

Visalia City Council Agenda

For the regular meeting of: Monday, November 20, 2006

Location: City Hall Council Chambers

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

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

Employee Introductions:

Introduction of Pete Mosqueda, Lead Custodial Worker, by Management Analyst Paul Shepard and introduction of Jaye Tee Carlos, Office Assistant in Administration, by Leslie Caviglia, Deputy City Manager.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

1. Update on Valley Oaks Golf Course Operation by CourseCo. Inc.
2. Review of the performance measures established by the Visalia Convention and Visitors Bureau as required by the current contract.
3. Proposal by Vice Mayor Kirkpatrick relating to review by Council of Planning Commission items.
4. Update on Valley Oak SPCA Programs and Operations and Approval of Current FY 2006/07 Service Contract of \$370,590 and Authorize Staff to Perform the Analysis Necessary for the SPCA Facilities to be Included in the City's General Facilities Impact Fees and Approve the Process for Increasing the Unaltered Dog License from \$25 to \$35 and Unaltered Cat License from \$10 to \$20 and Increase Impound Fees from \$20 to \$25, and Breeder and Kennel Permit Fees from \$25 to \$50 and to be included in the City's Annual Rate and Fee Review Process for future adjustments.

Authorization for the City Manager to Enter Into the FY 2007/08 through FY 2009/10 Contract for Animal Control Services in the Amount of \$488,299 Annually (with a 3% annual adjustment) and Approval for the Capital Budget of \$176,050 and Approval of Facility Renovation of \$285,900.

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

ITEMS OF INTEREST

CLOSED SESSION

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

5. Conference with Legal Counsel – Anticipated Litigation (1)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
6. Conference with Legal Council – Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Name of Case: Hettick v. City; TCSC Case No. 05-214421
7. Conference with Legal Council – Existing Litigation
(Subdivision (1) of Section 54956.9 GC)
Name of Case: Linderman v. City TCSC Case N. 06-221372
8. 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
9. Conference with Labor Negotiators
Agency Designated Representatives: Eric Frost
Employee organization: All
10. Conference with Real Property Negotiators
Property: Lot I of Avalon Subdivision map, Lot E & F of Shannon Ranch 2, Units 1 & 2
Subdivision map, a for riparian setback on Modoc Ditch. Total area of approx. one acre.
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Paul Shepard, Centex Homes
11. Conference with Real Property Negotiators
Property: 1968 S. Lovers Lane
Under Negotiation: Price, terms, conditions of lease
Negotiators: Steve Salomon, George Sandoval, Danny Wristen, County of Tulare

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Rich Hanson, First Presbyterian Church

SPECIAL PRESENTATIONS/RECOGNITION

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

12. **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) Award a contract for the purchase of seventeen (17) new marked Police patrol vehicles to Groppetti Automotive in the amount of \$550,300.81.
 - c) Authorization to purchase two (2) Aircraft Refuelers and award the purchases to Garsite, and the appropriation of an additional \$11,520.
 - d) Authorize the Recordation of the Final Map for Riverwood Unit #2, located at the northeast corner of Mineral King Ave and McAuliff Street (90 lots) and the Annexation of Riverwood unit #2 into Landscape and Lighting District No. 05-22, Riverwood (257 Lots), and the Annexation of Riverwood unit #2 into Landscape and Lighting District No.05-22-Park, Riverwood **Resolutions 2006-105, 2006-106, 2006-107 and 2006-108 required.**
 - e) **Second reading of Ordinance 2006-17** for Text Amendment No. 2006-03: to amend 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.
 - f) Authorize the Mayor to sign the cooperative agreements with Caltrans to upgrade the signals at the intersections of Locust Street (SR63) and Noble Avenue and Court Street (SR63) with Noble Avenue and authorize an additional \$133,750 to be added to the project. Project #1111-00000-72000-0-9516
 - g) Authorize the Recordation of the Final Map for Quail River, located at the southeast corner of Lovers Lane and Walnut Avenue (323 lots) and the Formation of Landscape and Lighting District No. 06-09, Quail River; APN: 127-030-025. **Resolutions 2006-109 and 2006-110 required.**

h) Authorization to file Notice of Completion for the following:

1. Eagle Creek No.1, containing 74 lots, located south of Ferguson Avenue and west of Roeben Street.
2. Pheasant Ridge No.1, containing 61 lots, located north of Ferguson Avenue and west of Roeben Street.

i) Request authorization to submit a Bicycle Transportation Account (BTA) grant application to finish the bike lanes on Tulare avenue east of Roeben and create new bike lanes on Roeben between Whitendale and Tulare, Whitendale between Akers and Roeben, and Walnut between Roeben and Shirk and to provide the 10% local match from the Transportation Fund.

13. PUBLIC HEARING - Proposed change in the Landscape & Lighting District (LLMAD) assessment for Park Place/Crossroads District #04-04. At the hearing public comments will be heard and ballots from property owners will be counted and reported to Council.

14. PUBLIC HEARING - Consider increasing the Transportation Impact Fees. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per Resolution. **Resolution No. 2006-11 required.**

15. PUBLIC HEARING

Two separate motions required.

a. Adoption of Mitigated Negative Declaration No. 2006-094. **Resolution No. 2006-12 required.**

a. **Public Hearing for Adoption of Specific Plan No. 2006-06:** A request by Westland Development to adopt The Village at Willow Creek Specific Plan. The specific plan considers on and off-site improvements associated with the development of a mixed-use Community Center development in compliance with Policy 3.5.8 of the Land Use Element of the Visalia General Plan for the northwest quadrant of Visalia. The project site is located on the northeast corner of Demaree Street and Riggins Avenue in the City of Visalia, County of Tulare. (APN: 078-210-006 and 078-230-014) **Resolution No. 2006-13 required.**

16. Continued PUBLIC HEARING

Continued at staff request to Monday, Dec. 18. Motion required

a. Adoption of Negative Declaration No. 2006-67. Resolution No. 2006- required.

b. Specific Plan Amendment No. 2006-02: A request by The Taylor Group to amend the Demaree/Caldwell Specific Plan to allow the relocation of an access point on Caldwell Avenue, and to allow a phased development of Sub-area B. **Resolution 2006-23 required.**

The site is located on the southeast corner of Caldwell Avenue and Demaree Street (APN: 126-030-033/034/035/036/014/015).

17. Report on the Southern California Edison San Joaquin Cross Valley Loop Transmission Line.
Bill Delain, Southern California Edison Region Manager

Buyer	Seller	APN	Closing Date	Project Manager
City of Visalia	Sam DAVIS	APN: 094-053-023	11/9/06	Colleen Carlson

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

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 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Presentation by CourseCo. Inc, on recent changes and improvements at the Valley Oaks Golf Course.

Deadline for Action: N/A

Submitting Department: Administrative Services

Contact Name and Phone Number: Mario Cifuentez, X4480

Department Recommendation:

Accept the City staff report and the presentation provided by CourseCo. Inc. regarding their recent changes and improvements to the operation of the Valley Oaks Golf Course.

Summary/background:

Since January 2000, CourseCo., Inc has managed the Valley Oaks Golf Course for the City of Visalia. During that time, the City has enjoyed a very good working relationship with CourseCo.

From time to time, City Staff has provided Council with updates on the operation of the course. Due to recent significant changes in staffing and significant ongoing improvements to the Course, staff felt it was appropriate to have representatives from CourseCo. make a presentation directly to Council and be available to answer any questions that Council may have. CourseCo representatives have prepared the attached Powerpoint, which will be the basis for their presentation.

From an operating standpoint, the course has generally met its objective of paying operating costs with a surplus to pay for capital and debt. The major concern for the Course continues to be the enterprise's ability to pay down the debt. Although Valley Oaks has paid down some of its debt, it is slower than originally desired.

Table I, Valley Oaks Golf, Status of Debt Payments, shows last fiscal year's debt activity. The Golf Course has two types of debt: CIP Surcharge Debt used to pay for ongoing improvements since CourseCo began operating the Golf Course in 2001 and General Loan debt incurred in the past when the course was expanded.

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 30

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty 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.

Table I
Valley Oaks Golf
Status of Debt Payments
Fiscal Year 05/06

	CIP Loan	General Loan
Loan Balances		
Balance 6/30/05	751,751.30	3,154,837.00
- Principal Paid	169,076.34	173,621.67
Balance 6/30/06	582,674.96	2,981,215.33
Potential amortization period at current rate (yrs):	3.50	16.5
Payment @ 6%	195,555.85	296,090.28
Debt Payments Made		
Principal Paid	169,076.34	173,621.67
Interest Paid	26,808.66	123,638.86
Total Paid	195,885.00	297,260.53
CIP Surcharge Collected	195,885.00	

The CIP Surcharge debt is dedicated towards Valley Oak improvements. All CIP surcharge monies are to be used for improvements. Please note that the CIP Surcharge revenues equal CIP Debt Payments made. At the current rate of payment, the total debt would be paid off in three and ½ years unless additional debt is incurred. The Golf Course does, however, plan additional improvements.

The General Loan made some progress this year. The remaining life of the loan at the current rate of payment is 16.5 years. This is longer than originally anticipated. However, the fund is making progress.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: None.

Attachments: Powerpoint Presentation

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)*

City of Visalia Agenda Item Transmittal

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Review of the performance measures established by the Visalia Convention and Visitors Bureau as required by the current contract.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number: Leslie Caviglia, 713-4317

Department Recommendation

It is recommended that the Council accept these goals and objectives submitted by the Visalia Convention and Visitor's Bureau for their initial year of operation. It is also recommended that the Council request the CVB to file goals and objectives for 2007-2008 by May 1, 2007 as part of the contract negotiations for the coming year, and that the Board work with City Staff to further refine the performance measures to include additional tracking of sales/marketing efforts and the resulting leads, re-bookings, and new bookings.

Department Discussion

The Visalia Visitors and Convention Bureau became a separate entity in July of this year. This independence was part of the goals established in 2005 by a Council-appointed committee that reviewed Visalia's convention and tourism activities and recommended a course of action to improve Visalia's attraction efforts.

At the conclusion of the Committee's work in 2005, the tourism and convention attraction efforts were consolidated and the Chamber of Commerce agreed to temporarily oversee the combined CVB while the new organization was formed. A volunteer committee worked very hard during the ensuring year to get the new organization established, staff hired and direction set.

In June of this year, the Council approved a contract with the newly established CVB. However, because the fledging organization was in the middle of staff transitions, it was agreed that the CVB staff and Board would establish goals and objectives for this initial year of operation and return the Council with a report. (See attached report)

Staff has reviewed the goals and objectives, and believe they are appropriate for the first year of operation. As with any new process, there are further refinements that staff believes will be

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 20_____

Review:

Dept. Head LBC 11906

Finance

City Atty

City Mgr

appropriate in future years when the CVB staff has more experience and there are current, reliable statistics from which to set new performance measurements.

Prior Council/Board Actions:

The Council approved a contract with the CVB for July 1, 2006 – June 30, 2007

Committee/Commission Review and Actions: N/A

Alternatives: To request that modifications be made to the performance measurements.

Attachments: Memo from Glenn Morris, Executive Director of the Visalia Convention and Visitors Bureau.

Recommended Motion (and Alternative Motions if expected):

I move that we accept the stated goals and objectives for the CVB for 2006/2007 and that the that the Board work with City Staff to further refine the performance measures for the coming fiscal year by May 1, 2007 to include additional tracking of sales/marketing efforts and the resulting leads, re-bookings, and new bookings.

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*)

New performance measures by May 1, 2007

New contract to be approved by June 30, 2007



Visalia City Council MEMORANDUM

Date: November 14, 2006

To: Visalia City Council
Steve Salomon, City Manager

From: Greg Kirkpatrick, Vice-Mayor

Subject: City Council Review of Planning Commission Items

At the July 17, 2006, Council meeting this item was discussed and continued. At that time, it appeared that Mayor Gamboa and Council Member Collins were in support of the ordinance as it was proposed, and that Council Members Landers and Link were opposed to it. I asked that the item be continued so I could give it further thought since it appeared that I was the swing vote.

In reviewing the issue, I feel that it is important to have a mechanism for the Council to provide policy direction and feedback to the Planning Commission as we implement the land use policies and objectives in the General Plan. This has been particularly evident in the consideration of large-scale tentative subdivision maps that, in my opinion, have failed to meet a number of land use element policy objectives, particularly:

- Encourage development of comprehensively planned, compact, well-integrated areas for single-family and multi-family residential development using schools, neighborhood parks, and open space conservation facilities as key planning components (Objective 4.1.C);
- Provide new residential areas that offer a variety of housing densities, types, sizes, costs, and locations to meet projected demand throughout the community (Objective 4.1.D);
- Promotes schools as focal points for neighborhood areas and as planning elements for new growth areas (Objective 5.3.C);
- Promote ways to reduce the number of vehicle-miles traveled in the planning area (Objective 5.6.B); and
- Minimize urban sprawl and leap-frog development by encouraging compact, concentric, and contiguous growth (Objective 6.1.B).

After consideration, I have asked the City Attorney to draft an alternative, which would change the proposed ordinance in three significant ways:

- 1) The Ordinance would only apply to review of tentative subdivision maps and associated entitlement applications, such as planned development permits. The existing appeals process would apply to all other Planning Commission decisions (i.e., CUP's, site plans, etc.);
- 2) A single Council Member would be able to request a review of the Planning Commission decision without giving up his/her right to vote on the matter; and
- 3) In requesting a review, the Council Member must state the specific policy issues he/she wishes to address in the review process, without stating their intent or position as to support of or opposition to the application.

The proposed changes to the Ordinance should make it possible to create meaningful policy implementation and an opportunity for the Council and Planning Commission to develop innovative land use strategies for meeting General Plan goals and objectives. When a Council Member asks for review, it should initiate a process for focused review of specific policy issues by staff, the Planning Commission, and the Council. This will help all of us to better define implementation strategies for the "Smart Growth" principles embodied in the Land Use Element of the General Plan.

I am distributing this memo to the Council, Planning Commission members, and other interested parties for their review. It is my intention that the first reading of the Ordinance would be at the Council meeting on December 18, 2006, and the second reading on January 8, 2007. That should give the interested parties adequate time to comment, since the original Ordinance underwent significant public review.

Cc: Visalia Planning Commission
Visalia Chamber of Commerce
Visalia Chamber of Commerce Local Government Committee
Visalia Economic Development Council
Tulare/Kings Hispanic Chamber of Commerce
Michael Olmos, Assistant City Manager
Fred Brusuelas, Assistant Community Development Director

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Update on Valley Oak SPCA Programs and Operations and Approval of Current FY 2006/07 Service Contract of \$370,590 and Authorize Staff to Perform the Analysis Necessary for the SPCA Facilities to be Included in the City's General Facilities Impact Fees and Approve the Process for Increasing the Unaltered Dog License from \$25 to \$35 and Unaltered Cat License from \$10 to \$20 and Increase Impound Fees from \$20 to \$25, and Breeder and Kennel Permit Fees from \$25 to \$50 and to be included in the City's Annual Rate and Fee Review Process for future adjustments.

Authorization for the City Manager to Enter Into the FY 2007/08 through FY 2009/10 Contract for Animal Control Services in the Amount of \$488,299 Annually (with a 3% annual adjustment) and Approval for the Capital Budget of \$176,050 and Approval of Facility Renovation of \$285,900.

Deadline for Action:

November 20, 2006

Submitting Department:

Administration

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

Department Recommendation:

Staff recommends Council approve the current FY 2006/07 Contract for Animal Control Services with VOSPCA in the amount of \$370,590 and authorize staff to perform the analysis necessary for the SPCA facilities to be included in the City's Public Facilities Impact Fees and approve the process for increasing the fee for Unaltered Dog License from \$25-\$35 and the Unaltered Cat License from \$10-\$20 and increase Breeder and Kennel Permit Fees from \$25 to \$50 and include the fees in the City's Annual Rate and Fee review process for future increases.

Staff recommends Council authorize the City Manager to Enter into the FY 2007/08 through FY 2009/10 new contract for animal control services in the amount of \$488,299 annually (with a 3% annual increase adjustment) and approve the capital budget of \$176,050 and approve the renovation of the facility at a cost of \$285,900.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

The recommendation is in two parts due to the current VOSPCA contract. As Council may recall, the increased budget request was not presented in June of 2006. It was one of the special presentations to be made at a latter time.

Therefore, VOSPCA has been operating from the FY 2005/06 budget without any increases. When preparing for the presentation to Council the City believed the program would be better served by providing recommendations on a multi-year approach as compared to making a one year request.

VOSPCA is currently providing City animal control services under the July 1, 2005 contract which was for one (1) year with an additional two (2) year option. They are currently in the first year of the two (2) year option.

The first set of recommendations address the current FY 2006/07 contract and the amount requested to insure that VOSPCA does not have to operate without sufficient funding to provide animal control services in the current fiscal year.

The second set of recommendations refers to the new longer term contract and objectives that will present a more comprehensive program and the renovation of the facility.

This report will reflect the collaborative efforts between City and Valley Oak SPCA to outline the current and extended operational, capital and facility needs for the animal control program.

The City has relied on VOSPCA to provide animal control services for the City since 1993. The contract was initially managed through the Police Department and later transferred to City Administration. Since that time the City has relied upon the VOSPCA management to provide the contract services. In addition the City has not invested in any major upkeep of the facility. After detailed discussions with VOSPCA staff and board members, the City is recommending that the City take a more active role in assisting VOSPCA staff in the management of the City contract and that the City either renovate the existing City facility that houses VOSPCA or find another suitable site.

Both entities believe that it is in the City's best interest to contract for animal control services if possible due to the special nature of the business. Both entities also agree that a collaborative effort between City and VOSPCA will serve to improve the overall effectiveness and efficiency of the services and management of the program.

As described VOSPCA is currently providing City animal control services under the July 1, 2005 contract which was for one year with an additional 2-year option. They are in the first year of the 2-year option, however, the new budget for FY2006/07 was not presented during the regular budget cycle in order to present a more comprehensive program and facility overview.

The following sections of the report outline the budget request with a brief summary of each item. This section is followed by a more detailed review of each item as well as the history of the contract with VOSPCA.

BUDGET SUMMARY

FY 2006/07

The contract amount for services for FY 2005/06 was \$307,583. The increase requested for FY 2006/07 is \$370,590. The increase of \$63,007 is due primarily to payroll increases consisting of health and dental insurance, payroll taxes and an increase in overtime due to shortage of staff. Total payroll increase was \$45,598. The remaining increase of \$17,409 is related to increases in line item supplies and services. An additional issue was that licensing revenue was down due to software and hardware problems. The City supports the increase, however, the City has worked with VOSPCA to develop a more comprehensive approach to the budget and services for the new contract as detailed in the following section.

Licensing:

Annual projected licensing revenue \$135,700

Projected increase in revenue with recommended fee increase :

- Unaltered dogs \$25 to \$30 \$27,910
- Unaltered cats \$10 to \$15 600

Total annual licensing revenue \$164,210

Recommended Increases:

- Increase Unaltered Dogs License Fee from \$25 to \$35 annually.
- Increase Unaltered Cat License Fee from \$10 to \$15 annually.
- Increase Impound Fee from \$20 to \$25.
- Increase Kennel Permit Fee \$25 to \$50.
- Increase Breeder Permit Fee from \$25 to \$50.

These fees all require City Council authorization and once approved would be included in the City's annual rates and fees document for future annual increases. The fees that are set by the Poundmaster will be increased by CPI annually.

VOSPCA is only recommending these increases this year, but will continue to evaluate altered animals license fees and return to Council with future recommendations.

It should be noted than any increase in the projected revenue resulting from licensing will be deducted from the approved City General Fund contract contribution annually.

FY 2007/08-FY 2010/11

Operating Contract Amount: \$488,299 Effective FY 2007/08-FY2009/10

(City contribution from General Fund)

The salary recommendations would become effective in FY 2007/08 in order to start recruiting and hiring more experienced and qualified candidates. The Operations Officer position will be the second in command and will be trained in all areas that the Executive Director is responsible for. This will allow for increased management and supervision and will assist in management succession in the event the Executive Directive retires.

- Increase salary of Animal Control Officers salary from \$12 per hour to \$15 per hour.

- Increase Operations Officer salary from \$34,500 annually to \$48,000 annually.
- Increase Administrative Assistant salary from \$33,000 annually to \$35,000 annually.
- Increase Executive Director salary from \$40,000 annually to \$52,000 annually.
- Existing Office and Kennel employees \$127,426 annually (chart attached)

Total increase annually for above positions:

\$109,520 FY 2005/06

- Increase one (1) new Animal Control Officer in FY 2008/09 at \$43,000

Total Employee Increased Cost: \$152,520

The FY 2007/08 operating budget is an increase of \$117,709 over the FY 2006/07 operating budget for animal control services. \$106,922 is for the proposed increase in salaries. The remaining \$10,787 is for routine line item increases.

Capital Budget: \$176,050 Effective FY 2007/08-FY2009/10

- Purchase 2 new animal control pick up trucks with cages at a cost of \$85,000 in FY 2006-07 Purchase 1 new animal control vehicle at \$45,000 in FY 2008/09
- Purchase 11 computers and printers in FY 2007/08 (\$11,000)
- Purchase office equipment consisting of copier, FAX in FY 2007/08 (\$7,000)
- Purchase surveillance system for premises in FY 2006/07 (\$4,000)
- Purchase animal scale in 2006/07 (\$2,000)
- Purchase new telephone system in FY 2008/09 (\$ 6,000)
- Purchase GPS monitors for animal control officers in FY 2006/07 (\$1,600) 4x\$400
Purchase 1 GPS monitor in FY 2008/09 \$400
- Purchase paging system in FY 2006/07 (\$3,000)
- Purchase Nextel Phone for ACO's x6 in FY 2007/08 (\$900) Purchase 1 Nextel phone in FY 2008/09 (\$150)
- Purchase ACO Equipment (batons, belts, flashlights, lockboxes for drugs, 3 tranquilizer rifles, and pistols in FY 2006/07 (\$8,000) Purchase equipment and tranquilizing weapons for 1 animal control officer in FY 2008/09 (\$2,000)

TOTAL CAPITAL \$176,050

* City Purchasing will work with VOSPCA the above if possible.

Programs:

All of the following programs/events, with the exception of the off-site adoptions, are directly related to the services provided the City for animal control and licensing services.

- Weekly vaccination clinics are held at the shelter.
- Off-site adoptions are held at various sites throughout the community.
- Educational presentations to schools, senior centers and other community locations.
- Various fundraiser events that include educational presentations.
- DOG DAZE OF SUMMER
An annual event in the Fall consisting of a parade and educational fair at Recreation Park.
- 2 annual clinics in the fall, one at the Manuel Hernandez Center and one at Washington Elementary School.*

- 2 annual clinics in the spring, one at Mineral King School and one at Crestwood School.*
- A mailer annually in the Cal Water billing informing residents of the need to license their dog or cat and the information on how to do and the dates of scheduled events. (English and Spanish) *
- A mailer in the City's Park and Recreation Guide that is mailed quarterly to Visalia residents with information on how to license your dog or cat and scheduled dates of events. (English and Spanish) *
- Include information on the City of Visalia web page and the intranet about why it is important to license your dog or cat and how to license them.*
- Discussions with local veterinarians, groomers and pet stores will continue in order to determine if any joint programs can be implemented. It should be noted there are privacy and accounting issues that need to be considered in these option.
- WALK-A-THON-the annual fundraiser event-vaccination and licensing clinic.

* those items marked have not taken place to date due to staff turnover. VOSPCA anticipates acting on these programs in the Spring of 2007.

SUMMARY/HISTORY:

Valley Oak SPCA is a non-profit organization that was established in 1991 and operates an Animal Shelter/Adoption Center and Low-Cost Spay/Neuter Clinic.

The SPCA's Mission is to promote the humane treatment of animals, educate our community about responsible pet care, reduce pet overpopulation through an aggressive spay/neuter program and celebrate the human/animal bond.

Valley Oak SPCA takes in approximately 11,000 stray and owner-surrendered dogs and cats each year and strives to place as many animals as possible into loving, lifetime homes. It works to decrease pet-overpopulation through community outreach and education. The SPCA provides animal control, cruelty investigations and sheltering for the City of Visalia, in addition to sheltering services for the cities of Tulare, Dinuba, Exeter and Woodlake.

Programs and services, funded by donations, include offsite adoptions every weekend at PetSmart and other community venues, partnerships with rescue organizations, community outreach and education, as well as low-cost spay/neuter surgeries and vaccinations at its clinic which is temporarily closed in order to restructure.

The SPCA has over 100 dedicated volunteers in positions such as: adoption, counselor, foster parent, critter companion/exerciser, bather/groomer, and humane education presenters. The SPCA recently embarked on a capital campaign to build a state-of-the-art Animal Shelter & Adoption Center, with a variety of sponsorship opportunities available to help make the dream a reality for the community. Detailed information is available at www.vospca.org.

The City of Visalia contracts with Valley Oak SPCA to provide animal control services and to operate an animal shelter. These services are required by Visalia Municipal Code, *Chapter 6, Section 6.04.010* through *Section 6.04.110*.

A significant component of the municipal code, (*Section 6.12.030* License required and *Section 6.12.070* Vaccination requirement for licenser) protects the community against the threat of rabies. These two sections require that a dog or cat be licensed and in order to be licensed they must have proof of being vaccinated against rabies. In order to maintain this safety factor it is important that dogs and cats are licensed and vaccinated.

The current contract with Valley Oak SPCA provides for legal mandates such as licensing, euthanasia, rabies control and prevention, impoundment, pick up and processing of dangerous and vicious animals. It should be remembered, however, Valley Oak SPCA is a non-profit organization to promote the humane treatment of animals. The animal control contract with the City of Visalia is a separate service they provide and is a separate program from the non-profit services and their fundraising.

Since contracting with Valley Oak SPCA in 1993, the City has primarily maintained a hands off approach to the shelter. The contract was initially managed in the Police Department and in 1997 management was transferred to Administration. The City has relied on VOSPCA to operate the animal control program and maintain the facility and notify the City if major repairs were needed. The City has discussed taking a more proactive, hands on approach with the management of the contract with VOSPCA. This would consist of assisting in recruiting and training employees, providing management with support systems in the area of personnel, finance, legislative and legal. As a result VOSPCA would have the benefit of City internal staff resources to help build a stronger program and management team and provide for continuity and stability for the future.

Additionally, VOSPCA has not raised any licensing fees or operational fees (except the late or not license penalty fee which Council approved increasing from \$10 to \$20 in July 2006) since FY 2003/04. Even though one of the goals of the licensing program is to license as many dogs as possible in the community there is an ever increasing cost in providing the service. The cost of materials and manpower to license an animal is not covered by the revenue generated from the license.

Therefore, the City is supporting VOSPCA in recommending an increase in the licensing of unaltered dogs from \$25 to \$30 and unaltered cats from \$10 to \$15. In addition, the Impound Fee, Kennel Permit Fee and Breeder Permit Fee have not been increased since the City has contracted with VOSPCA for services. The City also recommends an increase in these fees. Even though there will be minimal increased annual revenue the fees should be brought current.

Over the past 5 year contract period the calls for service have increased from 3430 calls in 1999 to 4862 calls in 2005. This is an approximate 30% increase in calls for service. In the first ten months of 2006, 4,300 calls for service have been handled. Calls for service are projected to continue to increase as more residential areas are occupied and the general population of the city increases.

In FY 2005 the contract amount was increased from **\$186,000** annually to **\$307,583 (\$121,583 increase)**. This included adding one (1) full time animal control officer at \$26,332 and an additional \$13,000 annually for a part-time animal control officer to allow for increased service on Sundays. The limited service provided on Sundays was through call back and overtime. Increasing an additional part-time officer allows more hours of service to be provided at a lesser cost on the weekends. A licensing software upgrade was also provided at a cost of \$5,250. This was a one time capital expense.

Facility/Grounds:

In order to insure the best site for services, city staff is currently evaluating other city owned properties to determine if any would fit the needs of the shelter. However, if no appropriate space is found staff recommends repairing the existing facility.

City staff is also working with VOSPCA to determine scope and cost of the new facility they plan to build. Finance staff will be developing a plan to amend and implement the facility impact fee to increase the capacity of the facility.

The shelter has operated over the past 14 years with very little capital improvement to the facility. The City has not renovated or upgraded the buildings or the grounds since Valley Oaks leased the facility. There has been no preventative maintenance performed or scheduled over the years.

The electrical system is in need of a major upgrade (\$37,000), the one restroom facility is in need of major repair, the plumbing needs major repair, the two trailer modules are beyond their life expectancy and all the buildings need painting and maintenance.

Due to the flood elevation requirements, new modules cannot be brought on site nor can new buildings be added without adhering to the five (5') foot elevation requirement for that zone. Therefore, it is imperative if the facility is going to continue to be occupied that it and the grounds be renovated and brought to code.

VOSPCA developed a list of repairs and improvements needed to the facility. Staff agrees with the repair list and the approximate cost of \$285,000 to bring the buildings into good working order. (list attached)

Staffing:

During the past year the Supervising Animal Control Officer resigned and of the 3.5 hourly animal control officers, 3 left for other jobs (one to Farmersville animal control and one to Tulare animal control). Due to the turnovers only 2 officers have been on duty at any given time and there have been times when only 1 officer is on duty. Currently the officers receive \$12 per hour. This is low compared to animal control officers in the surrounding area and staff is requesting that the hourly rate be increased to \$15 per hour. This has caused a major impact in calls for service as well as completion of program objectives.
(Chart attached)

The Supervising Animal Control Officer position is currently at an annual salary of \$34,500 and is vacant. Staff is recommending this position be increased to \$48,000 annually and that this position be designed to be an assistant director so that when the current director retires the board will have qualified staff to promote. Staff is also recommending the current director's salary be increased from \$40,000 annually to \$52,000.

These changes will assist in attracting higher qualified candidates and decrease constant turnover. The changes will also support maintaining qualified staff and assist in management succession.

One additional animal control officer and vehicle is being requested in FY 2008/09 to address increased calls for service as animal population increases.

Licensing:

Over the past 5 years approximately **48,369** dogs and cats have been licensed. To date, **5,044** animals (4,412 dogs and 623 cats) have been licensed in the current year. The number of animals licensed currently is down from last years 8,529 due to the newly purchased licensing software not being completed. The software is anticipated to be installed by spring 2007 and licensing should increase as a result.

It is estimated that there are approximately **27,167** dogs (.25 per capita) and **33,600** (.30 per capita) cats in Visalia. (APPMA-American Pet Products Manufacturers Association, Inc.). Valley Oak SPCA licensed approximately **9,426** dogs and **1,200** cats in 2004. At the current rate of licensing, approximately 34.6% of dogs are being licensed and 3.6% of cats are being licensed. It is the goal of Valley Oak SPCA to increase the number of dogs licensed annually by 1,000 and 300 cats.

Compared to the local communities, Visalia is reaching a significant percentage of animals for licensing.

<u>City</u>	<u>#of Dogs Licensed</u>	<u>Est. # of Dogs in City</u>	<u>% of</u>
Compliance			
Farmersville	55	2,479	2%
Lindsay/Porterville	1,339	11,239	9%
Dinuba	518	4,827	10.7%
Exeter	467	2,493	18%
Tulare	3,441	12,531	27.4%
Clovis	8,000	25,000	32%
Visalia (VOSPCA survey)	9,426	27,167	34.6%

The annual revenue from licensing is approximately \$135,700. Valley Oaks had requested to increase certain licensing fees. The increase would help bring fees more in line with the cost of providing the service and offset expenses as costs and calls for service continue to increase.

Over the past 5 years approximately 48,369 animals have been licensed. For the current year 5,044 animals have been licensed. The fee has only been increased once during the past five years.

FY 02-03 Fee		FY 03-04 Fee	
Dog-unaltered	\$20.00	Dog-unaltered	\$25.00
Dog-spay/neutered	8.00	Dog-spay/neutered	10.00
Cat-unaltered	6.00	Cat-unaltered	10.00
Cat-spay/neutered	3.00	Cat-spay/neutered	5.00

(This increase was a 25% increase in dog licenses and a 66.7% increase in cat licenses).

Valley Oak strongly believes the current fees are too low and do not adequately reflect the amount of time, effort and costs that go into the licensing program. Fees have been historically low and have not been increased in a timely fashion. At this time SPCA is recommending the

following increases, but will continue to evaluate licensing fees and make future recommendations to Council.

Recommended Increases:

- Increase unaltered dogs license fee from \$25 to \$35 annually.
- Increase unaltered cat license fee from \$10 to \$15 annually.
- Increase Impound fee from \$20 to \$25.
- Increase Kennel permit fee \$25 to \$50.
- Increase Breeder Permit fee from \$25 to \$50.

History:

Valley Oak SPCA was formed in 1991 as a non-profit to promote the humane treatment of animals, educate the community on responsible pet care, reduce pet overpopulation through an aggressive spay/neuter program and celebrate the humane/animal bond.

The relationship between the City of Visalia and Valley Oak SPCA is a very unique situation in that Valley Oak SPCA provides a variety of services that the City of Visalia is legally obligated to provide or find other resources to provide the services. This is a different relationship as compared to other non-profit organizations in that the health and safety issues related to animal control must be provided by the City, as required in the California Penal Code, the City of Visalia Municipal Code, the California Health and Safety Code and the California Food and Agriculture Code.

The City of Visalia began contracting for animal control services with Valley Oak SPCA in 1993. Prior to that time the City of Visalia provided animal control services to the community through the Police Department. In FY 2000-01 the City commenced a *five (5) year* contract with Valley Oak SPCA in the amount of \$740,708 (\$186,000 current annual funding) . The contract included \$16,000 for the purchase of 10 new kennels, and \$12,000 annually for fuel. In 2000, Valley Oak SPCA only had 1.5 animal control officers. In order to address the continuing increase in calls for service the City added one (1) additional animal control officer in FY 2000-01 and one (1) additional animal control officer in 2001-02. The City provided vehicles for the officers through the City fleet. In FY 2005/06 the City added another full time animal control officer and one part time officer. The City also purchased two new vehicles for the officers.

Prior Council/Board Actions:

Approval of FY 2004/04 Budget

Committee/Commission Review and Actions:

n/a

Alternatives:

do not contract for animal control services

Attachments:

Operating Expenses FY2006/07 and FY 2007/08-2010/2011
Current and Proposed Salary Increases Chart for FY 2207/07
Salary Percentage Chart
Repair List for Facility

Animal License Survey
SPCA UPDATE

Recommended Motion (and Alternative Motions if expected): I move the City Council Approve the FY 2006/07 Service Contract with Valley Oak SPCA in the amount of \$370,590 and Authorize Staff to Perform the Analysis Necessary For the SPCA's Facilities to be Included in the City's Public Facilities Impact Fees and Approve the Process to Increase the Unaltered Dog License form \$25 to \$35 and Unaltered Cat License from \$10 to \$20 and Increase Impound Fees from \$20 to \$25 and Breeder and Kennel Permit Fees from \$25 to \$50 and to include such in the City's Annual Rate and Fee Review Process for Future Increases), and Authorize the City Manger to Enter Into the FY 2007/08-FY 2009/10 Contract for Animal Control Service with Valley Oak SPCA in the Amount of \$488,299 Annually(with a 3% annual adjustment) and Approve the Capital Budget of \$176,050 and Approve the Facility Renovation Budget of \$285,900.

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 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Award a contract for the purchase of seventeen (17) new marked Police patrol vehicles to the Groppetti Automotive Group in the amount of \$550,300.81

Deadline for Action:

Submitting Department: Police

Contact Name and Phone Number: Police Chief Bob Carden, ext. 4215, Eric Frost, ext 4474

Department Recommendation: The Police Department recommends that the City Council award a contract for the purchase of seventeen (17) new marked Police patrol vehicles to the Groppetti Automotive Group in the amount of \$550,300.81.

Summary/background: The Police Department is purchasing seventeen (17) marked patrol units. Twelve (12) of these vehicles are replacement vehicles; and five (5) are vehicles allocated by the Measure T sales tax initiative. All of these vehicles Council reviewed as part of the City of Visalia Budget for FY 06/07.

The C.M.A.S. (California Multiple Awards Schedule) Program has not awarded a contract as yet, and has no foreseeable date to do so. Purchasing and the Police Department searched for and located a contract awarded by the City of Yuba with Downtown Ford Sales in Sacramento that the City of Visalia could “piggyback” on to purchase the Police Department’s marked vehicles. Downtown Ford’s price for each car is \$32,447.19 (including up-fit, sales tax and delivery fee). Total price for all seventeen (17) vehicles is \$551,602.17.

For comparison purposes, the Purchasing division sought a quote from the Groppetti Auto Group in Visalia for the purchase of the 17 vehicles. The quote from Groppetti came in at \$32,370.64 per vehicle, for a total of \$550,300.81, \$1,301.36 less than Downtown Ford Sales. Staff recommends awarding a contract for the purchase of the 17 vehicles to the Groppetti Automotive Group.

The Police Department has hired the five (5) Measure T officers for FY 06/07, and they are now in the Field Training Program. These officers will need vehicles when they complete the program. Fleet has evaluated and identified the twelve (12) marked patrol vehicles that have exceeded their useful lifecycle as police units.

Funding for the twelve (12) replacement vehicles comes from the 5012 account.

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

For placement on which agenda:
 Work Session
 Closed Session

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):_

Review:
Dept. Head _____
Finance _____
City Atty _____
City Mgr _____

Funding for the additional five (5) vehicles comes from the 1121 (Measure T) account.

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Recommended Motion (and Alternative Motions if expected):

I move that Council award a contract for the purchase of seventeen (17) new marked Police patrol vehicles to Groppetti Automotive Group in the amount of \$550,300.81

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):

Agenda Item Wording: Authorize staff to purchase two (2) Aircraft Refuelers and award the purchases to Garsite.

Deadline for Action: November 6, 2006

Submitting Department: Administrative Services

Contact Name and Phone Number: Mario Cifuentez, X4480

Department Recommendation

Authorize staff to purchase two Aircraft Refuelers and award the purchases to Garsite as the low bidder for \$195,520 and appropriate an additional \$11,520 because the actual bid amount exceeds the original budget.

Summary/Background

The Airport's 06/07 CIP Budget includes \$184,000 for the replacement of the two existing aircraft refuelers at the airport. The existing 1,200 gallon Aviation Gasoline (Avgas) and 2,000 gallon Jet refuelers are 22 and 20 years old respectively and in need of major refurbishment. The current units require repairs on a regular basis to maintain operational ability. The trucks would be replaced with a 1,000 gallon Avgas refueler and a 3,000 gallon Jet-A refueler.

The changes in the capacities of the two refuelers are reflective of the shift in aircraft types using the airport. The airport has experienced a 42% increase in fuel sales over the past two years. Said increase is the result of more and more corporate aircraft using the airport. Additionally, due primarily to the rising cost of fuel, more and more general aviation pilots are choosing to use the self serve fuel island for their Avgas needs to take advantage of the price discount. A chart showing the breakdown of fuel sales is shown below for Council's reference:

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 2

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Airport - Gallons of Fuel Sold

	FY02-03	FY03-04	FY04-05	FY05-06
Gallons Sold				
100 Av. Gas	150,546.0	150,280.0	126,400.9	162,755.0
Jet Fuel	98,777.2	148,348.4	136,068.7	192,952.8
Jet Fuel - Air Carrier	243.1	167.2	-	17,819.7
	249,566.3	298,795.6	262,469.6	373,527.5
Annual % Increase		20%	-12%	42%
Price Per Gallon				
100 Av. Gas	\$ 2.31	\$ 2.50	\$ 3.06	\$ 3.37
Jet Fuel	\$ 2.40	\$ 2.15	\$ 3.01	\$ 2.84

A Request for Proposals was issued for the fuel trucks and three bids were received. Listed below are the three bids received for the Jet Fuel Truck and Avgas Truck respectively:

Vendor	JetFuel Truck	Avgas Truck	Total
Garsite – Kansas City, KS	\$117,570.00	\$77,950.00	\$195,520.00
Bosserman – Carey, OH	\$134,285.00	\$80,250.00	\$214,535.00
Gibbs – Fresno, CA	\$129,029.41	\$92,714.33	\$221,743.74

Council has previously approved a budget amount of \$184,000 for the purchase of two trucks. By awarding this purchase to Garsite, Council will also be appropriating an additional \$11,520 in funds to cover the cost of purchasing both vehicles. The additional funding will come from the Airport Enterprise fund, which has sufficient reserves to cover the cost.

The airport enterprise fund is a \$1.7 million per year operation and the fueling operation accounts for approximately 65% of the total revenue for the airport operation. Less the cost of goods sold, the fueling operation provided approximately \$195,000 in net resources for the airport in FY 05/06. Consequently, the revenue generated from the fuel sales covers approximately 40% of the airport's operating expenses. Without the revenue from the fueling operation, the Airport enterprise fund would have to rely more heavily on hangar rents and land leases and increase the rates on those charges to cover the cost of operating the airport.

Prior Council/Board Actions:

June 2006 - Council adopted the 06-08 Capital Improvement Budget for the City of Visalia.

Committee/Commission Review and Actions:

The Airport Advisory Committee recommends that the City Council award the purchase to the low bidder, Garsite.

Alternatives: None.

Attachments: None

Recommended Motion (and Alternative Motions if expected):

I move to authorize staff to purchase two Aircraft Refuelers and awards the purchases to Garsite as the low bidder.

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 20, 2005

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorize the Recordation of the Final Map for Riverwood Unit #2, located at the northeast corner of Mineral King Ave and McAuliff Street (90 lots) and the Annexation of Riverwood unit #2 into Landscape and Lighting District No. 05-22, Riverwood (257 Lots), and the Annexation of Riverwood unit #2 into Landscape and Lighting District No.05-22-Park, Riverwood (257 Lots) **Resolutions 2006-___, 2006-___, 2006-___ and 2006-___ required.**

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713-4340
Peter Spiro 713-4256

Department Recommendation and Summary:

Final Map

Staff recommends that City Council authorize the recordation of the final map for Riverwood Unit #2 containing 90 Lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,089,589.92 and Labor and Material Bond in the amount of \$544,794.96; 3) cash payment of \$289,600.34 distributed to various accounts; and 4) Final Map. The subdivision is being developed by Centex Homes.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. A Maintenance Bond valued at 10% of the cost of the public improvements will be required prior to recording the Notice of Completion. The Maintenance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and

For action by:

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

For placement on which agenda:

Work Session
 Closed Session
Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

inspection fees. The plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Mineral King Avenue (Collector). This segment of Mineral King Avenue will curve north of the existing road to avoid conflicting with the future road 148 /SR 198 interchange. In addition, the developer will upsize sanitary sewer line in Mineral King to serve the future commercial site in that area. The City will be reimbursing approximately \$162,071 to the developer (Centex Homes) by giving a combination of fee credits for Transportation Impact Fees and cash payment. In addition to that, the developer will improve the City's detention/recharge basin frontage by installing permanent fencing and landscaping around the basin.

Landscape & Lighting

Staff recommends that the City Council: adopt **Resolution No. 06-__** Initiating Proceedings for Annexation to Assessment District No. 05-22 Riverwood,; adopt the Engineer's Report as submitted; and adopt **Resolution No. 06-__** confirming the Engineer's Report, ordering the improvements and levying the annual assessments. Also, Staff recommends that the City Council: adopt **Resolution No. 06-__** Initiating Proceedings for Annexation to Assessment District No. 05-22-Park,Riverwood; adopt the Engineer's Report as submitted; and adopt **Resolution No. 06-__** confirming the Engineer's Report for the pocket park district, ordering the improvements and levying the annual assessments,

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

On February 7th, 2005, the City Council adopted a new pocket park policy that will offer a small open-space/recreational venue of a more passive or intimate nature, internal to a specific residential development. The pocket park will be maintained by the landscape and lighting district for the subdivision under the Landscape and Lighting Act of 1972. The construction costs will be financed through a General Fund loan and a separate assessment district will be formed per this report that coordinates the loan payments among the district lots over a 20-year period as described in the Engineer Report.

The Landscape and Lighting Act allows for the use of summary proceedings when all the affected property owners have given their written consent. This process waives the requirement for a public hearing since the owners of this development have given their written consent to form this district. This development is planned to be done in two phases, the first unit contained 167 Lots(mixed use) while the second unit has 90 Lots(mixed use).

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

On September 7, 2004, Council approved the Street Maintenance Assessment Policy establishing guidelines and processes for placing street maintenance costs into assessment districts.

Committee/Commission Review and Actions: The tentative subdivision map for Riverwood subdivision was approved by the Planning Commission on November 22, 2004. The tentative map will expire on November 22, 2006.

Alternatives: N/A

Attachments: Resolutions Initiating Proceedings; Clerk’s Certification; Resolutions Ordering the Improvements; Exhibits “A”, “B”, “C”, “D” for both districts, and Exhibit “E”.

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

“I move to authorize the recordation of the Final Map for Riverwood Unit #2 and I move to adopt Resolution No. 06-___ Initiating proceedings for the Annexation of Riverwood unit #2 into Landscape and Lighting District No. 05-22 “Riverwood” and adopt Resolution No. 06-___ Ordering the Improvements for Assessment District No. 05-22 “Riverwood”, and adopt Resolution No. 06-___ ” Initiating proceedings for the Annexation of Riverwood unit #2 into Landscape and Lighting District No.05-22-Park,”Riverwood” and adopt Resolution No. 06-___ Ordering the Improvements for Assessment District No.05-22-Park ”Riverwood”.

Financial Impact

Funding Source:
Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

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

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

RESOLUTION NO. 06-____

RESOLUTION INITIATING PROCEEDINGS FOR ANNEXATION TO
ASSESSMENT DISTRICT 05-22

Riverwood

(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to annex to an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The district, including the annexation, shall continue with the designation established with the initial formation, which is "Assessment District No. 05-22, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-22, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Riverwood".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these annexation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 05-22

Riverwood

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 05-22, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 20th day of November, 2006 by its Resolution No. 06-___ & ___

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

RESOLUTION NO. 06-____

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-22
Riverwood
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 05-22, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2006-07.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report
 - Exhibit E - Multi-Family lots location

PASSED AND ADOPTED

Exhibit "A"
 Assessment Diagram
 Landscape & Lighting Assessment District 05-22
 Riverwood

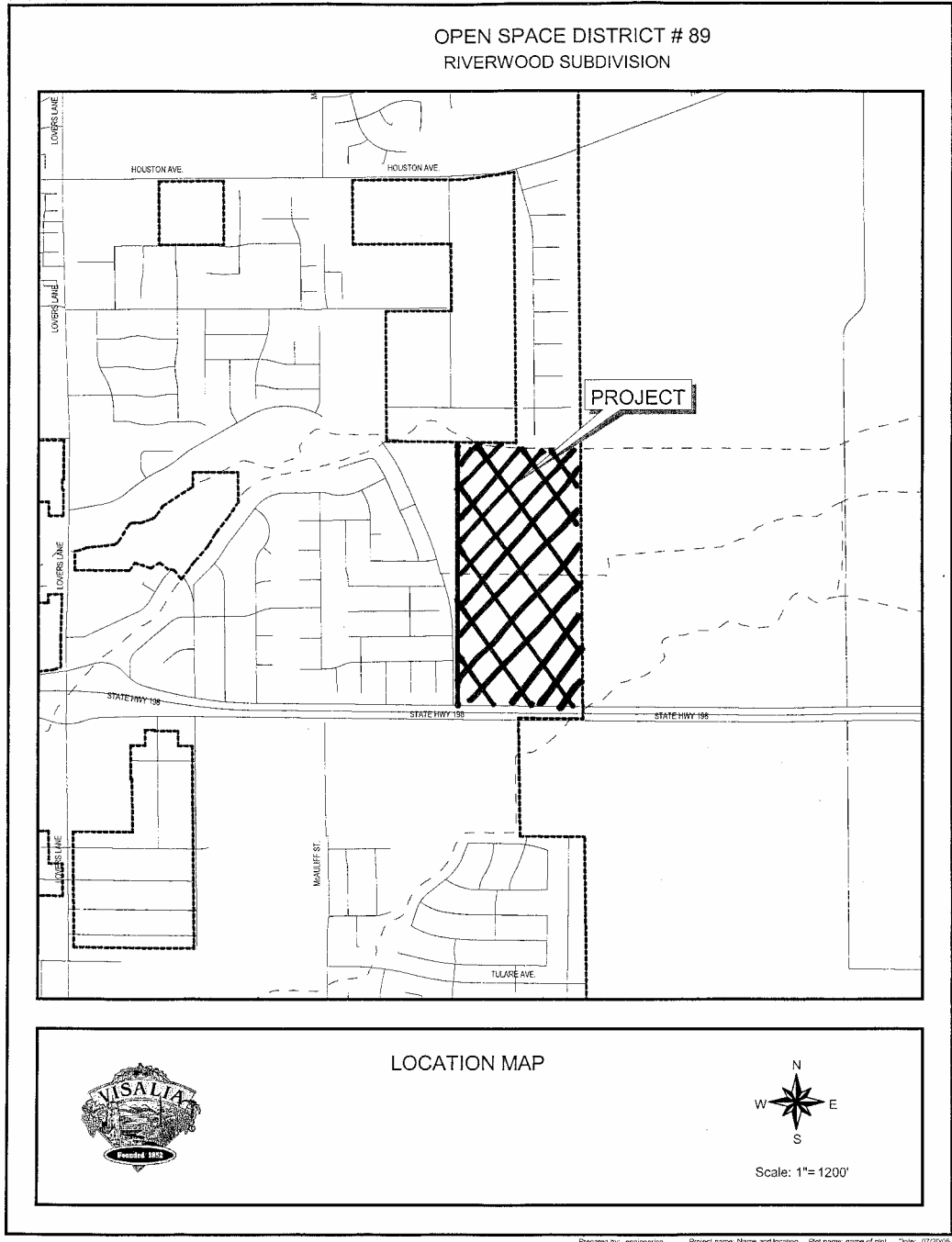
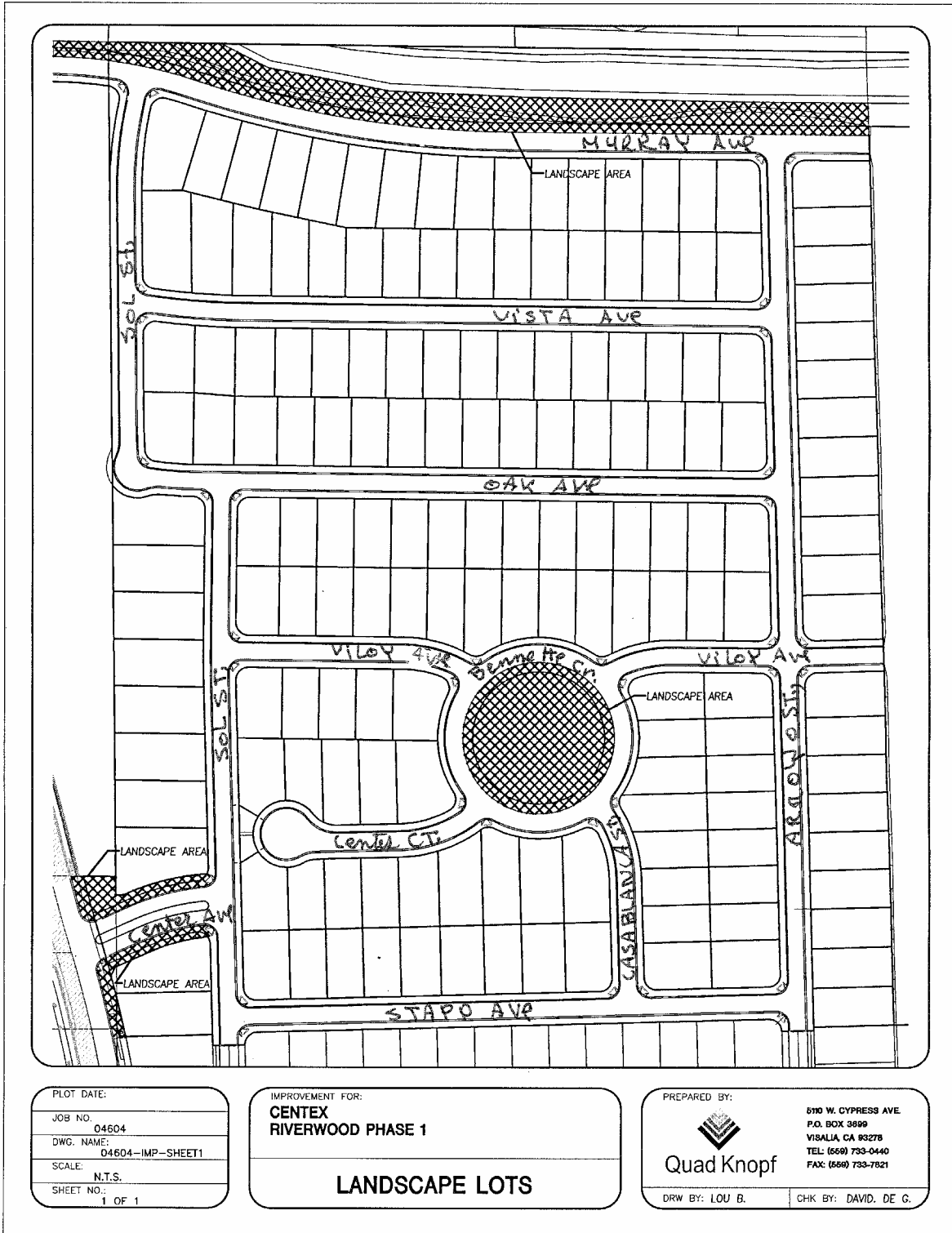


Exhibit "B"


LANDSCAPING LOCATION DIAGRAM
Riverwood



PLOT DATE:
JOB NO. 04604
DWG. NAME: 04604-IMP-SHEET1
SCALE: N.T.S.
SHEET NO.: 1 OF 1

IMPROVEMENT FOR:
**CENTEX
RIVERWOOD PHASE 1**

LANDSCAPE LOTS

PREPARED BY:

Quad Knopf
5110 W. CYPRESS AVE.
P.O. BOX 3699
VISALIA, CA 93278
TEL: (659) 733-0440
FAX: (659) 733-7821

DRW BY: LOU B. CHK BY: DAVID. DE G.

Exhibit "B"

LANDSCAPING LOCATION DIAGRAM Riverwood

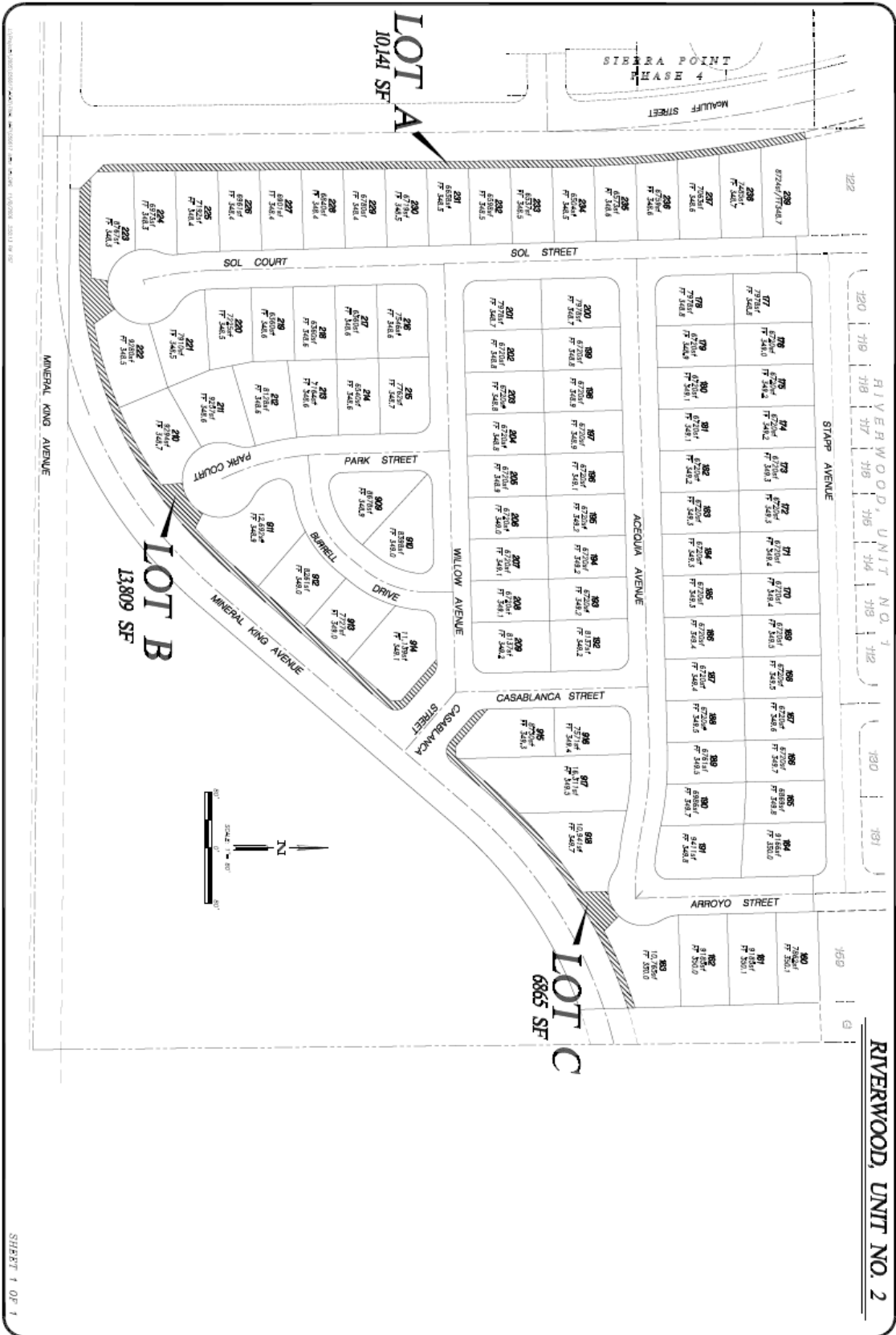


Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

APN #	Assessment	Owner	Lot #	District
To Be Assigned	\$688.70	Centex Homes	05-2201/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2202/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2203/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2204/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2205/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2206/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2207/M3	Riverwood
To Be Assigned	\$688.70	Centex Homes	05-2208/M3	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2209	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2210	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2211	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2212	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2213	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2214	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2215	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2216	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2217	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2218	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2219	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2220	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2221	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2222	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2223	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2224	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2225	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2226	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2227	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2228	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2229	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2230	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2231	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2232	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2233	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2234	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2235	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2236	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2237	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2238	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2239	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2240	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2241	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2242	Riverwood
To Be Assigned	\$341.50	Centex Homes	05-2243	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2244	Riverwood

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

To Be Assigned	\$341.50	To Be Assigned	05-2245	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2246	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2247	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2248	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2249	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2250	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2251	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2252	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2253	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2254	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2255	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2256	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2257	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2258	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2259	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2260	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2261	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2262	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2263	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2264	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2265	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2266	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2267	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2268	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2269	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2270	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2271	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2272	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2273	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2274	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2275	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2276	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2277	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2278	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2279	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2280	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2281	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2282	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2283	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2284	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2285	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2286	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2287	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2288	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2289	Riverwood

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

To Be Assigned	\$341.50	To Be Assigned	05-2290	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2291	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2292	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2293	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2294	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2295	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2296	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2297	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2298	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-2299	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22100	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22101	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22102	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22103	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22104	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22105	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22106	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22107	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22108	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22109	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22110	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22111	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22112	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22113	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22114	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22115	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22116	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22117	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22118	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22119	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22120	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22121	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22122	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22123	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22124	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22125	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22126	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22127	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22128	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22129	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22130	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22131	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22132	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22133	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22134	Riverwood

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

To Be Assigned	\$341.50	To Be Assigned	05-22135	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22136	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22137	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22138	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22139	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22140	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22141	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22142	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22143	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22144	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22145	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22146	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22147	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22148	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22149	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22150	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22151	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22152	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22153	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22154	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22155	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22156	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22157	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22158	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22159	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22160	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22161	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22162	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22163	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22164	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22165	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22166	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22167	Riverwood

**NOTE: M2 Indicates parcel with two units(Duplex).
M3 Indicates parcel with three units.(Triplex)**

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

To Be Assigned	\$341.50	To Be Assigned	05-22168	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22169	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22170	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22171	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22172	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22173	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22174	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22175	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22176	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22177	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22178	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22179	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22180	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22181	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22182	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22183	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22184	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22185	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22186	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22187	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22188	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22189	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22190	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22191	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22192	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22193	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22194	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22195	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22196	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22197	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22198	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22199	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22200	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22201	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22202	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22203	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22204	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22205	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22206	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22207	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22208	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22209	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22210	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22211	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22212	Riverwood

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

To Be Assigned	\$341.50	To Be Assigned	05-22213	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22214	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22215	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22216	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22217	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22218	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22219	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22220	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22221	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22222	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22223	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22224	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22225	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22226	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22227	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22228	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22229	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22230	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22231	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22232	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22233	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22234	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22235	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22236	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22237	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22238	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22239	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22240	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22241	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22242	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22243	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22244	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22245	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22246	Riverwood
To Be Assigned	\$341.50	To Be Assigned	05-22247	Riverwood
To Be Assigned	\$459.20	To Be Assigned	05-22248 M2	Riverwood
To Be Assigned	\$459.50	To Be Assigned	05-22249 M2	Riverwood
To Be Assigned	\$459.50	To Be Assigned	05-22250 M2	Riverwood
To Be Assigned	\$459.50	To Be Assigned	05-22251 M2	Riverwood
To Be Assigned	\$459.50	To Be Assigned	05-22252 M2	Riverwood
To Be Assigned	\$688.70	To Be Assigned	05-22253 M3	Riverwood
To Be Assigned	\$688.70	To Be Assigned	05-22254 M3	Riverwood
To Be Assigned	\$688.70	To Be Assigned	05-22255 M3	Riverwood
To Be Assigned	\$688.70	To Be Assigned	05-22256 M3	Riverwood
To Be Assigned	\$688.70	To Be Assigned	05-22257 M3	Riverwood

Exhibit "C"

Tax Roll Assessment
Riverwood
Fiscal Year 2006-07

Exhibit "D"
Engineer's Report
Landscape & Lighting Assessment District 05-22
Riverwood
Fiscal Year 06-07

General Description

This Assessment District (District) is located at the North east corner of McAuliff and Mineral King. Exhibit "A" is a map of Assessment District 05-22. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The maintenance of pavement on local streets includes preventative maintenance by means including, but not limited to overlays, chip seals/crack seals and reclamite (oiling). The total number lots within the district are 257.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The maintenance of the landscape areas, street lights and block walls is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the maintenance of all internal local streets within the subdivision, the City Council has determined that landscape areas, street lights, block walls and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

All residents in this District benefit equally from the improvements and maintenance that is funded by the assessments collected. The lots not adjacent to the landscaped areas, block walls, or other improvements, still receive the benefit of the uniform maintenance and overall appearance of the District.

This district will contain both single-family lots and multiple-family lots. The multiple-family lots are larger in general, and typically have higher population densities than the single-family lots. In order to provide an equitable assessment to all property owners within the District, all parcels are assessed based on the number of dwelling units located on the parcel. However, multiple-family units are assessed at a rate that is 67% of the per-dwelling unit rate used for single-family parcels. For example; a parcel with a duplex will pay 1.33 times (2 units X .67) the assessed amount paid by a single family parcel.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-22
Riverwood
Fiscal Year 06-07

Estimated Costs

The estimated costs to maintain the District includes the costs to maintain turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements. The regular preventive maintenance of pavement on local streets is based on the following schedule: Chip Seal on a 15-year cycle; Overlays on a 10-year cycle; Crack Seal on an 8-year cycle and Reclamite on a 6-year cycle .

Exhibit "D"
 Engineer's Report
 Landscape & Lighting Assessment District 05-22
 Riverwood
 Fiscal Year 05-06

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Cost per unit</u>	<u>Total Cost/Yr</u>
Turf Area	Sq. Ft.	58330	\$0.199	\$11,607.67
Shrub Area	Sq. Ft.	39255	\$0.199	\$7,811.75
Water	Sq. Ft.	97585	\$0.050	\$4,879.25
Electricity	Sq. Ft.	97585	\$0.008	\$780.68
Trees In Landscape Lots/pocket park	Each	262	\$25.00	\$6,550.00
Trees In Local Street Parkways	Each	343	\$25.00	\$8,575.00
Street Lights	Each	64	\$105.00	\$6,720.00
Chip Seal (15-year cycle)	Sq. Ft.	387391	\$0.190	\$4,906.95
Crack Seal (8-year cycle)	Sq. Ft.	387391	\$0.02933	\$1,420.42
Reclamite (6-year cycle)	Sq. Ft.	387391	\$0.0211110	\$1,363.04
Overlays (10-year cycle)	Sq. Ft.	387391	\$0.65	\$25,180.42
Project Management Costs	LOT	257	\$18.00	\$4,626.00
TOTAL				\$84,421.17
10% Reserve Fund				\$8,442.12
GRAND TOTAL				\$92,863.28
COST PER Triplex Multi-family Lot (\$688.70)		13	\$688.700	
COST PER Duplex Multi-Family Lot(\$459.20)		5	\$459.200	
COST PER Sing. Family Lot. (\$341.50)		239	\$341.500	
NOTE :Please refere to Exhibit "E" for the location of Duplexes and Triplexes Multi-family lots				

Exhibit "D"
 Engineer's Report
 Landscape & Lighting Assessment District 05-22
 Riverwood
 Fiscal Year 05-06

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

$$A_{max} \text{ for any given year "n"} = (\$92,863.28) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$101,220.9 [a 9% increase over the base year estimated cost of \$92,863.28]. The maximum annual assessment for year four is \$107,500.85
 $(4-1)$
 $[A_{max} = (\$92,863.28) (1.05)^{(4-1)}]$. The assessment will be set at \$101,220.90 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$104,935.51 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$92,863.28]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$2098.71 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$107,500.85
 $(4-1)$
 $[A_{max} = (\$92,863.28) (1.05)^{(4-1)}]$. The year four assessment will be set at \$104,935.51 plus the deficit amount of \$2098.71 which equals \$107,034.22 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$101,220.97 [a 9% increase over the base year assessment of \$92,863.28] and damage occurred to the masonry wall raising the year five expenses to \$123,489.6 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$111,343.07 (a 10% increase over the previous year) and below the maximum annual assessment of \$112,875.9 [$A_{\max} =$
 $\$92,863.28 (1.05)^{(5-1)}$]. The difference of \$12,146.5 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

Exhibit "D"
Engineer's Report
Landscape & Lighting Assessment District 05-22
Riverwood
Fiscal Year 05-06

City Engineer Certification

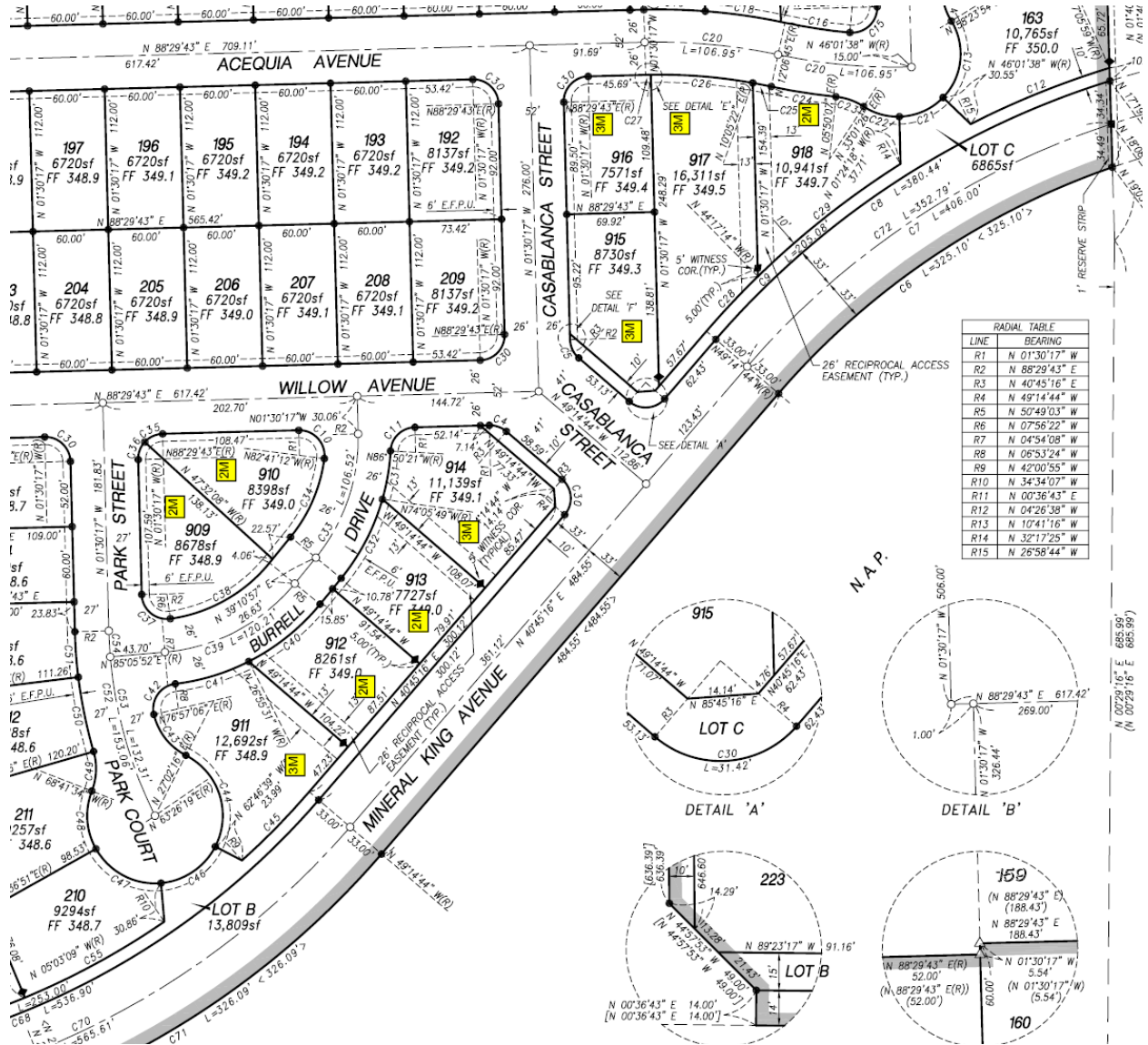
I hereby certify that this report was prepared under my supervision and this report is based on information obtained from the improvement plans of the subject development.

Andrew Benelli

RCE 50022
Assistant Director Engineering

Date

Exhibit "E"
 Multi-Family lots location
 Landscape & Lighting Assessment District 05-22



LINE	BEARING
R1	N 01°30'17" W
R2	N 88°29'43" E
R3	N 40°45'16" E
R4	N 49°14'44" W
R5	N 57°49'03" W
R6	N 07°56'22" W
R7	N 04°54'08" W
R8	N 05°53'24" W
R9	N 42°00'55" W
R10	N 34°34'07" W
R11	N 00°36'43" E
R12	N 04°26'38" W
R13	N 10°41'16" W
R14	N 32°17'25" W
R15	N 26°58'44" W

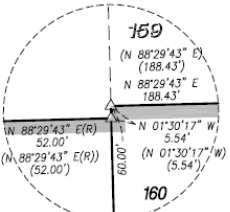
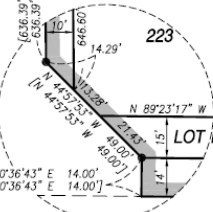
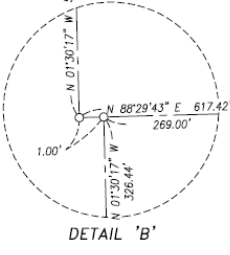
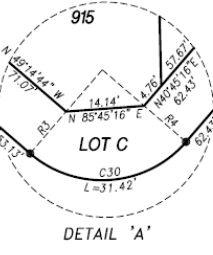


Exhibit "E"

Multi- Family lots location
Landscape & Lighting Assessment District 05-22

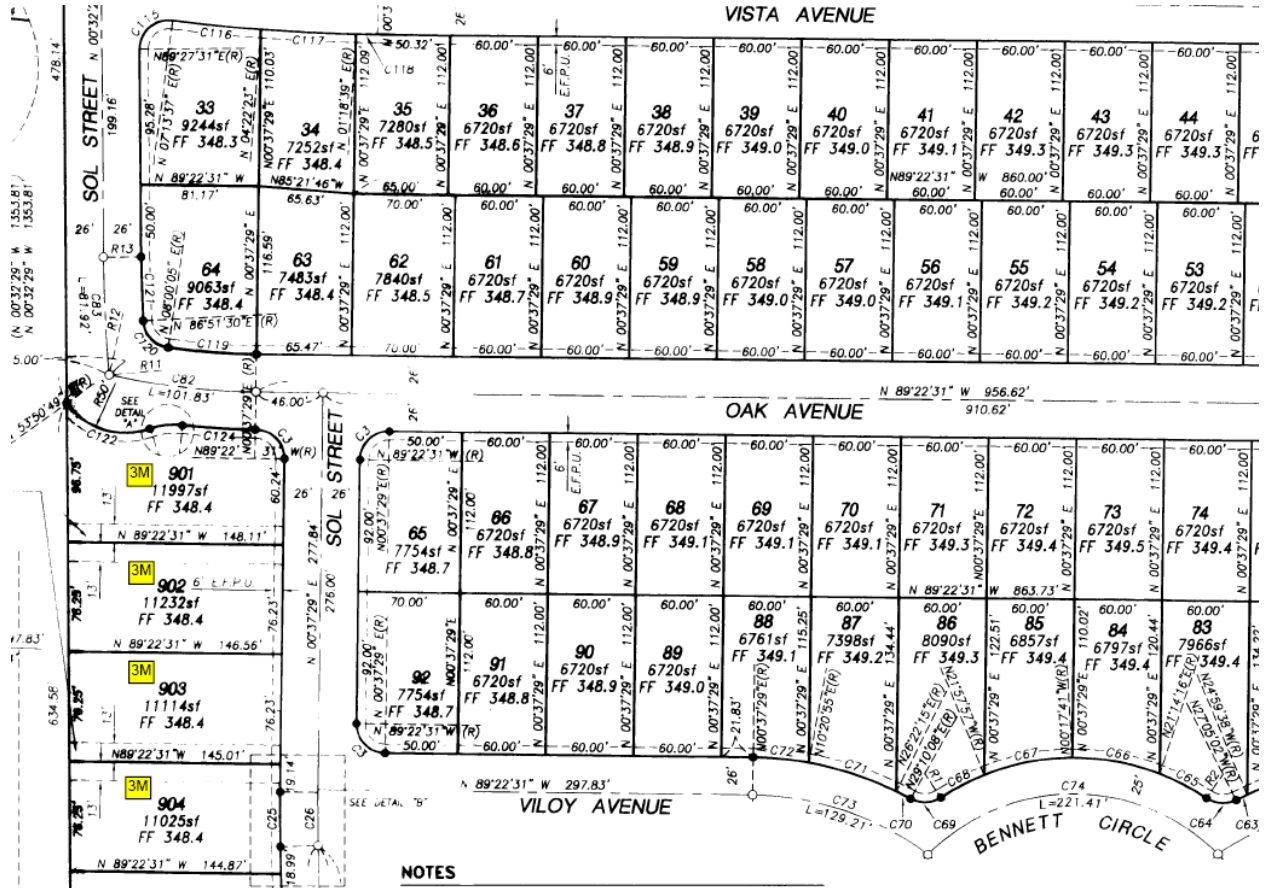
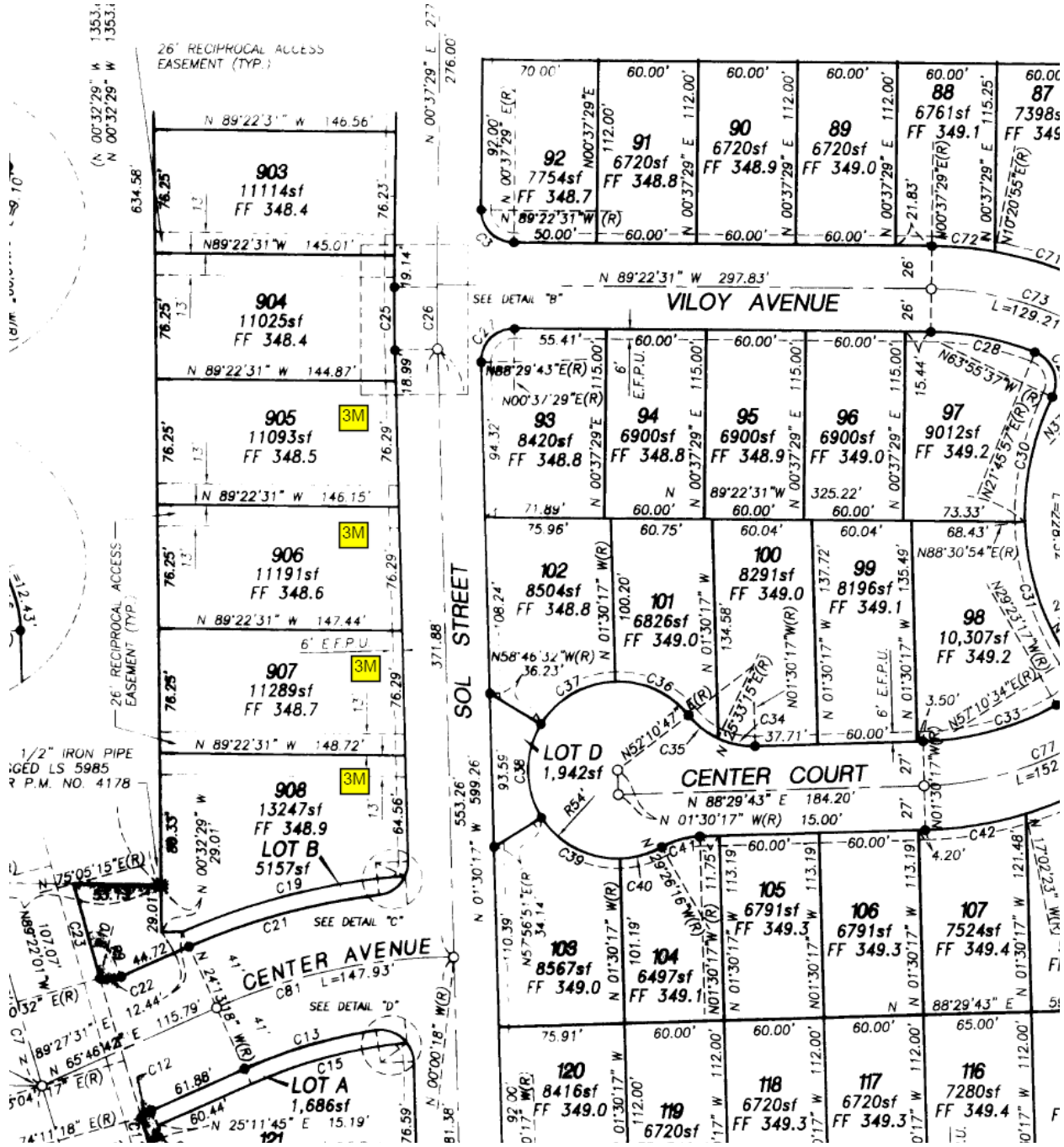


Exhibit "E"
Multi- Family lots location

Landscape & Lighting Assessment District 05-22



RESOLUTION NO. 06-____
RESOLUTION INITIATING PROCEEDINGS FOR ANNEXATION TO
ASSESSMENT DISTRICT 05-22-PARK
Riverwood PARK CONSTRUCTION

(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

4. The City Council proposes to annex to an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

All park improvements including turf, irrigation, benches, sidewalks, design costs, construction management, City inspections (calculated at 3% of the estimated cost of park improvements) and overhead (including bonding fee associated with park improvements).

5. The proposed district shall be designated Assessment District No. 05-22-Park, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-22-Park, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Riverwood Park Construction".
6. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 05-22-PARK
Riverwood PARK CONSTRUCTION
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 05-22-Park, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 6th day of September, 2005 by its Resolution No. 05-118 & 119

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

RESOLUTION NO. 06-____

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-22-PARK
Riverwood PARK CONSTRUCTION
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

7. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 05-22-Park, of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
8. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
9. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
10. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
11. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2005-06.
12. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram Assessment District No. 05-22-PARK City of Visalia, Tulare County, California

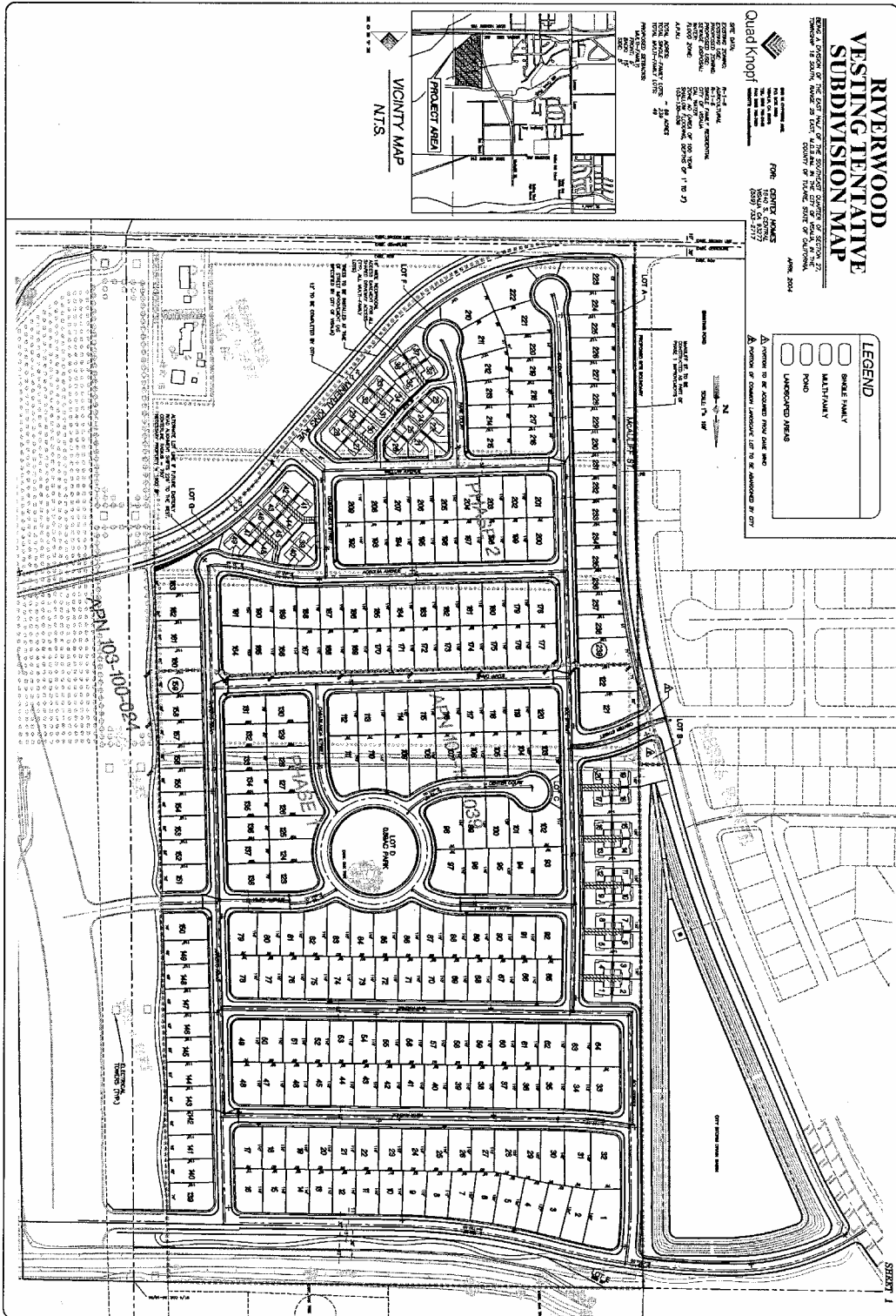


Exhibit "B"

Landscape Location Diagram Riverwood Park Construction

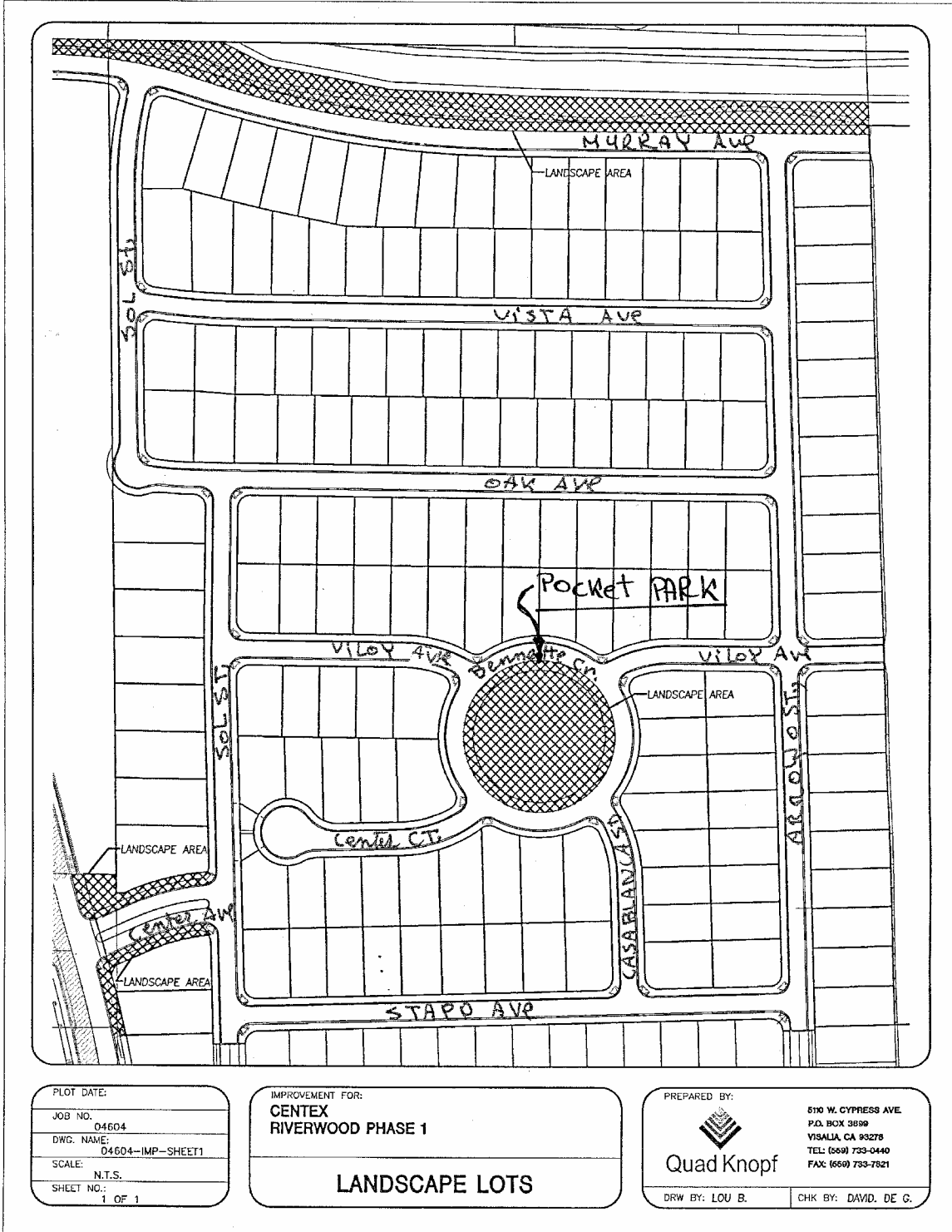


Exhibit "C"

Tax Roll Assessment Riverwood Park Construction Fiscal Year 2006-07

To Be Assigned	\$88.00	To Be Assigned	05-22-P-135	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-136	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-137	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-138	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-139	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-140	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-141	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-142	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-143	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-144	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-145	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-146	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-147	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-148	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-149	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-150	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-151	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-152	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-153	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-154	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-155	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-156	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-157	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-158	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-159	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-160	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-161	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-162	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-163	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-164	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-165	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-166	(Riverwood) Park Construction
To Be Assigned	\$88.00	To Be Assigned	05-22-P-167	(Riverwood) Park Construction

**NOTE: M2 Indicates parcel with two units(Duplex).
M3 Indicates parcel with three units.(Triplex)**

Exhibit "C"

Tax Roll Assessment
Riverwood Park Construction
Fiscal Year 2006-07

Exhibit "D"

Engineer's Report Landscape & Lighting Assessment District 05-22-Park Riverwood Pocket Park Fiscal Year 2006-07

General Description

This Assessment District (Riverwood) is located North east corner of McAuliff and Mineral King. Exhibit "A" is a map of Assessment District 05-22. Exhibit "B" is a map of Assessment District 05-22-Park. The assessment collected reimburses the developer for the construction of the Riverwood Subdivision Pocket Park. Improvements include installation of an irrigation system, planting of turf, sidewalk construction and expenses associated with design and construction management. The total number lots within the district are 257.

Determination of Benefit

The purpose of pocket parks is to offer small open space/recreational venues of a more passive or intimate nature that serves residents within or adjacent to a planned residential development.

In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the construction of the pocket parks within the subdivision, the City Council has determined that the construction of the pocket parks should be included in a district.

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District derive a benefit by either being adjacent to the park or the nearby access to the pocket park.

This district will contain both single-family lots and multiple-family lots. The multiple-family lots are larger in general, and typically have higher population densities than the single-family lots. In order to provide an equitable assessment to all property owners within the District, all parcels are assessed based on the number of dwelling units located on the parcel. However, multiple-family units are assessed at a rate that is 67% of the per-dwelling unit rate used for single-family parcels. For example; a parcel with a duplex will pay 1.33 times (2 units X .67) the assessed amount paid by a single family parcel.

Estimated Costs

The estimated costs to construct the pocket park includes the costs of the turf areas, shrub areas, irrigation systems, trees, amenities, sidewalks, design costs, construction management, City inspection and any other applicable equipment or improvements. The construction cost will be repaid over a 20-year period with an interest rate determined by the prime rate at the time of establishing the loan.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-22-Park
Riverwood Pocket Park
Fiscal Year 2006-07

The quantities and estimated costs are as follows:

Description	Unit	Quantity	Cost per unit	Total Cost
POCKET PARK				
Construction Cost(Irrigation&Turf)	Sq. Ft.	45,216	\$4.00	\$180,864.00
Construction Cost (Trees)	Each	28	\$200.00	\$5,600.00
Construction Cost (Amenities)	L.S.	1	\$45,500.00	\$45,500.00
Sidewalk	Sq. Ft.	2,600	\$2.50	\$6,500.00
Construction Cost				\$238,464.00
Design cost	%	1	5%	\$11,923.20
Construction Management	%	1	1%	\$2,384.64
Inspection fee 3% of estimate	%	1	3%	\$7,153.92
Overhead (including % of bonding amout per subdivision agreement)	%	1	1%	\$2,384.64
Project Management fee	per lot	257	\$5.000	\$1,285.000
TOTAL OF CONSTRUCTION COST				\$263,595.40
Yearly payment from Amortization table (including interest over 20 years)				\$23,922.97
COST Per Triplex Multi-family LOT		13	\$176.600	
COST Per Duplex- Multifamily LOT		5	\$119.200	
COST Per Single family LOT		239	\$88.000	
NOTE :Please refere to Exhibit E for the location of Duplexes and Triplexes Multi-family lots				

Exhibit "D"

Engineer's Report
 Landscape & Lighting Assessment District 05-22-Park
 Riverwood Pocket Park
 Fiscal Year 2006-07

**Park Construction Cost Amortization Over 20 Years
 (Subdivision Name) L&L District for Construction**

Enter Values			Loan Summary				
Loan Amount	\$ 263,595.40	Scheduled Payment	\$ 23,922.97				
Annual Interest Rate	6.50 %	Scheduled Number of Payments	20				
Loan Period in Years	20	Actual Number of Payments	20				
Number of Payments Per Year	1	Total Early Payments	\$ -				
Start Date of Loan	01/01/2006	Total Interest	\$ 214,863.97				
Optional Extra Payments							
Lender Name:	City of Visalia	(Interest Rate is determined by the prime rate at time District is created)					
Pmt No.	Estimated Due Date	Beginning Balance	Scheduled Payment	Total Payment	Principal	Interest	Ending Balance
1	01/01/2007	\$ 263,595.40	\$ 23,922.97	\$ 23,922.97	\$ 6,789.27	\$ 17,133.70	\$ 256,806.13
2	01/01/2008	256,806.13	23,922.97	23,922.97	7,230.57	16,692.40	249,575.56
3	01/01/2009	249,575.56	23,922.97	23,922.97	7,700.56	16,222.41	241,875.01
4	01/01/2010	241,875.01	23,922.97	23,922.97	8,201.09	15,721.88	233,673.91
5	01/01/2011	233,673.91	23,922.97	23,922.97	8,734.16	15,188.80	224,939.75
6	01/01/2012	224,939.75	23,922.97	23,922.97	9,301.88	14,621.08	215,637.86
7	01/01/2013	215,637.86	23,922.97	23,922.97	9,906.51	14,016.46	205,731.36
8	01/01/2014	205,731.36	23,922.97	23,922.97	10,550.43	13,372.54	195,180.93
9	01/01/2015	195,180.93	23,922.97	23,922.97	11,236.21	12,686.76	183,944.72
10	01/01/2016	183,944.72	23,922.97	23,922.97	11,966.56	11,956.41	171,978.16
11	01/01/2017	171,978.16	23,922.97	23,922.97	12,744.39	11,178.58	159,233.77
12	01/01/2018	159,233.77	23,922.97	23,922.97	13,572.77	10,350.20	145,661.00
13	01/01/2019	145,661.00	23,922.97	23,922.97	14,455.00	9,467.96	131,205.99
14	01/01/2020	131,205.99	23,922.97	23,922.97	15,394.58	8,528.39	115,811.41
15	01/01/2021	115,811.41	23,922.97	23,922.97	16,395.23	7,527.74	99,416.19
16	01/01/2022	99,416.19	23,922.97	23,922.97	17,460.92	6,462.05	81,955.27
17	01/01/2023	81,955.27	23,922.97	23,922.97	18,595.88	5,327.09	63,359.40
18	01/01/2024	63,359.40	23,922.97	23,922.97	19,804.61	4,118.36	43,554.79
19	01/01/2025	43,554.79	23,922.97	23,922.97	21,091.91	2,831.06	22,462.88
20	01/01/2026	22,462.88	23,922.97	22,462.88	21,002.79	1,460.09	0.00

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-22-Park
Riverwood Pocket Park
Fiscal Year 2006-07

City Engineer Certification

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

Andrew Benelli
Assistant Director Engineering

RCE 50022

Date

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Second reading of Ordinance 2006-17 Zoning Ordinance Text Amendment No. 2006-03: to amend 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, except for C-R zoned properties fronting Mooney Boulevard between State Highway 198 and Visalia Parkway.

Deadline for Action: None

Submitting Department: Community Development, Planning Division

Contact Name and Phone Number: Paul Scheibel, AICP (713-4369)

Department Recommendation: Staff recommends that the City Council conduct the second reading and adoption of Ordinance No. 2006-17 for Zoning Ordinance Text Amendment No. 2006-03, amending 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, except for C-R zoned properties fronting Mooney Boulevard between State Highway 198 and Visalia Parkway.

This text amendment arose from a request by Visalia Loyal Order of Moose to locate their fraternal lodge to 3360 S. Fairway Drive, in the C-R Zone District.

Summary/background: On November 6, 2006, the City Council held a public hearing on Zoning Ordinance Text Amendment (ZTA) 2006-03. The public hearing included the first reading of Ordinance 2006-17 prepared for the ZTA. The City Council unanimously approved the ZTA and conducted the first reading of the Ordinance with modifications. The amendment was modified to exclude C-R zoned properties fronting Mooney Boulevard between State Highway 198 and Visalia Parkway.

On October 9, 2006, the Planning Commission unanimously (5-0) adopted Resolution No. 2006-107, recommending the City Council adopt ZTA 2006-03 to add Private Clubs

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.

and Lodges as a “Conditional” use in the C-R (Regional Commercial) Zone. The Planning Commission also unanimously (5-0) adopted Resolution 2006-108 approving 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.

Alternatives: None recommended

Attachments:

Ordinance No. 2006-17

Recommended Motion (and Alternative Motions if expected):

I move to conduct the second reading of Ordinance 2006-17, regarding Zoning Ordinance Text Amendment No. 2006-03.

Environmental Assessment Status

CEQA Review: Categorical Exemption No. 2006-86 was processed for this action.

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)*

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, except for C-R zoned properties fronting Mooney Boulevard between State Highway 198 and Visalia Parkway.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 6, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorize the Mayor to sign the cooperative agreements with Caltrans to upgrade the signals at the intersections of Locust Street (SR63) with Noble Avenue and Court Street (SR63) with Noble Avenue and authorize an additional \$133,750 to be added to the project. Project #1111-00000-72000-0-9516

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

David Jacobs 713-4492
Andrew Benelli 713-4340

Department Recommendation: Authorize the Mayor to sign the cooperative agreements with Caltrans to upgrade the signals at the intersections of Locust Street (SR63) with Noble Avenue and Court Street (SR63) with Noble Avenue and add an additional \$133,750 to the budget from the fund balance.

Department Discussion: Caltrans has approached the City to participate in the upgrade of the intersections of Noble Avenue with Court Street and Locust Street. The improvements at both intersections will consist of:

1. Remove and replace curb and gutter.
2. Install new handicap ramps
3. Cold plane 1.8 inches of asphalt
4. New asphalt
5. Install new traffic loops
6. Install signal interconnections between the new signals and the existing signals on SR63
7. Install new signal and lighting

The project is proposed as a safety project since the existing poles, signal heads, and controller do not meet current standards. The intersections also need to have the handicap ramps improved to meet new state standards.

The estimated cost for Noble Avenue at Locust Street is \$771,000 and Caltrans is requesting the City pay for 25% or \$192,750.

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.

The estimated cost for Noble Avenue at Court Street is \$752,000 and Caltrans is requesting the City to pay for 25% or \$188,000.

The total cost that Caltrans is asking in City participation is \$380,750.00. The City has a project in the CIP for miscellaneous signal upgrades that currently has \$247,000 budgeted. This project would need an additional \$133,750 to fund the cost estimated by Caltrans. Staff recommends allocating Gas Tax reserves to fund the short fall.

Caltrans expects the project to be completed by September 2007.

Project updates:

Westbound State Route 198 offramp to Court Street (SR63). This project is currently out to bid with a bid opening date of November 8, 2006. This project will widen the westbound offramp to two lanes and signalize the intersection of Mineral King and the offramp. The project is estimated to cost \$970,000. The project is expected to be completed by September 2007.

Eastbound State Route 198 offramp to Noble Avenue. This project is only in the planning stages and has not been programmed for construction. As the project moves through the process and a better time line and cost estimates are made available staff will pass the information on to Council.

Financial Impact

Funding Source: 3011-00000-720000-0-9516

Account Number: (Multi funded Gas tax/ Vehicle license fee)

Budget Recap:

Total Estimated cost: \$380,750.00	New Revenue: \$
Amount Budgeted: \$247,000	Lost Revenue: \$
New funding required: \$133,750	New Personnel: \$
Council Policy Change: Yes____ No__X	

Alternatives:

Attachments: Cooperative agreements, Location Map

City Manager Recommendation:

Copies of this report have been provided to:

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

Recommended Motion (and Alternative Motions if expected): I move to authorize the Mayor to sign the cooperative agreements with Caltrans to upgrade the signals at the intersections of Locust Street (SR63) with Noble Avenue and Court Street (SR63) with Noble Avenue and add an additional \$133,750 to the budget.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorize the Recordation of the Final Map for Quail River, located at the southeast corner of Lovers Lane and Walnut Avenue (323 lots) and the Formation of Landscape and Lighting District No. 06-09, Quail River (Resolution Nos. 06-_____ and 06-_____ required). APN: 127-030-025

Deadline for Action: N/A

Submitting Department: Public Works

Contact Name and Phone Number:

Andrew Benelli 713-4340

Doug Damko 713-4268

Department Recommendation:

Final Map

Staff recommends that City Council authorize the recordation of the final map for Quail River containing 205 lots with public streets and 118 lots with private streets and security gates. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond; and Labor and Material Bond; 3) cash payment distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. A Maintenance Bond valued at 10% of the cost of the public improvements will be required prior to recording the Notice of Completion. The Maintenance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the final

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.

map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Lovers Lane (Arterial), Walnut Avenue (Arterial) and McAuliff Street (Collector). The City will be reimbursing approximately \$800,000 to the developer (Beazer Homes Holdings Corp) through a combination of fee credits applied towards the City's Transportation Impact Fee and a final cash payment due after a Notice of Completion is approved by City Council.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 06-_____ Initiating Proceedings for Formation of Assessment District No. 06-09, Quail River; adopt the Engineer's Report as submitted; and adopt Resolution No. 06-_____ confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

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

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

On September 7, 2004, Council approved the Street Maintenance Assessment Policy establishing guidelines and processes for placing street maintenance costs into assessment districts.

Committee/Commission Review and Actions: The tentative subdivision map for Quail River subdivision was approved by the Planning Commission on November 14, 2005. The tentative map will expire on November 14, 2007.

Alternatives: N/A

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

Recommended Motion (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for Quail River and I move to adopt Resolution No. 06-_____ Initiating Proceedings for Formation of Assessment District No. 06-09 "Quail River" and adopt Resolution No. 06-_____ Ordering the Improvements for Assessment District No. 06-09 "Quail River."

Environmental Assessment Status

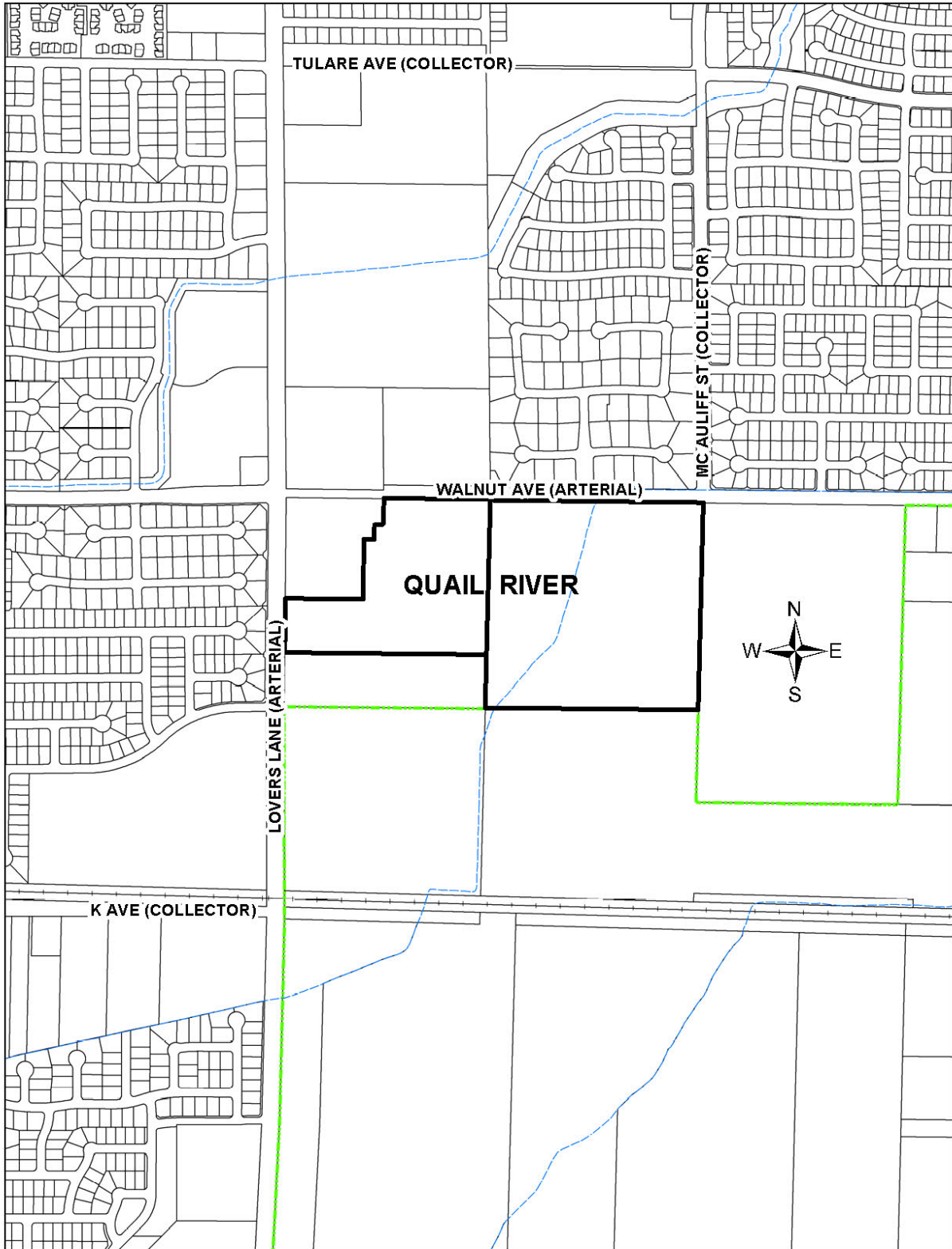
CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

LOCATION MAP



SURROUNDING DEVELOPMENTS



RESOLUTION NO. 06-_____

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 06-09
QUAIL RIVER
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 06-09, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 06-09, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Quail River".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 06-09

QUAIL RIVER

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 06-09, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 20th day of November, 2006 by its Resolution No. 06-_____

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

RESOLUTION NO. 06-_____

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 06-09
QUAIL RIVER
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 06-09, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2007-08.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram
Assessment District No. 06-09
City of Visalia, Tulare County, California



Exhibit "A"

Assessment Diagram
Assessment District No. 06-09
City of Visalia, Tulare County, California



Exhibit "A"

Assessment Diagram
Assessment District No. 06-09
City of Visalia, Tulare County, California



Exhibit "B"

Landscape Location Diagram
Quail River

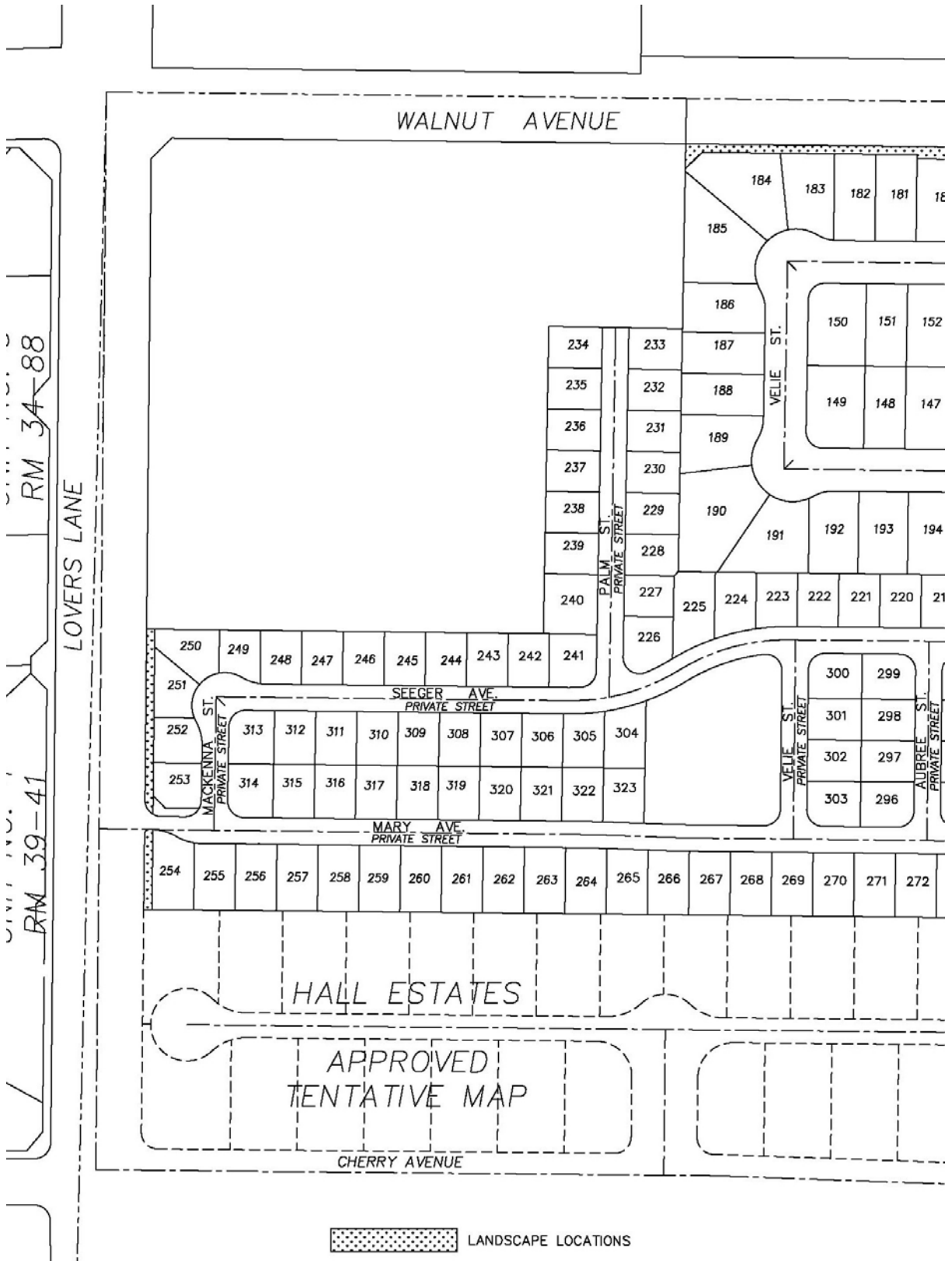


Exhibit "B"

Landscape Location Diagram Quail River



Exhibit "B"

Landscape Location Diagram Quail River



Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$371.61	To Be Assigned	06-09001	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09002	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09003	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09004	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09005	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09006	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09007	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09008	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09009	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09010	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09011	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09012	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09013	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09014	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09015	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09016	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09017	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09018	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09019	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09020	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09021	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09022	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09023	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09024	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09025	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09026	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09027	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09028	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09029	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09030	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09031	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09032	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09033	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09034	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09035	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09036	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09037	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09038	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09039	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09040	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09041	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09042	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09043	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09044	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$371.61	To Be Assigned	06-09045	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09046	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09047	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09048	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09049	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09050	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09051	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09052	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09053	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09054	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09055	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09056	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09057	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09058	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09059	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09060	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09061	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09062	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09063	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09064	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09065	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09066	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09067	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09068	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09069	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09070	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09071	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09072	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09073	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09074	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09075	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09076	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09077	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09078	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09079	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09080	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09081	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09082	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09083	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09084	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09085	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09086	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09087	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09088	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$371.61	To Be Assigned	06-09089	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09090	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09091	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09092	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09093	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09094	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09095	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09096	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09097	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09098	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09099	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09100	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09101	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09102	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09103	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09104	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09105	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09106	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09107	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09108	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09109	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09110	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09111	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09112	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09113	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09114	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09115	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09116	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09117	Quail River
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To Be Assigned	\$371.61	To Be Assigned	06-09121	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09122	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09123	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09124	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09125	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09126	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09127	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09128	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09129	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09130	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09131	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09132	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$371.61	To Be Assigned	06-09133	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09134	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09135	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09136	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09137	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09138	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09139	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09140	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09141	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09142	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09143	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09144	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09145	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09146	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09147	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09148	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09149	Quail River
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To Be Assigned	\$371.61	To Be Assigned	06-09152	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09153	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09154	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09155	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09156	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09157	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09158	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09159	Quail River
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To Be Assigned	\$371.61	To Be Assigned	06-09161	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09162	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09163	Quail River
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To Be Assigned	\$371.61	To Be Assigned	06-09165	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09166	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09167	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09168	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09169	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09170	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09171	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09172	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09173	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09174	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09175	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09176	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$371.61	To Be Assigned	06-09177	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09178	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09179	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09180	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09181	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09182	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09183	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09184	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09185	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09186	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09187	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09188	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09189	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09190	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09191	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09192	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09193	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09194	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09195	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09196	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09197	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09198	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09199	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09200	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09201	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09202	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09203	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09204	Quail River
To Be Assigned	\$371.61	To Be Assigned	06-09205	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09206	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09207	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09208	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09209	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09210	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09211	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09212	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09213	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09214	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09215	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09216	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09217	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09218	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09219	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09220	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$59.64	To Be Assigned	06-09221	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09222	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09223	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09224	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09225	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09226	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09227	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09228	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09229	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09230	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09231	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09232	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09233	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09234	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09235	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09236	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09237	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09238	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09239	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09240	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09241	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09242	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09243	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09244	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09245	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09246	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09247	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09248	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09249	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09250	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09251	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09252	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09253	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09254	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09255	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09256	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09257	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09258	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09259	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09260	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09261	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09262	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09263	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09264	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$59.64	To Be Assigned	06-09265	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09266	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09267	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09268	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09269	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09270	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09271	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09272	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09273	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09274	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09275	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09276	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09277	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09278	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09279	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09280	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09281	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09282	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09283	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09284	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09285	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09286	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09287	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09288	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09289	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09290	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09291	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09292	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09293	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09294	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09295	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09296	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09297	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09298	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09299	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09300	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09301	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09302	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09303	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09304	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09305	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09306	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09307	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09308	Quail River

Exhibit "C"

Tax Roll Assessment
Quail River
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$59.64	To Be Assigned	06-09309	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09310	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09311	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09312	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09313	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09314	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09315	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09316	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09317	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09318	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09319	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09320	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09321	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09322	Quail River
To Be Assigned	\$59.64	To Be Assigned	06-09323	Quail River

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-09
Quail River
Fiscal Year 2007-08

General Description

This Assessment District (District) is located at the southeast corner of Lovers Lane and Walnut Avenue. Exhibit "A" is a map of Assessment District 06-09. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local public streets and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The maintenance of pavement on local public streets includes preventative maintenance by means including, but not limited to overlays, chip seals/crack seals and reclamation (oiling). The total number of lots within the district is 323.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The maintenance of the landscape areas, street lights and block walls is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the maintenance of all internal local streets within the subdivision, the City Council has determined that landscape areas, street lights, block walls and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. The District has been divided into two zones. Zone A contains 205 lots with public streets. Zone B contains 118 lots with private streets and security gates. Lots in Zone B will be part of a private home owners association that will be responsible for the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, private streets and any other applicable equipment or improvements located within the block walled perimeter. The District will maintain the public street landscape frontages on Lovers Lane and Simon Street for the lots in Zone B. All lots within each of these zones in the District benefit equally, including lots not adjacent to landscape areas, block walls and street lights. The lots not adjacent to landscape areas, block walls and street lights benefit by the uniform maintenance and overall appearance of the District. All lots in Zone A of the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local public streets. The lots in Zone B comprise a private, gated neighborhood with a block wall frontage on a local public street. One-half of this local public street will be included in the Zone B estimated costs.

Estimated Costs

The estimated costs to maintain the District includes the costs to maintain turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements. The regular preventive maintenance of pavement on local public streets is based on the following schedule: Chip Seal on a 15 year cycle; Overlays on a 10 year cycle; Crack Seal on an 8 year cycle and Reclamation on a 6 year cycle.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-09
Quail River
Fiscal Year 2007-08

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
ZONE A - PUBLIC STREETS				
Turf Area	Sq. Ft.	44,956	\$0.199	\$8,946.24
Shrub Area	Sq. Ft.	53,323	\$0.199	\$10,611.28
Water	Sq. Ft.	98,276	\$0.050	\$4,913.80
Electricity	Sq. Ft.	98,276	\$0.008	\$786.21
Trees In Landscape Lots	Each	284	\$25.00	\$7,100.00
Trees In Local Street Parkways	Each	224	\$25.00	\$5,600.00
Street Lights	Each	49	\$105.00	\$5,145.00
Chip Seal (15 year cycle)	Sq. Ft.	264,732	\$0.190	\$3,353.27
Crack Seal (8 year cycle)	Sq. Ft.	264,732	\$0.02933	\$970.67
Reclamite (6 year cycle)	Sq. Ft.	264,732	\$0.0211110	\$931.46
Overlays (10 year cycle)	Sq. Ft.	264,732	\$0.65	\$17,207.58
Project Management Costs	Lots	205	\$18.00	\$3,690.00
ZONE B - PRIVATE STREETS				
Turf Area	Sq. Ft.	3,724	\$0.199	\$741.08
Shrub Area	Sq. Ft.	8,582	\$0.199	\$1,707.82
Water	Sq. Ft.	12,306	\$0.050	\$615.30
Electricity	Sq. Ft.	12,306	\$0.008	\$98.45
Trees In Landscape Lots	Each	16	\$25.00	\$400.00
Street Lights	Each	2	\$105.00	\$210.00
Chip Seal (15 year cycle)	Sq. Ft.	5,902	\$0.190	\$74.76
Crack Seal (8 year cycle)	Sq. Ft.	5,902	\$0.02933	\$21.64
Reclamite (6 year cycle)	Sq. Ft.	5,902	\$0.0211110	\$20.77
Overlays (10 year cycle)	Sq. Ft.	5,902	\$0.65	\$383.63
Project Management Costs	Lots	118	\$18.00	\$2,124.00
ZONE A TOTAL				\$69,255.51
ZONE A 10% RESERVE				\$6,925.55
ZONE B TOTAL				\$6,397.44
ZONE B 10% RESERVE				\$639.74
GRAND TOTAL				\$83,218.25
ZONE A PER LOT ASSESSMENT:				\$371.61
ZONE B PER LOT ASSESSMENT:				\$59.64

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-09
Quail River
Fiscal Year 2007-08

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$83,218.25) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$90,707.89 [a 9% increase over the base year estimated cost of \$83,218.25]. The maximum annual assessment for year four is \$96,335.53 [$A_{max} = (\$83,218.25) (1.05)^{(4-1)}$]. The assessment will be set at \$90,707.89 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$94,036.62 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$83,218.25]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$1,880.73 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$96,335.53 [$A_{max} = (\$83,218.25) (1.05)^{(4-1)}$]. The year four assessment will be set at \$94,036.62 plus the deficit amount of \$1,880.73 which equals \$95,917.35 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-09
Quail River
Fiscal Year 2007-08

Example 3. The estimated year four cost of maintaining the improvements in the district is \$90,707.89 [a 9% increase over the base year assessment of 83,218.25] and damage occurred to the masonry wall raising the year five expenses to \$101,526.27 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$99,778.68 (a 10% increase over the previous year) and below the maximum annual assessment of \$101,152.30 [$A_{\max} = (83,218.25)^{(5-1)}$ (1.05)]. The difference of \$1,747.59 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

Andrew Benelli
Assistant Director Engineering

RCE 50022

Date

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Request authorization to file a Notice of Completion for Eagle Creek No. 1, containing 74 lots, located south of Ferguson Avenue and west of Roeben Street.

Deadline for Action: November 20, 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 McMillin Meadows, LLC. McMillin Meadows, LLC submitted a maintenance bond in the amount of \$119,037.38 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 May 16, 2005.

Committee/Commission Review and Actions: The tentative subdivision map for Eagle Creek No. 1 was approved by Planning Commission on August 23, 2004.

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 Eagle Creek No1.

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 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Request authorization to file a Notice of Completion for Pheasant Ridge Unit No. 1, containing 61 lots, located north of Ferguson Avenue and west of Roeben Street.

Deadline for Action: November 20, 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 McMillin Pheasant, LLC. McMillin Pheasant, LLC submitted a maintenance bond in the amount of \$97,101.71 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 November 7, 2005.

Committee/Commission Review and Actions: The tentative subdivision map for Pheasant Ridge Unit No. 1 was approved by Planning Commission on October 25, 2004.

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 Pheasant Ridge Unit No1.

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 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Request authorization to submit a Bicycle Transportation Account (BTA) grant application to finish the bike lanes on Tulare avenue east of Roeben and create bike lanes on Roeben between Whitendale and Tulare, Whitendale between Akers and Roeben, and Walnut between Roeben and Shirk and to provide the 10% local match from the Transportation Fund.

Deadline for Action: November 20, 2006 (Grant must be received by Caltrans no later than December 1, 2006)

Submitting Department: Public Works Department

Contact Name and Phone Number: Michael Carr 713-4595,
David Jacobs 713-4492

Department Recommendation: Staff recommends that authorization be given to staff to submit a BTA grant application to the State for Class II bike paths on sections of Tulare, Roeben, Whitendale and Walnut.

Summary/background: On February 21, 2006, the City Council adopted the 2006 Bikeway Plan Update, Mitigated Negative Declaration and formed the Bike, Trail, and Pedestrian Advisory Committee. By adopting the Bikeway Plan, the City positioned itself to be eligible to apply for State Bicycle Transportation Account (BTA) funds to build bike facilities.

The Bicycle Transportation Account (BTA) is a fund set up by the State to fund, at up to 90%, the construction of new bicycle facilities. The recipients of the grants are responsible for providing at least 10% of the funding. By authorizing staff to apply for this BTA grant, Council is also authorizing payment of the local match money from the Transportation Fund. It is estimated that the new bike path would cost approximately \$80,000 to complete. Therefore, the grant would pay \$72,000, and the City of Visalia would match that with \$8,000.

By definition, a Class II Bike Path is one that is a painted path on a paved roadway next to the motor vehicle travel lanes. The project would include painted lanes to ride in, stenciled "bike path" markings on the pavement, and proper signing at ¼-mile intervals.

The sections of pathway to be completed will be a very nice amenity for the City of Visalia. The lanes will complete a loop utilizing Tulare Avenue, Roeben Street, Whitendale Avenue and the choice of either County Center or Linwood Street, since both streets are already bike paths. It

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.

will connect to the existing path on Walnut Avenue from Shirk to Plaza Park. Another benefit will be providing bike paths for the students living east of El Diamante High School who bike to and from school.

Prior Council/Board Actions: Adopted the 2006 Bikeway Plan Update On February 21, 2006, and Mitigated Negative Declaration.

Committee/Commission Review and Actions: Staff was instructed to apply for the BTA grant by the Bike, Trail, and Pedestrian Advisory Committee.

Alternatives: None. Council will not meet again prior to the application deadline..

Attachments: Location Map; Resolution authorizing the application and matching funds.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I hereby move to authorize staff to submit a Bicycle Transportation Account grant application to the State to add bike lanes on Tulare Avenue, Roeben, Whitendale and Akers, and to provide the 10% local match from the Transportation Fund if the grant is awarded.

Financial Impact

Funding Source:
Account Number: 1611 (Transportation Fund)

Budget Recap:

Total Estimated cost: \$80,000.00	New Revenue: \$ 72,000.00
Amount Budgeted: \$ 8,000.00	Lost Revenue:\$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes_____ No <u>X</u>	

Environmental Assessment Status

CEQA Review:
Required? Yes
Review and Action: Prior: Adopted Mitigated Negative Declaration on 2/21/06
Require:

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

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

Copies of this report have been provided to:

RESOLUTION NO. 2006-__

**A RESOLUTION
OF THE VISALIA CITY COUNCIL
TO AUTHORIZE APPLICATION FOR
BICYCLE TRANSPORTATION ACCOUNT GRANT**

WHEREAS, the City of Visalia has the Circulation Element of the General Plan, which identifies the goal of encouraging bicycle usage in Visalia for commuting and recreation purposes and sets objectives to achieve this goal; and

WHEREAS, the Bikeway Plan Update was prepared by the City of Visalia in accordance with all applicable portions of State of California Planning and Zoning Law; and

WHEREAS, the Bikeway Plan Update was adopted by Visalia City Council during a regular meeting held on February 21, 2006; and

WHEREAS, the State of California has set up a Bicycle Transportation Account to partially fund bicycle facility projects that are included in an adopted and approved Bikeway Plan; and

WHEREAS, the City of Visalia has included the addition of bike paths on Tulare Avenue, Roeben Street, Whitendale Avenue, and Walnut Avenue in its adopted and approved Bikeway Plan; and

WHEREAS, the City Council has authorized the 10% local matching funds to be paid from the Transportation Account.

NOW, THEREFORE BE IT RESOLVED that the Visalia City Council does hereby authorize a grant application be submitted to the State of California to fund new bicycle lanes in the City of Visalia on Tulare Avenue, Roeben Street, Whitendale Avenue, and Walnut Avenue from the Bicycle Transportation Account.

NOW, BE IT FURTHER RESOLVED that the Visalia City Council does hereby approve that a 10% local match of funds be paid from the City of Visalia's Transportation Account, should the BTA grant be awarded.

PASSED AND ADOPTED:

City of Visalia Agenda Item Transmittal

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Public hearing for the proposed change to the Landscape & Lighting District (LLMAD) assessment for Park Place/Crossroads District #04-04. Upon completion of the public hearing, staff will open and tabulate ballots. The results will be reported in the Regular Session

Deadline for Action: None

Submitting Department: Administrative Services

Contact Name and Phone Number:

Eric Frost 713-4474
Earl Nielsen 713-4533
Cass Cook 713-4425

Department Recommendation: That the City Council conducts a Public Hearing to receive ballots and receive public testimony on the proposed adjustment to the funding for the maintenance of the Park Place/Crossroads District.

Summary/background:

The action tonight is to:

1. receive public testimony;
2. open ballots; and,
3. either approve or not approve an increased annual Park Place/Cross Roads subdivisions Landscape and Lighting Maintenance Assessment District (LLMAD) assessment from \$119 to \$215 a single family dwelling to pay for:
 - Greater than anticipated landscape densities and resulting costs; and,
 - A contingent maintenance fee for a potential pocket park if approved by the district at a future date.

Overall Goals & Objectives of This Process:

There are 3 goals staff is trying to achieve with regard to the Park Place Assessment District:

1. Increase the existing LLMAD costs to better reflect the true costs of maintaining the common landscaping areas within the district

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.

2. Include contingency costs in the existing LLMAD, for maintaining a proposed future pocket park within the district
3. Create a separate Special Assessment District for the same area, to provide the funding for constructing the proposed pocket park.

The ballot and public hearing tonight is to address the first two goals at the same time, since they both affect the same LLMAD and are part of ongoing costs to the district. Approximately 60-90 days after this ballot and hearing (and contingent upon its approval), staff will ballot and hold a public hearing for the same district once more, to create a separate Construction Special Assessment District whose sole purpose is to provide the funding to pay back a 20-year loan for the costs of constructing the pocket park. If the ballot for the park maintenance does not pass tonight, the park construction will not go forward.

The construction district will be balloted separately and only after the maintenance of the pocket park is approved in the existing LLMAD for two reasons:

- The construction Special Assessment District is a separate district from the LLMAD because it does not pay for ongoing maintenance costs; rather it will have a 20-year sunset to pay back a 20-year amortized loan from the City for the construction of the park. Therefore it requires a separate ballot process from the LLMAD ballot process (Proposition 218 requires each district to be balloted separately for any assessment increases that are specific to the district).
- By balloting and securing contingency approval for the pocket park maintenance prior to balloting and securing approval for the construction of the pocket park, staff is assured that if the pocket park construction is approved, there will be funding already in place to provide for the maintenance of the park (If staff balloted for the LLMAD park maintenance increase and approval of the Construction district at the same time, the possibility existed that the construction Special Assessment District for the pocket park might be approved, but adding the park maintenance to the existing LLMAD might fail).

General Background on LLMADs. Landscape & Lighting Maintenance Assessment Districts (LLMAD) are created to maintain the common area landscaping and improvements of a neighborhood. These Districts maintain common area improvements (e.g. turf, shrubs, trees, walls, and irrigation equipment) around participating subdivisions, with each parcel sharing equally in the annual cost.

Since the first District was created in 1987, each District's individual revenues and expenses have been accounted for separately. This accounting reflects the annual financial condition over the years and the resulting trends in assessment revenues and expenses, which is the basis for either increasing, decreasing, or for maintaining the amount of the District's annual benefit assessment. Assessment amounts are initially based on an engineers report estimating the maintenance costs at the time of formation.

Park Place District. During a review of the Park Place LLMAD in order to annex in some multi family property, staff determined the original engineers report did not match the level of landscaping installed in the district nor was the cost information accurate. As a result, the assessment needed to be updated to ensure the assessments on the properties would cover the expenses of maintaining the district. To change the assessment, however, the City must follow Proposition 218 which establishes a specific requirement to send out ballots to the property owners to seek approval for the increase to the annual assessment. The City has complied with Proposition 218 by sending these ballots out and holding this public hearing, and will review the vote tonight for the revised assessment.

Park Place Subdivision Background. The Park Place subdivision is a Centex development whose LLMAD was originally formed prior to the Council action that approved placing pocket park construction in an assessment district, so consequently a pocket park was not planned in the original engineers report. When staff informed Centex of the needed increase to the LLMAD, Centex subsequently requested to add a pocket park to the subdivision. The addition of the pocket park will also increase the maintenance costs within the district. As a result, staff is working with Centex to develop the pocket park, identify construction costs and form a new Special assessment district to fund the construction cost of a new district.

To avoid three ballots (one to increase the existing maintenance costs, a second one to add the pocket park maintenance costs to the existing LLMAD and a third to provide park construction funding), staff has combined the maintenance cost increase and pocket park maintenance costs into this ballot process. After the City has completed the engineering work for the proposed pocket park, a new ballot will be circulated to pay for the construction of a pocket park (Engineer's report scheduled to be completed within 30 days, ballots sent within 45 days and hearing held within 90 days from today). If the ballot measure passes tonight and the pocket park's construction cost is also approved, the City will then impose both the increased maintenance cost as well as the pocket park maintenance cost. If the ballot is not approved tonight, the pocket park assessment district proposal will not proceed forward.

Specifically, the new engineers report contains the following updates which caused the increase in assessments:

- Increased maintenance costs for the turf, shrub, trees,
- Addition of 185 trees to the district, and
- Addition of a pocket park

Approval of the increase will allow the City to assess each property owner in the LLMAD an amount appropriate to recoup the costs of maintaining the common areas in the district.

Ballot Proposal:

The following is the information which property owners received:

Increase the Benefit Assessment by \$96.02/year for each property owner. This increase if approved will be used to offset increased maintenance costs, additional street trees, a proposed pocket park and other amenities either already installed or scheduled to be added to the common areas after the District was originally formed.

Change in Annual Assessment on a Single Family Lot	
Existing Assessment	\$ 119.31
Proposed Increase	96.02
Total of Assessment Plus Increase	\$ 215.33

The City is proposing a Benefit Assessment Increase that will:

1. Correct the unit prices of the estimated common area maintenance to current contract prices. Using the current unit prices more accurately reflects the estimated costs to maintain the District.
2. Include the correct number of street trees in the District that need to be maintained. When the District was originally formed, the number of street trees was significantly less than what is currently planned for the District; this change more accurately identifies the trees that are to be maintained.
3. Fund the maintenance for a proposed Pocket Park to be incorporated into the District. The Park is currently being planned and once finalized, a ballot for the construction will be

circulated to the affected property owners. If the park is not built, the maintenance costs will be removed from the District and the annual lot assessments will be reduced by \$16.33 from \$215.33 to \$199 for a single family lot.

Table 1 below shows the current breakdown of projected expenses and assessments for the district, and Table 2 shows the proposed breakdown.

Description	Unit	Amount	Unit Price	Total Cost
Turf Area	Sq. Ft.	61,575	\$0.069	\$4,248.68
Shrub Area	Sq. Ft.	54,935	\$0.071	\$3,900.39
Water	Sq. Ft.	116,510	\$0.040	\$4,660.40
Electricity	Sq. Ft.	116,510	\$0.014	\$1,631.14
Trees	Each	351	\$15.00	\$5,265.00
Street Lights	Each	62	\$105.30	\$6,528.60
City Forces	Lots	290	\$18.00	\$5,220.00
TOTAL				<u>\$31,454.20</u>
10% Reserve Fund				\$3,145.42
GRAND TOTAL				<u>\$34,599.62</u>
PER LOT ASSESSMENT				<u>\$119.31</u>

Description	Unit	Amount	Unit Price	Total Cost
Turf Area	Sq. Ft.	61,575	\$0.199	\$12,253.43
Shrub Area	Sq. Ft.	54,995	\$0.199	\$10,944.01
Water	Sq. Ft.	116,510	\$0.044	\$5,126.44
Electricity	Sq. Ft.	116,510	\$0.014	\$1,631.14
Trees	Each	536	\$25.00	\$13,400.00
Street Lights	Each	62	\$105.00	\$6,510.00
City Forces	Each	306	\$18.00	\$5,508.00
SUBTOTAL				<u>\$55,373.01</u>
POCKET PARK SPECIFIC MAINTENANCE				
Sand	C/Yd.	41	\$42.00	\$1,722.00
Inspection	Hourly	8	\$42.60	\$340.80
Equip Repair	Hourly	6	\$42.60	\$255.60
Custodial	Monthly	12	\$172.00	\$2,064.00
SUBTOTAL				<u>\$4,382.40</u>
DISTRICT SUBTOTAL				<u>\$59,755.41</u>
10% Reserve Fund				<u>\$5,975.54</u>
DISTRICT GRAND TOTAL				<u>\$65,730.95</u>
SINGLE FAMILY LOTS (290)				\$215.33
MULTI-FAMILY UNITS				
(47 units on 16 lots)				\$69.93

The proposed overall increase for each single family lot is \$96.02 per year, or \$8.00 per month. As provided by Proposition 218, any proposed increase to a property based fee must have the approval of the affected property owners through a ballot process where a simple majority of returned ballots approve of the action.

If the balloting for the increased assessment fails then maintenance of the district will have to be reduced and the proposed pocket park would not be constructed. If these measures are not adequate to make the district financially stable then the reduction of amenities in the district would be considered.

Prior Council/Board Actions: Formation of Park Place/Crossroads Landscape and Lighting district, October 4, 2004.

Committee/Commission Review and Actions:

Alternatives: Not increase benefit assessments and reduce the maintenance of the Park Place/Crossroads District.

Attachments:

Park Place/ Crossroads Vicinity Map
Park Place/Crossroads District ballot and letter.

Recommended Motion (and Alternative Motions if expected):

1.) I Move to open the Public Hearing to receive public input on the recommended changes to the Landscape & Lighting Maintenance Assessment District's funding.

Later, if the ballots are sufficient to pass the measure:

2.) I Move to approve the recommended Assessment Adjustment Program's changes to the benefit assessment of the Landscape & Lighting Maintenance Districts.

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 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: : PUBLIC HEARING to consider increasing the Transportation Impact Fees. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per Resolution No. 2006-__.

Deadline for Action: Not Applicable

Submitting Department: Public Works Department

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

Department Recommendation: Staff recommends that the Transportation Impact Fees for commercial, office and industrial projects be raised in three annual steps to match the current residential rate of \$630.22 per trip. The current commercial and office rate is \$349.88 per trip. The current industrial rate is \$437.36 per trip. If the Council approves the recommendation, the first increase will take effect in sixty days (January 2007) and will raise the commercial and office rate to \$443.33 per trip. The industrial rate will increase to \$501.65. In January 2008, the commercial and office rate will go to \$536.77 and the industrial rate will go to \$565.93. In January 2009, the final increase will occur and will change all of the rates to be \$630.22. These rates given here do not include any adjustment for inflation. However, the actual increases made in 2008 and 2009 will include an adjustment for inflation based on the Construction Price Index.

Staff is also recommending changing the methods for determining industrial rates. The current fee schedule uses the number of employees to determine the trips that are generated. Staff is recommending that the fees be assessed based on the size of the building.

The current fee structure allows qualified infill projects to receive a fifteen percent fee credit (fee reduction). Staff is recommending that the infill credit be increased in three steps to allow up to thirty percent credit for infill projects. The first adjustment would be to twenty percent in January 2007. In January 2008, the maximum credit allowed would increase to twenty-five percent. In January 2009, the maximum credit allowed would increase to thirty percent.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 20

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____

(Initials & date required or N/A)

City Mgr _____
(Initials Required)

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

Discussion

On October 18, 2004 the City Council approved a change in policy for the City's Transportation Impact fee program that resulted in higher fees for all new construction. The policy now stipulates that funds collected from the impact fees will be used to construct full street improvements, from curb to curb on all designated arterial and collector streets. In the past developers were responsible for dedicating the right of way and constructing outside portions of the roadways adjacent to their developments. This change shifted a large share of the right-of-way and construction costs away from the developers and to the City. The advantage of this change is that the City is not dependent on adjacent development to initiate a new extension or street widening project. Construction of major streets can now be delivered ahead of development.

The Transportation Impact Fee rates are determined by dividing the cost of improving the deficient streets by the estimated trips that will be generated in the next twenty years. The cost of improving the streets includes the construction cost and also the cost of acquiring the right of way. A City wide right of way appraisal was initially prepared by The Hopper Company in May, 2004. The estimate at that time was that the right of way that was needed would cost approximately \$67 million. The Hopper Company updated the Citywide right of way appraisal in June of 2005. A copy of Hopper's *Unit Land Values by Type* is attached to this report. The land values for residential properties increased significantly in the period between May 2004 and June 2005. Land values have been relatively stable since the last appraisal. Based on the appraised land values, City staff estimates that the cost to acquire the right of way will be approximately \$151 million. Staff estimates that the actual street construction will cost about \$223 million. The combined cost of right of way and construction will be approximately \$374 million (this is an increase from \$290 million last year). Staff estimates the City will receive approximately \$108 million in federal and state transportation funds and the City has a balance of \$5.5 million in Transportation Impact fee funds. The shortfall that needs to be generated is \$261 million. The total number of new trips between now and 2024/2025 is estimated to be 415,000. The fee amount was determined by dividing \$261 million by 415,000 trips which equals \$630.22 per average daily trip. If state and federal funds contribute less than \$108 million then the transportation impact fees may need to be increased to supplement the deficit.

In the last election (November, 2006), the voters of Tulare County were asked to approve a one-half cent sales tax to benefit transportation (Measure R). The final outcome of the election had not been determined when this report was prepared. However, it appears that Measure R was approved by the voters. Measure R will generate funds to pay for some of the projects that were originally programmed to be funded with development fees. Staff estimates that the shortfall will be reduced by about \$20 million. This would decrease the per trip rate to about \$580.00. This would not reduce the commercial and office fees below the first phase increase that would be effective in sixty days. A complete analysis of Measure R will be performed before the second phase of the recommended fee increase.

In September 2005, the City Council voted to raise the Transportation Impact fees for residential projects to \$612.46 per trip. This increase was needed to generate revenue to acquire right of way at current market rates. After hearing testimony from several developers the Council decided not to increase the rates for office, commercial and industrial projects. The developers indicated that the commercial, office and industrial projects are planned usually months and sometimes years in advance. The lease rates and selling prices are often fixed many months before the actual construction begins. They stated that they needed advance notice before any large increases so that they can implement appropriate lease rates. A note was added to the Development Fee Schedule book at that time that states "Fee rate for all projects is \$612.46 per

trip. Fee increases for commercial, office and industrial developments have been temporarily suspended to maintain the rates shown above.” Developers were also informed in the early stages of commercial projects of the possibility of a rate increase. All fees were adjusted for inflation in August, 2006. the current per trip rate for residential projects is \$630.22.

Recommended Rates

Staff is recommending increasing the rates annually for the next three years to ultimately reach the trip rate that is currently charged to residential projects. Spreading the increase that is needed over three years will reduce the amount of the immediate increase and give the developers the ability to predict the rate that will be charged on future projects. The proposed rates are shown in the following table:

**TRANSPORTATION IMPACT FEES
COST PER TRIP**

	Current			
Public Hearing Date	06/07/06	11/20/06		
Effective Date	08/07/06	01/20/07	01/20/08	01/20/09
Residential	\$630.22	\$630.22	\$630.22	\$630.22
Commercial	\$349.88	\$443.33	\$536.77	\$630.22
Industrial	\$437.36	\$501.65	\$565.93	\$630.22
Infill Credit	15%	20%	25%	30%

Infill Projects

Staff is also recommending increasing the infill credit from the current rate of fifteen percent to an ultimate rate of thirty percent. Projects that qualify for infill credit pay a fee that is reduced by the percent of the credit. To qualify for infill credit a project must meet the following criteria:

1. The project is in a location where curb, gutter and sidewalk have been installed in the ultimate alignment.
2. The project is seventy-five percent surrounded by existing development that has been in place an average of fifteen years or more.
3. Any median islands that are planned on adjacent roadways have been installed.
4. The project was inside of the Visalia city limits prior to December 31, 1995.

Projects that meet the infill criteria:

1. Receive Transportation Impact Fee reductions not to exceed fifteen percent of the base fee (current rate schedule).
2. Are not eligible for credits for any street improvements or repairs that are required by the City as a project condition.
3. The City Manager or his designee is authorized to determine whether a project meets the infill criteria.

Staff recommends increasing the infill credit for several reasons. The most compelling reason is that the developers do not benefit from the reimbursement policy. Infill projects also do not generate as much traffic on new roads in the outskirts of the city. A substantial amount of the impact fees are used to construct new roads. It is not reasonable for infill projects to pay impact fees for where they are not creating impacts.

Increasing the infill credit will not have a significant impact on total revenue generated. Staff estimates that less than five percent of the projects qualify for infill credit. The infill projects are usually small projects that pay less in fees than projects on the City’s fringe. Staff estimates that infill credit program will reduce the annual revenue by approximately \$190,000. The total reduction in revenue over the twenty year timeframe of the program will be less than four million dollars.

Projects in the downtown area are assessed as “Shopping Centers” when calculating the transportation impact fees. The limits of the downtown area has always been considered to be the PBID boundaries. The downtown does function much like a large shopping center. Fewer trips are generated because people often visit more than one business and usually walk between the businesses. Using the shopping center rate results in a significant fee reduction for most projects. Staff recommends extending the downtown limits to include the area within the East Downtown Plan.

Industrial Rates

The fee schedule that is being proposed changes the method of determining fee amounts for industrial projects. The current schedule assesses the fees based on the number of employees. The number of employees does not always equate to the volume of trips generated. Many industrial projects initially have small staffs and pay only modest fees. However, over time the staff (and the number of trips) increases without any corresponding increase in the impact fees. There have also been several tracks developed with 5,000 to 10,000 square foot speculative buildings. These parcels and building are then sold to a variety of service commercial end users. Typical users are contractors, material suppliers, and service providers. Often the end user and the number of employees have not been determined when the building permits are issued. The tenants in these buildings frequently change and the trips generated could increase substantially without a corresponding increase in the impact fees. It is also impossible for staff to determine if a builder is accurately representing the number of employees that work at the site.

Staff recommends that the traffic impact fees for industrial projects are based on building size instead of the number of employees. A sliding scale is recommended that reduces the fees for large buildings. The proposed rates are shown in the following table:

INDUSTRIAL	0-50,000 sf		50,001 – 100,000 sf		Over 100,000 sf	
	Trips/1000 sf	Cost/1000 sf	Trips/1000 sf	Cost/1000 sf	Trips/1000 sf	Cost/1000 sf
Service Commercial/ General Light	4.461	\$2,237.86	3.435	\$1,723.17	2.632	\$1,320.34
General Heavy	0.672	\$337.11	0.517	\$259.35	0.396	\$198.65
Warehouse/ Distribution	3.174	\$1,592.24	2.444	\$1,226.03	1.873	\$939.59
Manufacturing	2.504	\$1,256.13	1.928	\$967.18	1.477	\$740.94

The proposed trip rates have been developed from rates published by the Institute of Transportation Engineers (ITE). The ITE rates are based on studies and traffic counts collected all over the United States. City staff also compared these rates to several recent projects and made adjustments to better fit the type of projects that are being constructed in this region.

Resolution No. 2006-_____ increases the Transportation Impact Fee rates for commercial, office and industrial projects. This resolution increases the rates in three phases. The first increase will be effective on January 20, 2007. The second phase increase will be effective on January 20, 2008. The third phase increase will be effective on January 20, 2009.

Resolution No. 2006-_____ also increases the infill credit with each phase of the impact fee increases and changes the method of calculating the industrial rates to be based on building size instead of the number of employees.

Prior Council/Board Actions:

Certification of Final Environmental Impact Report (FEIR) for the General Plan Circulation Element Update, Resolution No. 2001-19 – April 2, 2001.

Adoption of General Plan Amendment No. 2002-22 relating to the Circulation Element of the General Plan, Resolution No. 2001-20 – April 2, 2001

Increase in the Traffic Impact Fee as recommended by the Circulation Element Update, Resolution No. 2001-23 – April 2, 2001

Resolution No. 2004-76 – Increase in Transportation Impact Fees – August 2, 2004

Resolution No. 2004-117 – Adoption of 2004/2004 Transportation Impact Fee

Resolution No. 2005-_____ -Suspending the 2004/2005 Transportation Impact Fees and Implementing Modified Fees

Committee/Commission Review and Actions: Planning Commission reviewed proposals on May 10, 2004. Citizen's Advisory Committee reviewed proposals on May 5, 2004. Both of these reviews were for fees adopted on October 18, 2004.

Alternatives: Continue with current fee schedule.

Attachments:

Resolution No. 2006-_____

Exhibit "A" to Resolution 2006-_____, Transportation Impact Fees

Unit Land Values by Type, Visalia, California, *Hopper June, 2005*

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

Adopt Resolution No. 2005-_____ to adopt the revised Transportation Impact Fee schedule.

Financial Impact

Funding Source:

Budget Recap:

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes_____	No <u>XX</u>

Environmental Assessment Status

CEQA Review: No

NEPA Review: No

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

Resolution No. 2006-

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA ADOPTING REVISED
TRANSPORTATION IMPACT FEES**

WHEREAS, the City Council of the City of Visalia adopted Resolution 2005-129 to establish revised Transportation Impact Fees, and

WHEREAS, the appraised value of right that must be obtained to construct roads has significantly increased in the last two years; and

WHEREAS, Resolution 2005-129 increased the residential component of the Transportation Impact Fees to generate sufficient revenue to acquire the right of way necessary to improve and construct a safe and efficient traffic circulation system; and

WHEREAS, Resolution 2005-129 temporarily suspended fee increases for commercial, office and industrial projects; and

WHEREAS, the City Council of the City of Visalia desires to eliminate the suspended fees for commercial, office and industrial projects by increasing the fees in three annual adjustments of approximately equal amounts to match the per trip rate that is paid by residential projects; and

WHEREAS, notice pursuant to California Code, Section 66018 has been given; and

WHEREAS, the City Council of the City of Visalia did conduct a public hearing on the proposed Transportation Impact Fee Schedule on November 20, 2006.

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

1. The Transportation Impact Fees as given in Exhibit "A". The revised fee schedule shall be effective sixty calendar days after the approval of this resolution.
2. Additional adjustments in the commercial, office and industrial Transportation Impact Fees to increase the per trip rate to equal the per trip rate paid by residential projects. The increases shall be in approximately equal amounts and occur one year and sixty days and two years and sixty days after the approval of this resolution.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording:

a) Adoption of Mitigated Negative Declaration No. 2006-094. Resolution No. 2006-___ required.

b) Public hearing for adoption of Specific Plan No. 2006-06: a request by Westland Development to adopt The Village at Willow Creek Specific Plan. The specific plan considers on and off-site improvements associated with the development of a mixed-use Community Center development in compliance with Policy 3.5.8 of the Land Use Element of the Visalia General Plan for the northwest quadrant of Visalia. The project site is located on the northeast corner of Demaree Street and Riggins Avenue in the City of Visalia, County of Tulare. (APN: 078-210-006 and 078-230-014)
Resolution No. 2006-___ required.

Deadline for Action: None

Submitting Department: Community Development – Planning

Contact Name and Phone Number:

Brandon Smith, Associate Planner 713-4636
Paul Scheibel, AICP, Principal Planner 713-4369

Recommendation:

The Planning Commission recommends that the City Council hold a public hearing, adopt a mitigated negative declaration, and adopt Specific Plan No. 2006-06 prepared in fulfillment of Policy 3.5.8 of the Land Use Element of the General Plan. This recommendation was made on October 23, 2006 by the Planning Commission after a public hearing was conducted for the Specific Plan.

The Planning Commission has found that the Specific Plan satisfactorily meets the intent of Policy 3.5.8, which requires that Community Centers shall be developed as part of a Specific Plan, and shall designate standards for land uses, architecture, landscaping, and other improvements. The Commission also made affirmative findings on several specific issues pertaining to policy consistency, design, and technical completeness, which are discussed in this report and in the Planning Commission staff report dated October 23, 2006, attached herein.

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.): 60

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.

Project Background:

In January 2006, project applicant Westland Development submitted the first rendition of a development plan for a community center anchored by a 172,000 sq ft. Lowe's Home Improvement store and containing commercial, office, and multi-family residential components. The 28-acre Specific Plan area is located on the northeast corner of Demaree Street and Riggin Avenue, adjacent to the developed portion of the Shannon Ranch Master Planned Community. The development of the center would require the preparation and adoption of a Specific Plan, and that the site plan would need to be reviewed by the City Council to allow for advisory comments by Council members before a formal specific plan was filed.

During the item's Work Session held on March 20, 2006, the Council members gave individual and consensus constructive comments on the project's master site plan, including a desire that the proposed home improvement store be scaled down to be more of a community-scale size. There was also consensus that the development should be pedestrian-friendly, compatible with, and relate to the surrounding neighborhoods, that there should be a mix of uses on the site, and that the parking field should be minimized.

The applicants submitted a second rendition of the development plan to the Site Plan Review Committee in June 2006, and received a "Revise and Proceed", directing the applicants to make revisions as noted by the Committee before submitting a specific plan. A draft Specific Plan titled The Village at Willow Creek Specific Plan was formally submitted to City staff on July 14, 2006.

The most notable changes to the plan since the March 20, 2006 study session were revisions directed at creating a "village" feel to the project and enhancing pedestrian access to and within the site. This involved the reduction of the footprint for Lowe's to 139,000 sq. ft., and the reorientation of the store toward Demaree Street. Other changes to the commercial center include the creation of a 52,000 sq. ft. pad suitable for a grocery store, two office pads, and a pedestrian-oriented village plaza. The project was also redesigned to enhance pedestrian connections from nearby residential neighborhoods, the future multi-family residential neighborhood to the north, and the trail surrounding the Shannon Ranch storm basin.

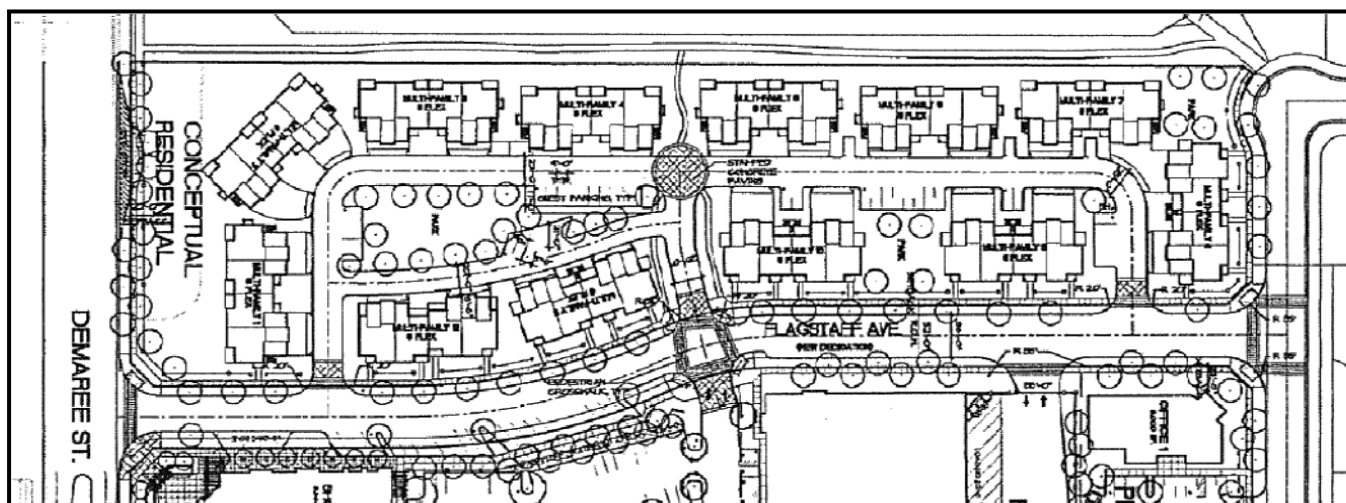
Project Description:

Development Concept

The master site development plan for the commercial and office components of the community center illustrates a planned commercial development containing 229,910 sq. ft. of building area and anchored by a Lowe's Home Improvement store and an as yet unnamed supermarket. The 139,410 sq. ft. Lowe's Home Improvement store with 31,659 sq. ft. garden center, along with the shops and pads fronting along Demaree Street will constitute the first phase of development in the plan area. All on-site improvements associated with the commercial center, including parking, landscaping, pedestrian pathway, and overhead trellises would be constructed in the initial phase of development according to the Specific Plan's phasing plan. Subsequent phases of the center will bring a 52,000 sq. ft. supermarket, office buildings totaling 9,500 sq. ft., and the multi-family residential development.

Multi-Family Component

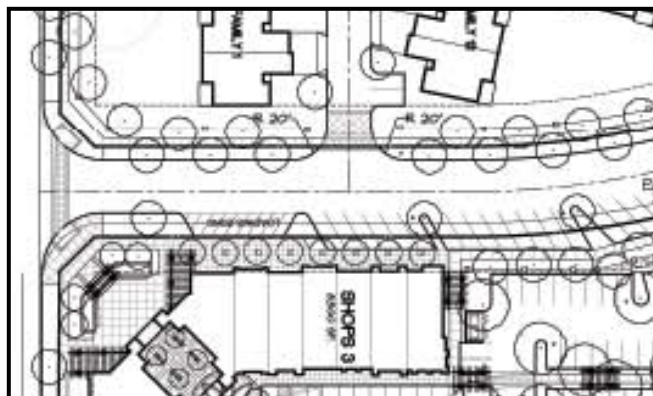
The multi-family component of the plan area, located on the north side of Flagstaff Avenue, will facilitate a minimum of 77 units, based on the current gross area of the underlying multi-family residential (R-M-2) zone. A revised conceptual layout for the multi-family residential development represented has been submitted by the applicant (attached as Exhibit "B" herein). Prior to the development entitlements for this component, a Conditional Use Permit (CUP) will need to be submitted to the City demonstrating the development's consistency with the policies and development standards in the Specific Plan, particularly those contained in the Medium Density Residential section (Section 3.2).



Commercial Component

The overall concept of The Village at Willow Creek Specific Plan is to create a development that functions as a major commercial center and provides community-scale shopping for the northwest quadrant of Visalia, with integrated ancillary uses of offices and multi-family residential development. Features such as area-wide pedestrian pathways, trellises, ornamental lighting, village-style commercial pads, and outdoor public spaces are included in the plan and are designed to bring the community center towards a pedestrian scale and promote walkability within and outside of the Specific Plan area.

The Community Commercial component of the Specific Plan calls for a variety of community and neighborhood-level uses to be built in the first phases of the plan. This mix of uses, which include two anchor tenants, retail and restaurant pads, shops, and offices, are identified on the master development plan (see Exhibit "A"). A breakdown of each building and its floor area is shown in Table 1.0-1 of the Plan. The Specific Plan's phasing schedule states that all buildings will be constructed in the first phase of development, with the exception of the grocery store and office buildings. These will be built in the second and third phases respectively.



Shops 2 and 3, located on the corner of Demaree Street and Flagstaff Avenue, have been plotted and designed to reflect a street-oriented village-type shopping district. As shown in the illustrations included as Figures 3.1-1 and 3-1.2 of the Plan, the buildings are organized to encourage pedestrian circulation through

double-fronting tenant spaces facing both public streets and the development, zero-foot setbacks along public street frontages, outdoor public spaces, and pedestrian pathways that connect between the street and the center. Diagonal parking spaces are proposed along the south side of Flagstaff Avenue to further enhance the village-feel of this district.

Commercial Center Parking

The master development plan for the commercial and office developments proposes a total of 907 parking stalls for the center. With regard to the amount of parking required for the center, the Specific Plan provides two scenarios as illustrated in Section 4.3.1.

The current City Zoning Ordinance requires a ratio of one space per 225 square feet of building space inside commercial shopping centers. A minimum of one stall per 1,500 square foot is provided for outdoor garden centers. If calculated at these ratios, the center would have a total parking requirement of 1,205 parking spaces.

This is consistent with the City Council direction that reduced parking stall counts should be sought on community center developments to reduce the prominence of the parking field. The applicant proposes a total of 907 stalls, which is 93 stalls (or 11%) above the calculated total for specific uses, but about 300 stalls less than the standard method of calculating parking.

Planning Commission Review and Recommendation on Issues:

The Planning Commission reviewed the draft Specific Plan and the companion discretionary entitlements (CUP 2006-49 and PM 2006-22) on October 23, 2006. The Commission evaluation focused on whether the applicant's proposal met the intent of General Plan Land Use Element Policy 3.5.8. Staff presented several issues for the Commission's specific consideration, including:

- 1) The General Plan consistency for the intended primary tenant (Lowe's Home Improvement store) and the proposed mix of retail, office and service uses for the balance of the non-residential component,
- 2) Lowe's building size and mass,
- 3) Major tenant (Lowe's and future supermarket tenant) building architecture,
- 4) Enhancements to the intersection connection with the multi-family component,
- 5) Sign program,
- 6) Left-turn pocket and raised median on Riggin Avenue,
- 7) Ownership and maintenance of common areas, and
- 8) Parking stall size.

Project components and proposed features not raised in the analysis portion of the Planning Commission staff report were recommended by staff to be accepted by the Commission as consistent with the General Plan, state law regarding Specific Plans, and previous City Council policy directions. The complete background and methodology on the analysis may be found in pages 9 and 10 of the Planning Commission staff report (Exhibit "E").

1. General Plan Consistency for Intended Use

Staff recommended that the Planning Commission make a finding that the home improvement store proposed to anchor the community center is a use that serves at a community or

neighborhood as required by General Plan Land Use Policy 3.5.8. This determination was made based on home improvement stores being listed as a conditionally permitted use in the Community Commercial zone, and based on the Council's consensus at the March 20, 2006 work session that a use would be permitted, provided the building and use implicit in the Community Commercial land use and zoning achieved a scale and compatibility consistent with surrounding residences.

The Commission considered and adopted this finding.

2. Lowe's Building Size and Mass

The 139,410 sq. ft. Lowe's building proposed as the anchor tenant to the site raises the policy consistency questions whether the building's size and scale ensures compatibility with the adjacent residential neighborhood to the east and would not conflict with regional development objectives (the existing Lowe's on Mooney Boulevard is approximately 140,000 sq. ft. in size). The Council provided direction on March 20, 2006 to minimize the size and mass of the store on the basis that a smaller scale could narrow the store's potential market area, and would not constitute a regional use that competed with the Mooney Blvd. location. While the 139,410 sq. ft. building proposed in the plan constituted a scale-down, staff provided comparative examples of other Lowe's, Home Depot, and Orchard Supply (OSH) stores that have smaller buildings than the proposal.

The Commission found that building's proposed floor area of 139,410 sq. ft. is consistent with the General Plan and previous policy direction.

3. Major Tenant Building Architecture

Land Use Element Policy 3.5.8 states that community centers shall designate architectural standards for uses within the center, and that such standards would ensure compatibility with adjacent neighborhoods. While the applicant's elevations on the front of the Lowe's building (see Exhibit "C") featured many high quality architectural elements, the side and rear elevations were not held to the same level of standard for architectural treatments. Of particular note on the building's rear elevation were expanses of unvaried parapet walls that measured over 200 lineal feet and the rear exposure of the marquee element located on the front of the store supporting the primary building signage which rises above the parapet wall. Staff's recommendation to the Commission was to consider requiring that the rear and side elevations incorporate some of the architectural elements found on the front of the building, such as east-facing roof fields, vertical cornice breaks, colonnades, and enhanced finish.

The Commission concurred with the applicant's architectural concept and details as presented.

4. Enhancement to Intersection Connection with Multi-family Residential Component

Staff had recommend to the Planning Commission that the multi-family residential component of the Specific Plan be required to provide intersection and street corner enhancements to the north side of the multi-family's vehicular entrance at Flagstaff Avenue that is shared with the entrance to the commercial on the south. Such a condition could require carrying over the commercial center's thematic architectural elements such as trellis-covered sidewalks or thematic corner walls and landscaping to achieve a more cohesive development, particularly in light of the fact that the residential development will not be constructed until the last phase of development and would likely be constructed by a developer other than the applicant.

The Commission found that the Specific Plan shall contain policies and standards to the effect that there shall be thematic congruence between the commercial and residential components, but cautioned about placing specific and overbearing requirements on the multi-family component when it is only conceptually shown at this time. Thus, such requirements for the residential component of the Specific Plan area should be addressed at the time that a Conditional Use Permit along with a proposed develop plan is submitted for the multi-family residential.

5. Sign Program

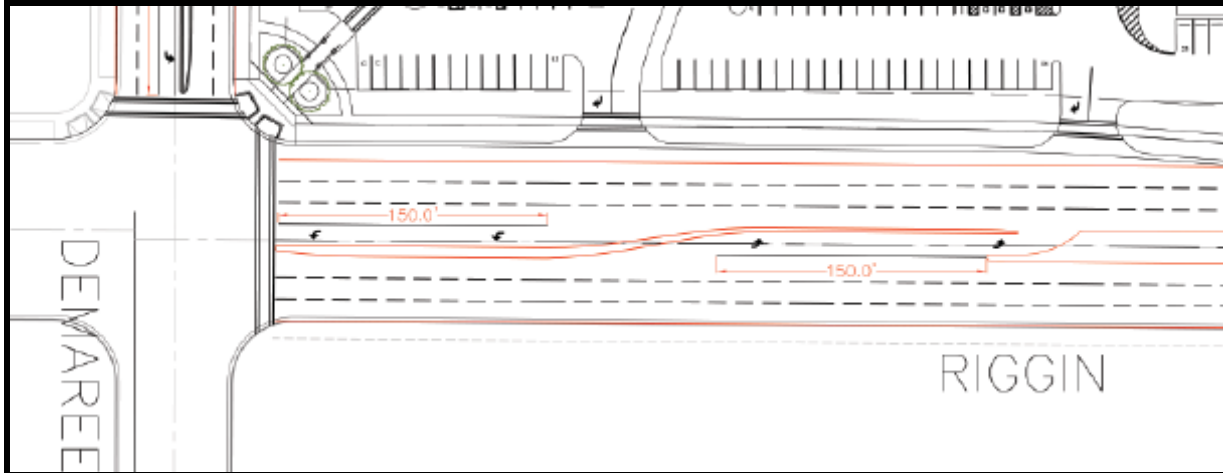
The Specific Plan contains a Sign Program developed for the commercial shopping center, and includes building signage specifically for the Lowe's Home Improvement store. The signage that has been proposed by the Sign Program for the Lowe's would be significantly higher than the 150 sq. ft. maximum for a single face of a building allowed by the City's Sign Ordinance, the standard that is also withheld by sign programs for new commercial centers. Based on staff's calculations, the proposed Lowe's signage would consist of a 348 sq. ft. "Lowe's" sign and 108 sq. ft. of supporting signage ("Indoor Lumber Yard" and "Garden Center" on the front of the building, and an 88 sq. ft. sign on the south elevation along Riggin. By contrast, the Lowe's located on Mooney Boulevard was permitted for a 200 sq. ft. "Lowe's" sign, and comparable supporting signage, and does not have signage on any other elevations.

Staff's recommendation to the Planning Commission was that the Lowe's building signage be held to a maximum 150 sq. ft. of total sign copy area on a single elevation, consistent with City standards and consistent with sign programs for other communality and neighborhood centers. Staff's recommendation also included applying the City's standard of two sq. ft. signage per linear foot of building (maximum of 150 sq. ft.) to the grocery store and the single-tenant pads, in contrast to requiring a Conditional use Permit for signage as proposed by the Sign Program.

The Commission agreed that the nature of the center as a Community Commercial center did not warrant allowing signage for the proposed Lowe's building beyond what was approved for the regional commercial location on Mooney Boulevard. Therefore, the Commission recommended allowing a building sign for Lowe's that is the same in size as the sign on Mooney Boulevard, which is 200 sq. ft. The remaining signing proposed by Lowe's would be permitted, as it is already comparable in size to the signage on the Mooney Blvd. store.

6. Left-Turn Pocket and Raised Median on Riggin Avenue

The Specific Plan shows an eastbound left turn lane into the development along Riggin Ave. The inclusion of this left-turn pocket into the site would conversely place a limitation on the westbound Riggin left-turn pocket to southbound Demaree to a 150-foot taper. The 150-foot taper does not meet the standard for Highway Design Capacity 405.1. Furthermore, the City expects that with the buildout of the surrounding area, Riggin Avenue (which is classified as an arterial street) will carry significantly higher traffic volumes than Demaree Street and will therefore need a minimum taper of 250 feet as shown on the southbound Demaree left-turn pocket to eastbound Riggin. A median curb with a 250-foot taper is already been constructed in Riggin Avenue at the City's expense. Without a compelling reason to demolish part of a new median and install a sub-standard left turn pocket into the site, staff recommended that the existing median curb remain in place.



Prior to the Planning Commission’s public hearing, the applicants submitted an alternate land configuration plan for Riggins Avenue which kept the turn pocket into the center and the 150-foot taper for the Riggins left-turn pocket to Demaree, but showed the Riggins left-turn pocket as a double left-turn lane, thereby doubling the stacking area to the equivalent to a lane with a 300-foot taper. Upon initial review, the Engineering Division believed that a configuration with dual left-turn lanes could work.

The Commission was supportive of the left turn pocket into the store on the finding that it would be an accommodation to the major tenants given features in the Specific Plan that may hinder the appearance of the major tenants from the Demaree/Riggins intersection (such as the trellises and the placement of the drug store), and provided final design of dual left-turn lanes onto southbound Demaree Street that is acceptable to the City Engineer.

7. Ownership and Maintenance of Common Areas

The Specific Plan states that the applicant, in the role of the “master developer”, will construct all site entryways, pedestrian paths, and common area landscaping (Sections 3.4 and 4.4). However, the Plan did not specifically identify the Master Developer’s ongoing responsibilities in this regard, nor was there a definitive solution articulated in the Specific Plan or in a companion document such as a Development Agreement associated with the project. Further, the proposed parcelization bisects several of the key common areas which could complicate ongoing ownership and maintenance responsibilities after the project is completed.

The staff recommendation was to require the key common areas to be retained by the Master Developer, or an approved replacement entity that would retain common ownership and maintenance responsibilities. This is discussed in detail on page 14 of the Planning Commission staff report (Exhibit “E”). The applicant disagreed with this recommendation, particularly with regard to retaining ownership of the key common areas.

The Commission determined that the Specific Plan requires more detailed resolution of the ongoing maintenance responsibilities, but concurred with the applicant that the solution should not include retaining ownership of the common areas. The Planning Commission directed the applicant to propose an alternative solution for final consideration by the City Council.

On November 8, 2006, the applicant provided a draft extract of the Conditions Covenants and Restrictions (CC&Rs) referred to here as the Maintenance Agreement, along with a site plan

depicting the common maintenance area (Exhibit "D" of this staff report). These are proposed to ensure for the delineation and financing responsibilities of the common areas. The Maintenance Agreement and site plan are proposed to be included in the Specific Plan as Appendix "C". The wording that is currently contained in Paragraph 6.4 of the Specific Plan would be replaced by the reference to Appendix "C", along with a stipulation that the final form of the Maintenance Agreement and map shall be first approved by the City and recorded before recordation of the final Parcel Map.

Staff concurs with the applicant's refined common area maintenance plan. The plan adequately addresses the concerns for identifying the ongoing person or entity responsible for the maintenance, a defined area and scope of maintenance responsibilities, and a permanent method for funding the maintenance. Further, the proposal is recognized throughout the property management industry, and it has worked successfully with other commercial properties in the area for an extended period of time.

8. Parking Stall Size

The Specific Plan calls for using a 9-foot wide by 18-foot deep parking stall as the standard throughout the commercial center. This size is out of conformance with the 9-foot wide and 19-foot deep standard specified in the Engineering Improvement Standards, and would be inconsistent with all other regional, community, neighborhood, and otherwise general commercial parking fields in the City of Visalia. Therefore, staff's recommendation to the Commission was that the City's standard for parking space dimensions be upheld.

The Commission found that the 9'x18' stall proposed in the Plan should be accepted on the basis that the reduction in parking stall size is compensated by other superior common-area amenities proposed by the Plan. These amenities include enhanced pedestrian paths extending through the parking areas, extensive landscaping throughout the site and parking areas, and the applicant's demonstrated commitment to reduce the amount of site area devoted to the parking fields.

Environmental Finding:

The Initial Study disclosed that a significant, adverse environmental impact related to noise may occur in the fields of noise attributed from construction of the project and the daily operations of the Lowe's Home Improvement center. The Mitigated Negative Declaration circulated for this project (see attachment) contains a Mitigation Monitoring Program that requires the construction and operations of the center to be mitigated as required by the noise impact assessment discussed above. The mitigation contained in the Mitigation Monitoring Program shall effectively reduce the environmental impact of noise impact to a level that is less than significant. Therefore, staff recommends that Mitigated Negative Declaration No. 2006-094 and the Mitigation Monitoring Program contained within be adopted for this project.

Prior Council/Board Actions:

On March 20, 2006, the City Council held a study session to review a preliminary layout for the Lowe's-anchored commercial center and to provide direction on the preferred design and uses for the commercial development. On the basis of this discussion, the applicant made

substantial changes to the site plan for the subject area which were incorporated into a draft copy of the Specific Plan formally submitted to the City in July 2006.

On August 7, 2006, the City Council approved a consent calendar item to authorize staff to accept and process the draft Specific Plan submitted by Westland Development for the community center located at Demaree Street and Riggins Ave.

Committee/Commission Review and Actions:

The site layout for the commercial center was reviewed by the Site Plan Review Committee on January 25, 2006 and June 28, 2006, after which a "Revise and Proceed" status was given.

The Planning Commission reviewed the Specific Plan and related Conditional Use Permit and Parcel Map on October 23, 2006, and recommended that the City Council approve the Specific Plan incorporating specific recommendations and corrections, and approved the Conditional Use Permit and Parcel Map subject to Council's approval of the Specific Plan on a 5-0 vote.

Related Plans and Policies:

The proposed Specific Plan has been submitted to fulfill Policy 3.5.8 of the Land Use Element of the General Plan, which requires the adoption of a specific plan prior to the development of a community center.

The adoption and regulation of Specific Plans within the City of Visalia are enforced by Chapter 12.04 of the Visalia Municipal Code.

The preparation and adoption of any specific plan in the State of California is also subject to state guidelines contained in Government Code Sections 65450 through 65457.

All related plans and policies referenced above are reprinted in an attachment to the Planning Commission staff report entitled "Related Plans and Policies".

Alternatives:

- 1) Amend the Draft Specific Plan and approve as deemed appropriate.
- 2) Return the Draft Specific Plan to Planning Commission with direction for its further consideration.
- 3) Deny the Specific Plan.

Attachments:

- Resolution adopting Mitigated Negative Declaration No. 2006-94
- Resolution approving Specific Plan No. 2006-06
- List of involved property owners and interested parties
- Exhibit "A" - Proposed Master Site Plan (Appendix "A" of Specific Plan)

- Exhibit “B” - Revised Conceptual Layout for the Multi-family Residential Component
- Exhibit “C” - Building Elevations for Lowe’s store
- Exhibit “D” – Proposed Maintenance Agreement and site plan
- Exhibit “E” - Planning Commission Staff Report, dated October 23, 2006
- Mitigated Negative Declaration No. 2006-94
- Noise Impact Assessment for project dated August 14, 2006
- Location map of Specific Plan site

Recommended Motion (and Alternative Motions if expected):

- I move to certify Mitigated Negative Declaration No. 2006-94 by adoption of Resolution No. 2006-_____.
- I move to approve adoption of Specific Plan No. 2006-06, incorporating the revisions and technical corrections as recommended by the Planning Commission, by adoption of Resolution No. 2006-_____.

Environmental Assessment Status

CEQA Review: Mitigated Negative Declaration No. 2006-94 has been prepared for the project. It will need to be certified prior to a decision on the project.

NEPA Review: None 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)*

None.

Copies of this report have been provided to:

RESOLUTION NO. 2006-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA,
ADOPTING MITIGATED NEGATIVE DECLARATION NO. 2006-094, WHICH EVALUATES
ENVIRONMENTAL IMPACTS FOR SPECIFIC PLAN NO. 2006-06.

WHEREAS, Specific Plan No. 2006-06 is a request by Westland Development to adopt The Village at Willow Creek Specific Plan. The specific plan considers on and off-site improvements associated with the development of a mixed-use Community Center development in compliance with Policy 3.5.8 of the Land Use Element of the Visalia General Plan for the northwest quadrant of Visalia. The project site is located on the northeast corner of Demaree Street and Riggan Avenue in the City of Visalia, County of Tulare. (APN: 078-210-006 and 078-230-014); and

WHEREAS, the Planning Commission of the City of Visalia, after twenty (20) days published notice, held a public hearing before said Commission on October 23, 2006 for the Project; and

WHEREAS, the Planning Commission of the City of Visalia finds that The Village at Willow Creek Specific Plan (Specific Plan No. 2006-06) has been prepared in accordance with Chapter 12.04 of the Municipal Code of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from the Project if mitigation measures were incorporated into the Project; and

WHEREAS, on the basis of this Initial Study, a Mitigated Negative Declaration has been prepared for the Project pursuant to the California Environmental Quality Act of 1970 (CEQA); and

WHEREAS, the Initial Study and Mitigated Negative Declaration for the Project were prepared and noticed for review and comment; and

WHEREAS, any comments received during the advertised comment period were reviewed and considered in accordance with provisions of CEQA; and

WHEREAS, the Planning Commission of the City of Visalia found that the Mitigated Negative Declaration contains and reflects the independent judgment of the City of Visalia; and

WHEREAS, the City Council of the City of Visalia considered the Initial Study and Mitigated Negative Declaration and concurs with the findings of the Planning Commission; and

WHEREAS, pursuant to AB 3158, Chapter 1706 of the Statute of 1990, the City Council of the City of Visalia hereby finds that no evidence has emerged as a result of said Initial Study to indicate that the proposed project will have any potential, either individually or cumulatively, for adverse effect on wildlife resources.

NOW, THEREFORE, BE IT RESOLVED that a Mitigated Negative Declaration was prepared consistent with the California Environmental Quality Act (CEQA) and the City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia hereby finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment if mitigation measures were incorporated into the Project, and hereby adopts Mitigated Negative Declaration No. 2006-94 which evaluates environmental impacts for Specific Plan No. 2006-06, and adopts the Mitigation Monitoring Program attached hereunto as Exhibit "A". The documents and other material which constitute the record of the proceedings upon which the decisions based are located at the office of the City Planner, 315 E. Acequia Avenue, Visalia, California, 93291.

**EXHIBIT "A":
MITIGATION MONITORING PROGRAM FOR
MITIGATED NEGATIVE DECLARATION NO. 2006-94**

<u>Mitigation Measure</u>	<u>Responsible Party</u>	<u>Timeline</u>
<p>Construction Impact Mitigation Measure 1.1: Consistent with the City's standard conditions of approval, noisy construction activities shall be limited to Monday through Friday between the hours of 6:00 a.m. and 8:00 p.m., and between 9:00 a.m. and 8:00 p.m. on Saturday and Sunday.</p>	Project Applicant	Construction Impact Mitigation shall be enforced during the project's construction, only while building permits are issued for the site.
<p>Construction Impact Mitigation Measure 1.2: The project applicant shall require construction contractors to locate stationary noise sources as far from existing sensitive receptors as possible. If stationary sources must be located near existing receptors, they shall be muffled and enclosed within temporary sheds.</p>	Project Applicant	Construction Impact Mitigation shall be enforced during the project's construction, only while building permits are issued for the site.
<p>Construction Impact Mitigation Measure 1.3: The project applicant shall require construction contractors to implement feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors. Feasible noise controls include mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds. Noise controls can reduce noise levels at 50 feet by 1.0 dBA to 16 dBA, depending on the type of equipment. With feasible controls, the resulting noise levels at 50 feet would be 75 dBA for most types of equipment, and 80 dBA for pavers and pneumatic tools. At 100 feet, the resulting noise levels would be 69 dBA and 74 dBA, respectively.</p>	Project Applicant	Construction Impact Mitigation shall be enforced during the project's construction, only while building permits are issued for the site.
<p>Construction Impact Mitigation Measure 1.4: Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures shall be used (such as drilling rather than impact equipment) where feasible.</p>	Project Applicant, Construction Contractor	Construction Impact Mitigation shall be enforced during the project's construction, only while building permits are issued for the site.
<p>Construction Impact Mitigation Measure 1.5: The construction contractor shall implement appropriate additional noise reduction measures that include</p>	Project Applicant, Construction	Construction Impact Mitigation shall be enforced during the project's construction, only while building

<p>shutting off idling equipment, and notifying adjacent residences and businesses (at least one time) in advance of construction work. In addition, the City shall require the posting of signs prior to grading activities with a phone number for residents to call with noise complaints.</p>	<p>Contractor</p>	<p>permits are issued for the site.</p>
<p>Operational Impact Mitigation Measure 2.1: The project applicant for Lowe's shall limit lumber off-loading and handling activities to between the hours of 7:00 a.m. and 10:00 p.m.</p>	<p>Project Applicant</p>	<p>Operational Impact Mitigation shall be enforced after a Certificate of Occupancy is issued for the Lowe's building.</p>
<p>Operational Impact Mitigation Measure 2.2: The project applicant for Lowe's shall limit general truck deliveries to between the hours of 7:00 a.m. and 10:00 p.m.</p>	<p>Project Applicant</p>	<p>Operational Impact Mitigation shall be enforced after a Certificate of Occupancy is issued for the Lowe's building.</p>
<p>Operational Impact Mitigation Measure 2.3: The project applicant for Lowe's shall limit street sweeper and noise generating landscaping equipment use (e.g., leaf blower use) to between the hours of 7:00 a.m. and 10:00 p.m.</p>	<p>Project Applicant</p>	<p>Operational Impact Mitigation shall be enforced after a Certificate of Occupancy is issued for the Lowe's building.</p>

RESOLUTION NO. 2006-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF SPECIFIC PLAN NO. 2006-06: A REQUEST BY WESTLAND DEVELOPMENT TO ADOPT THE VILLAGE AT WILLOW CREEK SPECIFIC PLAN. THE SPECIFIC PLAN CONSIDERS ON AND OFF-SITE IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OF A MIXED-USE COMMUNITY CENTER DEVELOPMENT IN COMPLIANCE WITH POLICY 3.5.8 OF THE LAND USE ELEMENT OF THE VISALIA GENERAL PLAN FOR THE NORTHWEST QUADRANT OF VISALIA. THE PROJECT SITE IS LOCATED ON THE NORTHEAST CORNER OF DEMAREE STREET AND RIGGIN AVENUE IN THE CITY OF VISALIA, COUNTY OF TULARE. (APN: 078-210-006 AND 078-230-014)

WHEREAS, Specific Plan No. 2006-06 is a request by Westland Development to adopt The Village at Willow Creek Specific Plan. The specific plan considers on and off-site improvements associated with the development of a mixed-use Community Center development in compliance with Policy 3.5.8 of the Land Use Element of the Visalia General Plan for the northwest quadrant of Visalia. The project site is located on the northeast corner of Demaree Street and Riggins Avenue in the City of Visalia, County of Tulare. (APN: 078-210-006 and 078-230-014); and

WHEREAS, the Planning Commission of the City of Visalia, after twenty (20) days published notice, held a public hearing before said Commission on October 23, 2006; and

WHEREAS, the Planning Commission of the City of Visalia finds that The Village at Willow Creek Specific Plan (Specific Plan No. 2006-06) has been prepared in accordance with Chapter 12.04 of the Municipal Code of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice held a public hearing before said Council on November 20, 2006; and

WHEREAS, the City Council of the City of Visalia finds that The Village at Willow Creek Specific Plan (Specific Plan No. 2006-06) has been prepared in accordance with Chapter 12.04 of the Municipal Code of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, if recommended mitigation measures were incorporated in the project.

NOW, THEREFORE, BE IT RESOLVED, that a Mitigated Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission that the Planning Commission of the City of Visalia recommends that the City Council approves Specific Plan No. 2006-06, and makes the following specific findings with regard to Specific Plan No. 2006-06 based on the evidence presented:

1. That The Village at Willow Creek Specific Plan has been prepared in accordance with adopted local ordinance – in particular, Chapter 12.04 of the Visalia Municipal Code.
2. That The Village at Willow Creek Specific Plan has been prepared in accordance with adopted State law – in particular, Sections 65450 through 65457 of the California Government Code.
3. That The Village at Willow Creek Specific Plan is consistent with the Visalia General Plan, and in particular, satisfactorily meets the intent of Policy 3.5.8 of the Land Use Element of the General Plan.
4. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2006-094 was adopted by resolution No. 2006-____, and is incorporated herein by reference.
5. That The Village at Willow Creek Specific Plan is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
6. That there is no evidence that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code. The site does not contain any riparian habitat, sensitive natural communities, or wetlands, and does not contain any known sensitive, threatened, or endangered species.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves Specific Plan No. 2006-06 described herein, as recommended by the Planning Commission and as approved in and in its final amended form by the City Council, in accordance with the terms of this resolution under the provisions of Chapter 12.04 of the Ordinance Code of the City of Visalia, based on the above findings, and subject to the following changes:

1. That the size and scale of the 139,410 sq. ft. Lowe's building satisfies the intent of Policy 3.5.8 of the Land Use Element of the Visalia General Plan with regard to compatibility with the adjacent residential neighborhood, and does not conflict with regional development objectives.
2. That the major tenant building's architecture on the sides and rear of the building, including the visible portion of the marquee structure which supports the primary building signage for Lowe's, and including the landscaping adjacent to the primary building, satisfies the intent of Policy 3.5.8 of the Land Use Element of the Visalia General Plan with regard to compatible architectural finish as viewed from the adjacent residential neighborhood.
3. That the applicant shall prepare a plan which addresses the ownership and maintenance of common areas and amenities in the commercial center, and addresses how the maintenance will be implemented. The plan shall be prepared by the applicant prior to final adoption of the Specific Plan. The plan shall include the following: a. identification of a party responsible for constructing and maintaining the common amenities, b. specification of locations of common areas and amenities, or designation of separate common lots that will be identified in the Specific Plan and accompanying Parcel Map. For the purpose of this requirement, common areas and amenities shall include the vehicular entrances (including the gateway entry located on Demaree Street), pedestrian paths, trellises, fencing, walls, parking lots, ornamental lighting, and common landscaping areas located on the commercial and office components of the Specific Plan.

4. That the Specific Plan shall contain policies and standards to the effect that there shall be thematic congruence between the commercial and residential components, and that the identification and development of intersection and/or street corner enhancements on the north side of Flagstaff Avenue in the multi-family residential component of the Specific Plan should be deferred to the Conditional Use Permit for the multi-family residential component.
5. That the sign program associated with The Village at Willow Creek Specific Plan be amended so that the maximum allowed signage for building signs for large big-box tenants and single-tenant pads be calculated at two sq. ft. of sign copy area per linear foot of primary store frontage to a maximum of 150 sq. ft, with the exception that the "Lowe's" sign on the primary building frontage (west elevation) of the Lowe's building shall be allowed up to 200 sq. ft. of sign copy area, which is the same amount of sign copy area as was permitted by the City of Visalia for the Lowe's building located on South Mooney Boulevard.
6. That an eastbound left-turn lane pocket into the commercial center be may be permitted, provided that the applicant provides a road design which allows for adequate stacking capacity in the westbound left-turn lane(s) to South Demaree Street to the satisfaction of the City Engineer.
7. That the standard parking stall size for the commercial center measure a minimum of 9 feet wide by 18 feet deep.
8. That the Conditions Covenants and Restrictions (CC&Rs) referred to herein as the Maintenance Agreement, along with a site plan depicting the common maintenance area (Exhibit "E" of this staff report) shall be included in the Specific Plan as Appendix "C". The wording that is currently contained in Paragraph 6.4 of the Specific Plan shall be replaced by the reference to Appendix "C", along with a stipulation that the final form of the Maintenance Agreement and map shall be first approved by the City and recorded before recordation of the final Parcel Map.

BE IT FURTHER RESOLVED that the following errors found in Specific Plan No. 2006-06 be corrected for internal plan consistency and Zoning Ordinance consistency:

- a. Page 3-1: in Figure 3.0-1, the reference to "Shannon Ranch West Commercial Specific Plan" in the margin note shall be changed to "The Village at Willow Creek Specific Plan".
- b. Page 3-2: Policy I shall be amended to read "Side and rear building facades shall have some combination of architectural treatment(s), including but not limited to..." to be consistent with the third architecture policy contained in Section 3.10.4 (page 3-18).
- c. Page 3-2: Policy J shall be deleted. Staff's reasoning is that the policy contains no provisions on how subsequent development or redevelopment plans are reviewed for consistency by a committee after the developer has finished the project.
- d. Page 3-8: Density ranges which currently read "10 to 15 dwelling units / acre" shall be changed to "15 units per acre" to be consistent with the minimum 2,800 sq. ft. lot size.
- e. Page 3-8: In Table 3.2-1, parking requirements shall be changed from 1.5 spaces to 1.75 spaces, consistent with Table 1.0-1 and 4.3-1, and tandem parking shall not count towards these parking requirements. Building height for primary structures shall be changed from 30 to 35-foot maximum, consistent with the City's recently approved text amendment for building height increase.

- f. Page 3-9: In Table 3.3-1, Fencing and Signage requirements shall reference Sections 3.5 and 3.6.
- g. Page 3-17: In last sentence of first paragraph, “areas” shall be changed to “building pads”. In Policy B, the last two sentences shall be removed, as street tree requirements should be determined based on a Conditional Use Permit submittal for the multi-family residential.
- h. Page 3-18: In Section 3.10.4, the third-to-last bullet point regarding signage shall be moved to the Sign Program in Appendix B.
- i. Page 6-1: In Section 6.2, referenced to Planning Director shall be replaced with City of Visalia.
- j. Page 6-1: In Section 6.6, text shall be amended to reflect the use of a Mitigated Negative Declaration and Mitigation Monitoring Program.
- k. Appendix “A”: Phasing lines shall be made more distinct.

City of Visalia
Agenda Item Transmittal

Meeting Date: November 20, 2006

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Report on the Southern California Edison San Joaquin Cross Valley Loop Transmission Line. Bill Delain, Southern California Edison Region Manager

Deadline for Action: None

Submitting Department: Administration

Contact Name and Phone Number: Mike Olmos 713-4332

Department Recommendation: Presentation and discussion regarding Southern California Edison's (SCE) proposed San Joaquin Cross Valley Loop Transmission Project. Bill Delain, SCE Regional Manager will be making the presentation. Council discussion and comment is requested.

Summary/background: SCE is proposing construction of a new 220 kilovolt (kV) transmission line that would connect the existing Big Creek 3-Springville transmission line near Lemon Cove to the Rector Substation located on Road 148 at approximately the K Road alignment (midway between Walnut Avenue and Caldwell Avenue). The proposed transmission line will be approximately 20 miles long. The transmission line will include approximately 109 tubular poles and 11 lattice steel towers ranging in height from 120 to 140 feet.

SCE states that the transmission line project is needed to meet increasing demands for power in Tulare County. SCE has determined that existing transmission lines that currently deliver power to the Rector Substation are operating at or near their limits. The proposed transmission line project is intended to increase SCE's ability to deliver power to the Rector Substation to serve the County during high electricity demand periods.

SCE proposes to submit an application to the California Public Utility Commission for authorization to construct the project in December 2006. SCE anticipates beginning

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 MO
(Initials & date required)

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

City Mgr MO for SS
(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.

construction of the transmission line in Summer 2008, if all necessary approvals are in place, and complete construction in Spring 2009.

SCE held an open house on November 15 to provide information to interested persons and organizations about the proposed transmission line project. The open house was attended by about 100 people. Attached are handouts from the open house.

The proposed transmission line will enter the City's planning area in a 100' wide easement corridor located in an east-west alignment about ½ mile north of Hwy 198. This area is located outside the City's 98,700 and 129,000 Urban Development Boundaries, but within the 165,000 Urban Development Boundary. The current General Plan designates the area as Urban Reserve.

Most of the lands in this portion of the City's Planning Area are in agricultural use. The City owns over 100 acres in this area of Visalia, as shown on the attached map. The northerly boundary of the City's property is on the alignment of Mill Creek. According to SCE, the proposed transmission line will be located on the north side of Mill Creek in a 100' wide easement. From information known to date, it appears that the proposed transmission line and easement will not be on the City's property, but will be situated in an east-west alignment immediately to the north. At the Road 148 alignment, the new transmission line will turn south and be situated within an existing 100' wide SCE easement that currently has existing lattice towers with transmission lines to Rector Substation coming from the north.

While the need for additional power to Rector Substation is recognized, Staff has preliminarily identified several concerns about the proposed project that will be reviewed with SCE. These concerns will include the following:

- What will be the visual impacts to properties in the area, including developing and future neighborhoods, created by new power lines and tall towers?
- How will the proposed transmission line corridor and facilities affect future City expansion into the 165,000 UDB?
- How will the proposed transmission corridor and facilities affect potential future development of pedestrian/bicycle trail along Mill Creek and open space/recreation facilities on City-owned lands in this area?
- Are there opportunities for conjunctive use of SCE easements?

Other concerns may be identified during Council's November 20 discussion and as more refined information on the project becomes available in the future. City staff will convey the City's concerns to SCE and provide technical assistance to SCE as they plan for facilities to provide additional power to Rector Substation.

Prior Council/Board Actions: None.

Committee/Commission Review and Actions: None.

Alternatives: NA

Attachments:

1. SCE Fact Sheet
2. Open House Information Packet
3. Map of SCE proposed easement location
4. General Plan Excerpt Map

Recommended Motion (and Alternative Motions if expected): Council information and discussion; provide direction to staff as appropriate.

Environmental Assessment Status

CEQA Review: Environmental review to be conducted by SCE.

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:

This document last revised: 11/17/06 3:31:00 PM

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File location and name: H:\(1) AGENDAS for Council\2006\112006\Item 17 SS-sce trans project 11.20.061.doc