architect will be responsible for preparing landscaping criteria and conceptual designs for Park Ponds, ditch and creek banks, and water storage facilities. The Consultant was also specifically requested to perform a detailed analysis of all existing basins for various storage and appearance concerns. The consultant was also directed to coordinate and work with the Parks and Recreation Dept. on the proposed plan. After revising its work program based on the new information, including the services of Perkins Landscape Architects, Boyle submitted a revised cost proposal of \$ 436,550.00.

Engineering staff carefully reviewed the revised proposal, and its cost estimate, and then negotiated with Boyle, over a period of three months, reducing the cost to \$ 368,670.00.

It is now staff's opinion, that the work proposed by Boyle Engineering Corporation will provide the City with a comprehensive Storm Water Master Plan for the foreseeable future at a cost that is reasonable.

The funding for this project comes out of the Storm Sewer Construction Enterprise fund.

**Prior Council/Board Actions:** April, 2005 Council approval to request proposals to update the Storm Sewer Master Plan.

**Committee/Commission Review and Actions:** None

**Alternatives:** None

**Attachments:** 1) Proposed Agreement  
2) Ownership Disclosures for all four Consultants working on project.

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to execute an agreement with Boyle Engineering Corporation to prepare a comprehensive Update to the Storm Water Master Plan for the Visalia Urban area. I also move to authorize funds in the amount of \$300,000.00 be transferred from the Storm Sewer Fund into the project. (Project No. 1221-00000-720000-0-9067)

***Environmental Assessment Status***

**CEQA Review:** A focused E.I.R. will be prepared as part of this project.

**NEPA Review:** Not Required

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9h

**Agenda Item Wording:** Second Reading and Adoption of **Ordinance 2006-15 and Ordinance 2006-16.** Amending the General Nuisance Ordinance (Chapter 40 of Title 8 of the Municipal Code) and the Administrative Enforcement Ordinance (Chapter 13 of Title 1).

**Deadline for Action:** None

**Submitting Department:** Community Development

**Contact Name and Phone Number:** Tim Burns 713-4172

**Department Recommendation:** Staff recommends the City Council conduct the second reading and adoption of Ordinance 2006-15 amending the Administrative Enforcement Ordinance (Chapter 13 of Title 1 of the Municipal Code) and Ordinance 2006-16 amending the General Nuisance Ordinance (Chapter 40 of Title 8). Adoption of these Municipal Code amendments will enable greater effectiveness and streamline procedures for code enforcement efforts.

**Summary/ Background:** On October 16, 2006, Council heard a presentation on the recent establishment of the Neighborhood Preservation Division, abandoned vehicle abatement efforts and recommended municipal code amendments to gain greater effectiveness and streamline procedures for code enforcement programs. At the conclusion of the presentation, Council, by unanimous vote, introduced Ordinance No. 2006-15 (Administrative Hearing Code Revisions) and Ordinance No. 2006-16 (Nuisance Ordinance Code Revisions).

On November 6, Council is requested to adopt Ordinance Nos. 2006-15 and 2006-16 to enable revisions to code enforcement procedures to become effective 30 days thereafter. Attached is a memo dated October 11, 2006, from City Attorney Alex Peltzer describing the provisions of Ordinance Nos. 2006-15 and 2006-16.

**Prior Council/Board Actions :**None

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 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.



**Committee/Commission Review and Actions:** None

**Alternatives:** N/A

**Attachments:**

- City Attorney's Memorandum discussing Nuisance and Administrative Code revisions dated October 11, 2006.
- Ordinance 2005-15
- Ordinance 2005-16

**Recommended Motion (and Alternative Motions if expected:** Move to adopt Ordinance 2006-15 and Ordinance 2006-16.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 06, 2006

**Agenda Item Number (Assigned by City Clerk):** 9i (1)

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Park West No. 7, Phase 3 Subdivision 10 Lots located on Stevenson Street between Dorothea Avenue and La Vida Avenue.

**Deadline for Action:** November 06, 2006

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:** Andrew Benelli 713-4340,  
David Bruce 713-4188

**Department Recommendation:**

Staff recommends that City Council give authorization to file a Notice of Completion as all the necessary improvements for this subdivision have been completed and are ready for acceptance by the City of Visalia. The subdivision was developed by Ray E. Gipson and Idus E. Gipson. Ray E. Gipson and Idus E. Gipson have submitted a assignment/cash bond in the amount of \$3,000.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of March 21, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for Park West No. 7, Phase 3 was approved by Planning Commission on February 15, 2005.

**Alternatives:** N/A

**Attachments:** Location sketch and vicinity map.

**Recommended Motion (and Alternative Motions if expected):**

I hereby authorize filing a Notice of Completion for Notice of Completion for Park West No. 7, Phase 3.

**Environmental Assessment Status**

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 1 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

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

**City Mgr** \_\_\_\_\_  
(Initials Required)

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

**CEQA Review:** Environmental finding completed for tentative subdivision map.

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9i (2)

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Silver Oaks Unit #1, containing 81 lots, located south of Ferguson Avenue and west of Demaree Street.

**Deadline for Action:** November 6, 2006

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:** Andrew Benelli 713-4340,  
Norm Goldstrom 713-4638

**Department Recommendation:**

Staff recommends that City Council give authorization to file a Notice of Completion as all the necessary improvements for this subdivision have been completed and are ready for acceptance by the City of Visalia. The subdivision was developed by Reynen & Bardis Communities. Reynen & Bardis Communities submitted a maintenance bond in the amount of \$87,152.49 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of June 20, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for South Cameron Creek Unit 1 was approved by Planning Commission on September 27, 2004.

**Alternatives:** N/A

**Attachments:** Location sketch and vicinity 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 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

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

**City Mgr** \_\_\_\_\_  
(Initials Required)

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

**Recommended Motion (and Alternative Motions if expected):**

I hereby authorize filing a Notice of Completion for Notice of Completion for Silver Oaks Unit #1.

**Environmental Assessment Status**

**CEQA Review:** Environmental finding completed for tentative subdivision map.

**NEPA Review:**

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

Copies of this report have been provided to:

## City of Visalia Agenda Item Transmittal

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 9i (3)

**Agenda Item Wording:** Authorization to file a Notice of Completion for the intersection modifications at Dinuba Boulevard and Ferguson Avenue. Project No. 1611-00000-720000-0-9524 in the amount of \$90,372.77.

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

David Jacobs 713-4492  
Andrew Benelli 713-4340

**Department Recommendation:** Staff recommends that the City Council authorize staff to file a Notice of Completion for the intersection modifications at Dinuba Boulevard and Ferguson Avenue. Project No. 1611-00000-720000-0-9524 in the amount of \$90,372.77.

**Department Discussion:** This project is located at the intersection of Ferguson Avenue and Dinuba Boulevard (State Route 63). The project consists of moving the curb return at the southeast corner back ten feet and installing protected left turn phasing on Ferguson Avenue.

This project was done to improve safety and to provide more room for large trucks to negotiate the corner. The City Fire Department has a substation on the northeast corner of this intersection so several fire trucks pass through this intersection every day. Also the addition of Ferguson Avenue west of Dinuba Boulevard increased the traffic volumes at the intersection which warranted protected left turn lanes on Ferguson Avenue. Caltrans requested changes be made to the intersection at the time the southeast corner was developed. Visalia Community Bank recently completed their bank at the southeast corner and this project was started during the construction phase of the bank.

At the September 15, 2005 council meeting a contract was awarded to Lockwood General Engineering, Inc. in the amount of \$79,571.60. Four change orders at a cost of \$10,801.17 were necessary to complete the project. The change orders were reviewed and approved by the Change Order Committee. The change orders were:

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 1 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

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

**City Mgr** \_\_\_\_\_  
(Initials Required)

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

1. Install new conductors – The existing conductors did not have enough slack to reach the new pole location. The consultant that designed the signal plans assumed that the slack left in the pull boxes would be sufficient to pull to the new pole locations. Once the new poles were located the conductors were found to be too short. Total cost \$3,589.56.
2. Install new detector loop conductors – Existing conductors could not reach new location of pull box. A field review during the design phase found slack in the pull box for the loop detectors and the consultant assumed the slack would be adequate to reach the new pull box location. The new pull box location was too far away from the old location to reuse the conductors for the loop detectors. Total cost \$2,938.20.  
 Note: for change orders #1 and #2 if the conductors were shown to be replaced on the plans the City would have had higher bids for the project. These changes might be slightly higher since the item was not competitively bid.
3. Install new traffic signal equipment – The signal plans showed two existing signal heads mounted on a single pole at the southwest corner of the intersection. One head facing eastbound traffic and the other facing westbound traffic. The contractor found only an eastbound facing head. The Contractor had to order a new head and a dual head mount for the pole. Total cost \$2,953.54.
4. Delays and hand digging caused by the pole location at the southeast corner. – An existing storm drain pipeline was located very close to the signal pole foundation on the southeast corner. The pole foundation was originally located and dug to avoid the storm pipeline, however the location did not meet with Caltrans specifications and was rejected by the Caltrans inspector. The new foundation location was very close to the storm line and had to be excavated by hand to avoid damaging the pipe. Total cost - \$1,320.47

***Financial Impact***

**Funding Source:**

Account Number: 1611-00000-72000-0-9524

**Budget Recap:**

Total Estimated cost: \$90,372.77	New Revenue: \$
Amount Budgeted: \$91,000	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes ___ No <u>X</u>	

**Alternatives:**

**Attachments:**

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize staff to file a Notice of Completion for the intersection modifications at Dinuba Boulevard and Ferguson Avenue. Project No. 1611-00000-720000-0-9524 in the amount of \$90,372.77.



**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*)  
**None**

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 10

**Agenda Item Wording:** Update on Air Service at the Visalia Airport and Authorization for the City Manager to execute the Airline Lease Agreement between the City of Visalia and Air Midwest Airlines for approximately 2792 square feet in the Airport Terminal Building.

**Deadline for Action:** November 18, 2006

**Submitting Department:** Administrative Services

**Contact Name and Phone Number:** Mario Cifuentez, II  
713-4480

**Department Recommendation**

City Staff recommends that Council authorize the City Manager to execute a new Airline Lease Agreement with Air Midwest Airlines for the use of terminal space at the Visalia Municipal Airport. The term of the new agreement will be for two (2) years to coincide with the length of their Essential Air Service (EAS) contract for Visalia awarded to Mesa Airlines.

**Summary/Background**

On August 30, 2006, the Department of Transportation (DOT) issued an Order Selecting Carrier, choosing Mesa Airlines ,d/b/a Air Midwest, to provide the essential air service for Visalia. Under the proposal submitted to the DOT, Mesa will provide a minimum of twenty-three (23) flights per week from Visalia to Las Vegas.

The new service is scheduled to begin November 19, 2006, operating the pressurized 19-passenger Beechcraft 1900 aircraft from Las Vegas' McCarran International Airport. Fares will start at \$99 one-way. Flights can be booked online at [www.usairways.com](http://www.usairways.com) or by calling 800-2FLY-AWA (235-9292). The first flight will depart Visalia at 6:08 AM on November 19<sup>th</sup>. There will be a seamless transition in air service providers at Visalia as Scenic Airlines will have its last flight on November 18, 2006.

At this time, the City is working with our congressional delegation to get TSA screeners in place at the Visalia Airport. Unfortunately, the TSA will not be able to get screeners in place in time to meet the start of service. Until screeners are put in place in Visalia, all 23 flights per week will originate in Visalia and stop in Merced where passengers will have to deplane and go through a

**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.

brief screening process before continuing on to the Las Vegas International Airport. While this temporary arrangement is in place, all returning flights coming from Las Vegas, with the exception of the overnight flight, will be non-stop flights to Visalia.

The Airline Lease Agreement was drafted by the City Attorney and has been reviewed the City's Risk Management Division as well.

**Prior Council/Board Actions:**

May 4, 1998 - Council authorized the execution of this same agreement with SkyWest Airlines.  
July 25, 2005 – Council authorized the execution of this same agreement with Scenic Airlines.

**Committee/Commission Review and Actions:**

The Airport Advisory Committee recommends that the City Council approve the agreement with Air Midwest Airlines to allow the new service to begin.

**Alternatives:** Not execute this lease.

**Attachments:** Airline Lease Agreement, Airline Flight Schedule

**Recommended Motion (and Alternative Motions if expected):**  
Move to Authorize the City Manager to execute an Airline Lease Agreement between the City of Visalia and Air Midwest Airlines for approximately 2792 square feet in the Airport Terminal Building.

***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:** November 6, 2006

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

**Agenda Item Wording: Consideration of the Recommended Certification to add 604 S. Mooney Boulevard to the Local Register of Historic Structures:** A request by the City of Visalia Historic Preservation Advisory Committee to add the structure/site located at 604 S. Mooney Boulevard, including the freestanding sign, to the Local Register of Historic Structures as an "Exceptionally" Classified "Art Moderne" Style building.

The site is located at 604 S. Mooney Boulevard, Property Owner, Ralph and Isabelle Kazarian, APN: 096-031-016, 015, 021.

**Resolution No. 2006-104 required.**

**Deadline for Action:** None

**Submitting Department:** Community Dev. - Planning

**Contact Name and Phone Number:**  
Andrew Chamberlain, Senior Planner, 713-4003

**Department Recommendation and Summary:**

Planning Division staff recommends that the City Council certify the recommendations of the Planning Commission and Historic Preservation Advisory Committee, and add 604 S. Mooney Boulevard to the Local Register of Historic Structures.

The recommendation is based on the consistency of the request with the guidelines of the Historic Preservation Element for the "Selection and Classification" of potentially significant structures as described in the attached Planning Commission Staff Report. The request is also consistent with the Zoning Ordinance duties of the Historic Preservation Advisory Committee for the nomination of properties to the Local Register of Historic Structures as described in the attached Planning Commission Staff Report.

The structure and site are being considered a part of the local history for the City, County and region. The association of the type of construction, Art Moderne, with the use as a Drive-In restaurant, and location at the entrance to the regional commercial corridor close to Highway 198, all combines to make the site a local landmark. The structure and site were a part of the early "car culture", and a location that historically was an informal citizen meeting place and social hub for the community for many years.

**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.) 40

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty AP 10/2** \_\_\_\_\_  
(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.

## Local Register Status

The recommendation to place the site/structure on the Local Register as an “Exceptional” classification is based upon the following classification description;

Exceptional – any structure, building, site, area, natural feature or project having pre-eminent historical / cultural, architectural, archaeological, or aesthetic significance. Exceptional structures should be considered for nomination to the National Register of Historic Places. Examples include the downtown Post Office, the Masonic Temple, and the Fox Theatre.

and, would provide the following Zoning Ordinance requirements/protections if certified;

### 17.56.110 Local register structures.

This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure within the historic district, or any “exceptional” or “focus” local register structure outside the historic district, and for any interior modification which requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.

B. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

C. All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historic basis and which seek to create an earlier appearance shall be discouraged.

D. Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

E. Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.

F. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

G. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken, without prior approval of the historic preservation advisory committee.

H. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any acquisition, protection,

stabilization, preservation, rehabilitation, restoration or reconstruction project. (Ord. 2001-13 § 4 (part), 2001: prior code § 7711)

17.56.070 Demolition or moving of historic structures. (partial excerpt)

A. The demolition of structures listed on the local register, and the moving of local register structures from their sites, shall be discouraged. The historic preservation advisory committee shall review all applications for demolition or moving

permits for structures on the local register and for any structures within the historic district boundaries.

B. After due consideration, the committee shall exercise one of the options listed below:

1. The committee may approve the demolition permit if it finds that the structure is a hazard to public health or safety, as determined by the building official or his designee, in consultation with the historic preservation advisory committee.

2. The committee may decide that up to a six month moratorium be placed upon the processing of the demolition or moving permit, in order to allow time for the applicant and the committee to find alternative uses for the structure and to seek alternative solutions to the demolition or moving of the structure. If no alternatives are found, after the six month moratorium has expired, the committee must approve the application.

3. In the case of local register structures which have been classified as "exceptional," the committee may deny an application for demolition, after the six month moratorium has expired. Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section 17.56.060.

### Art Moderne and Art Deco Styles

The original staff review and survey classified the structure as an Art Deco building with no ornamentation. Just prior to the Planning Commission consideration of the item, staff was updated by local architect, Rick Mangini, that the building style was actually Art Moderne, not Art Deco. The difference being that Deco buildings typically have vertical elements and details on the building fascia, whereas the Moderne style is typically devoid of any ornamentation, similar to the structure at 604 S. Mooney Boulevard. Should the City Council approve this item, the Preliminary Survey for the site would be changed to Art Moderne style.

### Historic Preservation Designations

There are several different levels of historic preservation designations in the City of Visalia, as indicated in the sections above, structures may be designated as Background, Focus, or Exceptional, based upon their style and level of detail, along with historic context to events, actions or people. There are two basic ways to be included as a historic structure, by inclusion in one of the Historic Districts, or by being listed on the Local register of Historic Structures. The attached map shows the current general location of the Districts and Local Register structures.

The proposed designation as an "Exceptional" classified structure on the Local Register of Historic Structures would require that changes to exterior building elevations, reconstruction, additions, and proposed demolitions be reviewed by the Historic Preservation Committee. The Committee is responsible for reviewing any changes to the exterior of the building, not including color or routine maintenance. The Committee would also review changes to the overall site

such as in a proposal to convert a historic residence into an office. Sign permits are reviewed by the Committee, but not typical landscaping changes.

**The Committee does not have authority over any proposed changes to the interior of a structure, as long as renovations do not change the exterior.** For example, in the case of 604 S. Mooney Boulevard, a building permit for a “tenant improvement” to change the interior from a food service to a professional office is not subject to the Committee’s review. It is a ministerial action which would be processed by the Building Division through Site Plan Review and a building permit.

### Historic Designation and Use

The designation of a building in the District, or on the Register, does not have any direct effect upon the use of the building. **In the case of the Mearle’s site, an historic designation will not require the property to be utilized again as a restaurant.** Under historic designation, a landowner can undertake uses permitted by the underlying zoning district and accompanying Zoning Matrix. The site at 604 S. Mooney Boulevard is zoned PA (Professional Administrative Office), and as such may be used for a variety of office and related uses even if the historic designation is applied.

The uses in the PA zone does include food services (restaurant) as a conditional use. Since the site was previously a food service, it may resume the previous use within 6 months of the cessation of the previous operation as a pre-existing use. After 6 months, a conditional use permit would be required for a food service.

Re-occupation of the building may result in change to another use, such as offices. Depending on the magnitude of the change, and whether additions are necessary, the site design may not fully comply with City development and/or parking standards. A historic designation would assist in justifying potential staff level administrative adjustments or Planning Commission level variance requests for relief from application of current site development standards.

### Building Standards

City building records indicate that Mearle’s was construction in 1940. Building codes have changed significantly since that time. Placement of the site on the Local Register of Historic Structures would allow the City’s Chief Building Official, at his discretion, to utilize the State Historic Building Code in the consideration of future renovations to the building. The Historic Code authorizes the Building Official to permit the use of certain building materials and standards no longer permitted by the Building Code as needed to preserve the integrity of a designated historic structure.

### Assistance for Historic Preservation

While the City does not currently have funding assistance programs for historic renovations, funding opportunities may be available through State and Federal programs.

Interest has arisen among local citizens to support the historic preservation and renovation effort. Potential may exist for this local effort to generate financial support. In return for renovation funding, the landowners could establish a facade conservation easement to protect the integrity of the building exterior for the term of the easement.

**Prior Council/Board Actions:** None.

**Committee/Commission Review and Actions:** On October 23, 2006, the Planning Commission considered the request and , voted 4-0-1 (Segrue – Abstain) to certify the request and recommend to the City Council that they make the approve the final certification to add 604 S. Mooney Boulevard to the Local Register of Historic Structures

On September 27, 2006, the City of Visalia Historic Preservation Advisory Committee voted 6-0 (Lucas-Riley – Absent) to forward the nomination of 604 S. Mooney Boulevard to the Planning Commission for certification and recommendation to the City Council, to be added to the Local Register of Historic Structures.

### Environmental Review

The action of placing a structure on the Local Register of Historic Structures is a “Ministerial” action, which requires no environmental findings, in that the addition of sites and structures to the Register is not a project as defined in the Guidelines for California Environmental Quality Act.

Section 15378 - excerpt

“Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment

**Alternatives:** Council may choose to defer this decision as necessary to achieve a variety of objectives that may affect Council’s ultimate decision on this matter:

1. Council could direct the Building Official (with the owner’s consent) to conduct an evaluation of the building to determine its building code deficiencies and potential for restoration.
2. The citizen’s group could be asked to meet with the property owner to discuss potential for assistance and options for preserving the building.
3. California voters will decide the fate of Proposition 90 on November 7<sup>th</sup>. If Proposition 90 passes, postponement of the decision on Mearle’s will enable the Council to understand whether the provisions of the proposition will have an effect on future implementation of an historic designation.

If Council chooses to continue this item, staff recommends continuance for 90 days.

### **Attachments:**

- Resolution
- Historic District and Local Register Map
- Location Sketch
- Zoning Map

### **Recommended Motion (and Alternative Motions if expected):**

I move to certify the recommendations of the Planning Commission and Historic Preservation Advisory Committee, and add 604 S. Mooney Boulevard to the Local Register of Historic Structures as an Exceptional classified building with an Art Moderne style, .by adoption of Resolution No. 2006-104.



### ***Environmental Assessment Status***

**CEQA Review: None.** The action of placing a structure on the Local Register of Historic Structures is a “Ministerial” action, which requires no environmental findings, in that the addition of sites and structures to the Register is not a project as defined in the Guidelines for California Environmental Quality Act.

Section 15378 - excerpt

“Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

**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 2006-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, CERTIFYING THE RECOMMENDATION OF THE HISTORIC PRESERVATION ADVISORY COMMITTEE AND PLANNING COMMISSION, RECOMMEND THAT THE CITY COUNCIL ADD 604 S. MOONEY BOULEVARD TO THE LOCAL REGISTER OF HISTORIC STRUCTURES AS AN ART MODERNE STYLE, WITH AN EXCEPTIONAL CLASSIFICATION

**WHEREAS**, the City of Visalia Historic Preservation Advisory Committee did nominate the structures and site at 604 S. Mooney Boulevard including the freestanding sign, to the Local Register of Historic Structures as an “Exceptionally” Classified “Art Deco” Style building (subsequently changed to Art Moderne), and has forwarded said nomination to the Planning Commission and City Council for certification. The site is located at 604 S. Mooney Boulevard, Property Owner, Ralph and Isabelle Kazarian, APN: 096-031-016, 015, 021; and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice for October 23, 2006, did consider and approve (4-0-1, Segrue – Abstain) the certification request of the Historic Preservation Advisory Committee to add 604 S. Mooney Boulevard (structure and freestanding sign); and

**WHEREAS**, the City Council of the City of Visalia, after duly published notice, held a hearing before said Council on November 6, 2006 for the requested certification; and

**WHEREAS**, the City Council of the City of Visalia finds the request to certify, to be in accordance with Chapter 17.56.050 of the Zoning Ordinance of the City of Visalia, and consistent with the Selection and Classification guidelines for historic structures in the City of Visalia Historic Preservation Element, and based on the evidence contained in the record of hearings; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the nomination to add 604 S. Mooney Boulevard to the Local Register of Historic Structures is consistent with the purpose and intent of the Historic Preservation Element and Ordinance, specifically Ordinance Section 17.56.050-C-6
  - a. Architectural significance and style;
  - b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.
2. That the proposed nomination to the Local Register of Historic Structures is in keeping with the intent of the Historic Preservation Element and Ordinance, which were established to preserve, maintain and enhance the physical and structural heritage of the City of Visalia

3. That the proposed addition of the site and structure, including the freestanding sign would contribute to the saving of an important landmark in the City of Visalia and this part of the San Joaquin Valley.
4. That the structure and sign at 604 S. Mooney Boulevard has become a recognizable landmark for generations of Visalians and visitors to our community and this part of the Valley.
5. That the building and site have pre-eminent historical and cultural significance based upon the date of construction in 1940, at the entrance to the Mooney Boulevard Commercial corridor. This location made it one of the few commercial structures in this area which was frequented by local citizens and visitors to the community. The design and character of the Drive-In made it a recognizable landmark in this part of the San Joaquin Valley. Over time it became a landmark associated with the City of Visalia.
6. That the character of the structure as a Drive-In, places it directly in the “Car Culture” that saw it’s roots in post war America. This type of commercial facility became an American icon in the 1950’s, and is reflective of San Joaquin Valley and California culture. This structure and site were located on Mooney Boulevard during a time when the “Car Culture” created the “Cruising” phenomenon, which lasts to this day.
7. That the combination of the un-ornamented Art Moderne building design, local history as a identifiable landmark, and association with the American classic car culture, all make this site a pre-eminent example of an “Exceptional” classified site within the City of Visalia, consistent with the adopted Historic Preservation Element and it’s classifications of structures for Local Register listing as “Exceptional”.

**BE IT FURTHER RESOLVED** that the city Council hereby certifies the Historic Preservation Advisory Committee and Planning Commission recommendation to add 604 S. Mooney Boulevard, including the freestanding sign, to the Local Register of Historic Structures as an “Exceptionally” Classified “Art Moderne” Style building.

# City of Visalia Agenda Item Transmittal

**Meeting Date:** November 6, 2006

**Agenda Item Number (Assigned by City Clerk):** 12

**Agenda Item Wording:**

**Introduction of Ordinance 2006-17** for Text Amendment No. 2006-03: a request by The Visalia Loyal Order of Moose to amend Zoning Ordinance Section 17.18.050 by amending Line #561 of the Zoning Matrix to add Private Clubs and Lodges as a "Conditional" use in the C-R (Regional Commercial) Zone.

The proposed zoning matrix amendment is not site specific, but would apply to C-R zoned properties throughout the city.

**Deadline for Action:** None

**Submitting Department:** Community Development - Planning

**Contact Name and Phone Number:**

Paul Scheibel, AICP 713-4369  
Fred Brusuelas, AICP 713-4364

**Department Recommendation and Summary:** The Planning Commission recommends that the City Council adopt a zoning matrix change to the Zoning Ordinance that would add Private Clubs and Lodges as a "Conditional" use in the C-R (Regional Commercial) Zone. The attached staff report provides a concise review of the proposed amendment.

Private Clubs and Lodges are not permitted by right in any zoning classification but are permitted as "conditional" uses in the CSO (Commercial Shopping Office), the C-DT (Commercial Downtown), and in the PA (Professional/Administrative Office) zones. These three zoning classifications permit a mix of retail, office and restaurant uses. Private clubs and lodges have been established under these zoning regulations throughout the city and have been found to be compatible with those types of uses. The C-R Zone allows many similar uses as those classifications so that the addition of private clubs and lodges as a conditional use in the C-R Zone would be consistent with both the permitted and conditional uses currently allowed in the C-R Zone as well. Examples of other similar conditional uses in the C-R Zone include membership oriented uses, e.g., athletic and health clubs, and assemblage of people uses, e.g., auditoriums, theatres, or academic education facilities (when limited to hours after 6:00 p.m.) The conditional use permit process provides the ability to consider a request for such uses on a case-by-case basis in relation to the proposed location.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 5

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

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

**City Mgr** \_\_\_\_\_  
(Initials Required)

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

### **Prior Council/Board Actions:**

None

### **Committee/Commission Review and Actions:**

On October 9, 2006, the Planning Commission held a public hearing on the proposed Zone Matrix change to add Private Clubs and Lodges as a “conditional” use in the C-R (Regional Commercial) Zone and found the request to be consistent with the purpose and intent of the applicable zoning classification. No persons spoke in opposition to the item. The Planning Commission voted (5-0) to recommend approval of the Zoning Matrix change.

One concern not specifically considered in the Planning Commission’s action is the potential for private lodges to locate in commercial buildings fronting Mooney Boulevard. This eventuality could conflict with the goal to maximize commercial development and use of the Mooney Blvd. corridor, as stated in General Plan Land Use Policy 3.5.11: “Maximize regional commercial uses along Mooney Boulevard from SH 198 to Packwood Creek.” The C-R zone has since been extended south to Visalia Parkway to include the Packwood Creek commercial center.

Adding a qualifier to the Zoning Matrix could allow the proposed Moose Lodge to be located at 3360 S. Fairway Dr., while restricting Private Lodge uses from other more commercially viable sites directly along Mooney Blvd. and the associated collector and arterial cross streets, including Tulare, Walnut, Whitendale, Caldwell, Cameron, and Visalia Parkway. The practice of including qualifiers in the Zoning Matrix has been used on a selective basis on previous occasions. For example, Bed and Breakfast Accommodations (Line 111), Churches (Line 142), and Radio and TV Broadcasting Studios (Line 158), specify size or special Code references as a method of limiting the otherwise permitted or conditionally permitted use in particular zones. This addition has been included as the first alternative below.

Also on October 9, 2006, the Planning Commission held a public hearing on Conditional Use Permit No. 2006-41 which is a request by the Visalia Loyal Order of Moose to convert an existing commercial building to a private fraternal lodge on property located at 3360 S. Fairway Drive. The Commission, by unanimous vote, approved the request contingent upon amendment of the Zoning Matrix. The Commission found that the conversion of the commercial building (formerly a billiard parlor) as proposed was an appropriate reuse of the building.

### **Alternatives:**

1. Approve the Zoning Matrix Amendment with the qualifier as follows:

The Zoning Matrix is hereby amended to add Private Clubs and Lodges as a “Conditional” use in the C-R (Regional Commercial) Zone, as shown on Matrix Line 561, except for C-R zoned properties fronting Mooney Blvd. between SH 198 and Visalia Parkway, Tulare, Walnut, Whitendale, Caldwell, Cameron, and Visalia Parkway.

2. Allow a Conditional Zoning Agreement only on the specific site proposed for use as a private lodge (3360 S. Fairway Drive).
3. Deny the Text Amendment, in which case CUP 2006-41 would not be effective.

### **Attachments:**

- Ordinance No. 2006-17 for Zoning Ordinance Text Amendment No. 2006-03
- Planning Commission Staff Report
- Involved Parties Information

**Recommended Motion (and Alternative Motions if expected):**  
 I move to introduce Ordinance No. 2006-17 for Zoning Ordinance Text Amendment No. 2006-03 to amend Section 17.18.050 by amending Line #561 of the Zoning Ordinance Matrix to add Private Clubs and Lodges as a “Conditional” use in the C-R (Regional Commercial) Zone;  
 or  
 I move to introduce Ordinance No. 2006-17 for Zoning Ordinance Text Amendment No. 2006-03 to amend Section 17.18.050 by amending Line #561 of the Zoning Ordinance Matrix to add Private Clubs and Lodges as a “Conditional” use in the C-R (Regional Commercial) Zone, except for C-R zoned properties fronting Mooney Blvd. from SH 198 to Visalia Parkway, and Tulare, Walnut, Whitendale, Caldwell, Cameron, and Visalia Parkway.

***Environmental Assessment Status***

**CEQA Review:** Categorical Exemption No. 2006-86 was processed for this action; therefore no further environmental action is 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)*

City Council Agenda of 11/20/06: Second Reading of Ordinance No. 2006-17 and approval of Zoning Ordinance Text Amendment No. 2006-03 to amend Section 17.18.050 by amending Line #561 of the Zoning Ordinance Matrix to add Private Clubs and Lodges as a “Conditional” use in the C-R (Regional Commercial) Zone.

Copies of this report have been provided to:

ORDINANCE NO. 2006-17

AMENDING SECTION 17.18.050 OF THE CITY OF VISALIA ZONING ORDINANCE  
PERTAINING TO ADDING PRIVATE CLUBS AND LODGES AS A "CONDITIONAL" USE IN THE  
C-R (REGIONAL COMMERCIAL) ZONE.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA**

**Section 1:** The Planning Commission of the City of Visalia has recommended that the City Council amend Section 17.18.050 to add Private Clubs and Lodges as a "Conditional" use in the C-R (Regional Commercial) Zone; and

**Section 2:** The Zoning Matrix is hereby amended to add Private Clubs and Lodges as a "Conditional" use in the C-R (Regional Commercial) Zone, as shown on Matrix Line 561,