

Visalia City Council Agenda



For the regular meeting of: Monday, December 4, 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.

WORK SESSION AND ACTION ITEMS (as described)

5:00 p.m.

Public Comment on Work Session Items

- 5:05 p.m. 1. Demonstration and Introduction of 7 new 35-foot Compressed Natural Gas (CNG) Low-floor buses purchased for Visalia City Coach.
- 5:20 p.m. 2. Discussion of a process for selecting the City of Visalia's appointment to the Measure R Citizen's Oversight Committee.
- 5:40 p.m. 3. Review and Discussion of the Sanitary Sewer Collection System Master Plan.

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

ITEMS OF INTEREST

CLOSED SESSION

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

4. Conference with Legal Council - Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Name of Case: Jimenez v. City; TCSC Case No. 06-221536
5. Conference with Real Property Negotiators
Property: 8600 Avenue 296 (8600 W. Mineral King Avenue) APN: 081-071-019
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Mike Olmos, Colleen Carlson, Joseph Mognon

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Steve Creel, Visalia United Methodist Church

SPECIAL PRESENTATIONS/RECOGNITION

Presentation by Carolyn Rose: C-SET 30th Anniversary Celebration

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.

Convene jointly as the Redevelopment Agency and the Visalia City Council

6. RDA CONSENT CALENDAR –

- a) Authorization to enter into an agreement between the Community Redevelopment Agency of the City of Visalia and Habitat for Humanity of Tulare County, for use of Redevelopment Agency Low/Mod Housing Set-Aside funds to provide for a loan up to three hundred thousand dollars (\$300,000) for acquiring land for the construction of affordable homes.
7. **PUBLIC HEARING** – Authorization to sell to Habitat for Humanity 1631 North Encina for \$200,000 in compliance with Health and Safety Code 33433.

- Adjourn as the Redevelopment Agency and remain seated as the Visalia City Council

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

8. 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) Adoption of **Resolution 2006-114**, the required bi-annual update of the list of City of Visalia designated employees and classifications for the purpose of compliance with Chapter 2.08 of the Ordinance Code of the City of Visalia specifying conflict of interest regulations.
 - c) Authorization for Mayor Jesus Gamboa to make an official visit to Visalia's Italian Sister City and appropriate up to \$4,000 to cover actual expenses.

d) Authorization to record the following final maps:

1. Parcel Map 2005-04, located on the north side of Douglas Avenue between Crumal Street and Teakwood Street (3 lots) and the Intention to Form Open Space District No. 91, **Resolution No. 2006-115** and the Formation of Open Space District No. 91, "Parcel Map 2005-04", **Resolution No. 2006- 116** required. APN: 103-330-021.
2. Amended Final Parcel Map for Tentative Parcel Map 2004-14, located on the west side of Encina Street 800 feet north of Houston Avenue (4 lots) and the Formation of Landscape and Lighting District No. 06-11, Parcel Map 2004-14 (**Resolution Nos .2006-117 and 2006-118 required**). APN: 091-161-038.
3. Parcel Map No. 2006-06, located on the north side of Mineral King Avenue between Chinowth Street and Bollinger Street. APN: 085-080-033.
4. Tentative Parcel Map 2006-12, located at the northwest corner Cypress Avenue and Akers Street. APN: 087-450-007,008.
5. Shannon Ranch 2 Unit No. 4, located at the northwest corner of Mooney Boulevard and Shannon Parkway (76 lots).
6. Map 06-05 for American Industrial West, located along Goshen Avenue (46 lots) and the Formation of Landscape and Lighting District No. 06-10, American Industrial West (Resolution Nos. 06-10 required). **Resolution Nos. 2006-119 and 2006-120 required**. APN: Portion of 073-090-075.

e) Authorization to file the final notice of completion on the following:

1. Foxwood Estates Unit No. 5, consisting of 47 lots and located south of Ferguson Ave and east of Roeben Street.
2. Parcel Map 2004-06, located at the west end of Nicholas Court, approximately 800 feet west of Plaza Drive. APN. 081-130-15.
3. Project #1221-00000-720000-0-9430-2006 the lift station for the Ranch Basin Project, located at Linwood and Houston. (Cost \$304,220.42).

9. **Continued PUBLIC HEARING - (Continued from November 20, 2006)**

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

Consider increasing the Transportation Impact Fees. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per Resolution. **Resolution No. 2006-111 required.**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Buyer	Seller	APN	Address	Closing Date	Project Manager
City of Visalia	Gas Company	APN: 094-240-026	300 W. Tipton St.	11/17/06	Colleen Carlson

Upcoming Council Meetings

Monday, December 18, 2006 - City Hall Council Chambers

Monday, January 8, 2007 - Visalia Convention Center

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: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Introduction of 7 new 35-foot Compressed Natural Gas (CNG) Low-floor buses purchased for Visalia City Coach.

Deadline for Action: December 4, 2006

Submitting Department: Administration

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

Department Recommendation: Staff will arrange for a demonstration of one of the new transit buses that were recently delivered from Orion Bus Industries. The bus will be on display in front of City Hall from 4:30 to 5:30.

Summary/background: The current City bus replacement plan requires all new buses to be powered by the most appropriate alternative fuel. In consideration of this plan the transit division has received 7 new CNG fixed route buses (35 feet) to be added to the City's current alternative fuel fleet. These new buses have all the safety and disabled passenger amenities as our other existing buses; however, they are approximately 5 times less polluting than the diesel buses they are replacing.

In addition to using CNG fuel, at about 2/3 the cost of diesel fuel once our new CNG station is in operation, these new buses have the following features:

1. Electronic Farebox
2. Automatic Vehicle Location
3. Low Floor Design
4. Security Cameras
5. DriveCam Monitoring Equipment
6. Bus Kneeling
7. Wheelchair ramp and seating
8. Talking bus announcements
9. Bike Racks
10. Electronic Destination Signs

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 LBC 11/30/06
(Initials & date required)**

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

**City Mgr SMS 11/30/06
(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.

These buses cost \$373,000 each or a total of \$2,611,000 and were funded 94% with grants from the Federal Transit Administration and the California Energy Commission with the balance coming from Transportation Development Act funds dedicated for transit purposes.

These 7 new buses replace 6 diesel buses that range from 15 to 18 years old. Our transit fleet now consists of the following vehicle types:

- 18 Diesel Fixed Route buses
- 7 CNG Fixed Route Buses
- 4 Gasoline Dial-A-Ride buses
- 5 CNG Dial-A-Ride buses
- 3 Diesel Trolleys
- 3 Hybrid-electric Trolleys

Our current bus replacement schedule calls for us to have 100% alternative fuel buses as all vehicles are replaced over the next 10 years.

Prior Council/Board Actions: Council approved the purchase of these buses in the 2006/2007 CIP budget.

Committee/Commission Review and Actions: None

Alternatives: None.

Attachments:

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Staff will arrange for a demonstration of one of the new transit buses that were recently delivered from Orion Bus Industries. The bus will be on display in front of City Hall from 3:30 to 4:30.

Financial Impact

Funding Source:

Account Number:

Budget Recap:

Total Estimated cost: \$0	New Revenue: \$ 0
Amount Budgeted: \$ 0	Lost Revenue:\$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes_____ No <u>X</u>	

Environmental Assessment Status

CEQA Review:

Required? No
Review and Action: Prior:
Require:

NEPA Review:

Required? No
Review and Action: Prior:
Require:

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Discussion of a process for selecting the City of Visalia's nominee to the Measure R Citizen's Oversight Committee.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number: Steve Salomon, 713-4312; Leslie Caviglia, 713-4317

Department Recommendation: It is recommended that the Visalia City Council set a process for selecting a nominee to serve on the Citizen's Oversight Committee for Measure R, the TCAG wide sales tax initiative that was recently passed by voters.

Department Discussion:

The Measure R Expenditure Plan requires that a Citizen Oversight Committee be formed within 6 months (no later than May 7, 2007) of the passage of the initiative; however, conversations with TCAG officials have indicated that the Committee may begin meeting prior to that date. The first revenues are expected to begin being collected in the second quarter of 2007, and will be received by the County mid-year.

The City of Visalia has a representative on Committee, the implementation plan specifies that the City forwards a nominee to the TCAG Board for consideration. The representative must be at least 18 years of age and reside in the County. The Expenditure Plan specifies that the representatives cannot be elected officials, nor an employee of any State, County or local City agency. All members of the Committee must submit the appropriate Fair Political Practices Commission financial disclosure statements.

There are several options for selecting this representative. These include, but are not limited to:

- *Solicit for applicants and consider interviewing some or all of the candidates for the position in order to make a final selection.
- *Appoint a Council sub-committee to conduct a solicitation process and make a recommendation to the Council
- *Solicit applications from current City committee members to also serve on the Oversight Committee. These applicants already have some background on City issues which could be useful. In addition, the Council is already familiar with many of these members, which may aid the selection process.
- *Ask the CAC to conduct a process and make a recommendation to the Council.

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head: LBC 11/26

Finance

City Atty

City Mgr

Background: The Measure R Expenditure Plan calls for a 16 member Citizen's Oversight Committee. The purpose of this Committee is to provide input on implementation of the plan, and to advise the TCAG Board if and when the plan needs to be augmented, to ensure that the funds are being spent in accordance with the plan, to inform the public and to ensure that the Transportation Measure funding program revenues and expenditures are spent as promised to the public.

The Committee may receive, review and recommend any action or revision to the plans, programs, audits or projects that is within the scope of stated scope including:

- *Receive, review, inspect, and recommend action on independent financial and performance audits related to the Measure
- *Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Measure programs, revenues, or expenditures.
- *Review and comment upon Measure expenditures to ensure they are consistent with the Expenditure Plan.
- *Annually review how sales tax receipts are being spent and publicize the results
- *Present Committee recommendations, findings, and requests to the public and TCAG in a formal annual report to inform Tulare County residents how funds are being spent.
- *The Committee will have full access to the TCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from TCAG, and other relevant data generated by reputable sources. It is understood that TCAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes, and that the Committee will be kept abreast of such efforts, and is invited to participate in development of such updates in a review capacity.

The Expenditure Plan defines the Committee membership as follows:

- *One member appointed by each City and the County
- *One representative from a major private sector Tulare County employer, nominated by the Tulare County Economic Development Corporation
- *One representative from the building industry, nominated by the Tulare County Building Industry Association.
- *One representative from the agriculture industry, nominated by the Tulare County Farm Bureau.
- *One representative from the Hispanic community, nominated by the Tulare Kings Hispanic Chamber of Commerce.
- *One representative from an advocacy group representing bicyclists and pedestrians, and/or transit.
- *One member who is a professional in the field of audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.
- *One representative from an environmental advocacy group
(The representatives for the last three positions will be selected from applications solicited from the Tulare County community at large and will be selected by the other 13 seated Board members, subject to final approval by TCAG.)

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives: As described in the memo

Attachments: N/A

Recommended Motion (and Alternative Motions if expected):
I move that that we select the City of Visalia nominee to the Measure R Citizen's Oversight Committee by

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: Dec. 4, 2006

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Review and Discussion of the Sanitary Sewer Collection System Master Plan and authorize the additional appropriation of \$3,076,000 from the 1231 Fund for the design and construction of the extension of the Mineral King Sanitary Sewer Trunk Line from Ranch Street alignment to Stevenson Street. Project No. 1231-00000-720000-0-9819.

Deadline for Action: N/A

Submitting Department: Public Works / Engineering Design

Contact Name and Phone Number:

Jim Funk 713-4540;
David Jacobs 713-4492

Department Recommendation:

Staff recommends that the City Council review and provide comments regarding the Sanitary Sewer Collection System Master Plan (December 2005) prepared by Carollo Engineers and authorize the additional appropriation of \$3,076,000 from the 1231 Fund for the design and construction of the Mineral King Sanitary Sewer Trunk Line from Ranch Street alignment to Stevenson Street.

In November 2003, Carollo Engineers entered into an agreement with the City of Visalia to update the City's Sanitary Sewer Collection System Master Plan. Now, the Council is being asked to review the updated document. The adoption of the Master Plan requires the completion of the associated environmental document and the review and possible revision of the development impact fees and user fees associated with the updated plan. These documents will be presented to Council at a later meeting. Presently, staff is anticipating having the environmental process completed by February 2007. At that time Council will be asked to adopt the Sanitary Sewer Collection System Master Plan and associated environmental documents. Any rates and fees adjustments will be addressed during the normal yearly rates and fees adjustment process in April/May 2007.

The document Council is being asked to review evaluates the existing network of sewer trunk lines (pipes ten inches in diameter and greater) and service areas to determine shortfalls in the system. The evaluation includes pipeline capacity only and does not include review of the current condition of manholes and pipe materials including the age of the pipelines.

A computer model has been developed to analyze the system that is based on current land uses. The computer model was calibrated to mimic existing flows based on actual flow

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.

monitoring data collected in the field. The model was then used to expand the system to extend into service areas where future development may occur through the year 2020. Based on the computer model's analysis of the existing system, Carollo Engineers was able to quantify the improvements needed to manage current development and propose infrastructure improvements to manage potential future growth within the Urban Development Boundary (165,000 population growth ring.) Regardless of the improvements proposed with the master plan, the City Council will have the final authority as to which improvements are approved and funded through the budget process.

With the dynamics of City development over the last several years Carollo was given specific land use information regarding the expansion of Kaweah Delta District Hospital in its downtown location as well as possible future land uses in the east downtown expansion area. In order to reduce future costs, staff directed Carollo Engineers to look at potential development beyond the 2020 growth boundaries but within the City's Urban Area Boundary. Therefore, the Master Plan presented allows for future expansion of the downtown area and expansion beyond the 2020 growth boundary. Again, any expansion of the current sewer trunk system will take City Council approval.

For example, in 2005 the City Council did authorize the design and construction of a replacement trunk line in Mineral King Avenue between Locust Street and Stevenson Street. The line is noted in the Master Plan as one needing replacement (See Detail "C", Figure ES.3 of the Executive Summary.) The line services the downtown area including the hospital expansion site and the east downtown proposed expansion area. Now, Staff is requesting City Council authorize an additional appropriation of \$3,076,000 for the design and construction of the extension of the Mineral King Sanitary Sewer Trunk Line from Stevenson Street to the Ranch Street alignment. This section of the Mineral King Trunk Line is noted in the Master Plan as deficient in capacity with a proposed larger diameter pipe to be installed. There are sufficient funds in the 1231 Fund (Sanitary Sewer Trunk Line Construction Fund) to allocate to this project without affecting approved budgeted projects.

Upon completion of the Master Plan, Carollo Engineers will provide the City with an electronic version of the computer model. The City would then have at its disposal a method to modify the model based on proposed changes to land use to ensure sanitary sewer capacity is available or to quantify the level of sanitary sewer improvements that would be necessary to support a land use change. The City will need to purchase supporting software to manage the sanitary sewer collection system computer model. The software has been budgeted in the latest adopted operating budget for the Engineering Design Division with the anticipation that the program would be loaded onto four or five Engineering Staff computers.

When comparing models, the collection system recommended by Carollo Engineers is similar to the system that is recommended by the currently adopted (February 1994) Boyle Engineering Sewer System Master Plan. The Boyle plan has been amended to reflect changes in actual pipeline locations. Specifically, the trunk line in Riggin Avenue was moved south to the Ferguson alignment between Shirk Street and Mooney Boulevard. Although almost matching in pipeline alignment, the new computer model is better able to duplicate actual flow conditions over the course of a day and thereby has allowed for a better analysis of pipe sizing than the 1994 Master Plan. The improvement in the computer modeling is a result of better software and more powerful computers than were available in 1994. As a result, the sewer pipe routing is substantially the same between old and new versions. However, a sanitary sewer line in the Crowley Avenue alignment between Kelsey Street and Plaza Drive has been eliminated.

Although alignments are similar between plans in the new model some sanitary sewer pipe sizes have been reduced due to the enhancements of the modeling software..

Results of the computer modeling indicate in the existing sanitary sewer trunk line system there are areas which are deficient. Deficiencies are a result of undersized pipeline or pipes without enough slope (fall between one end of the pipe and the other) to carry current and proposed flows. For example, the trunk line in Mineral King Avenue between the alignment of Ranch Street and Locust Street is deficient. The computer model indicates there are areas where the slope of the pipe is too flat or even reversed (pipe slopes west to east instead of east to west) to carry the amount of effluent present. Field measurements taken by City staff confirm the problem with the existing pipe slopes in the Mineral King line. As noted above, staff is currently working on plans to replace the portion of line between Locust Street and Stevenson Street and is requesting additional appropriation for a project that will extend the new pipeline to the Ranch Street alignment. Construction of the Mineral King line is projected occur in early 2007. The new line will also carry flows diverted from the Willow Street trunk line east of Kaweah Delta District Hospital's existing building that was removal as part of the North Tower Expansion project. The total estimated cost noted in the Master Plan for the Mineral King Trunk Line is \$3,650,000. Another deficiency noted in the Master Plan is located west of Akers Street in the Walnut-Lovers Lane Trunk line (See Detail "B", Figure ES.3 of the Executive Summary.) There are two parallel lines in Walnut Avenue west of Akers Street; one is deficient (Walnut-Lovers Lane Trunk Line) while the other (Walnut Outfall) has excess capacity. The Master Plan proposes connecting the two lines together with a pipe that would allow a portion of the full flowing line to go into the line with capacity west of Akers Street. The Master Plan estimated cost of the proposed diversion line is \$26,000.

Over the past twenty-four months the City has installed a substantial portion of future lines proposed in the Master Plan in the current UDB. For example, in 2005 the City completed the North Sanitary Sewer Trunk Line project that extended the line in Ferguson Avenue from Zackary Street to Mooney Boulevard, then north in Mooney Boulevard to Riggan Avenue, then east in Riggan Avenue to Dinuba Boulevard. Additionally, the Riggan Avenue Extension Project has extended the trunk line east in the Riggan Avenue alignment to the former AT&SF railroad tracks. The City has also completed the South Sanitary Sewer Trunk Line project that extended the sanitary sewer trunk line in Akers Street from south of Caldwell Avenue to the Visalia Parkway alignment then east along the Visalia Parkway alignment to Santa Fe Street and finally along Santa Fe Street north to Caldwell Avenue.

Prior Council/Board Actions: 2005 - Approval of a C.I.P. for the construction of the Mineral King Sanitary Sewer Trunk Line (Locust to Stevenson)

Committee/Commission Review and Actions: None

Alternatives: None recommended

Attachments: Executive Summary - Sanitary Sewer Master Plan (December 2005)

Recommended Motion (and Alternative Motions if expected): I move to authorize the additional appropriation of \$3,076,000 from the 1231 Fund for the design and construction of the extension of the Mineral King Sanitary Sewer Trunk Line from Ranch Street alignment to Stevenson Street. Project No. 1231-00000-720000-0-9819

By author: jmt

File location and name: H:\(1) AGENDAS for Council\2006\120406\Item 3 SS Master Plan - Work Session.doc

City Manager Recommendation:

Copies of this report have been provided to:

Environmental Assessment Status	
CEQA Review:	Financial Impact
Required? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Funding Source	
Review and Action: Prior:	
Account Number: 1231-00000-7200000-0-9819	Required CEQA Process required
Budget Recap:	
NEPA Review:	
Required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Total Estimated cost: \$3,076,000	New Revenue: \$
Review and Action: Prior:	Lost Revenue: \$
Amount Budgeted: \$0	New Personnel: \$
New funding required: \$3,076,000	
Council Policy Change: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

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) If approved by Council, City Finance will need to move the additional funding to the project

City of Visalia Agenda Item Transmittal

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 7

Agenda Item Wording: Authorization to enter into an agreement between the Community Redevelopment Agency of the City of Visalia and Habitat for Humanity of Tulare County, for use of Redevelopment Agency Low/Mod Housing Set-Aside funds, to provide for a line of credit loan up to three hundred thousand dollars (\$300,000) for acquiring land and paying other costs for the construction of affordable homes.

This action will require an additional appropriation of \$85,000 from the Redevelopment's Central low/mod budget and a proposed change in the notes term from 45 years to in perpetuity.

Deadline for Action:

Submitting Department: Administrative Services

Contact Name and Phone Number: Eric Frost, x4474

Department Recommendation: Staff recommends that the Agency Board authorize the Executive Director to enter into a agreement with Habitat for Humanity of Tulare County, for a line of credit loan in the amount up to three hundred thousand dollars (\$300,000) utilizing Redevelopment Agency's Central Low/Mod Housing Set-Aside fund to assist in the purchase and development of single-family lots.

Lots purchased by Habitat, subject to this agreement, will be used for development of affordable housing. Most of these funds will be used to purchase property to form four lots developed by the Redevelopment Agency at 1631 N. Encina Street (\$200,000 for the purchase and \$80,000 for building permit fees). By providing funds to Habitat for Humanity, the City continues its efforts in development of affordable housing for very-low income families.

Summary/background: Habitat for Humanity's executive director, Betsy Murphy, has requested in the attached letter that the City extend a fourth line of credit loan to Habitat for Humanity to develop affordable housing. The Community Redevelopment Agency has been providing the City's HOME Funds (Home Investment Partnership Funds) and Redevelopment Low/Mod Housing Set-Aside Funds to Habitat for Humanity since 1995. Beginning in 2003, the Agency has extended a line of credit to Habitat to purchase and develop lots.

What is unusual about this new credit line loan is that the principal use of the credit line will be to acquire property from the Redevelopment Agency. In the early 1990s, the City acquired a

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

parcel at 1631 N. Encina using CDBG funds. The property was purchased and proposed to be the location of a transitional housing project for the Good News Center. The Good News Center, however, declined the project when it became clear that the Good News Center could not proselyte as part of the housing project. Since the mid-1990s, the property has sat vacant.

Habitat for Humanity desired to acquire the parcel if the parcel could be split into separate lots. Redevelopment acquired the property at its undeveloped market value, approximately \$115,000. HOME funds have been used to develop 4 developable lots and prepare a fifth lot for dedication to the City as a street.

The appraisal value of the property is \$200,000, the proposed sale price to Habitat. Thus, the Redevelopment Agency will net \$85,000 from the transaction because its purchase price was \$115,000, although some \$280,000 in HOME funds were expended preparing the property for development. The Low/Mod Fund will gain \$85,000 on the sale and that gain is proposed to be used to fund an increased Habitat loan.

Proposed Loan. With the 2006/07 budget, Council increased the annual loan appropriation to \$215,000. However, with the proposed purchase of the Encina lots, \$200,000 of the appropriation will be exhausted purchasing the property and approximately \$80,000 will be spent on building permit fees. By increasing this round of credit line loans to \$300,000, Habitat will be able to purchase the Encina property, pull building permits and still have \$48,000 available from prior loans and \$20,000 from this credit line loan.

In addition, staff recommends modifying the term of the note. Currently, the note has a 45 year term, the minimum allowed by Redevelopment Law. The note carries no interest rate but could be extended to indefinitely. As a result, as long as the home housed individuals who met low income criteria, the note would be deferred. If the home sold to a non-qualified person or the resident no longer met the income limits, then the note would be due and payable. Such action assures that these monies are used to increase housing opportunities for low income individuals without violating Habitat for Humanities commitment not to charge interest to the poor.

Habitat for Humanity Building Program. On a Habitat for Humanity home, much of the construction cost is reduced due to donated labor from homeowners and volunteers. Habitat enlists the future owner and community volunteers to construct the homes. Families must be willing to partner with Habitat, putting in 500 hours of "sweat equity" working on their own homes and other Habitat projects. These efforts have produced a number of homes.

Habitat for Humanity, prior to conveying the property will obtain a promissory note, deed of trust, insurance and an affordability agreement from the qualified persons. These security documents will name the Agency as the secured party, payee, and/or beneficiary. The security documents will contain a provision that the loan is forgivable at the expiration of the forty-five (45) year affordability covenant. During such time, if the owner ceases to comply with the covenants contained in the security documents, the loan shall become immediately due and payable to the Agency, pursuant to the terms of the security documents, unless the obligations are assumed by a qualified transferee.

Prior Council/Board Actions: Prior action: approved on December 15, 2003, a \$100,000 loan. Approved on November 1, 2004 an additional \$100,000 loan. Approved on March 20, 2006 a third \$100,000 loan to acquire land for the construction of affordable homes. Because these loans are deferred, the loans are all current. Approximately \$48,000 of prior loans have not been drawn by Habitat.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Increase the proposed loan by another \$85,000. However, staff recommends that Habitat first exhaust its current line of credit before accessing these funds.

Attachments: *Habitat Letter to come.*

Recommended Motion (and Alternative Motions if expected): I move that the Agency Board authorize the Executive Director to enter into a fourth agreement with Habitat for Humanity of Tulare County, for a loan in the amount up to three hundred thousand dollars (\$300,000) utilizing Redevelopment Agency Low/Mod Housing Set-Aside funds to assist in the purchase of single-family lots.

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: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 7

Agenda Item Wording: Authorization to sell to Habitat for Humanity 1631 N. Encina for \$200,000 and Public Hearing in compliance with Health and Safety Code 33433.

Deadline for Action: January 1, 2007

Submitting Department: Community Development and Administrative Services

Contact Name and Phone Number: Eric Frost, x4474, Sharon Sheltzer, x4414

Department Recommendation: That the City Council and Redevelopment Agency conduct the required public hearing before selling Agency property to Habitat for Humanity at 1631 N. Encina. After the public hearing, if appropriate, authorize the sale of 1631 N. Encina to Habitat for Humanity of Tulare County for appraised value, \$200,000.

Summary/background:

The Agency owns land at 1631 N. Encina which was originally purchased in the early 1990s with the intention of creating transitional housing. However, the proposed operator of the property, the Good News Center, decided against going forward with the project after understanding that no religious education of the facility's users could occur.

In the last year, the Agency has worked with Habitat for Humanity to sell the property. The property will be divided into 5 parcels to build 4 homes and have a parcel dedicated to the City for a street. Habitat will use these lots to build homes according to their building program.

Habitat for Humanity Building Program. On a Habitat for Humanity home, much of the construction cost is reduced due to donated labor from homeowners and volunteers. Habitat enlists the future owner and community volunteers to construct the homes. Families must be willing to partner with Habitat, putting in 500 hours of "sweat equity" working on their own homes and other Habitat projects. These efforts have produced a number of homes.

Habitat for Humanity, prior to conveying the property will obtain a promissory note, deed of trust, insurance and an affordability agreement from the qualified persons. These security documents

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.

will name the Agency as the secured party, payee, and/or beneficiary. The security documents will contain a provision that the loan is forgivable at the expiration of the forty-five (45) year affordability covenant. During such time, if the owner ceases to comply with the covenants contained in the security documents, the loan shall become immediately due and payable to the Agency, pursuant to the terms of the security documents, unless the obligations are assumed by a qualified transferee.

Required Redevelopment Disclosures.

Because the property is owned by the Redevelopment Agency, the Agency needs to disclose certain information according to the Health and Safety Code 33433. The required information is as follows:

- 1) The proposed purchase and sale agreement;
- 2) The total cost to acquire and assemble the property;
- 3) The estimated value of the property;
- 4) An explanation of why the property’s sale will assist in eliminating blight; and,
- 5) The proposed sale price’s basis.

The proposed development and disposition agreement is attached. The cost of acquiring and assembling the project is as shown in Table I, Land and Development Costs:

Table I	
Land and Development Costs	
1631 N. Encina	
Land Acquisition Cost	115,000
Dunn's Sand, Inc. (contractor)	184,055
Ditch and Utility Equipment	16,702
CA Water Contract	34,284
SCE Contract	12,212
Plan Check Fee	448
Tulare County Recording Fee	45
Forester Weber consultants	11,213
VIAH Consultant	6,937
CUP - Parcel Map	5,554
Development (HOME Funded)	271,450
Total Costs	386,450

The Agency engaged an appraiser to determine the value of the property. The appraised value for the parcel which includes 4 lots is \$200,000. The reason the Agency has proceed ahead with this development is that the parcel is an odd shaped parcel that will not develop into several residential lots without Agency intervention. The advantage of having the Agency prepare this lot for sale to Habitat for Humanity is that the homes will improve the housing stock of the neighborhood and remain affordable due to Habitat for Humanity’s building program. The agreed upon sale price for the appraised value, \$200,000.

Attachment #1, Final Parcel Map, shows the parcel. The fifth parcel will be dedicated to the City to be a street. However, the street is non-standard and is necessary to accommodate access to the homes on the parcel. A lighting and landscape maintenance assessment district will be formed to pay for the cost of maintaining that street.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: #1 Site map for 1631 N. Encina

Recommended Motion (and Alternative Motions if expected):

After conducting a public hearing.

Move resolution ___ - ___ to sell the parcels at 1631 N. Encina to Habitat for Humanity for \$200,000.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to: Habitat for Humanity of Tulare County

City of Visalia
Agenda Item Transmittal

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8b

Agenda Item Wording: Adoption of Resolution 2006-114, the required bi-annual update of the list of City of Visalia designated employees and classifications for the purpose of compliance with Chapter 2.08 of the Ordinance Code of the City of Visalia specifying conflict of interest regulations.

Deadline for Action: December 18, 2006

Submitting Department: Administration

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

Department Recommendation

It is recommended that the Visalia City Council adopt Resolution 2006-114, the regularly scheduled bi-annual update of the list of designated employees are required by Chapter 2.08 of the Visalia Municipal Code and as required by the Fair Political Practices Commission.

Department Discussion:

The Fair Political Practices Commission has regulations regarding the establishment and maintenance of conflict of interest codes. Included in the regulations is a provision that by October 1 of even-numbered years, a determination must be made if amendments to the local codes are required.

Several years ago, the City thoroughly reviewed and revised the conflict of interest code, following the FPCC recommendations. That thorough revision included the repeal of several outdated resolutions, ordinances, and the adoption of a new ordinance. The City's conflict of interest code ordinance complies with the requirements of state laws and provides for the periodic update of the list of designated employees by Council resolution. The action before the Council tonight is the regular bi-annual update. It generally reflects changes that have occurred to the positions and position titles over the past two years.

This resolution is a "housekeeping" matter which changes titles to reflect correctly the positions that are currently found in the City of Visalia organization, as well as adding/deleting titles because of changes in assigned responsibilities. In addition, because of reorganization within some departments/divisions, some employees may now have greater purchasing authority and responsibility. Conflict of interest codes focus on those people in an organization who are responsible for significant amounts of purchasing, or are the primary decision-makers regarding purchasing.

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 LCB 11/20/06

Finance N/A

City Atty N/A

City Mgr

These responsibilities exist at different levels in the various departments/divisions and therefore the resolution must be specific down to the level of the individual title, rather than the class (supervisor, manager, etc.) of the employees.

The City Clerk's office coordinates the filing of FPPC statements and communicates to the employees on this list what is required of them. Members of the City Council and the primary appointed City officials (such as the City Manager and Chief Financial Officer) are covered by other sections of FPPC regulations and do not appear on the list of designated employees.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives: To postpone the adoption until the second meeting in December.

Attachments: Resolution 2006-114

Recommended Motion (and Alternative Motions if expected):

I move to approve the adoption of Resolution 2006-114, to update the list of designated employees are required by Chapter 2.08 of the Visalia Municipal Codes and as required by the Fair Political Practices Commission.

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*)

Bi-annual review required. Update needed no later than the second meeting of December, 2008.

RESOLUTION 2006-114

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF VISALIA FOR THE PURPOSES
OF COMPLIANCE WITH CHAPTER 2.08 OF THE ORDINANCE CODE OF THE CITY OF
VISALIA SPECIFYING CONFLICT OF INTEREST REGULATIONS

WHEREAS, the City of Visalia has adopted Chapter 2.08, Second 2.08.10 of the Visalia Municipal Code, which provides for a conflict of interest code pursuant to the Political Reform Act (Government Code Section 8100, et seq.); and

WHEREAS, the City must designate those positions within the organization that shall be deemed Designated Employees and must further specify disclosure categories for each position listed;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Visalia hereby established the following revised list of Designated Employees and Disclosure Categories:

DESIGNATED EMPLOYEE POSITIONS AND DISCLOSURE CATEGORIES

<u>Position Title</u>	<u>Disclosure Category</u>
Administrative Services Manager (Chuck Hindenburg & Cheryl Jackson)-----	2
Airport Manager (Mario Cifuentez)-----	2
Assistant Building Official (Gene Long)-----	2
Assistant Chief of Police (Dennis Swiney, Vacant) -----	2
Assistant City Manager (Carol Cairns, Michael Olmos)-----	1
Assistant Community Development Director (Fred Brusuelas)-----	1
Assistant Public Works & Engineering Services Director (David Jacobs)----	1
Associate Engineer (Doug Damko, Vacant)-----	2
Associate Planner (Vacant)-----	2
Chief Deputy City Clerk (Vacant)-----	2
Chief of Police (Bob Carden)-----	1
Community Development Project Manager (Sharon Sheltzer)-----	1
Convention Center Manager (Wally Roeben)-----	2
Deputy City Manager (Leslie Caviglia)-----	1
Development Services Manager (Dennis Lehman-Chief Building Official)----_--	2
Economic & Redevelopment Director(Vacant)-----	1
Finance Manager (Gus Aiello)-----	2
Financial Analyst (Renee Nagel)-----	2
Fire Battalion Chief (vacant, Charles Norman, Kevin Gildea, Doyle Sewell, & Danny Wristen)-----	2
Fire Chief (George Sandoval)-----	1
Fleet Supervisor (Michael Morgantini) -----	2
GIS Supervisor (Derrick Lord)-----	2
Information Services Manager (Mike Allen)-----	2
Insurance and Benefits Manager (Charlotte Dunn)-----	2
Human Resources Manager (Janice Avila)-----	2

Parks & Urban Forestry Manager (Don Stone)-----	2
Police Lieutenant (Vacant, Glen Newsom, Steve Puder, Rick Haskill, & Michelle Figueroa)-----	2
Police Technician (Randy George & Sandy Tunnell)-----	2
Principal Planner (Paul Scheibel)-----	2
Public Works & Engineering Services Director (Andrew Benelli)___	1
Public Works Manager (Jim Bean, Jim Ross)-----	2
Public Works Support Services Manager (Earl Nielsen)-----	2
Parks & Recreation Director (Vince Elizondo)-----	1
Recreation Manager (Jeannie Greenwood)-----	2
Recreation Supervisor (Jane Garcia-Dicken, Jason Glick, Tim Ruiz, Terry Romero)-----	2
Senior Civil Engineer (Jim Funk & Eric Bons)-----	2
Senior Planner (Andy Chamberlain, Vacant)-----	2
Special Projects Manager (Phyllis Coring)-----	2
Transit Manager (Monty Cox)-----	2
Waste Water Treatment Plant Superintendent (Jeff Misenhimer)-----	2

DISCLOSURE CATEGORIES

Disclosure Category 1:

Designated employees assigned this category must report:

- a) Interests in real property which are located in whole or in part:
 - 1. within the boundaries of the City of Visalia,
 - 2. within two miles of the boundaries of the City of Visalia, or
 - 3. within two miles of any land owned or used by the City of Visalia, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

- b) Investments and business positions in business entities or income from sources, which engage in the acquisition or disposal of real property with the jurisdiction.

- c) Investments and business positions in business entities or income from sources which:
 - 1. are contractors or subcontractors engaged in the performance of work or services of the type utilized by the City of Visalia, or
 - 2. manufacture, sell, or provide, supplies, materials, books, machinery, services, or equipment of the type utilized by the City of Visalia.

City of Visalia Agenda Item Transmittal

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8c

Agenda Item Wording: Authorization for Mayor Jesus Gamboa to make an official visit to Visalia's Italian Sister City and appropriate up to \$4,000 to cover actual expenses.

Deadline for Action: N/A

Submitting Department: Administration

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

Department Recommendation

It is recommended that the Visalia City Council authorize Mayor Jesus Gamboa to make an official visit to Visalia's Italian Sister City, Putignano, and appropriate up to \$4,000 to cover the costs of the actual expenses associated with the official portion of the trip.

Department Discussion:

It is traditional for a Visalia City official to periodically make an official visit to one of our Sister Cities. In the case of Putignano, it has been traditional for the visiting City to cover the travel expenses, and for the host City to provide lodging, local transportation, and most of the meals. The last time a Visalia City Council member traveled to Putignano was more than a decade ago.

Earlier this year, the Putignano Sister City Committee proposed that the City Council to make an official visit. If approved, the funds appropriated would pay for the flight, (approximately \$2,000), official gifts, and any other expenses associated with the official portion of the trip, such as transportation or a meal for the host family, etc.

The Committee has also arranged for an optional extended tour of the Country. Mayor Gamboa is planning on taking advantage of the extended tour at his own expense. His wife, Olivia, will also be making the trip at her own expense.

With our Italian Sister City, it has been customary for the expenses to be handled as noted above. With our Japan Sister City, it is the custom for the City extending the invitation to cover the expenses. The actual costs per person are similar, the difference is in the customs of the two countries.

Prior Council/Board Actions:

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head LBC 11/28/06

Finance

City Atty

City Mgr

Committee/Commission Review and Actions: In October, the invitation to make an official visit was issued by the Putignano Sister City Committee.

Alternatives:

To not authorize the trip or appropriate the funds

Attachments:

Recommended Motion (and Alternative Motions if expected):

I move to approve the official visit of Mayor Jesus Gamboa to Visalia's Sister City in Putignano, Italy, and the appropriate of up to \$4,000 to cover any actual expenses associated with the official portion of the trip.

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: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (1)

Agenda Item Wording: Authorize the Recordation of the Final Map for Parcel Map 2005-04, located on the north side of Douglas Avenue between Crumal Street and Teakwood Street (3 lots) and the Intention to Form Open Space District No. 91, **Resolution No. 2006 -115** and the Formation of Open Space District No. 91, "Parcel Map 2005-04", **Resolution No. 2006-116 required.**

APN: 103-330-021

Deadline for Action: December 18, 2006

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

Final Map

Staff recommends that City Council authorize the recordation of the final map for Parcel Map containing 3 single family lots. The developer is Stephen and Shereen Brown. 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 \$11,175.00 and Labor and Material Bond in the amount of \$5,587.50; 3) cash payment of \$5,308.01 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.): 1

Review:

Dept. Head AJB 11/20/06
(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

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.

Open Space District

That the City Council adopt Resolution No. 2006-115, stating the intention and adopt Resolution No. 2006-116, stating the formation of Open Space District No. 91, Parcel Map 2005-04.

In 1988 City Council adopted an update to the original 1979 Northeast Area Specific Plan. The specific plan lays the groundwork for required public improvements specific to the Northeast area and the maintenance thereof. The improvements consist of sidewalks/bike paths, center medians, frontage landscaping and decorative block walls. Policies 5 and 6 of Goal 5 of the specific plan speak to the issue of formation of maintenance districts and collection of fees for all development in the Northeast Plan area.

The Planning Commission has approved Parcel Map 2005-04 which is located on the north side of Douglas Avenue between Crumal Street and Teakwood Street. This property is a single family project and is owned by Stephen and Shereen Brown. One of the conditions of the tentative map requires the formation of an open space maintenance district for the maintenance of amenities within the Northeast Specific Plan area. As noted above, the Specific Plan requires open space maintenance districts to be established for the purpose of maintaining amenities such as landscaping along public streets, walkways, crosswalks, parking areas, drainage facilities, parkways, lighting, and sprinkler systems.

The owner(s) of all land within the boundaries of the proposed open space district have filed a petition with the City requesting that an open space district be formed and have given their consent to the formation of the proposed district and have waived the notice of public hearing.

Prior Council/Board Actions:

Committee/Commission Review and Actions: The tentative subdivision map for Parcel Map 2005-04 was approved by the Planning Commission on May 9, 2005. The tentative map will expire on May 9, 2007.

Alternatives: N/A

Attachments: Location map, parcel map and Open Space District No. 91.

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for Parcel Map 2005-04 and the Intention and Formation of Open Space District No. 91, "Parcel Map 2005-04" Resolution No. 2006-115 and Resolution No. 2006-116 required.

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)*

Open Space District No. 91
Parcel Map 2005-04
Fiscal Year 2006-07

RESOLUTION NO. 2006-115

A RESOLUTION OF THE VISALIA CITY COUNCIL
A RESOLUTION OF INTENTION TO FORM
OPEN SPACE DISTRICT NO. 91
PARCEL MAP 2005-04

BE IT RESOLVED by the City Council in the City of Visalia, California, that:

1. In its opinion, the public interest and convenience require, and it is the intention of said Council to order the formation of a maintenance district in a portion of said City, pursuant to Title 12, Chapter 12.40 of the Ordinance Code of the City of Visalia, to be designated "Open Space District No. 91", by which name it shall hereafter be referred to and all subsequent proceedings, including the proceedings for the levy and collection of charges.
2. Said maintenance district, and the boundaries thereof, benefited and to be assessed for the maintenance and operation of improvements hereinafter referred to, are situated in the Northeast Specific Plan Area, City of Visalia, County of Tulare, State of California, and are particularly described on the attached map Exhibit A, and by this reference incorporated herein.
3. It is ordered that the expense of maintaining and operating parks and parkways, and appurtenance thereto, including, but not limited to, walkways, crosswalks, steps, safety zones, parking areas, platforms, seats, statuary, fountains, certain fencing, drainage facilities; poles, posts, wire, lights, conduits, tunnels, ramps and other suitable or necessary appliances for the purposed of lighting said places or public ways; water mains or sprinkler systems; and ornamental planning including lawns, shrubs and trees, all as now exist or may hereafter be constructed in or for said Maintenance District, and a benefit to said Maintenance District but not to benefit the City of Visalia as a whole, including the cost of necessary repairs, replacements, fuel, power, electric current, care, supervision and any and all other items necessary for the proper maintenance and operation thereof, shall be charged to the owners of residential units within said Maintenance District above described. Council has hereby determined that said district will benefit by the maintenance and operation of said improvements and that the amount of \$44.28 per year will be charged and shall be collected either by billing by the City of Visalia or collected with property taxes by the County of Tulare.

Open Space District No. 91
Parcel Map 2005-04
Fiscal Year 2006-07

PURSUANT TO GOVERNMENT CODE SECTION 6103,
NO RECORDING FEE REQUIRED.

RECORDING REQUESTED BY:
CITY OF VISALIA

WHEN RECORDED RETURN TO:
CITY OF VISALIA
ENGINEERING DEPT.
315 E. ACEQUIA AVE.
VISALIA, CA. 93291

RESOLUTION NO. 2006-116

RESOLUTION ORDERING THE FORMATION
OPEN SPACE DISTRICT NO. 91
PARCEL MAP 2005-04

WHEREAS, pursuant to Title 12, Chapter 12.40 of the Ordinance Code of the City of Visalia, California, the City Council of said City did adopt resolution of intention to form Open Space District No. 91 in said CITY; and

WHEREAS, owners of all land within the boundaries of the proposed Open Space District No. 91 have filed their consent to the formation of the proposed district; and

WHEREAS, said Council did declare by adopting said resolution its intention to order, at the expense of maintaining and operating parks, parkways and appurtenance thereto, including, but not limited to; walkways, crosswalks, steps, safety zones, parking areas, platforms, seats, statuary, fountains, certain fencing, drainage facilities; poles, posts, wire, lights, conduits, tunnels, ramps and other suitable or necessary appliances for the purposed of lighting said places or public ways; water mains or sprinkler systems; and ornamental planting including lawns, shrubs and trees, all as now exist or may hereafter be constructed in or for said Maintenance District, and a benefit to said Maintenance District but not to benefit the City of Visalia as a whole, including the cost of necessary repairs, replacements, fuel, power, electric current, care, supervision and any and all other items necessary for the proper maintenance and operation thereof, shall be charged to the owners of residential units within said Maintenance District above described, which district said Council hereby determined will be a district benefited by the maintenance and operation of said improvements and that the amounts so charged are to be collected through billing by the City or with property taxes collected by the County of Tulare.

Open Space District No. 91
Parcel Map 2005-04
Fiscal Year 2006-07

NOW, THEREFORE HEREBY BE IT RESOLVED and ordered as follows:

1. That the public interest and convenience require and a maintenance district is hereby formed for the maintenance and operation of parks and parkways and appurtenances thereto, including, but not limited to walkways, crosswalks, steps, safety zones, parking areas, platforms, seats, statuary, fountains, certain fencing, drainage facilities; poles, posts, wire, lights, conduits, tunnels, ramps and other suitable or necessary appliances for the purposed of lighting said places or public ways; water mains or sprinkler systems; and ornamental planting including lawns, shrubs and trees, all as now exist or may hereafter be constructed in or for said Maintenance District, and a benefit to said Maintenance District but not to benefit the City of Visalia as a whole, which district said Council hereby determines will be the district benefited by the maintenance operation of said improvements.

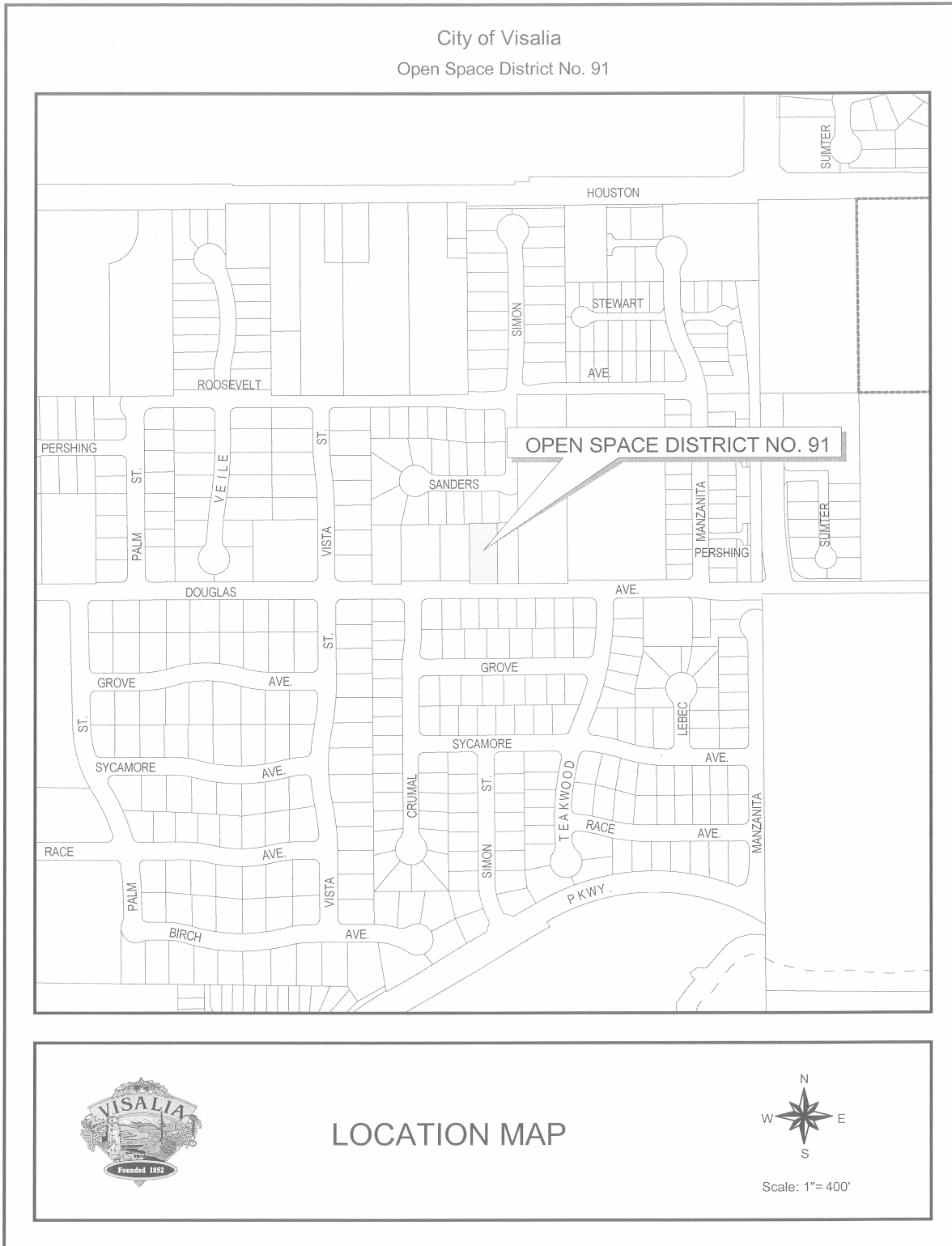
2. That said district be, and is hereby designated as "Open Space District No. 91", by which name it shall hereafter referred to in all subsequent proceedings, including proceedings for the collection of charges in the amount of \$44.28 per year; that such charges be collected either by billing by the City of Visalia or collected with property taxes by the County of Tulare.

3. That the district and the boundaries thereof benefited and to be assessed for the maintenance and operation of the improvements described are situated in Tulare County, State of California, City of Visalia and are particularly described on the attached map Exhibit A, and by this reference incorporated herein.

Tax Roll Assessment for Open Space District No. 91
Parcel Map 2005-04
Fiscal Year 2006-07

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$44.28	1	Parcel Map 2005-04
To Be Assigned	\$44.28	2	Parcel Map 2005-04
To Be Assigned	\$44.28	3	Parcel Map 2005-04

Exhibit "A"
 Open Space District No. 91
 Parcel Map 2005-04
 Fiscal Year 2006-07



This map has been carefully prepared from official records, however the information hereon is not warranted and the City of Visalia shall not in any event be liable for any errors or inaccuracies. This map shall not be copied or reproduced in any form without the express written consent of the City of Visalia's GIS Department.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (2)

Agenda Item Wording: Authorize the Recordation of the Amended Final Parcel Map for Tentative Parcel Map 2004-14, located on the west side of Encina Street 800 feet north of Houston Avenue (4 lots) and the Formation of Landscape and Lighting District No. 06-11, "Parcel Map 2004-14" (**Resolution Nos. 2006-117 and 2006-118 required**). APN: 091-161-038

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 amended final parcel map for Tentative Parcel Map 2004-14 containing 4 lots with public streets. The Redevelopment Agency is the developer and it preparing these lots to be developed in conjunction with Habitat for Humanity. The original final parcel map did not fully address the public utility easements required for the various utility companies. The original final parcel map also established the common lot (Parcel A) to be shared in ownership by Parcels 1 thru 4. This amended final parcel map is establishing the necessary public utility easements and is conveying Parcel A from the Redevelopment Agency to the City of Visalia. A statement has also been added to the final parcel map regarding the establishment of a landscape and lighting district for the maintenance of Parcel A.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 06-117 Initiating Proceedings for Formation of Assessment District No. 06-11, Parcel Map 2004-14; adopt the Engineer's Report as submitted; and adopt Resolution No. 06-118 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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 City of Visalia has been allowing the formation of 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: Tentative Parcel Map 2004-14 was approved by the Planning Commission on August 23, 2004. The final parcel map recorded on May 18, 2006 prior to the expiration of the tentative map on August 23, 2006.

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 Amended Final Parcel Map for Tentative Parcel Map 2004-14 and I move to adopt Resolution No. 06-117 Initiating Proceedings for Formation of Assessment District No. 06-11 "Parcel Map 2004-14" and adopt Resolution No. 06-118 Ordering the Improvements for Assessment District No. 06-11 "Parcel Map 2004-14."

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

RESOLUTION NO. 06-117

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 06-11
PARCEL MAP 2004-14
(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, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 06-11, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 06-11, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Parcel Map 2004-14".
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. 06-11
PARCEL MAP 2004-14
(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. 06-11, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 4th day of December, 2006 by its Resolution No. 06-117

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

RESOLUTION NO. 06-118

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 06-11
PARCEL MAP 2004-14
(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. 06-11, 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 "B"

Landscape Location Diagram
Parcel Map 2004-14

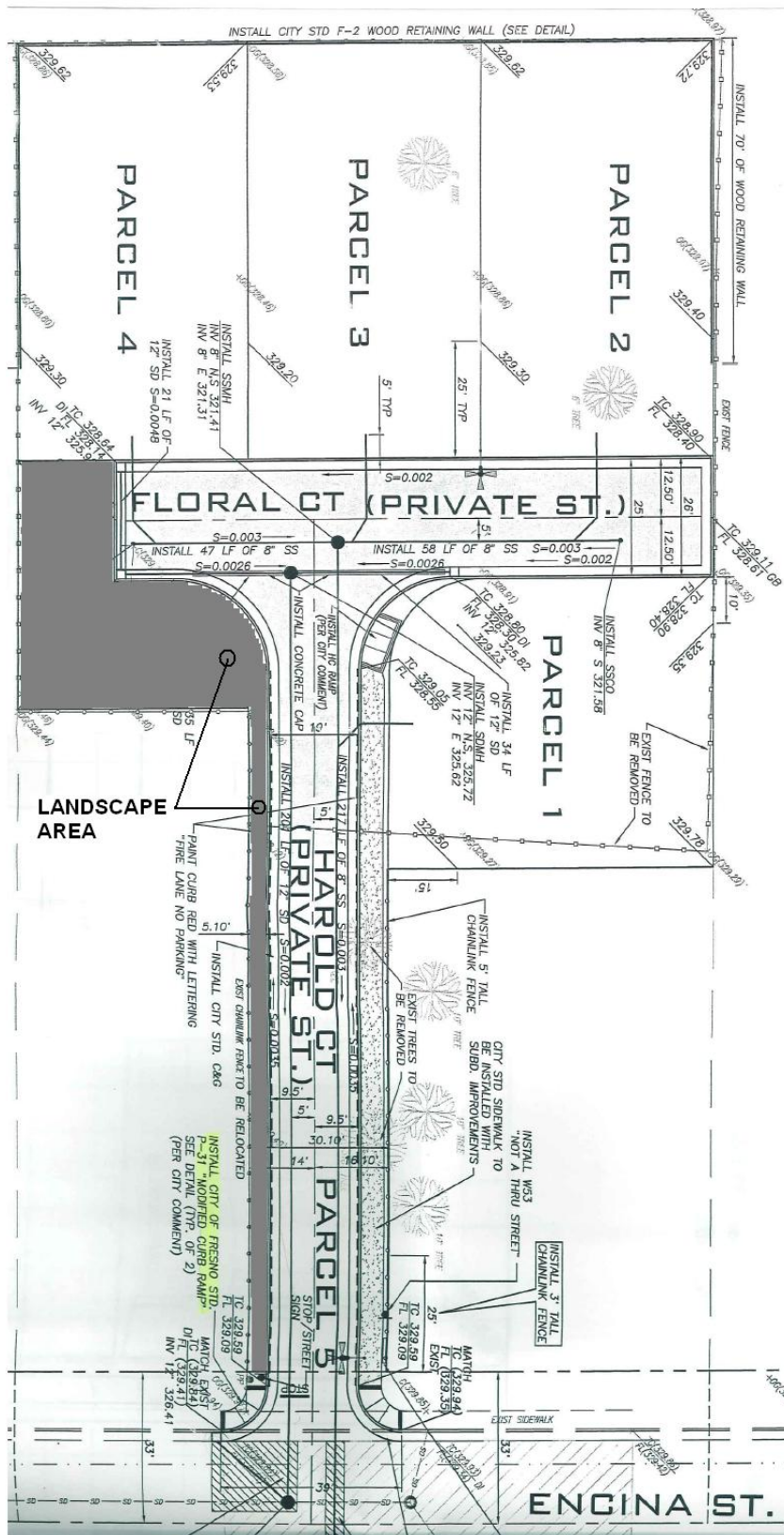


Exhibit "C"

Tax Roll Assessment
Parcel Map 2004-14
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$398.89	To Be Assigned	06-11001	Parcel Map 2004-14
To Be Assigned	\$398.89	To Be Assigned	06-11002	Parcel Map 2004-14
To Be Assigned	\$398.89	To Be Assigned	06-11003	Parcel Map 2004-14
To Be Assigned	\$398.89	To Be Assigned	06-11004	Parcel Map 2004-14

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-11
PARCEL MAP 2004-14
Fiscal Year 2007-08

General Description

This Assessment District (District) is located on the west side of Encina Street 800 feet north of Houston Avenue. Exhibit "A" is a map of Assessment District 06-11. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, pavement on local streets and any other applicable equipment or improvements. The maintenance of irrigation systems includes, but is not limited to, maintaining the structural and operational integrity of the systems and repairing any acts of vandalism (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 4.

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 maintenance of the landscape areas and street lights is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments 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. All lots in the District benefit equally, including lots not adjacent to landscape areas and street lights. The lots not adjacent to landscape areas and street lights benefit by the uniform maintenance and overall appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets.

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 06-11
PARCEL MAP 2004-14
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>
Turf Area	Sq. Ft.	935	\$0.199	\$186.07
Shrub Area	Sq. Ft.	935	\$0.199	\$186.07
Water	Sq. Ft.	1870	\$0.050	\$93.50
Electricity	Sq. Ft.	1870	\$0.008	\$14.96
Trees In Landscape Lots	Each	7	\$25.00	\$175.00
Street Lights	Each	2	\$105.00	\$210.00
Chip Seal (15 year cycle)	Sq. Ft.	6045	\$0.190	\$76.57
Crack Seal (8 year cycle)	Sq. Ft.	6045	\$0.02933	\$22.16
Reclamite (6 year cycle)	Sq. Ft.	6045	\$0.0211110	\$21.27
Overlays (10 year cycle)	Sq. Ft.	6045	\$0.65	\$392.93
Project Management Costs	Lots	4	\$18.00	\$72.00
TOTAL				\$1,450.52
10% Reserve Fund				\$145.05
GRAND TOTAL				\$1,595.57
COST PER LOT				\$398.89

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:

$$A_{max} \text{ for any given year "n"} = (\$1,595.57) (1.05)^{(n-1)}$$

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

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 06-11
PARCEL MAP 2004-14
Fiscal Year 2007-08

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 \$1,739.17 [a 9% increase over the base year estimated cost of \$1,595.57]. The maximum annual assessment for year four is \$1,847.07 [$A_{\max} = (\$1,595.57) (1.05)$ (4-1)]. The assessment will be set at \$1,739.17 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 \$1,802.99 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$1,595.57]. 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 \$43.11 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 \$1,847.07 [$A_{\max} = (\$1,595.57) (1.05)$ (4-1)]. The year four assessment will be set at \$2,154.22 plus the deficit amount of \$36.06 which equals \$2,190.28 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$1,739.17 [a 9% increase over the base year assessment of \$1,595.57] and damage occurred to the masonry wall raising the year five expenses to \$1,946.60 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$1,913.09 (a 10% increase over the previous year) and below the maximum annual assessment of \$1,939.43 [$A_{\max} = (\$1,595.57) (1.05)$ (5-1)]. The difference of \$33.51 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: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (3)

Agenda Item Wording: Authorization to record the final map for Parcel Map No. 2006-06, located on the north side of Mineral King Avenue between Chinowth Street and Bollinger Street.

APN: 085-080-033

Deadline for Action: December 18, 2006

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

The recommendation is that City Council approve the recordation of the final map for Parcel Map No. 2006-06 containing 6 commercial lots. The developer for this parcel map is Mineral King Office Partner, LLC. Development Impact Fees are deferred until the building permit process. The improvements are mainly private improvements except for a storm drain line that needs to be installed on Mineral King Avenue for the drainage of this development and a drive approach to the development off of Mineral King Avenue. This property will not be annexed into a Landscape and Lighting District. All public street improvements exist and there is no Landscape and Lighting District for this area.

All bonds, subdivision map 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 \$ 80,257.64 and Labor and Material bond in the amount of \$ 40,128.82; and 3) 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 plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):__1__

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Prior Council/Board Actions:

Committee/Commission Review and Actions: The tentative Parcel Map for Parcel Map No. 2006-06 was approved by Planning Commission on April 24, 2006 with the expiration date of April 24, 2008.

Alternatives: N/A

Attachments: Location sketch, subdivision map and Ownership Disclosure Form.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to authorize recordation of the final map of Parcel Map No. 2006-06.

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior: Environmental finding completed for tentative
subdivision map.
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)*

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (4)

Agenda Item Wording: Authorization to record the final parcel map for Tentative Parcel Map 2006-12, located at the northwest corner Cypress Ave and Akers Street. APN 087-450-007, 008

Deadline for Action: N/A

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713-4340
Ken McSheehy 713-4447

Department Recommendation: The recommendation is that the City Council approve the recordation of the final parcel map of Tentative Parcel Map 2006-12. The final parcel map is dividing 2 parcels totaling 3.53 acres into 5 parcels. All parcels share a common access. There are no public improvements required with this map.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: Tentative Parcel Map 2006-12 was approved by the Planning Commission on June 26, 2006.

Alternatives: N/A

Attachments: 1) tentative map; 2) location map.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Recommended Motion (and Alternative Motions if expected):

Move to authorize recording of the final parcel map of Tentative Parcel Map 2006-12

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:

EXHIBIT A

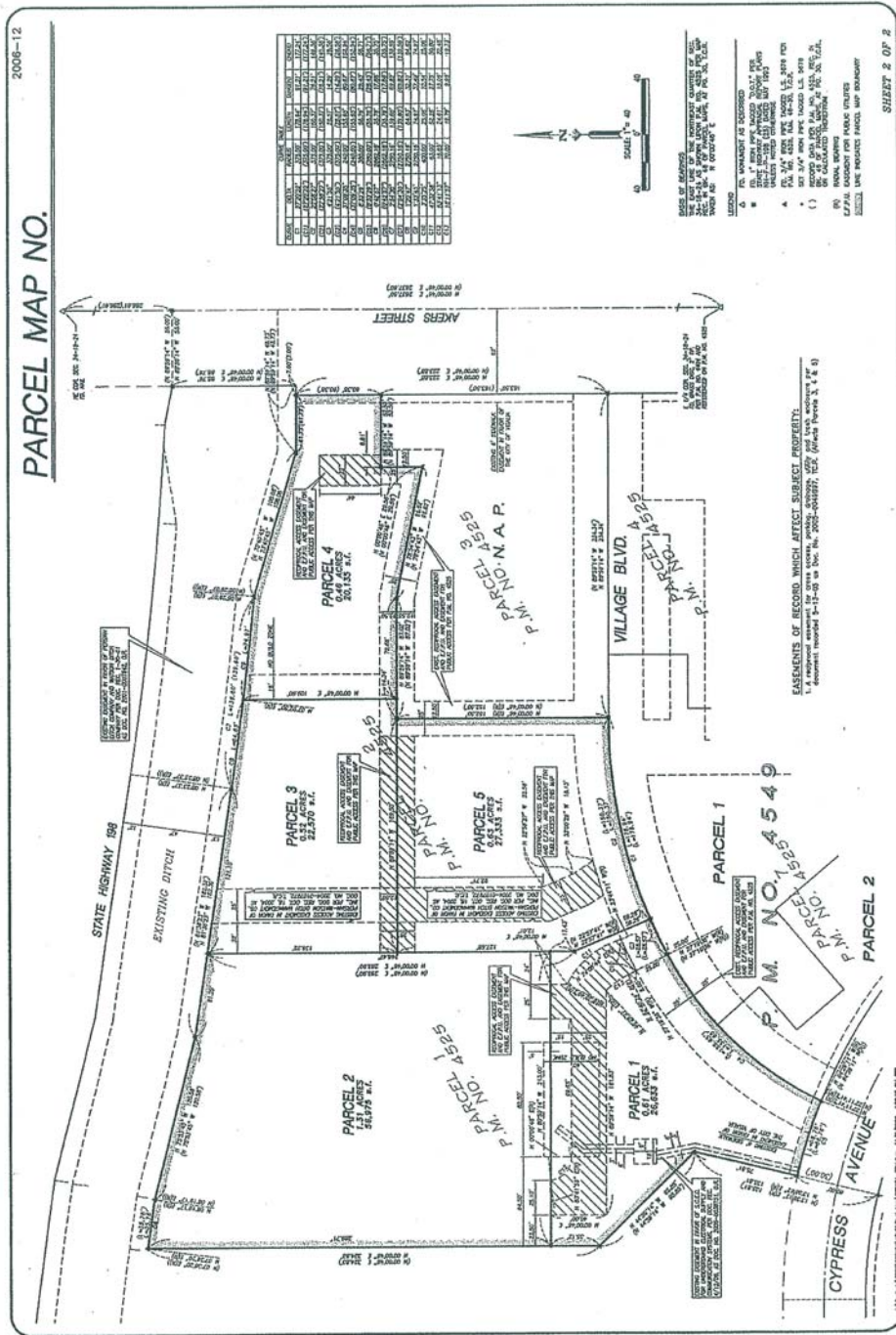
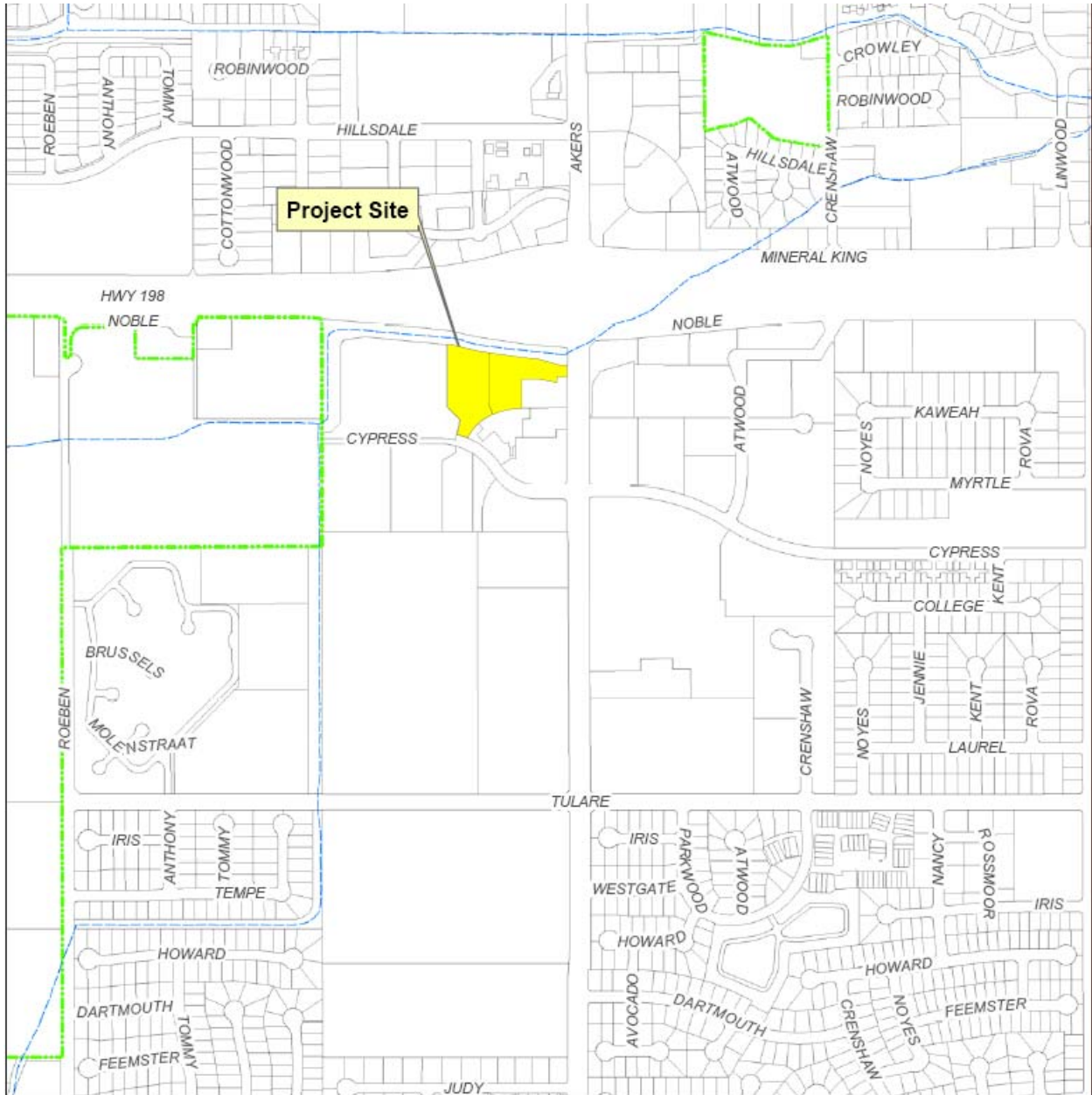


EXHIBIT B



**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (5)

Agenda Item Wording: Authorize the Recordation of the Final Map for Shannon Ranch 2 Unit No. 4, located at the northwest corner of Mooney Boulevard and Shannon Parkway (76 lots).

APN: 091-132-007

Deadline for Action: December 18, 2006

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

Final Map

Staff recommends that City Council authorize the recordation of the final map for Shannon Ranch 2 Unit No. 4 containing 76 single family lots. All bonds, cash payments, agreements and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) An executed reimbursement agreement; 3) Faithful Performance Bond in the amount of \$2,074,927.40 and Labor and Material Bond in the amount of \$1,037,463.70; 4) cash payment of \$206,175.37 distributed to various accounts; and 5) Final Map. This project is being constructed 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 inspection fees. The plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

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 Attorney Review.

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 Mooney Boulevard (Collector). The City will be reimbursing approximately \$339,512.80 to the developer (Centex Homes) by giving a combination of fee credits for Transportation Impact Fees and cash payment.

The City will be also reimbursing to the developer (Centex Homes) approximately \$357,298 for installing storm water master plan line and approximately \$130,380 for installing sanitary sewer master plan line.

Landscape & Lighting

Shannon Ranch 2 Unit No. 4 Subdivision was annexed into the Landscape and Lighting District No. 06-02 by City Council on February 21, 2006.

Prior Council/Board Actions: On February 21, 2006 the City Council approved Landscape and Lighting District 06-02.

Committee/Commission Review and Actions: The tentative subdivision map for Shannon Ranch 2 Unit No. 4 was approved by the Planning Commission on September 13, 2004. The tentative map will expire on September 13, 2006.

On March 27, 2006 the Planning Commission approved a one year extension, expiring on September 13, 2007.

Alternatives: N/A

Attachments: Location map, Owners Disclosure Form and Subdivision Map

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):
“I move to authorize the recordation of the Final Map for Shannon Ranch 2 Unit No. 4.”

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)*

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8d (6)

Agenda Item Wording: Authorize the Recordation of the Final Map for American Industrial West, located along Goshen Avenue (46 lots) and the Formation of Landscape and Lighting District No. 06-10, American Industrial West (Resolution Nos. 06-10 required). **Resolution 2006-119 and 2006-120 required.** APN: 073-090-075

Deadline for Action: N/A

Submitting Department: Community Development & Public Works

Contact Name and Phone Number:

Andrew Benelli, 713-4340
Steven Son, 713-4259

Department Recommendation and Summary:

Final Map

Staff recommends that City Council authorize the recordation of the final map for American Industrial West containing 46 parcels. 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 \$730,316.42 and Labor and Material Bond in the amount of \$368,908.21, 3) cash payment of \$462,193.32 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. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance 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.): 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.

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.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 06-119 Initiating Proceedings for Assessment District No. 06-10, American Industrial West; adopt the Engineer's Report as submitted; and adopt Resolution No. 06-120 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.

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 American Industrial West subdivision was approved by the Planning Commission on March 13, 2006. The tentative map will expire on March 13, 2007.

Alternatives: N/A

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

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for American Industrial West and I move to adopt Resolution No. 06-119 Initiating Proceedings for Assessment District No. 06-10 "American Industrial West" and adopt Resolution No. 06-120 Ordering the Improvements for Assessment District No. 06-10 "American Industrial West."

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)*

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

RESOLUTION NO.2006 -119

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 06-10
AMERICAN INDUSTRIAL WEST
(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 pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 06-10, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram Assessment District No. 06-10, City of Visalia, Tulare County, California", which map is on file with the City Clerk and is hereby approved and known as "American Industrial West".
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. 06-10
AMERICAN INDUSTRIAL WEST
(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. 06-10, City of Visalia, confirmed by the City Council of the City of Visalia on the 4th day of December, 2006 by its Resolution No. 06-119.

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

RESOLUTION NO. 2006-120

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 06-10
AMERICAN INDUSTRIAL WEST
(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. 06-10, 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 parcel of real property within the Assessment District
 - Exhibit B - Tax Roll Assessment
 - Exhibit C - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram Assessment District No. 06-10 City of Visalia, Tulare County, California

PARCEL MAP NO.

OWNER'S STATEMENT

I, the undersigned, being the owner of the parcel described in the above title, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same is in accordance with the facts and circumstances of the property described herein.

OWNER'S STATEMENT

I, the undersigned, being the owner of the parcel described in the above title, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same is in accordance with the facts and circumstances of the property described herein.

ENGINEER'S STATEMENT

I, the undersigned, being a duly licensed Professional Engineer in the State of California, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same is in accordance with the facts and circumstances of the property described herein.

CITY ENGINEER'S STATEMENT

I, the undersigned, being a duly licensed Professional Engineer in the State of California, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same is in accordance with the facts and circumstances of the property described herein.

OWNER'S STATEMENT

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ENGINEER'S STATEMENT

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CITY ENGINEER'S STATEMENT

I, the undersigned, being a duly licensed Professional Engineer in the State of California, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that the same is in accordance with the facts and circumstances of the property described herein.

MAP OF BEARINGS

ALL BEARINGS AND DISTANCES ARE AS SHOWN ON THE ORIGINAL RECORDING OF THE PARCEL MAP AND AS SHOWN ON THE ORIGINAL RECORDING OF THE PARCEL MAP AND AS SHOWN ON THE ORIGINAL RECORDING OF THE PARCEL MAP.

LEGEND

- 1. Parcel boundaries
- 2. Easements
- 3. Right-of-way
- 4. Public utility easements
- 5. Flooded areas
- 6. Right-of-way
- 7. Public utility easements
- 8. Flooded areas
- 9. Right-of-way
- 10. Public utility easements
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- 96. Right-of-way
- 97. Public utility easements
- 98. Flooded areas
- 99. Right-of-way
- 100. Public utility easements

VICINITY MAP

Exhibit "A"

Assessment Diagram Assessment District No. 06-10 City of Visalia, Tulare County, California

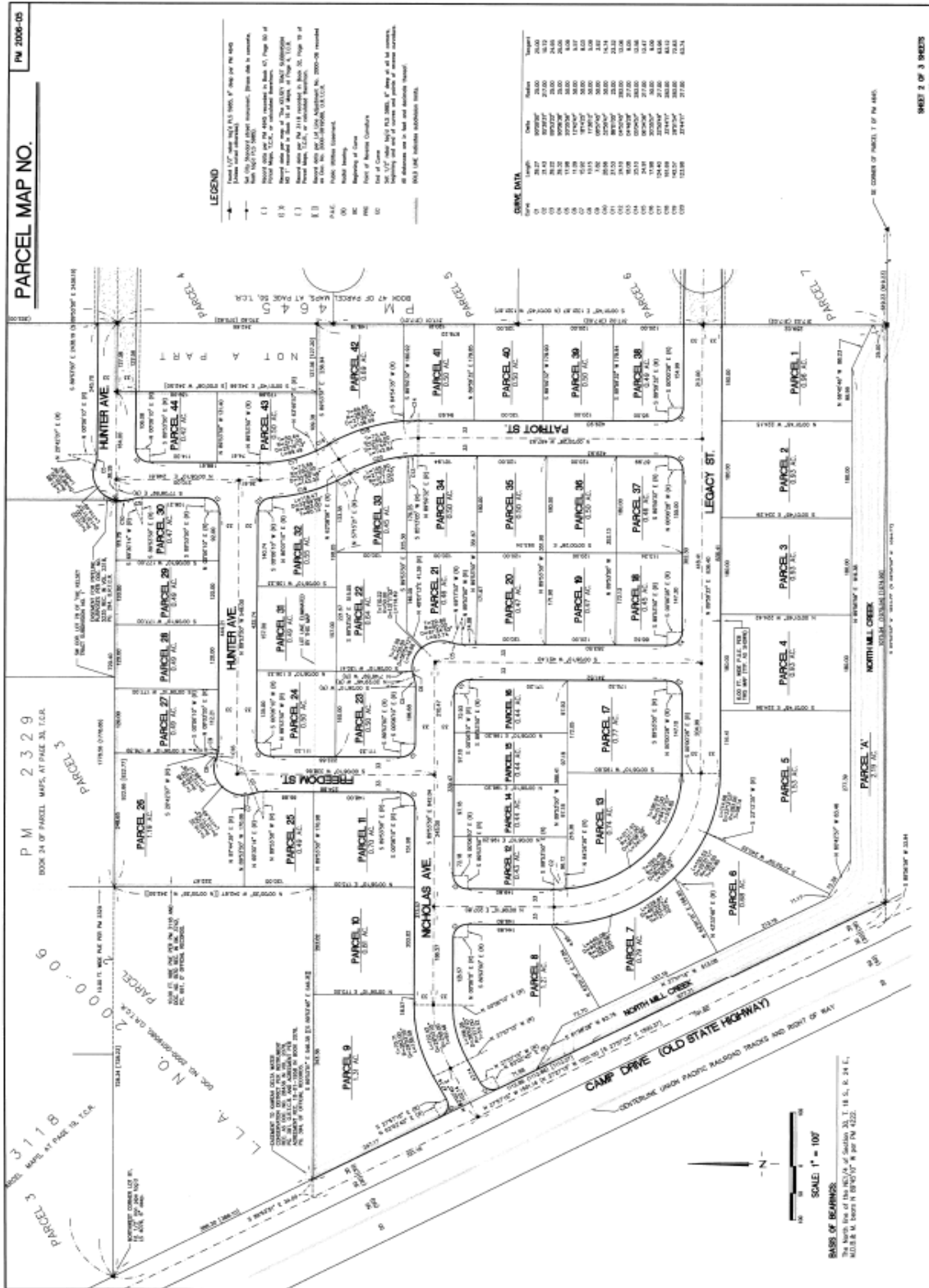


Exhibit "A"

Assessment Diagram Assessment District No. 06-10 City of Visalia, Tulare County, California

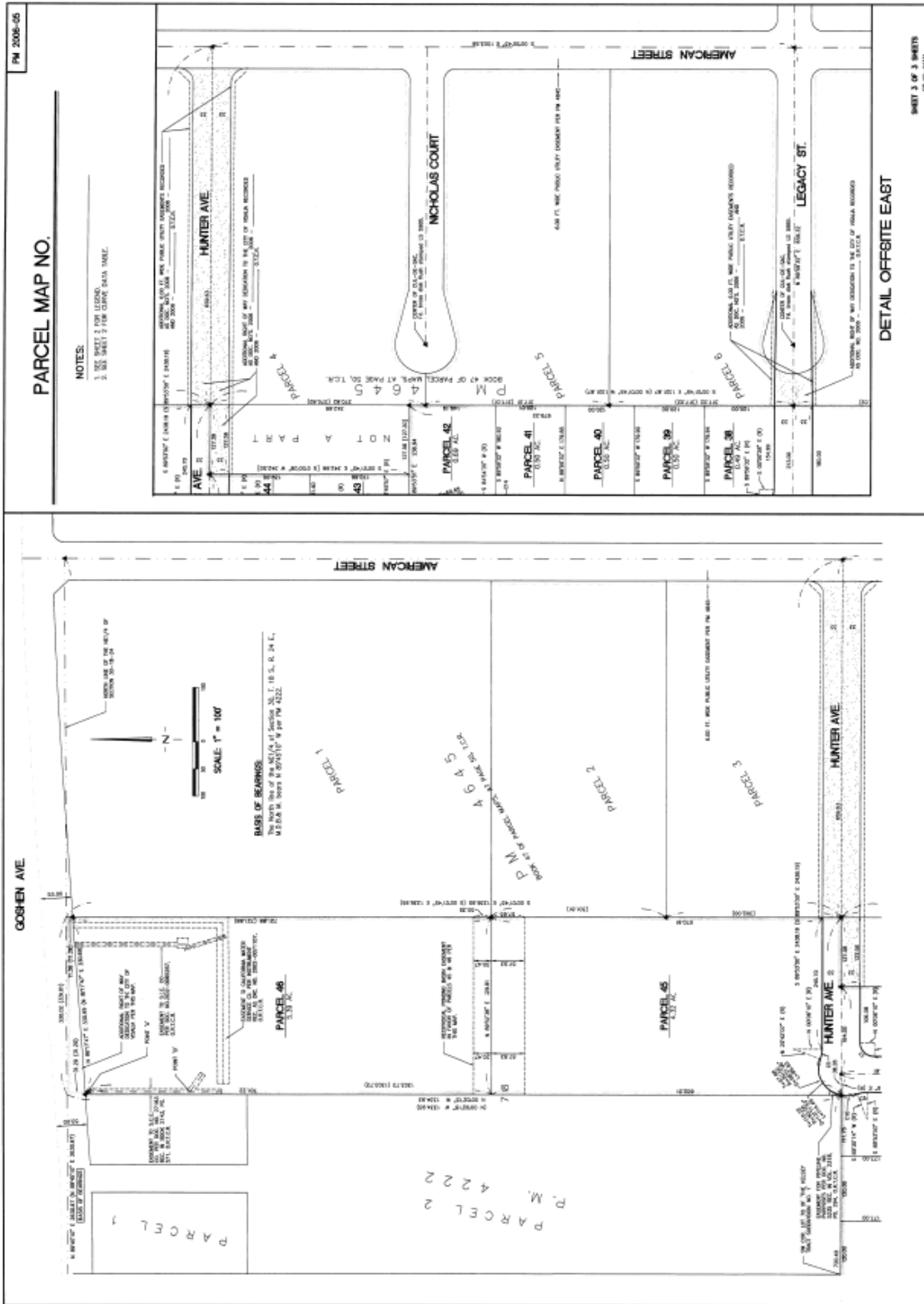


Exhibit "C"

Engineer's Report Landscape & Lighting Assessment District 06-10 American Industrial West Fiscal Year 2006-07

General Description

This Assessment District (District) is located along Goshen Avenue. Exhibit "A" is a map of Assessment District 06-10. This District includes the maintenance of street lights and all internal local City streets by means including, but not limited to overlays, chip seals/crack seals and reclaimer (oiling).

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 wall provides security, aesthetics, and sound suppression. The maintenance of the landscaping, lighting, and wall is vital for the protection of both economic and humanistic values of the development. The City Council has determined that in order to preserve the values incorporated within developments and to concurrently have an adequate funding source for maintenance of all internal local streets within the subdivision the landscaping, lighting, 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. All lots in the District benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall, and lights benefit by the uniform maintenance and appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets.

Estimated Costs

The District includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The District also includes the regular preventive maintenance of all internal local streets. Chip Seal is anticipated to be maintained on a 15 year cycle; Overlays on a 10 year cycle; Crack Seal on an 8 year cycle and Reclaimer on a 6 year cycle. The total number lots within the district are 46.

Exhibit "C"

Engineer's Report
Landscape & Lighting Assessment District 06-10
American Industrial West
Fiscal Year 2006-07

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Street Lights	Each	23	\$105.00	\$2,415.00
Chip Seal (15 year cycle)	Sq. Ft.	263227	\$0.19	\$3,334.21
Crack Seal (8 year cycle)	Sq. Ft.	263227	\$0.03	\$965.15
Reclamite (6 year cycle)	Sq. Ft.	263227	\$0.02	\$926.16
Overlays (10 year cycle)	Sq. Ft.	263227	\$0.65	\$17,109.76
Project Management Costs	Lots	46	\$18.00	\$828.00
Basin Maintenance	Per 1,000 Sq. Ft.	47150	\$0.10	\$4,715.00
TOTAL				\$30,293.28
10% Reserve Fund				\$3,029.33
GRAND TOTAL				\$33,322.61

Annual Cost Increase

This assessment district shall be subject to an automatic annual increase derived by the following formula:

$$\text{year "n" assessment} = (\$33,322.61) (1.05)^{(n-1)}$$

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

However, in no case shall the assessment be greater than 1) The actual cost of providing the benefit conferred to each parcel plus any prior years' deficit and less any carryover, as determined annually or; 2) a 10% increase over the prior year's assessment.

Exhibit "C"

Engineer's Report
Landscape & Lighting Assessment District 06-10
American Industrial West
Fiscal Year 2006-07

The reserve fund shall be replenished as necessary to maintain a level of 10% of the estimated maintenance cost so long as the annual assessment change does not exceed the limits identified above.

Example 1. The year four estimated costs are \$36,321.64 [a 9% increase over the base year assessment of \$33,322.61]. The ceiling on the assessment increase for year 4 would be \$38,575.09 [ceiling = $(\$33,322.61) (1.05)^{(4-1)}$]. The assessment would be set at \$36,321.64 or the actual cost of providing the maintenance effort.

Example 2. The year four assessment is estimated at the actual cost of providing the maintenance effort of \$37,654.55 [a 7% increase over the previous year assessment and a 13.3% increase over the base year assessment]. The ceiling on the assessment increase for year 4 would be \$38,575.09 [ceiling = $(\$33,322.61) (1.05)^{(4-1)}$]. The assessment would be set at \$37,654.55 or the actual cost of providing the maintenance effort because it is less than the ceiling amount and the year-to-year increase is less than the 10% cap on increases in any given year.

Example 3. The year four assessment is \$36,321.64 [a 9% increase over the base year assessment of \$33,322.61] and damage occurred to the masonry wall raising the year five assessment to \$40,653.58 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$39,953.81, a 10% increase over the previous year and under the ceiling of \$40,503.84 [ceiling = $(\$33,322.61) (1.05)^{(5-1)}$]. The difference of \$ 699.77 will be recognized as a deficit and carried over into future years' assessment.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8e (1)

Agenda Item Wording: Request authorization to file a Notice of Completion for Foxwood Estates Unit No. 5, containing 47 lots, located south of Ferguson Avenue and east of Roeben Street.

Deadline for Action: December 4, 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 Foxwood Residential Investors, LLC. Foxwood Residential Investors, LLC submitted a maintenance bond in the amount of \$61,673.19 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 2, 2005.

Committee/Commission Review and Actions: The tentative subdivision map for Foxwood Estates Unit No. 5 was approved by Planning Commission on July 26, 2004.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1 Min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Foxwood Estates Unit No. 5.

Environmental Assessment Status

CEQA Review: Environmental finding completed for tentative subdivision map.

NEPA Review:

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

Copies of this report have been provided to:

RECORDING REQUESTED BY

&

RETURN TO:

City of Visalia
Attn: Engineering
315 E. Acequia Avenue
Visalia, CA 93291

**SUBDIVISION
NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN by the City of Visalia, Owner, 315 E. Acequia Avenue, Visalia, California, 93291, a municipal Corporation of the State of California, that the work on:

FOXWOOD ESTATES UNIT NO. 5

under the contract entered into with Foxwood Residential Investors LLC., dated May 4th 2005, as a whole was actually completed on November 15, 2006.

David T. Jacobs, Assistant Director of Public Works, of the City of Visalia, being first sworn, deposes and says that he is the duly appointed, qualified and acting City Engineer of the City of Visalia; that he has read said notice of completion and knows the contents thereof, and that the same is true of his own knowledge; that he makes this affidavit for and on behalf of the City of Visalia.

_____ Date

State of California
County of Tulare

CITY OF VISALIA

BY _____
David T. Jacobs, PE, PLS
Assistant Director of Public Works

Subscribed and sworn to (or affirmed) before me on this _____ day of _____,

20_____, by David T. Jacobs, PE, PLS, personally known to me on the basis of satisfactory evidence to be the person who appeared before me.

_____ Date

_____ Notary Signature

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 04, 2006

Agenda Item Number (Assigned by City Clerk): 8e (2)

Agenda Item Wording: Request authorization to file a Notice of Completion for Parcel Map 2004-06, located at the west end of Nicholas Court, Approximately 800 feet west of Plaza Drive. APN: 081-130-15

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

Patrick Barszcz – 713-4241
Andrew Benelli – 713-4340

Department Recommendation:

The recommendation is that City Council give authorization to file a Notice of Completion as all the necessary improvements for this Parcel Map have been completed and are ready for acceptance by the City of Visalia. The Parcel Map was developed by Nicholas-Plaza Industrial Park, LLC. They have submitted a 10 % maintenance bond in the amount of \$ 94,620.05 to the City of Visalia to guarantee the improvements against defects for one year.

Summary/background: N/A

Prior Council/Board Actions:

Final Map recording was approved at Council meeting of July 11, 2005.

Committee/Commission Review and Actions: The tentative Parcel Map 2004-06 was approved by Planning Commission on May 10, 2004.

Alternatives: N/A

Attachments: Developers Disclosure, Location sketch and vicinity map.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1 Min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Parcel Map _____.

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: December 4, 2006

Agenda Item Number (Assigned by City Clerk): 8e (3)

Agenda Item Wording: Request authorization to file a Notice of Completion for Project #1221-00000-720000-0-9430-2006, the Ranch Basin Lift Station, located at Linwood and Houston. (Cost \$304,220.42)

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713 4340
Peter Spiro 713 4256

Department Recommendation: Staff recommends that authorization be given to file a Notice of Completion for Project #1221-00000-720000-0-9430-2006, the Ranch Basin Lift Station, located at Linwood and Houston.

Summary/background: This project involved construction of a pump station to drain water out of the existing storm basin at Houston and Linwood. The water is pumped into a trunk line in Goshen Avenue that flows to a large terminal basin on the southeast corner of Goshen Avenue and Camp Drive. The project included the pump, a headwall, a wet-well, and boring a pipeline under the railroad tracks. In addition, the contract included the installation of a decorative wrought iron fence along the Goshen Avenue frontage.

All of the work has been completed on this project by American, Incorporated at a final cost of \$304,220.42. The contract amount for this job was \$297,701. The additional \$6,519.42 (+2.2%) was due to five change orders. The change orders were:

- 1) Increase the size of the pipe under the railroad tracks from 14-inch to 16-inch (\$855.85). Engineering staff determined in the field that a 16-inch inside diameter pipe would fit in the 24-inch steel casing. The larger pipe increased the capacity by approximately thirty percent.
- 2) Installation of a concrete pad for the electrical transformer (\$2,400). Edison needed a pad to mount a transformer. The plans anticipated a pole mounted transformer. However, Edison indicated the transformer could not be pole mounted.
- 3) Installation of a steel cover over the wet-well (\$2,500). The cover was installed instead of a plywood cover for safety concerns.

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 Attorney Review.

- 4) Installation of a water level staff gauge (\$1,815). The gauge was needed to monitor and record the water level in the basin.
- 5) Reduction in the amount of electrical conduit from 235 feet to 130 feet (-\$1,648.50). Edison installed a new power pole and less conduit than planned was needed.

Some additional funds have been spent on this project outside of the contract with American Incorporated. Southern California Edison installed the power transformer (480v/3-phase) and a new power pole at the price of \$17,300, and a contractor installed a control panel for the lift station at the price of \$7,450. The chain link fence alongside the Houston Avenue frontage was partially damaged during the excavation work and was repaired for the amount of \$900.

The total amount allocated in the 2006 / 2007 Budget for the basin improvements was \$367,700. The funds were to be used for the lift station construction and for landscaping. The total spent on the improvements so far is \$329,870. Landscaping and irrigation plans are currently being prepared. Staff intends to request bids and award a contract within the next six months. The landscaping that is planned will be primarily on the Houston and Goshen frontages. Additional funds will need to be allocated when the landscaping contract is awarded.

In addition to the completion of the lift station, the basin has been excavated to the ultimate capacity. The excavation work was done by Delvalle Homes at no cost to the City in exchange for the construction fill material. This basin is now fully developed and has the capacity to retain in excess of a ten year storm event, which meets the City requirements.

Prior Council/Board Actions: Award of contract on July 24th, 2005.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: Exhibit #1 – Project location, Exhibit #2 – Disclosure Form for Firms and Contractors

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I hereby move to authorize filing a Notice of Completion for Project #1221-00000-720000-0-9430-2006 the lift station for the Ranch Basin Project, located at Linwood and Houston. (Cost \$304,220.42)

Financial Impact

Funding Source:

Account Number: Project #1221-00000-720000-0-9430-2006

Budget Recap:

Total Estimated cost: \$304,220.42.	New Revenue: \$
Amount Budgeted: \$367,701.34	Lost Revenue: \$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes _____ No <u>X</u>	

Environmental Assessment Status

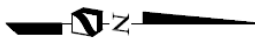
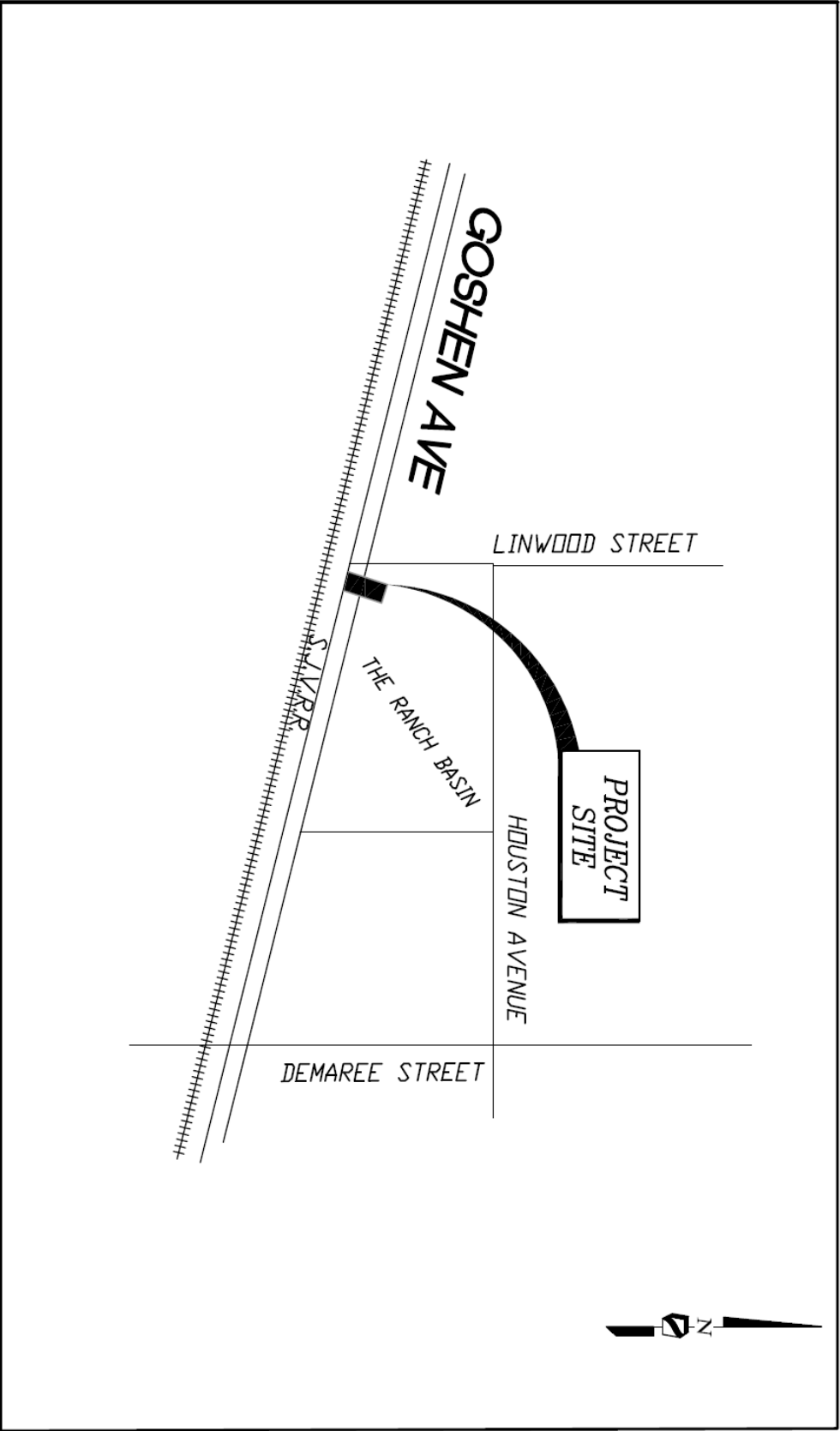
CEQA Review:

Required? No
Review and Action: Prior:

NEPA Review:

Required? No
Review and Action: Prior:
Require:

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



VICINITY MAP
NO SCALE

Item 9
Continued - PUBLIC HEARING
Transportation Impact Fees
Continued to the next Council
Meeting on Monday, December 18,
2006

Motion Required