

Visalia City Council Agenda



For the regular meeting of: Monday, April 18, 2005

Location: City Hall Council Chambers

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

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

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

1. Discussion of policies and statutes related to Medicinal Marijuana and the Compassionate Use Act of 1996 presented by City Attorney Dan Dooley and Deputy City Attorney Kris B. Pedersen.
2. Discussion of Air Service Development efforts for the Visalia Airport and a request for the appropriation of \$5,000 from the General Fund as non-airport, matching funds for a potential grant from the Federal Department of Transportation.
3. Review of City's Request for Proposals for the Storm Water Master Plan Update.

**Any items not completed by 6:00 p.m. will be continued to the evening session after Item 10.*

ITEMS OF INTEREST

CLOSED SESSION

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

4. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
5. Conference with Real Property Negotiators
Property: 2.4 acres a part of APN# 098-220-049 for the purpose of riparian setback on the St. Johns River
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, Robert Bricker

6. Conference with Real Property Negotiators

Property: for that 1.26-acre parcel owned by the Tulare County Farm Bureau located along the south side of Goshen Avenue between Burke Street and Ben Maddox Way, APN: 094-180-002

Under Negotiation: to provide direction to Real Property Negotiator with regards to price, terms and conditions for development of a potential purchase and sale agreement

Negotiators: Steve Salomon, City Manager, Michael Olmos, Community Development Director, Bob Nance, Economic & Redevelopment Manager and the Tulare County Farm Bureau

7. Conference with Real Property Negotiators

Property: two parcels located at 300 and 320 N. Tipton

Under Negotiation: Price, terms, conditions for development of a potential purchase and sale agreement

Negotiators: Steve Salomon, Michael Olmos, Bob Nance, Colby Wells, Southern California Gas

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

Special recognition of Mrs. Betty Anthony.

Presentation of donation to Park & Recreation Foundation for the Leathers Playground at the new Sports Park by Todd Carpenter.

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

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

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) City Council approval of resolutions relating to the regular municipal election to be held on Tuesday, November 8, 2005. Approval of **Resolution No. 2005-54** requesting and consenting to consolidation of elections and setting specifications of the election order; Approval of **Resolution No. 2005-55** requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specific services to the City of Visalia.
 - c) Review of proposed amendment to contract with Bruce Race, RACESTUDIO, Urban Design, of Berkeley, California in the amount of \$131,600 for professional services related to the development of the Civic Center Master Plan.
 - d) Authorization for the City Manager to execute a renewed professional services agreement with Jefferson Government Relations (Washington, D.C.) in the amount of \$60,000 annually for continuing legislative advocacy services through March, 2006.
 - e) Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for the lease of the building at 720 W. Mineral King for \$825 per month, on a month-to-month contract, not to exceed 1 year.
 - f) Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for management of the Tourism Bureau from April 1, 2005 through June 30, 2005 for \$31,300.
 - g) Approval of a two-year contract between the City of Visalia and Downtown Visalians for security services at the Acequia Parking Structure for \$4,588/month, cleaning services at the structure for \$400/month, and periodic cleaning of the Garden Street Plaza at a rate of \$195 per cleaning.
 - h) Approval of the Civic Center Masterplan Task Force Committee members.
 - i) Request authorization for the City Manager to execute an agreement between Tulare County and the City of Visalia to share the cost of design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue to facilitate the opening of Woodland Street at Mineral King Avenue. **Resolution 2005-56 required.**
 - j) Request authorization to file a Notice of Completion for the following:
 - 1. Marviola Estates, containing 5 lots, located in the northwest corner of Hurley Avenue and Teddy Street.
 - 2. East Oak Estates #2, containing 37 lots, located south of Houston Avenue at the south end of Comstock Street.

- k) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation of* the final map(s) related thereto (if applicable):
1. Authorize the Recordation of the Final Map for Maddox @ Caldwell 5, Phase 4, located West of Ben Maddox Way and north of Monte Verde Avenue (16 lots) and the Formation of Landscape and Lighting District No. 05-10, Maddox @ Caldwell 5 ; **Resolution 2005-57 and 2005-58 required**; APN: 126-120-036, 049 & 058.
 9. PROTEST HEARING - regarding formation of "Open Space District No. 87, Four Creeks Estates II". If less than 50% of property owners protest, adopt a resolution forming the Open Space District. **Resolution No. 2005-59 required.**
 10. REGULAR ITEM - Request authorization to enter into contract with Deventec, Inc. for the installation of a photovoltaic energy generation system mounted on a parking shade structure at the Visalia Airport for a cost of one hundred seventy five thousand and five hundred dollars (\$175,500) after California Energy Commission rebate of \$84,000. The total cost without the rebate would be \$259,500.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, May 2, 2005

Tuesday, May 3, 2005, (Joint VUSD/City of Visalia Meeting; Dinner for elected officials & senior staff 5 p.m.; Meeting 6-8 p.m., hosted by VUSD location to be determined)

Monday, May 16, 2005

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.

TO: VISALIA CITY COUNCIL

FROM: Daniel M. Dooley, City Attorney
Kris B. Pedersen, Deputy City Attorney

DATE: April 14, 2005

RE: Work Session Item for April 18, 2005
Medicinal Marijuana and the Compassionate Use Act of 1996

This memorandum is being submitted to the City Council for its consideration in this work session. As the members will recall, the Council first considered the regulation of medicinal marijuana on October 4, 2004. There were a number of issues then raised concerning the need to regulate its cultivation, possession, use and distribution within the city limits. Our previous memorandum, attached hereto, is provided for your convenience and to avoid unnecessary repetition of our analysis of the Compassionate Use Act.

The decision of Council at that time was to wait for the determination by the United States Supreme Court of the Ashcroft v. Raich case, a case pending concerning the conflict between federal law and the California's Compassionate Use Act. Unfortunately, the Supreme Court has not yet issued its determination of the issue. The case was accepted for review by the Supreme Court on June 28, 2004. All briefing was completed and oral arguments were heard on November 29, 2004. The only explanation we can surmise from the delay in issuing its opinion is that the members of the court may be divided on the issue.

In the meantime, unless the City implements its own regulations to limit the cultivation, possession, use and distribution of medicinal marijuana, under California law, individuals and "primary care givers" are afforded, in our opinion, too much latitude, which breeds abuse of the intended cultivation, possession, use and distribution limitations imposed by the Compassionate Use Act.

Both the Police and the Community Development departments of the City are left to deal with the plethora of issues, with only the vague guidelines of the Compassionate Use Act to support them. Common to the Police and Community Development department's dealings is the non-profit organization known as Medicinal Marijuana Awareness and Defense of Tulare County ("MMAD"), a California Public Benefit Corporation operating on South Mooney Blvd. in Visalia. MMAD claims its organization has the following three (3) components:

1. Informational service to help patients or potential patients obtain a recommendation (a.k.a. prescription) and to provided those patients with a source to get their medication;

2. Clinical service to assist patients in determining strains of marijuana and dosages for the most effective benefit. The clinical service would also supply patients with the needed medication and would permit self-medication on the premises; and
3. MMAD is creating a co-op where patients or their primary care givers can cultivate marijuana to be used for the patients own medicinal purposes. MMAD is believed to have acquired one-half acres on South Liberty in the City limits to establish this co-op marijuana farm.

Both City departments have been dealing with the variety of complaints coming in concerning everything from the odor coming from the business location, zoning restrictions (or lack thereof) for the business, smoking marijuana in public places, loitering, patrons being under the influence, a burglary of the business, etc. MMAD claims to have over 200 hundred patients “signed up” with them which equates to a large amount of medicinal marijuana growing in and going out of the “business.”

The City of Visalia is not the first, nor will it be the last, to have to deal with the issues presented by the Compassionate Use Act. Implementing an ordinance to regulate the cultivation, possession, use and distribution of medicinal marijuana does not condone the use of marijuana. However, it does recognize that the People of the State of California by passing Proposition 215, and the California Legislature by passing SB 420, have provided for the medical use of marijuana. And with that in mind, the City of Visalia wishes to insure that the adverse impacts from the medical use of marijuana are minimized within its city limits.

Other cities in the Valley have adopted ordinances regulating Medical Marijuana Dispensaries, such as the City of Fresno on October 26, 2004; the City of Clovis on December 6, 2004; the City of Fowler on December 7, 2004; and the City of Selma on March 7, 2005. Beyond those boundaries, the City of Jackson imposed operational and zoning restrictions on Medical Cannabis Dispensaries on May 24, 2004, as did the City of Roseville. The City of Elk Grove established Medical Cannabis Dispensaries as a conditional permitted use on April 7, 2004.

The first step is to adopt an emergency/urgency ordinance for the regulation of the dispensaries within the city. Without a city ordinance in place, medical marijuana dispensaries could operate within the City without restriction.

The second step is to adopt a permanent ordinance regulating the cultivation, possession, use and distribution of medicinal marijuana. The permanent ordinance would be more expansive and provide the needed restrictions on the activities otherwise made legal by the Compassionate Use Act of 1996.

RECOMMENDATION

It is our recommendation that the City pass an emergency/urgency ordinance to regulate the distribution of medicinal marijuana through dispensaries. It is further our recommendation that the City adopt a permanent ordinance pertaining to the cultivation, possession, use and distribution of medicinal marijuana within the City's limits.

Request is hereby made that Council authorize the City Attorney's Office to prepare and submit an emergency/urgency ordinance to limit/regulate marijuana dispensaries and direct the City staff and City Attorney's Office to consider, study, and draft a permanent ordinance for Council's consideration that would regulate the cultivation, possession, use and distribution of medicinal marijuana within the City's limits.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Discussion of Air Service Development Efforts for the Visalia Airport.

Deadline for Action: April 18, 2005

Submitting Department: Administrative Services - Airport

Contact Name and Phone Number:

Mario Cifuentez 713-4480

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 30

Department Recommendation and Summary:

Executive Summary:

The purpose of this work session is to present Council with an update of the proposed service by Scenic Airlines and an overview of the goal of the California Airports Coalition (CAAC) to acquire regional air service for the smaller markets in California. Specifically, Staff recommends that Council:

- 1) Direct staff to pursue a joint grant to provide regional air service for smaller California markets; and,
- 2) If successful, set-aside \$5,000 from the General Fund as non-airport, matching funds for a potential grant from the FAA.

Background:

On April 8, 2005, the City of Visalia, with the prior approval of Council, submitted a comment letter to the Department of Transportation (DOT) supporting the proposal submitted by Scenic Airlines and asking the DOT to select Scenic Airlines as the Essential Air Service provider for the Visalia Municipal Airport.

Scenic Airlines has proposed to provide ten (10) round trips per week from Visalia to the North Las Vegas Airport. Scenic maintains a new Terminal facility at the North Las Vegas airport and offers free shuttle service to all area hotels. Additionally, Scenic offers free transfer shuttles to the Las Vegas International Airport for those travelers seeking to take advantage of the numerous destinations out of Las Vegas.

Scenic Airlines began business as a tour operator and still operates several tours per day to the Grand Canyon, Hoover Dam and other locations throughout Nevada. The air service provided

to Visalia will also present great opportunities for the local tourism community to tie into the diverse group of people that visit Las Vegas.

In addition to the new service to be offered to Las Vegas, staff has been working with other airports in the state in an effort to develop regional air service throughout the state. Fifteen (15) airports have collaborated and are moving forward with efforts to further broad program to address air service needs in smaller underserved communities throughout California.

As part of their efforts, the California Airports Coalition (CAAC) is applying for approximately \$300,000 in Small Community Grant Funding in this year to perform a market and feasibility study for many airports in the state. Under the funding program, one entity has to be the legal sponsor for the grant agreement. Barry Rondinella, Airport Director for the Stockton Airport is the current unofficial leader of the CAAC and as such, the San Joaquin Council of Governments has agreed to be the legal sponsor for this first phase of the program.

This grant application is unique for several reasons. First, it addresses intrastate as well as interstate air service problems that are distinct to California. Second, the genesis for the plan was the CAAC, 15 airports serving smaller communities throughout the state. Last, the approach is "big picture". The plan is to create a small, successful air service system within the state that can, in the future, expand to include additional small underserved communities within California. This creative first step has the potential to grow into a program with far reaching benefits for California.

The CAAC has hired Mike Boggs, of Mead & Hunt, a well-known Air Service Development consultant, to prepare this years application for grant funding at a cost of \$2,000 per community. The funding to pay the consultant was paid out of the Airport Enterprise Fund. Additionally, the consultant has requested that each partner secure \$5,000 in required local non-airport matching funds to serve as the required match for the Small Community Air Service Development Program (SCASDP). As a part of this work session, staff is also asking Council to appropriate \$5,000 out of the City's General Fund to serve as the required local match for the grant.

Prior Council/Board Actions:

June 16, 2003 - Council adopted Resolution 2003-79 authorized staff to submit an application for the Small Community Air Service Development Grant.

April 4, 2005 – Council authorized the formal recognition of the Air Service Sub-committee and authorized the committee to submit comments to the DOT conveying the Community's position on the proposals for air service.

Committee/Commission Review and Actions:

The Airport Advisory Committee recommends that the City Council accept the Scenic Airlines proposal and begin negotiating with the carrier for new service.

Alternatives:

Attachments: Draft SCASDP Application

City Manager Recommendation:

This document last revised: 04/13/2005 2:33 PM

By author: ewfros

File location and name: H:\(1) AGENDAS for Council\041805\Item 2 Air Service Development.doc

Recommended Motion (and Alternative Motions if expected):

Move to authorize the use of \$5,000 from the City's General Fund to serve as the local match for the Small Community Air Service Development Program funding the California Coalition of Airports' Feasibility Study.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$5,000	New Revenue:	\$
Amount Budgeted: \$-0-	Lost Revenue:	\$
New funding required:\$5,000	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:

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Review of City's Request for Proposals for the Storm Sewer Master Plan Update.

Deadline for Action:

Submitting Department: Community Development
and Public Works

Contact Name and Phone Number: David Jacobs 713-4492

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 30

Department Recommendation and Summary:

Staff recommends that the City Council authorize the purchasing Department to request proposals from qualified firms to update the Storm Sewer Master Plan.

The last Storm Sewer Master plan was completed by Boyle Engineering Corporation in September 1994. The 1994 Master Plan brought the Storm Sewer Master Plan (SSMP) into compliance with the 1991 Land Use Element (LUE). The SSMP studied the drainage system of the City out to the year 2020. The plan proposed ponding basins, park ponds, trunk lines, and direct discharges into creek and irrigation channels. As land has developed within the City since the adoption of the SSMP, changes were made to SSMP (location of ponds, deletion of direct discharges, type of ponds, ect.) to better serve the City and to address changes in the laws in regards to storm water discharge.

With the changes that have occurred over the last 11 years there is a need to update the SSMP. The update will need to address the growth of the city, the locations of the existing ponding basins, new National Pollution Discharge Elimination System (NPDES) laws, groundwater recharge, and a fee system to accomplish the recommendations. The request for proposals also includes the following:

- Review of existing SSMP
- Existing system analysis and recommendations for system improvements
- Strategies and recommendations for incorporating parks and recreation facilities into storm water facilities.
- CIP financing of proposed improvements
- Groundwater recharge
- Storm Sewer management system
- California Environmental Quality Act (CEQA) documentation

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Draft request for proposals

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to authorize the Purchasing Department to send out the RFP for the Storm Sewer Master Plan update.

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 X No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: City Council approval of resolutions relating to the regular municipal election to be held on Tuesday, November 8, 2005. Approval of Resolution No. 2005-54 requesting and consenting to consolidation of elections and setting specifications of the election order; Approval of Resolution No. 2005-55 requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specific services to the City of Visalia

Deadline for Action: June 6, 2005

Submitting Department: Administration

Contact Name and Phone Number:
Roxanne Yoder 713-4512

Recommendation:

It is recommended that the Visalia City Council approve and adopt these resolutions to consolidate the regular municipal election to be held Tuesday, November 8, 2005 with other elections to be held in and administered by the County of Tulare on that date.

Summary:

For many years the City of Visalia has consolidated its municipal elections with other elections conducted by the County of Tulare. The Tulare County Office of the Registrar of Voters, under the direction of Hiley Wallis, Election Division Manager, Kim Shannon, Election Supervisor, Ann Turner, Election Clerk II, Jim Price, Election Technician, Irene Zacarias, Election Clerk II, and Devonna Mallouf, Elections Clerk II, have done an efficient and effective job for the City of Visalia in previous elections. The consolidation of our election with other elections conducted in the County of Tulare has resulted in tremendous cost savings for the City. In recent years, the County of Tulare has implemented automated voting equipment and processes which have increased the timeliness and accuracy of the elections process.

Prior Council/Board Actions: Adoption of these resolutions and consolidation of the upcoming elections will be consistent with past practice of the Visalia City Council.

Committee/Commission Review and Actions: N/A

Alternatives: N/A

Attachments: See attached Resolution Nos. 2005-54 and 2005-55

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 3

Recommended Motion (and Alternative Motions if expected):

Approve Resolution No. 2005-54 requesting and consenting to consolidation of elections and setting specifications of the election order; and Approve Resolution No. 2005-55 requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specified services to the City of Visalia.

City Manager Recommendation:

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

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:

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. 2005-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA REQUESTING AND
CONSENTING TO CONSOLIDATION OF ELECTIONS; AND SETTING SPECIFICATIONS OF
THE ELECTION ORDER

WHEREAS, the City Council has ordered a Municipal Election to be held on Tuesday, November 8, 2005, to fill certain municipal offices; and

WHEREAS, other elections may be held in whole or in part of the territory of the City and it is to the advantage of the City to consolidate pursuant to Elections Code Section 10400; and

WHEREAS, Elections Code Section 10242 provides that the governing body shall determine the hours of opening and closing the polls; and

WHEREAS, Elections Code Section 10002 requires the City to reimburse the County in full for the services performed upon presentation of a bill to the City by the County Elections Official; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and

WHEREAS, Elections Code Section 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City;

NOW, THEREFORE, IT IS HEREBY ORDERED that an election be held in accordance with the following specifications:

1. The Election shall be held on Tuesday, the 8th day of November, 2005. The purpose of the election is to choose successors for the following offices:

Three seats for the:

Visalia City Council – Term of Office 11/06/2001 through 12/05/2005;

Visalia City Council – Term of Office 11/06/2001 through 12/05/2005;

Visalia City Council – Term of Office 11/06/2001 through 12/05/2005;

Four seats for the:

Visalia Unified School Governing Board, Area 1; 12/2001 through 12/2005

Visalia Unified School Governing Board, Area 2; 12/2001 through 12/2005

Visalia Unified School Governing Board, Area 3; 12/2001 through 12/2005

Visalia Unified School Governing Board, Area 4; 12/2001 through 12/2005

2. This City Council hereby requests and consents to the consolidation of this Election with other elections which may be held in whole or in part of the territory of the City, as provided in Elections Code 10400.
3. The City hereby designates the hours the polls are to be kept open shall be from 7:00 a.m. to 8:00 p.m.
4. The City will reimburse the County for the actual cost incurred in conducting the Election upon receipt of a bill stating the amount due as determined by the Elections Official.
5. The City Council has determined that the candidate will pay for the Candidate's Statement. The Candidate's Statement will be limited to 200 words.

6. The City requests that the Registrar of Voters publish the Notice of Election in the Visalia Times-Delta which is a newspaper of general circulation that is regularly circulated in the City of Visalia.
7. The City directs that a certified copy of this Resolution be forwarded to the Registrar of Voters and the Board of Supervisors of Tulare County.

PASSED AND ADOPTED: STEVEN M. SALOMON, CITY CLERK

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

I, Steven M. Salomon, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 2005-54 passed and adopted by the Council of the City of Visalia at a regular meeting held on April 18, 2005.

DATED: STEVEN M. SALOMON, CITY CLERK

By Roxanne Yoder, Chief Deputy

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA REQUESTING THE TULARE COUNTY BOARD OF SUPERVISORS PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER SPECIFIC SERVICES TO THE CITY OF VISALIA

WHEREAS, pursuant to the Elections Code, the governing body of any City may, by Resolution, request the Board of Supervisors of the County to permit the County Elections Official to render specified services to the City relating to the conduct of an election; and

WHEREAS, the City has ordered an election be held with the boundaries of the City on November 8, 2005;

NOW, THEREFORE, BE IT RESOLVED by the City Council:

The Board of Supervisors of Tulare County is hereby requested to permit the County Registrar of Voters to render services to the City of Visalia relating to the conduct of the November 8, 2005, Municipal Election as follows:

- a. Distribute and file nomination papers and candidate statements for City offices and Visalia Unified School Governing Board Offices.
- b. Make all required publications.
- c. Prepare, print and mail to the qualified electors of the City of Visalia sample ballots and voter pamphlets.
- d. Provide absent voter ballots for said Municipal Election for use by the qualified electors who may be entitled to absent voter ballots in the manner provided by law.
- e. Order consolidation of precincts, appoint precinct boards, designate polling places and instruct election officer concerning their duties.
- f. Conduct and canvass the returns of the election and certify the votes cast to the City.
- g. Receive and process absent voter applications.
- h. Prepare, print and deliver to the polling places supplies, including the official ballots and a receipt for said supplies.
- i. Recount votes, if requested, in accordance with State law.
- j. Conduct the above election duties in accordance with the Voting Right Act of 1975.
- k. Perform all other pertinent services required to perform for said election other than the requirements of the Fair Political Practices Commission; said Fair Political Practices Commission requirements to be performed by the City Clerk.

The City Clerk is hereby authorized and directed to transmit certified copies of this Resolution to the Board of Supervisors and to the County Registrar of Voters.

PASSED AND ADOPTED: STEVEN M. SALOMON, CITY CLERK

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

I, Steven M. Salomon, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 2005-55 passed and adopted by the Council of the City of Visalia at a regular meeting held on April 18, 2005.

DATED: STEVEN M. SALOMON, CITY CLERK

By Roxanne Yoder, Chief Deputy

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: Review of proposed amendment to contract with Bruce Race, RACESTUDIO, Urban Design, of Berkeley, California in the amount of \$131,600 for professional services related to the development of the Civic Center Master Plan.

Deadline for Action: None

Submitting Department: Administration and Community Development & Public Works

Contact Name and Phone Number:

Steve Salomon, City Manager, 713-4312
Michael Olmos, Director, Community Development & Public Works, 713-4332
Fred Brusuelas, Assistant Director, Community Development & Public Works, 713-4364
Bob Nance, Economic & Redevelopment Manager, 713-4511

Department Recommendation and Summary:

Staff recommends the City Council:

1. Approve an amendment to the contract with Bruce Race of RACESTUDIO of Berkeley, California in the amount of \$131,600 for professional services related to the development of the Civic Center Master Plan;
2. Authorize the City Manager to execute the amendment;
3. Authorize a budget of \$150,000 from the Civic Center Reserve Fund for the amendment plus staff and incidental costs related to the development of the master plan; and
4. Direct the Administrative Services Manager to make the appropriate budget adjustments.

Background:

At the February 22, 2005 Work Session, Council directed staff to proceed with the development of a Civic Center Master Plan. As part of these efforts, Council approved the formation of a committee to assist in the creation of the Civic Center Master Plan and directed staff to present an amendment to the contract with Bruce Race of RACESTUDIO to provide professional services in the development of a master plan for the area generally bounded by Ben Maddox Way on the east, Tipton Street on the west, Goshen Avenue on the north and Center Street on the south.

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5

The Civic Center Master Plan will provide a comprehensive strategy for urban design, facility planning and financing. The scope of services is organized into three sections:

1. Facility programming whereby the consultants will evaluate space needs, logistics and long-term development;
2. Site planning and financing to evaluate the most efficient and economically feasible development in phases over time that will allow for the most financially beneficial developments to maximize use of land and building space resources; and
3. Real estate strategies to provide options in phased development to address other public and private development, circulation, parking and open space resources.

The three sections will be the process whereby the proposed Civic Center site options will be assessed, tested and then integrated into a master plan. The proposed \$150,000 budget for the development of the Master Plan provides \$131,600 for the consulting team lead by RACESTUDIO plus an estimated \$18,400 for staff and other related costs associated with the development of the master plan. The following is a summary of the Scope of Work included in the proposed amendment with RACESTUDIO:

Consultant Planning Team: to work in conjunction with the Civic Center Master Plan Committee and staff: The team has been expanded to include those specialists necessary to address facility planning, real estate development opportunities and financing options.

- Bruce Race, FAIA, AICP, RACESTUDIO, Urban Design
- Paul Heath, Business Place Strategies, Program and Facilities
- Andy Plescia, A. Plescia Company, Real Estate
- Anne Simpson, Anne Simpson Associates, Financial Modeling

Phase 1: Assessment - The first phase involves assessing the program, design and funding opportunities and needs for the civic center. This phase will include initial meetings with staff and others to determine data collection needs and review and set the schedule.

Phase 2: Options - The second phase will develop and analyze options. It will include a community workshop as part of the second charrette. Based upon the evaluation of options, the community workshop and meeting with the Civic Center Master Plan Committee, the team will make recommendations regarding a preferred concept and strategy that will result in recommendations including:

- Recommended Site Plan
- Program – Organizational and workplace concepts and phasing
- Financing Strategy
- Development Approach

Phase 3: Civic Center Program Report – The third phase will result in a published master plan report that summarizes urban design, facility program and implementation strategies.

Prior Council/Board Actions:

February 22, 2005 – Council approval of the Master Plan process, formation of the Civic Center Master Plan Committee and direction to staff to prepare and submit an amendment to the contract with RACESTUDIO for professional services.

Committee/Commission Review and Actions:

None

Alternatives:

None recommended

Attachments:

Copy of proposed Scope of Work

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move the City Council:

1. Approve an amendment to the contract with Bruce Race of RACESTUDIO of Berkeley, California in the amount of \$131,600 for professional services related to the development of the Civic Center Master Plan;
2. Authorize the City Manager to execute the amendment;
3. Authorize a budget of \$150,000 from the Civic Center Reserve Fund for the amendment plus staff and incidental costs related to the development of the master plan; and
4. Direct the Administrative Services Manager to make the appropriate budget adjustments.

Financial Impact

Funding Source: Civic Center Reserve Fund

Budget Recap:

Total Estimated cost: \$150,000	New Revenue:	\$
Amount Budgeted: \$	Lost Revenue:\$	
New funding required:\$	New Personnel:	\$
Council Policy Change: Yes___	No__X__	

Copies of this report have been provided to:

Visalia Civic Center Master Plan

PLANNING AREA

The planning area for the Civic Center includes the 40 acres acquired from UPRR bounded by Mill Creek, Ben Maddox and Goshen. In addition to this land, the team will consider asset management opportunities for existing city-owned property currently being used for parking, public safety, community development, and city hall uses.

MASTER PLANNING TEAM

The Master Planning team is comprised of seasoned architects, programmers, and economic consultants that have associated on other facility and urban revitalization projects. The team includes:

- Bruce Race, FAIA, AICP, RACESTUDIO, Urban Design
- Paul Heath, Business Place Strategies, Program and Facilities
- Andy Plescia, A. Plescia Company, Real Estate
- Anne Simpson, Anne Simpson Associates, Financial Modeling

This multi-disciplinary approach is intended to augment the City's own professional staff to provide a comprehensive design, programming and funding strategy.

SCOPE OF SERVICES

The Civic Center Master Plan is to provide a comprehensive strategy for urban design, facility planning and financing. The scope of services is organized into three phases where facility programming, site planning and financing and real estate strategies are assessed, tested and then integrated into a master plan.

Each phase will be organized around a consultant team on-site charrette. There are three charrette-style sessions of three days each. These are intended to provide an intensive and more compact process that emphasizes client interaction and community participation. At the end of each charrette, the team will present and discuss the results with the Civic Center Subcommittee.

Phase 1: Assessment

The first phase involves assessing the program, design and funding opportunities and needs for the civic center. The phase will include a kick-off meeting with city staff to determine data collection needs and review the schedule.

Task 1.1 Site Assessment (Race)

In coordination with the East Downtown Strategic Plan, RACESTUDIO will prepare a site analysis summary of the 40-acre site. The analysis will include:

- Urban Design Analysis—Site connections, visual assets, edges and context summary
- Infrastructure Needs—Work with City staff to review and summarize infrastructure requirements for the civic center area

Task 1.2 Space Needs Assessment (Heath)

Paul Heath will review existing information and prepare a space needs summary for city administrative and public safety administrative uses. The assessment will include:

- Review of Space Needs—Review of 2000 civic center program study and existing city department floor plans, tour of existing facilities

- Department Interviews–Meet with department heads to review recent and future staff census, adjacency requirements, individual and organizational workstyles, current and future impacts of technology use, and public access
- Needs Summary–Prepare a space needs summary that includes existing and projected facility sizes (based on departmental projections and city population), departmental adjacencies, and community access

Task 1.3 Financial Capacity Assessment (Simpson/Plescia)

Working with City staff, Andy Plescia and Anne Simpson will prepare a summary of potential resources the City can use to support the financing of a new civic center. This will include:

- Existing Financial Status–Review the City’s current General Fund and other funding resources used to improve and maintain existing facilities, as well as other potential funding sources which might be used in support of new civic center facilities and/or supporting infrastructure requirements.
- Asset Management Opportunities–Identify city-owned properties that could be leased or sold to support the financing of new civic center facilities; update of real estate market conditions; identify potential value of private development portion of civic center property

Phase 1 Meetings

Phase 1 has two meetings. The first is a kick-off meeting intended to outline a schedule and coordination of tasks and responsibilities. The second meeting is the first three-day on-site charrette.

Kick-off Meeting–Bruce Race will meet with City staff to coordinate data needs and overall schedule for the process.

Charrette #1–Opportunities

Day 1–Staff meeting, data collection, facility tours

Day 2–Facility and real estate analysis

Day 3–Summary slide show and Civic Center Subcommittee workshop

Phase 2: Options

The second phase of the master planning includes development and analysis of master planning options. It includes a community workshop as part of the second charrette. Based on the evaluation of options, the community workshop and meeting with the Civic Center Subcommittee, the team will make recommendations regarding a preferred concept and strategy.

Task 2.1 Site Concept Options (Race/Heath)

RACESTUDIO will work with the consultant team and City staff to prepare up to three site concept options. The options are intended to reflect the various site planning, programmatic and implementation choices. Task 2.1 will include:

- Land Use Options–Prepare up to three land use options for city-owned property
- Alternative Site Plans–Preparation of up to three civic center conceptual site plans, floor plans and massing
- Conceptual Cost Analysis–Prepare cost plan comparisons for civic center alternatives

Task 2.2 Asset Management Analysis (Simpson/Plescia)

Andy Plescia and Anne Simpson will analyze the potential revenue generation from the sale or lease of city-owned land that can be applied to the funding of the civic center project.

- Revenue Analysis Asset—Estimate the potential value and related revenue opportunities from city-owned land that could be applied in the financing of new facilities
- Development Delivery Analysis—Identify and evaluate of alternative private and public development/delivery models for civic center facilities and potential private commercial development

Task 2.3 Preferred Concepts (Team)

The consultant team will prepare a summary of preferred concepts that illustrate urban design, facility planning and financing strategies for the civic center. The concepts summary package will include:

- Site Plan (RACESTUDIO)—Site plan, diagrammatic floor plans, and building massing
- Program (Heath)—Organizational and workplace concepts and phasing
- Financing Strategy (Simpson)—Financing approach to funding of civic center facilities, associated parking and infrastructure, taking into account phasing of capital improvements and revenues from alternative asset management approaches. Scenarios to be considered could include: potential joint use agreements for parking or other facilities, alternative infrastructure funding sources, lease purchase arrangements and/or turnkey facilities.
- Development Approach (Plescia)—Development delivery approach(s) (including type and potential economic value, etc.)

Phase 3 Meetings

Phase three includes the second of three charrettes. The charrette will feature an interactive community workshop with a focus on implementation issues, a summary of recommendations and a meeting with the Civic Center Subcommittee.

Charrette #2—Options Review

- Day 1—Community workshop
- Day 2—Summary of recommendations
- Day 3—Civic Center Subcommittee

Phase 3: Civic Center Program Report

The third phase will result in a published master plan report that summarizes urban design, facility program and implementation strategies.

Task 3.1 Program Summary (Heath)

Paul Heath will prepare a summary program that can be used by architects as guidelines for designing city facilities. The program summary will include:

- Spaces Needs
- Facility planning and design standards/approaches
- Organizational Concepts
- Building Performance Criteria

Task 3.2 Site Master Plan (RACESTUDIO)

RACESTUDIO will prepare a master plan for the 40 acres that contain the civic center. The master plan will include site, building and massing diagrams of the civic center facilities. The report will include:

- Urban Design Concepts
- Massing and Site Plan
- Design Guidelines

Task 3.3 Financing Plan (Simpson/Plescia)

Andy Plescia and Anne Simpson will prepare an implementation and financing strategy for the city facilities and associated asset management lands. The strategy will include:

- Delivery Approach
- Funding and Financing Model
- Development and Funding Schedule

Phase 3 Meetings

There will be two meetings in Phase 3. These include the third charrette and a presentation to the City Council.

Charrette #3–Strategy Review
 Day 1–Staff review
 Day 2–Strategy refinement
 Day 3–Civic Center Subcommittee

City Council Presentation–Recommended strategy review
BUDGET SUMMARY

The proposed budget for the civic center planning and related asset management program assumes the hours identified for each task. The cost is determined by the numbers of hours multiplied by the hourly rate. More time, meetings and other services can be provided as an additional service.

RACESTUDIO	43,400
A. Plescia Company	22,800
Anne Simpson Associates	21,800
Business Place Strategies	33,600
 Labor Subtotal	 121,600
 Cost Estimator (TBD)	 <u>10,000</u>
 TOTAL	 \$131,600

Budget summaries for each consultant team member can be found on the attached pages.
RACESTUDIO BUDGET SUMMARY

<u>Task</u>	<u>Hours</u>	<u>Cost</u>
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Phase 1: Assessment

Task 1.1	10 hours	1,500
Task 1.2	8 hours	1,200
Task 1.3	8 hours	1,200
Meetings		

Kick-off	10 hours	1,200
Charrette #1	<u>30 hours</u>	<u>4,500</u>
	66 hours	9,900

Phase 2: Options

Task 2.1	30 hours	4,500
Task 2.2	10 hours	1,500
Task 2.3	30 hours	4,500
Meetings		
Charrette #2	<u>30 hours</u>	<u>4,500</u>
	100 hours	15,000

Phase 3: Civic Center Program Report

Task 3.1	10 hours	1,500
Task 3.2	50 hours	7,500
Task 3.3	10 hours	1,500
Meetings		
Charrette #3	30 hours	4,500
City Council	<u>10 hours</u>	<u>1,500</u>
	110 hours	16,500
Subtotal Labor	276 hours	41,400
Expenses		<u>2,000</u>

TOTAL	43,400
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**A. PLESCIA & CO.
BUDGET SUMMARY**

Task	Hours	Cost
Task 1.3:	16.0 hours	2,400
Charrette #1	<u>16.0 hours</u>	<u>2,400</u>
	32.0 hours	4,800
Task 2.2:	28.0 hours	4,200
Task 2.3:	20.0 hours	3,000
Charrette #2	<u>16.0 hours</u>	<u>2,400</u>
	64.0 hours	9,600
Task 3.3:	20.0 hours	3,000
Charrette #3	16.0 hours	2,400
City Council Presentation	<u>8.0 hours</u>	<u>1,200</u>
	44.0 hours	6,600
Subtotal: Labor	140.0 hours	21,000
Expenses		<u>1,800</u>
TOTAL		22,800

**Anne Simpson Associates
BUDGET SUMMARY**

<u>Task</u>	<u>Hours</u>	<u>Cost</u>
Task 1.3:	24.0 hours	3,000
Charrette #1	<u>16.0 hours</u>	<u>2,000</u>
	40.0 hours	5,000
Task 2.2:	4.0 hours	500
Task 2.3:	46.0 hours	5,750
Charrette #2	<u>16.0 hours</u>	<u>2,000</u>
	76.0 hours	8,250
Task 3.3:	30.0 hours	3,750
Charrette #3	16.0 hours	2,000
City Council Presentation	<u>8.0 hours</u>	<u>1,000</u>
	64.0 hours	6,750
Subtotal: Labor	160.0 hours	20,000
Expenses		<u>1,800</u>
TOTAL		21,800

**Business Place Strategies, Inc.
BUDGET SUMMARY**

<u>Task</u>	<u>Hours</u>	<u>Cost</u>
Task 1.2:	48.0 hours	7,200
Charrette #1	<u>16.0 hours</u>	<u>2,400</u>
	64.0 hours	9,600
Task 2.1:	24.0 hours	3,600
Task 2.3:	32.0 hours	4,800
Charrette #2	<u>16.0 hours</u>	<u>2,400</u>
	72.0 hours	10,800
Task 3.3:	40.0 hours	6,000
Charrette #3	16.0 hours	2,400
City Council Presentation	<u>16.0 hours</u>	<u>1,800</u>
	68.0 hours	6,600
Subtotal: Labor	204.0 hours	30,600
Expenses		<u>3,000</u>
TOTAL		33,600

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

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

Agenda Item Wording: Authorization for the City Manager to execute a renewed professional services agreement with Jefferson Government Relations (Washington, D.C.) in the amount of \$60,000 annually for continuing federal legislative advocacy services through March, 2006.

Deadline for Action: April 18, 2005

Submitting Department: Administration

Contact Name and Phone Number:

Carol L. Cairns, Assistant City Manager 713-4324

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation:

That the Visalia City Council authorize the City Manager to execute a renewed professional services agreement with Jefferson Government Relations (Washington, D.C.) in the amount of \$60,000 annually for continuing federal legislative advocacy services through March 2006. Staff also recommends that the City distribute Requests for Proposals for Federal Lobbying services in 2006. The City has contracted with Jefferson Government Relations since 2000. Per City Purchasing Policy, "contracts for services shall not usually cover a period of more than one (1) year, although longer periods may be approved. Unless exempted from competitive bidding procedures, contracts for goods and service should not extend, either by original contract or by extension, beyond five (5) years unless competitive bids/proposals have been sought or approval is obtained from the Purchasing Agent."

Summary:

The City has been working closely with this legislative advocacy firm on a wide range of issues affecting the City. The firm has proved to be extremely valuable in providing an effective communication link between the City of Visalia and legislators and officials in Washington, D.C., and had greatly enhanced the City's effectiveness in the legislative process.

The staff of Jefferson Government Relations – specifically Art Roberts and Daniel Sheehan – have continued to demonstrate their ability to effectively monitor legislative activity in Washington and to proactively communicate these issues to the City of Visalia. They have also demonstrated their ability to establish effective working relationships with individual legislators, staff members, and officials from various federal agencies, and to facilitate the City's interaction with these individuals. It should be noted that Art Roberts retired this year and is no longer with the firm.

The staff of Jefferson Government Relations has shown their willingness to be personally available to City Council and staff during official trips to Washington D.C. and to facilitate meetings with legislators, legislative staff and federal officials and to enhance the results of those meetings.

2004 WORK PROGRAM/ ACTIVITY:

- JGR guided the City's earmark requests through the entire appropriations process, including close coordination with City officials, completion of required forms and documentation, drafting of letters and testimony in support of City projects by Visalia's congressional delegation, lobbying of congressional appropriators and their staffs, close monitoring of congressional action, and interventions with congressional members and staffs to ensure timely follow-on contacts with key appropriators.

- Last year, JGR helped secure for the City \$500,000 for its *Bus Operations and Maintenance Facility* and bus fleet conversion to natural-gas buses. That amount is a full one-quarter of the total amount Los Angeles secured for its buses. This funding follows on the \$1 million JGR helped in fiscal year 2004 for the Bus Operations and Maintenance Facility. In a time of constricted federal budgets, effective representation of the kind provided by JGR is critical to the City's ultimate success in appropriations earmark requests.

JGR secured \$250,000 for the project in Transportation-Treasury Appropriations (P.L.108-447) . That amount followed \$1 million secured for the project in fiscal year 2004 (P.L.108-199). The City is seeking \$2.03 million in both transportation authorization (TEA-21) and fiscal year 2006 appropriations to complete federal participation in this project. According to Transit Director Monty Cox, the project is expected to commence this summer. JGR also secured \$250,000 in last year's Transportation-Treasury Appropriations for Visalia's conversion of its bus fleet to natural gas vehicles.

- *West Acequia Parking Structure*
In 2004, JGR requested as a backstop for the City's pending \$3.94 million federal grant from the Economic Development Administration (EDA) in the Department of Commerce. With the grant pending, Congress did not earmark funds for this project in the VA-HUD Appropriations bill (Economic Development Initiative account). EDA formally invited the City to apply for the grant last year, but could not award the grant until federal funds were available. The grant was awarded on February 1, 2005.

- *Mill Creek Greenway Trail*
Last sought in 2003, this \$1 million request was for the creation of a green space in the city core that would spur economic activity, enhance surrounding property values, and provide Visalia residents with a respite from city bustle. Not

requested last year in lieu of other projects more in line with Representative Devin Nunes's interests in projects affecting the flow of commerce and people in the City.

- *Ben Maddox Way Bridge*

Throughout 2003-2004, sought \$6.2 million in transportation law (TEA-21) reauthorization for the Ben Maddox Way bridge improvement. The House approved \$2 million for the project when it passed H.R. 3550 in April 2004. House-Senate negotiations failed later that year and H.R. 3550 fell when the 108th Congress dissolved in December. Last month, the House again approved \$2 million for the project. The Senate is expected to pass its bill in May. A final bill could be enacted by the July 4 recess period.

- *Transportation Reauthorization:*

JGR coordinated closely with the City officials and its congressional delegation to put forward Visalia's road and transit projects for congressional authorization. Although Congress last year failed to complete action on the reauthorization of the Transportation Equity Act for the 21st Century (or TEA-21), JGR did succeed in helping the House authorize \$2 million for the Ben Maddox Way Bridge project. With the new 109th Congress, JGR earlier this year worked closely with Visalia's road and transit professionals to provide Congress with compelling justifications for the City's initiatives. As a direct result of these efforts, the House once again authorized \$2 million for the Ben Maddox project when it approved its reauthorization bill last month. The Senate is expected to move its bill later this month or in early May. Program authority expires on May 31. If a House-Senate conference cannot produce a compromise bill by that time, Congress will have to pass yet another short-term extension of TEA-21 -- the eighth since the law expired in September 2003.

In support of the City's projects, JGR has completed and submitted in a timely fashion all required documentation, drafted letters and testimony of support for the Visalia congressional delegation, lobbied key congressional authorizers and their staffs, all the while cooperating closely with the Visalia congressional delegation. JGR will also monitor House-Senate negotiations carefully so to better ensure Visalia's projects are included in the final bill.

Political Participation -- JGR once again participated in a Representative Devin Nunes fundraising event in Washington last month. JGR is proud to support Visalia's congressman and looks forward to a long-lasting relationship with him and his staff.

2005 WORK PROGRAM

Transportation Reauthorization

Congress is seeking to approve a six-year reauthorization of the nation's surface transportation law, the Transportation Equity Act for the 21st Century (TEA-21). That law expired in September 2003 and has been extended through a series of short-term extensions, with the last of which set to expire May 31, 2005. In addition to authorizing program authority for government transportation programs, the reauthorization bill also earmarks federal dollars for specific projects. The City has put forward the following projects to be included in the legislation.

- Ben Maddox Way Bridge Improvement — \$6.2 million
- Bus Operations and Maintenance Facility — \$2.03 million
- Caldwell Avenue Widening — \$1 million
- Plaza Drive Widening — \$9 million

The House passed its version of the bill last month (H.R. 3) and approved \$2 million for the Ben Maddox Way Bridge improvement project. The Senate is expected to pass its bill early next month. The House-Senate conference will then meet to hammer out a final compromise bill.

Fiscal Year 2006 Appropriations

Each year, Congress must pass its yearly federal spending bills. Visalia has been very successful in securing federal earmarks in these bills over the last four years. (\$4 million since 2001.) This year, Visalia has requested the following federal earmarks for its projects in the fiscal year 2006 Transportation-Treasury-Housing Appropriations bill.

- Visalia Bus Operations and Maintenance Facility--\$2.03 million
Federal Transit Administration; Bus and Bus Facilities Account

This funding will help construct and outfit the City's planned 31,500 square-foot bus operations facility.

- Visalia Bus Fleet Conversion--\$2.4 million
Federal Transit Administration; Bus and Bus Facilities Account

This request will allow the Visalia to continue to convert its bus fleet from diesel to compressed natural gas (CNG), a much cleaner alternative fuel.

- Visalia Shuttle Bus Purchase--\$2.3 million
Federal Transit Administration; Bus and Bus Facilities Account

These funds will help the City purchase several natural gas buses to shuttle visitors from downtown Visalia to the Sequoia and Kings Canyon National Parks.

- Visalia Visitors Center--\$2.4 million
Housing and Urban Development; Economic Development Initiatives Account

This appropriation will help the City build a new visitors center in downtown

Visalia and help it realize its plans to serve as the gateway community for the Sequoia and Kings Canyon National Parks.

General Representation

Jefferson Government Group will also continue to provide general representational services to the City as needs and issues arise. Chief among those issues include matters pertaining to the Visalia Municipal Airport and its ongoing efforts to secure and sustain regularly scheduled commercial service to and from good airline hub markets. JGR will also coordinate closely with the City in its efforts to serve as a gateway community to the Sequoia and Kings Canyon National Parks.

History:

2000-The City engaged the services of Jefferson Government Relations. The City, in need of a modern downtown transit center and bus operations and maintenance facility, asked the Jefferson group to use its expertise, access and abilities to secure federal funding. Working with Visalia officials and federal legislators the Jefferson group was able to secure federal support for both the transit center and the bus facility.

2001- Art Roberts and Daniel Sheehan, along with other members of their firm, were instrumental in securing \$2.5 million in the Fiscal Year 2002 Transportation Appropriations Bill (Public Law 107-87) for the newly completed City of Visalia Transit Center. Also in 2001, the Jefferson group coordinated with Representative Cal Dooley and his staff winning \$3 million for the Cross Valley Rail Corridor Project.

2003-The Jefferson group was able to gain support for \$1 million earmark in the Fiscal Year 2004 Transportation-Treasury Appropriation Bill (H.R. 2898). This measure was approved as part of the omnibus appropriations legislation cleared by Congress for the President Bush's signature on January 22, 2004.

Staff believes that the performance of this firm, and the tangible results of their efforts, justifies the one (1) year renewal of the current agreement. The City has benefited financially and politically from the efforts put forth by Jefferson Government Relations firm on behalf of the City of Visalia. The expense of this contract is an investment for the City of Visalia and an investment in the community.

Prior Council/Board Actions:

Contract renewal March 2004

Committee/Commission Review and Actions:

n/a

Alternatives:

do not renew contract

Attachments:

contract

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move the Council authorize a renewed professional services agreement with Jefferson Government Relations in the amount of \$60,000 annually for continuing federal legislative advocacy services through March, 2006.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$ 60,000	New Revenue: \$
Amount Budgeted: \$ 60,000	Lost Revenue: \$
New funding required:\$ -0-	New Personnel:\$
Council Policy Change: Yes___	No__X_

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

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

Agenda Item Wording: Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for the lease of the building at 720 W. Mineral King for \$825 per month, on a month-to-month contract.

Deadline for Action: June 1, 2005

Submitting Department: Administration

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation and Summary:

It is recommended that the City of Visalia enter into a contract with the Visalia Chamber of Commerce for the lease of the building at 720 W. Mineral King for \$825/month, on a month-to-month contract.

The City entered into a contract with the Chamber in August, 1985 for a five year lease on the building on W. Mineral King, with three five year extensions. The final extension was approved in June, 2000. The Chamber has purchase property for a new building on Oak Street, and will begin construction shortly; however, they have requested to stay in their current location until construction is complete, sometime within the next year. Therefore, staff is recommending that a lease be extended on a month-to-month basis, with a 30-day cancellation clause.

It is recommended that the Chamber pay \$825/month rent during the term of this lease. Previously, the rent was \$1/year, and the Chamber paid \$825 to reimburse the City for remodeling expenses. The lease and the extension specifically provided for a renegotiation of the rent for any extended term of the lease, although that option was never pursued. In light of the short term nature of this lease, and in an effort to assist the Chamber in their efforts to transition into the new sight in the northeast downtown. This is an area that the City is interested in seeing redevelop, staff is recommending that the rent be \$825/month, with the income being slated for the Civic Center Development account. This will provide some compensation to the City for the space, and still allow the Chamber to maintain a consistent budget during this transition period.

The Chamber does use the third-party option and leases space to the Visalia Economic Development Corporation, the Visalia Tourism Bureau, the Sequoia Fund, and the Small Business Development Corporation.

Prior Council/Board Actions: Approved the third and final lease extension in June, 2000.

Committee/Commission Review and Actions: N/A

Alternatives: Not renew the lease.
Change the rent

Attachments: Copy of the proposed lease

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$ 0	New Revenue: \$850.00/mo (Civic Center Development Fund)
Amount Budgeted: \$ 0	Lost Revenue:\$
New funding required:\$ 0	New Personnel:\$
Council Policy Change: Yes____	No_x__

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move to approve the month-to-month lease agreement for up to one year between the City of Visalia and the Visalia Chamber of Commerce for the property at 720 W. Mineral King.

Copies of this report have been provided to: Visalia Chamber of Commerce

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*)

Contract needs to be renewed by July 1, 2005

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

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

Agenda Item Wording: Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for management of the Tourism Bureau through June 30, 2005 for \$31,300.

Deadline for Action: April 18, 2005

Submitting Department: Administration

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation and Summary: It is recommended that the City Council approve a contract extension with the Visalia Chamber of Commerce for management of the Tourism Bureau for the calendar quarter ending June 30, 2005, at a cost of \$31,300, which is consistent with the amount budgeted.

When the City renewed the Tourism Bureau contract last year with the Chamber, it was for a partial year because the Council had formed the Visitor Task Force and anticipated that based on the Task Force's review, changes would be implemented by the end of the third quarter. Because the Council was interested in seeing the recommendations of the Task Force implemented as quickly as possible, the contract was not issued for the full year, but only until the end of March, 2005, to allow for flexibility in making changes.

However, the Task Force's review and recommendation has been delayed. Due to a major staffing change at the Tourism Bureau, the Task Force's meeting schedule was extended. The Task Force held a 4-hour work session last Tuesday, April 12 and significant progress was made on the recommendation. It is anticipated a report will come before the Council in May.

Meanwhile, significant process has been made at the Tourism Bureau. The new Manager, Kristi Johnson, an experienced Tourism Bureau Manager, is reviewing and critiquing the past/current efforts and refining the program so it is more effective, more efficient and will ultimately result in more tourism in Visalia. As indicated in the attached report, she readily realizes the importance of attracting people via the Internet. She has also set short term (3-month goals) for the remainder of the contract, and long-term goals that include implementing performance-reporting standards based on the International and/or State Visitor and Convention Bureau Association's recommendations.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

<i>Financial Impact</i>			
Funding Source:			
Account Number: 0011-579100-53515 (Call Finance for assistance)			
Budget Recap:			
Total Estimated cost: \$31,300	New Revenue:		\$
Amount Budgeted: \$	Lost Revenue:	\$	
New funding required:\$	New Personnel:		\$
Council Policy Change: Yes___	No_x___		

Attachments: November – January Tourism Report
Proposed contract

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to approve the contract between the City of Visalia and the Visalia Chamber of Commerce for management of the Tourism Bureau through June 30, 2005.
--

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: Approval of a two-year contract between the City of Visalia and Downtown Visalians for security services at the Acequia Parking Structure for \$4,588/month, cleaning services at the structure for \$400/month, and periodic cleaning of the Garden Street Plaza at a rate of \$195 per cleaning.

Deadline for Action: April 18, 2005

Submitting Department: Administration

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

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

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

Est. Time (Min.): _____

Department Recommendation and Summary: It is recommended that the Visalia City Council approve a two-year contract with Downtown Visalians for security and cleaning services at the parking structure, and periodic cleaning of the surface of the Garden Street Plaza as needed at the prices indicated.

The Downtown Visalians has been responsible for providing the security services for the Acequia Parking Structure since 1999. Because the organization also contracts for security for the downtown, it is believed that having the same firm in the parking structure improves communication and back up support amongst the security officers, and results in a more comprehensive approach to security in the downtown area. The Downtown Security Officers are required to have a higher level of training, including Penal Code 832 training, police codes and customer contact/service. In addition, they must provide back up for break and meal coverage. There have been few, if any complaints and the arrangement appears to be working well.

The contract for security at the parking structure calls for one security officer during the hours of 5 p.m. to 2 a.m., seven days a week, including all holidays. The price is set for the full two years at \$4,588/month, which is a 6.4% increase (\$276/month or \$1.02 an hour) over the current one-year contract. This includes an overhead cost of 10%, which includes on-site and off-hour observation, report follow up, monthly committee meetings and at-least quarterly reports to the City. Given the amount of time City staff must spend on oversight in high-use facilities where there is no oversight, this charge seems reasonable.

While the proposed cost is somewhat higher than some of current security contracts, it is in keeping with the costs given the higher level of service, and the management oversight. The Transit Center and Waste Water Treatment Plant currently pay \$11.50/hour for basic service. The Airport pays \$15.50/hour for a basic guard with a vehicle. The increased price at the

parking structure would be \$16.99/hr, including the overhead cost, or about \$15.50/hr for full coverage with higher trained security officers.

A two-year contract is being recommended because the new parking structure should be operational and the City can determine at that time how to best handle security at both facilities.

The Downtown Visalians also steam cleans the stairs wells of the parking structure. This service is performed weekly, for a total cost of \$400 a month, which includes the equipment and personnel for the service. No cost increase was requested.

It is also recommended that the City have the ability to request the Downtown Visalians to clean the surface of the Garden Street Plaza as needed. The Plaza has become a popular gathering place and the surface has become soiled. The Downtown Visalians have a "wand" attachment for their steam cleaning unit that can clean much of the grim. The "wand" is a softer approach than traditional steam cleaning, which provides less wear-and-tear on the brick surface. David Jacobs, Assistant Community Development and Public Works Director, has approved this process as one that will not negatively affect the base into which the bricks and pavers are set. Downtown Visalians and the City will continue to explore other cleaning options that could be less time-consuming, and/or less costly, and/or a more effective approach to cleaning the bricks and pavers. While this research continues, staff would like the authorization to use this cleaning method as needed. The cost would be \$195 per cleaning.

There are adequate funds available to cover this contract in both the 2004/05 and the 2005/06 budgets.

Prior Council/Board Actions: Approved prior security contracts with the Downtown Visalians since the parking structure was completed.

Committee/Commission Review and Actions: N/A

Alternatives: Bid out for the service(s) separately.
Approve only part of the recommended services.

Attachments: Proposed 2005-2007 contract

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move to approve the two-year contract with Downtown Visalians for security and cleaning services at the parking structure and cleaning services at the Garden Street Plaza.

Financial Impact

Funding Source:

Account Number: [0011-579701-31323-0-32510](#) (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$55,056	New Revenue:\$
Amount Budgeted: \$105,000	Lost Revenue:\$
New funding required:\$ 0	New Personnel:\$
Council Policy Change: Yes___	No_x___

Copies of this report have been provided to: Downtown Visalians, Parks and Recreation Department

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 contract beginning in January, 2007.

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

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

Agenda Item Wording: Approval of the Civic Center Masterplan Task Force Committee members

Deadline for Action: N/A

Submitting Department:

Contact Name and Phone Number: Michael Olmos, 713-4332, Leslie Caviglia, 713-4317, Bob Nance, 713-4511

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation and Summary:

It is recommended that the Visalia City Council approve the following people to serve as representatives of their organization on the Civic Center Masterplan Task Force:

City Council :	Walter Deissler	Council Member
	Don Landers	Council Member
Water Ways Committee:	Bob Brown	Committee Member
Citizen's Advisory Committee:	Donna Orosco	Committee Member
Downtown Visalians:	David Miller	Board Member
PBID:	Susan Mangini	Board Member
County of Tulare:	Phil Cox	County Supervisor
Visalia Unified School District:	Mike Lane	Board Chairman
VUSD Alternate:	Stan Carrizosa	Superintendent
City Staff Representatives:	Steve Salomon	City Manager
	Michael Olmos	Community Development/Public Works Director

Later this month, the Planning Commission and the Parks and Recreation Commission will be making recommendations for someone to represent their Commissions, and once they do so, those names will be forwarded to you for consideration as well.

On February 22, the City Council authorized such a committee to be formed to provide direction for the master planning of the Civic Center area generally located at Goshen Avenue and Burke Street. The Committee will make recommendations for the development standards for the planned improvements and propose architectural guidelines for the planned facilities that will allow the City to take full advantage of the land, creeks and other resources in the area.

If approved, the Task Force will be invited to attend the May 2 meeting where the Council will be discussing proposed Civic Center Planning and Design Principles.

The Task Force will be supported by staff from the Community Development & Public Works Department as needed.

Prior Council/Board Actions: Approved the formation of the Committee on Feb. 22, 2005

Committee/Commission Review and Actions: The Waterways and Citizens Advisory Committee met and recommended their appointments to this Task Force.

Alternatives: To not appoint a Task Force
To appoint different representatives

Attachments: None

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_____	

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to approve the people recommended to serve on the Civic Center Masterplan Task Force.

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

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

Agenda Item Wording: Authorize the City Manager to execute an agreement between Tulare County and the City of Visalia to share the cost of design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue to facilitate the opening of Woodland Street at Mineral King Avenue. Resolution No. 2005-56 required.

Deadline for Action: May 2, 2005

Submitting Department: Community Development, Traffic Safety

Contact Name and Phone Number:

Eric Bons: 713-4350 or
Andrew Benelli: 713-4340

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 2 min.

Department

Recommendation and Summary:

City Staff is recommending City Council authorize the City Manager to execute the attached agreement between Tulare County and the City of Visalia to share the cost of design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue to facilitate the opening of Woodland Street at Mineral King Avenue. The City Attorney's office and County Counsel have both reviewed and approved this agreement.

The County of Tulare and the City of Visalia desire to reopen Woodland Street between Main Street and Mineral King Avenue. Traffic signals will be installed at the intersections of Main Street and Woodland Street and at Burrel Avenue and Woodland Street. The existing traffic signal at the intersection of Mineral King Avenue and Woodland Street will be modified to function with the re-opening of Woodland Street to the north. The opening of Woodland Street between Mineral King Avenue and Main Street will provide better traffic circulation for the County Civic Center, COS, and the neighborhoods in this area.

The County of Tulare will deed to the City of Visalia Woodland Street between Mineral King Avenue and Main Street as well as Burrel Avenue between Woodland Street and Mooney Boulevard. The County of Tulare will maintain Burrel Avenue west of Woodland Street as a private roadway servicing the County's facilities. The County will share the cost of the modification to the existing traffic signal at Woodland Street and Mineral King Avenue and the design and construction of the new traffic signal at Woodland Street and Burrel Avenue. The new traffic signal at the intersection of Woodland Street and Main Street will be the sole responsibility of the City of Visalia.

A contract is being finalized with Provost & Pritchard Engineering Group, Inc. of Visalia for the plans and specifications needed for the construction of the traffic signals and the related street improvements. The City's share of the cost for these services is \$25,850.00. The estimated construction cost of the signal improvements at Woodland Street and Mineral King and Woodland Street and Burrel Avenue is \$450,000. Both the City and the County will pay half of this expense (\$250,000). The estimated cost of installing the signal at Main Street and Woodland Street is \$175,000. The City will pay all of this expense.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives: Deny authorization to execute agreement.

- Attachments:**
- a) Resolution No. 2005-56
 - b) Agreement between Tulare County and the City of Visalia for the cost sharing for the design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue
 - c) Vicinity Map

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to adopt Resolution No. 2005-56 and authorize the City Manager to execute an agreement between Tulare County and the City of Visalia to share the cost of design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue to facilitate the opening of Woodland Street at Mineral King Avenue.

Financial Impact

Funding Source:

Account Number:

1611-72000-0-0-9769-2005 (1611 State Transportation Fund) (Woodland & Burrel and Woodland & Mineral King traffic signal)	\$ 415,000
1241-72000-0-0-9751-2005 (1241 Transportation Impact Fund) (Main St & Woodland traffic signal)	\$ 175,000

	\$ 590,000

Budget Recap:

Total Estimated cost: \$ 590,000	New Revenue: \$ 250,000 *
Amount Budgeted: \$ 590,000	Lost Revenue: \$ 0
New funding required: \$ 0	New Personnel: \$ 0
Council Policy Change: Yes _____	No <input checked="" type="checkbox"/> _____

* County reimbursement amount

Copies of this report have been provided to:

<i>Environmental Assessment Status</i>	
CEQA Review:	
Required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Review and Action: Prior: Required:	
NEPA Review:	
Required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Review and Action: Prior: Required:	

<u>Review and Approval - As needed:</u>
Department Head Review (Signature):
Risk Management Review (Signature):
City Attorney Review (Signature):
Administrative Services Finance Review (Signature):
Others:

RESOLUTION No. 2005-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF
TULARE TO SHARE THE COST OF DESIGN AND CONSTRUCTION OF TRAFFIC
SIGNALS AT THE INTERSECTIONS OF WOODLAND STREET AND MINERAL KING
AVENUE AND WOODLAND STREET AND BURREL AVENUE

WHEREAS, the Council of the City of Visalia desires to open the intersection of Woodland Street and Mineral King Avenue and modify the existing traffic signal; and

WHEREAS, the Council of the City of Visalia hereby declares a need to install a traffic signal at the intersection of Woodland Street and Burrel Avenue; and

WHEREAS, the County of Tulare owns Woodland Street between Mineral King Avenue and Main Street and the County of Tulare owns Burrel Avenue between Woodland Street and Mooney Boulevard and the County recognizes the need for a traffic signal at these two locations; and

WHEREAS, the City Council of the City of Visalia, California, intends to continue to improve public convenience and safety, and

NOW, THEREFORE the Council of the City of Visalia authorizes the City Manager to execute the attached agreement (Exhibit "A") between the City of Visalia and the County of Tulare to share the cost of design and construction of the traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel Avenue.

Attachment: Exhibit A – Agreement between the City of Visalia and the County of Tulare

PASSED AND ADOPTED:

Exhibit A

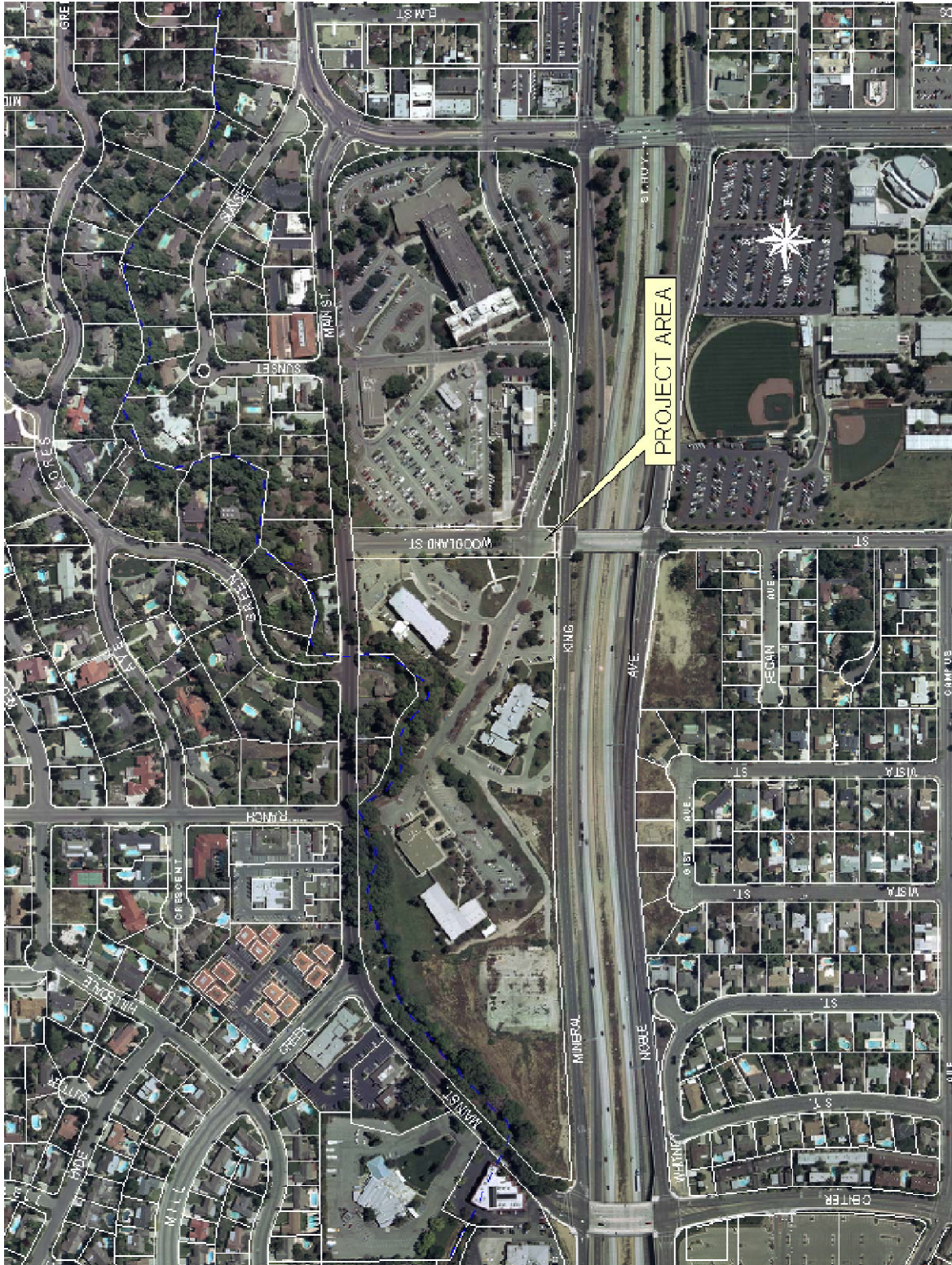


Exhibit A



**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: Request authorization to file a Notice of Completion for Marviola Estates, containing 5 lots, located in the northwest corner of Hurley Avenue and Teddy Street.

Deadline for Action: None

Submitting Department: Community Development &
Public Works Department

Contact Name and Phone Number:

Andrew Benelli 713-4340
Kevin Clements 713-4356

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.

Department Recommendation and Summary: The recommendation is 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.

Prior Council/Board Actions: Final Map recording was approved at Council meeting of May 17th, 2004.

Committee/Commission Review and Actions: The tentative subdivision map for Marviola Estates Subdivision was approved by Planning Commission on September 24th, 2001.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Marviola Estates.

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: 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)*

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: Request authorization to file a Notice of Completion for East Oak Estates #2, containing 37 lots, located south of Houston Avenue at the south end of Comstock Street.

Deadline for Action: None

Submitting Department: Community Development & Public Works Department

Contact Name and Phone Number:

Ed Juarez – 713-4446
Andrew Benelli – 713-4340

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 1 Min.

Department Recommendation and Summary: The recommendation is 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.

Prior Council/Board Actions: Final Map recording was approved at Council meeting of October 6, 2003.

Committee/Commission Review and Actions: The tentative subdivision map for East Oak Estates #2 was approved by Planning Commission on February 13, 1996. The tentative subdivision map would initially expire on February 13, 1998. An initial two-year time extension was approved by the Planning Commission on February 23, 1998, extending the tentative subdivision map to February 12, 2000. A second one-year time extension was approved by the Planning Commission on December 13, 1999, extending the expiration date to February 12, 2001. The first phase was recorded on February 28, 2001. The Developer provided proof of expending more than \$125,000 for off site improvements, thereby per Government Code Section 66452.6 extending the time limit by 36 months, to February 12, 2004.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for East Oak Estates #2.

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: 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*)

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: April 18, 2005

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

Agenda Item Wording: Authorize the Recordation of the Final Map for Maddox @ Caldwell 5, Phase 4, located West of Ben Maddox Way and north of Monte Verde Avenue (16 lots) and the Formation of Landscape and Lighting District No. 05-10, Maddox @ Caldwell 5. Phases 1 through 4 (74 Lots). (Resolution Nos. 05-57 and 05-58 required). APN: 126-120-036, 049 & 058

Deadline for Action: April 18, 2005

Submitting Department: Community Development & Public Works

Contact Name and Phone Number:

Peter Spiro 713-4256

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

Department Recommendation and Summary:

Final Map

Staff recommends that City Council approve the recordation of the final map for Maddox @ Caldwell 5, Phase 4 containing 16 Single Family Lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$5,313.30 and Labor and Material Bond in the amount of \$22,966.50; 3) cash payment of \$21,668.08 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the construction costs of the uncompleted public improvements noted in the subdivision agreement, 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 should cover 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. However, since 90% of the public improvements is already in place at the time of preparing the subdivision agreement. The developer submitted a Faithful Performance Bond that covers the construction costs for the public improvements that were not in place at the time of preparing the subdivision agreement. The Labor and Material Bond covers 50% of the initial costs of the public improvements. 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 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. 05-57 Initiating Proceedings for Formation of Assessment District No. 05-10, Maddox @ Caldwell 5, ; adopt the Engineer's Report as submitted; and adopt Resolution No. 05-58 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 and trees on local streets. The maintenance of these improvements is a special benefit to the development and enhances the land values to the individual property owners in the district.

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

The first three phases of this tentative subdivision map were recorded in July 2003. However, a Landscape and Lighting District was not formed at the time of recordation. Fortunately, these final maps and the title reports for all the sold Lots indicated that this subdivision is subject to The Landscape and Lighting Act of 1972, and the new owners are obligated to participate in such a district. This will allow the City of Visalia to form a Landscape and Lighting District without having to hold an election among the new owners.

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

Committee/Commission Review and Actions: The tentative subdivision map for the Maddox @ Caldwell 5 subdivision was approved by the Planning Commission on March 11, 2002. The tentative map would have expired on March 11, 2004. The Planning Commission passed and adopted Resolution NO. 2002-33 approving Conditional Use Permit No. 2002-09. The CUP became effective on March 19, 2002, and would have initially expired concurrently with Maddox @ Caldwell 5 Tentative Map on March 11, 2004. A maximum time extension of three years was requested on February 10, 2004, so the tentative subdivision map would expire on March 11, 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 Maddox @ Caldwell 5, Phase 4 and I move to adopt Resolution No. 05-57 Initiating Proceedings for Formation of Assessment District No. 05-10 "Maddox @ Caldwell 5" and adopt Resolution No. 05-58 Ordering the Improvements for Assessment District No. 05-10 "Maddox @ Caldwell 5."

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. 05-57

RESOLUTION INITIATING PROCEEDINGS
FOR FORMATION OF
ASSESSMENT DISTRICT 05-10
Maddox @ Caldwell 5
(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, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The proposed district shall be designated "Assessment District No. 05-10, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-10, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Maddox @ Caldwell 5".
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. 05-10
Maddox @ Caldwell 5
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 05-10, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 18th day of April, 2005 by its Resolution No. 05-57 & 58

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

RESOLUTION NO. 05-58

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-10
Maddox @ Caldwell 5
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for "Assessment District No. 05-10, 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 2004-05.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

**Assessment Diagram
Assessment District No. 05-10
City of Visalia, Tulare County, California**

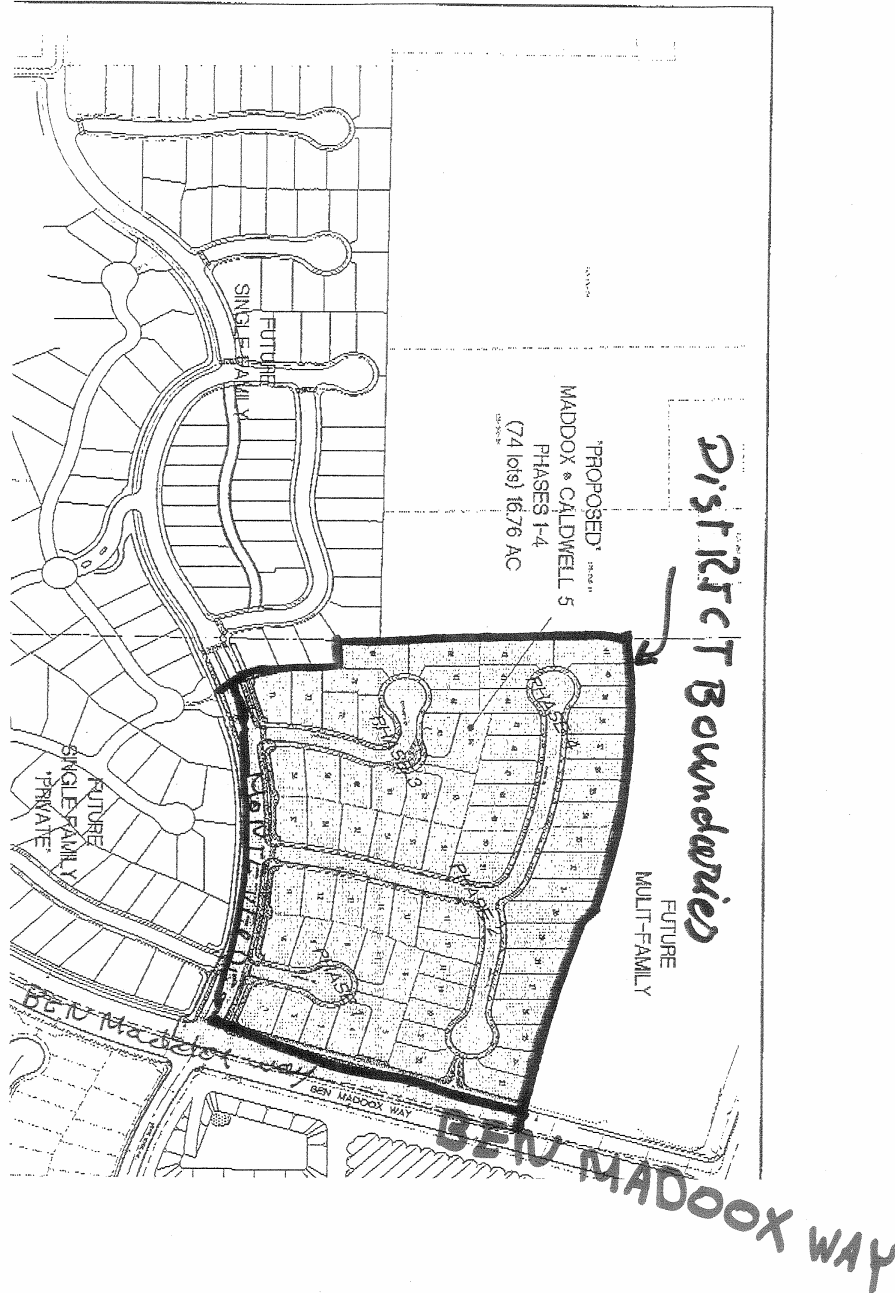


Exhibit "C"

Tax Roll Assessment
Maddox @ Caldwell 5
Fiscal Year 2004-05

APN_NO	Assessment	OWNER_NAME	Lot #	District name
126750019	\$128.39	ALVARADO JULISSA	05-1001	Maddox @ Caldwell 5
126750018	\$128.39	NACAR CATHERINE C	05-1002	Maddox @ Caldwell 5
126750017	\$128.39	CASTLEWOOD PARTNERS INC	05-1003	Maddox @ Caldwell 5
126750016	\$128.39	CASTLEWOOD PARTNERS INC	05-1004	Maddox @ Caldwell 5
126750015	\$128.39	CASTLEWOOD PARTNERS INC	05-1005	Maddox @ Caldwell 5
126750014	\$128.39	CASTLEWOOD PARTNERS INC	05-1006	Maddox @ Caldwell 5
126750013	\$128.39	CASTLEWOOD PARTNERS INC	05-1007	Maddox @ Caldwell 5
126750012	\$128.39	POWELL BRYAN & JENNIFER	05-1008	Maddox @ Caldwell 5
126750011	\$128.39	MORA GUSTAVO & MARTHA F	05-1009	Maddox @ Caldwell 5
126750010	\$128.39	GREGORY SHIRLENE	05-1010	Maddox @ Caldwell 5
126750009	\$128.39	IBANEZ RUEL S & YOLANDA L	05-1011	Maddox @ Caldwell 5
126750020	\$128.39	CASTLEWOOD PARTNERS INC	05-1012	Maddox @ Caldwell 5
126750021	\$128.39	CASTLEWOOD PARTNERS INC	05-1013	Maddox @ Caldwell 5
126750026	\$128.39	CASTLEWOOD PARTNERS INC	05-1014	Maddox @ Caldwell 5
126750030	\$128.39	CASTLEWOOD PARTNERS INC	05-1015	Maddox @ Caldwell 5
126750029	\$128.39	CASTLEWOOD PARTNERS INC	05-1016	Maddox @ Caldwell 5
126750028	\$128.39	CASTLEWOOD PARTNERS INC	05-1017	Maddox @ Caldwell 5
126750002	\$128.39	CASTLEWOOD PARTNERS INC	05-1018	Maddox @ Caldwell 5
126750003	\$128.39	GALLAGHER RICHARD J & MELISSA	05-1019	Maddox @ Caldwell 5
126750025	\$128.39	CASTLEWOOD PARTNERS INC	05-1020	Maddox @ Caldwell 5
126750004	\$128.39	ANKER JEANETTE	05-1021	Maddox @ Caldwell 5
126750005	\$128.39	KOEHLER NORTON	05-1022	Maddox @ Caldwell 5
126750006	\$128.39	PHILLIPS RICHARD J & JOYCE Y	05-1023	Maddox @ Caldwell 5
126750022	\$128.39	CASTLEWOOD PARTNERS INC	05-1024	Maddox @ Caldwell 5
126750027	\$128.39	CASTLEWOOD PARTNERS INC	05-1025	Maddox @ Caldwell 5
126750008	\$128.39	CASTLEWOOD PARTNERS INC	05-1026	Maddox @ Caldwell 5
126750007	\$128.39	LOMELI DAVID E & MELISSA RENEE	05-1027	Maddox @ Caldwell 5
126750024	\$128.39	CASTLEWOOD PARTNERS INC	05-1028	Maddox @ Caldwell 5
126750023	\$128.39	CASTLEWOOD PARTNERS INC	05-1029	Maddox @ Caldwell 5
126590016	\$128.39	PHILLIPS GARY M & PAULA A	05-1030	Maddox @ Caldwell 5
126750001	\$128.39	GARCIA FRANCIS B & REBECCA	05-1031	Maddox @ Caldwell 5
126590032	\$128.39	CASTLEWOOD PARTNERS INC	05-1032	Maddox @ Caldwell 5
126590033	\$128.39	CASTLEWOOD PARTNERS INC	05-1033	Maddox @ Caldwell 5
126590015	\$128.39	LUCAS THOMAS H & JUDITH M (C)	05-1034	Maddox @ Caldwell 5
126590025	\$128.39	SANTIAGO MELISSA S	05-1035	Maddox @ Caldwell 5
126590035	\$128.39	CASTLEWOOD PARTNERS INC	05-1036	Maddox @ Caldwell 5
126590017	\$128.39	HILL DARREN S	05-1037	Maddox @ Caldwell 5
126590024	\$128.39	PARSEL JERRY G	05-1038	Maddox @ Caldwell 5
126590034	\$128.39	CASTLEWOOD PARTNERS INC	05-1039	Maddox @ Caldwell 5
126590026	\$128.39	SCHMIDT HAROLD JR & LINDA	05-1040	Maddox @ Caldwell 5
126590031	\$128.39	CASTLEWOOD PARTNERS INC	05-1041	Maddox @ Caldwell 5
126590014	\$128.39	GARRISON ROBERT & CHRISTI	05-1042	Maddox @ Caldwell 5
126590023	\$128.39	MAURICE DAMON D & ELIZABETH	05-1043	Maddox @ Caldwell 5

Exhibit "C"

Tax Roll Assessment
Maddox @ Caldwell 5
Fiscal Year 2004-05

APN_NO	Assessment	OWNER_NAME	Lot #	District name
126590018	\$128.39	GONZALES MARC E & CHRISTINA M	05-1044	Maddox @ Caldwell 5
126590036	\$128.39	CASTLEWOOD PARTNERS INC	05-1045	Maddox @ Caldwell 5
126590027	\$128.39	CASTLEWOOD PARTNERS INC	05-1046	Maddox @ Caldwell 5
126590030	\$128.39	CASTLEWOOD PARTNERS INC	05-1047	Maddox @ Caldwell 5
126590013	\$128.39	GREGORY ERIK	05-1048	Maddox @ Caldwell 5
126590022	\$128.39	MESTA BENNY & MARIA L	05-1049	Maddox @ Caldwell 5
126590019	\$128.39	BUSSEY JAMES D JR	05-1050	Maddox @ Caldwell 5
126590037	\$128.39	CASTLEWOOD PARTNERS INC	05-1051	Maddox @ Caldwell 5
126590012	\$128.39	SANTAMARIA IVONNE C	05-1052	Maddox @ Caldwell 5
126590028	\$128.39	CASTLEWOOD PARTNERS INC	05-1053	Maddox @ Caldwell 5
126590029	\$128.39	CASTLEWOOD PARTNERS INC	05-1054	Maddox @ Caldwell 5
126590020	\$128.39	THOMPSON CHRISTOPHER L & SARAH N	05-1055	Maddox @ Caldwell 5
126590021	\$128.39	CASTLEWOOD PARTNERS INC	05-1056	Maddox @ Caldwell 5
126590038	\$128.39	CASTLEWOOD PARTNERS INC	05-1057	Maddox @ Caldwell 5
126590011	\$128.39	EMERY ALFRED V & JUANITA P (TRS)	05-1058	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1059	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1060	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1061	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1062	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1063	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1064	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1065	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1066	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1067	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1068	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1069	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1070	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1071	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1072	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1073	Maddox @ Caldwell 5
To be Assigned	\$128.39	CASTLEWOOD PARTNERS INC	05-1074	Maddox @ Caldwell 5

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-
Maddox @ Caldwell 5
Fiscal Year 2004-05

General Description

This Assessment District (District) is located West of Ben Maddox Way and north of Monte Verde Avenue. Exhibit "A" is a map of Assessment District 05-10. This District includes the maintenance of turf, shrubs, street lights, trees, and any other applicable equipment or improvements, 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.

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 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.

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 total number of lots within the district is 74.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-
Maddox @ Caldwell 5
Fiscal Year 2004-05

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.	12567	\$0.125	\$1,570.88
Shrub Area	Sq. Ft.	21562	\$0.125	\$2,695.25
Water	Sq. Ft.	34129	\$0.050	\$1,706.45
Electricity	Sq. Ft.	34129	\$0.008	\$273.03
Trees In Landscape Lots	Each	37	\$25.00	\$925.00
Trees In Local Street Parkways	Each	132	\$25.00	\$3,300.00
Street Lights	Each	9	\$105.00	\$945.00
Project Management Costs	Lots	74	\$18.00	\$1,332.00
TOTAL				<hr/> \$12,747.61
10% Reserve Fund				\$1,274.76
GRAND TOTAL				<hr/> <hr/> \$14,022.37
COST PER LOT				\$189.49

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:

$$A_{max} \text{ for any given year "n"} = (\$14,022.37) (1.05)^{(n-1)}$$

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

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

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

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-
Maddox @ Caldwell 5
Fiscal Year 2004-05

- Example 1. The estimated year four cost of maintaining the improvements in the district is \$15,284.38 [a 9% increase over the base year estimated cost of \$14,022.37\$8,200.86]. The maximum annual assessment for year four is $\frac{(\$14,022.37)(1.05)^{(4-1)} + \$8,200.86}{1.05}$ [A_{max} = (\$14,022.37) (1.05)⁽⁴⁻¹⁾]. The assessment will be set at \$15,284.38 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 \$15,845.28 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$14,022.37]. 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 \$ 316.91 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 $\frac{(\$14,022.37)(1.05)^{(4-1)} + \$8,200.86}{1.05}$ [A_{max} = (\$14,022.37\$8,200.86)⁽⁴⁻¹⁾ (1.05)]. The year four assessment will be set at \$15,845.28 plus the deficit amount of \$316.91 which equals \$ 16,162.19 [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 \$15,284.38 [a 9% increase over the base year assessment of \$14,022.37] and damage occurred to the masonry wall raising the year five expenses to \$18,646.94 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$16,812.82 (a 10% increase over the previous year) and below the maximum annual assessment of $\frac{(\$14,022.37)(1.05)^{(5-1)} + \$8,200.86}{1.05}$ [A_{max} =(\$14,022.37)⁽⁵⁻¹⁾ (1.05)]. The difference of \$1,602.66 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: April 18, 2004

Agenda Item Number (Assigned by City Clerk): 9

Agenda Item Wording: Protest hearing regarding formation of "Open Space District No. 87, Four Creeks Estates II". If less than 50% of property owners protest, adopt a resolution forming the Open Space District. Resolution No. 2005-59 required.

Deadline for Action: April 18, 2004

Submitting Department: Community Development / Public Works Department

Contact Name and Phone Number:

Greg Dais 713-4164
Andrew Benelli 713-4340

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 2

Department Recommendation and Summary: Hold a protest hearing regarding the formation of Open Space District No. 87, Four Creek Estates II. If less than 50% of property owners protest in writing, adopt a resolution forming the Open Space District. Resolution No. 2005-59 required.

Discussion: 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 the Tentative Map for Four Creeks Estates II, located on Buena Vista Avenue between Burke Street and Ben Maddox Way. This map will create 86 single family lots. 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.

At the Council meeting on April 4, 2005, a resolution of intention to form Open Space District No. 87, Four Creeks Estate II was passed; this resolution set the date for a protest hearing to allow property owners and the owners of residential units within the proposed district to oppose its formation. Opposition must be in the form of a written protest.

Once a protest hearing has been held, and if no more than 50% of property owners protests in writing, Council may pass a resolution to form the open space district. Formation of this district was a requirement of the Tentative Map in order to provide for maintenance of the improvements and landscaping within the Northeast Master Plan Area. The property owner(s) will be assessed \$44.28 per year which will be collected either by billing by the City of Visalia or collected with property taxes by the County of Tulare. The affected area is currently owned by one owner (West Star Construction, Inc.) who has consented to the formation of the district. Although consent has been provided, state law requires that the protest hearing be held prior to the formation of the district.

Prior Council/Board Actions: On April 4, 2005 Council approved a resolution of intention to form Open Space District No. 87, Four Creeks Estates II.

Committee/Commission Review and Actions: Planning Commission approved Four Creeks Estate II on April 26, 2004.

Attachments: Resolution, Location Sketch, Four Creeks Estate II

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected) That the City Council adopt Resolution No. 2005-59, ordering the formation Open Space District No. 87, Four Creeks Estates II.

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: Categorically Exempt

Required?

Review and Action: Prior:
 Required:

NEPA Review:

Required?

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:

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

RECORDING REQUESTED BY:

This document last revised 4/14/05 2:55 PM
By author: Greg Dais

CITY OF VISALIA

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

RESOLUTION NO. 2005-59

RESOLUTION ORDERING THE FORMATION
OPEN SPACE DISTRICT NO. 87
FOUR CREEKS ESTATES II

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 on April 4, 2005 adopt resolution of intention to form Open Space District No. 87 in said CITY; 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.

WHEREAS, said resolution was duly published and notices of its passage were duly mailed, for the time and in the form and manner provided by law, all as more particularly appears from proofs thereof on file at City Hall, City of Visalia; and

WHEREAS, a full hearing was had thereon at the time appointed and all persons desiring to be heard by this Council, and that no persons appeared and objected orally or in writing to the inclusion of said territory, or a portion or portions of said territory to the maintenance districts;

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

1. That all written protests and other written communications were publicly read at said hearing, that protests against the formation of said district were not made by the owners of more than ½ of the residential units for a land that property included therein, that all persons desiring to be heard were fully heard, and that all protests be, and each of the, are hereby overruled.

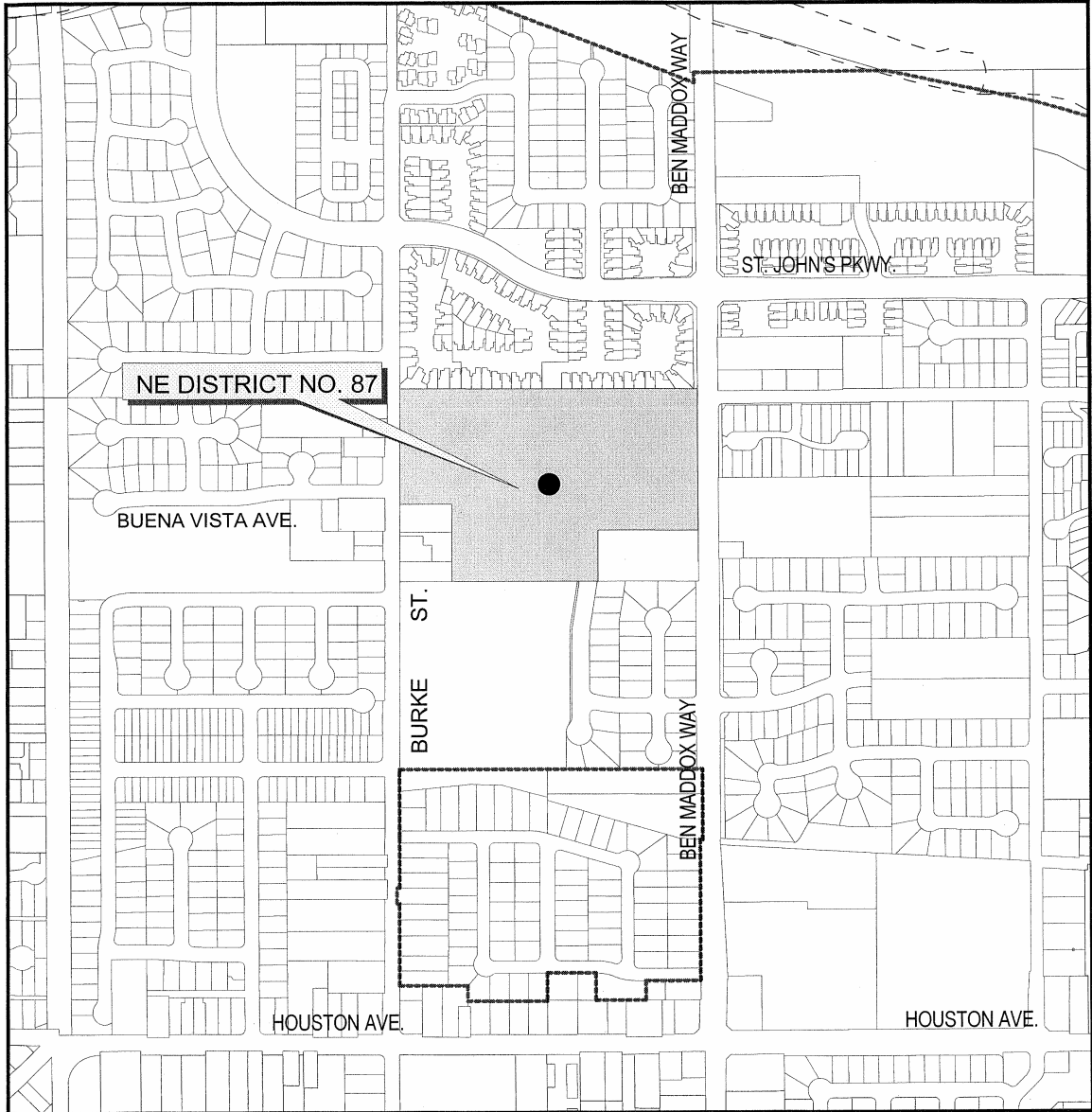
2. That the public interest and convenience require and a maintenance district is hereby formed for the maintenance and operation of parks and parkways and appurtenances thereto, including, but not limited to walkways, crosswalks, steps, safety zones, parking areas, platforms, seats, statuary, fountains, 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.

3. That said district be, and is hereby designated as "Open Space District No. 87", 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.

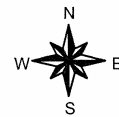
4. That the district and the boundaries thereof benefited and to be assessed for the maintenance and operation of the improvements described are situated in Tulare County, State of California, City of Visalia and being more particularly described as follows: (see attached map)

Open Space District No. 87, Four Creeks Estates II, being Parcel 2 of Parcel Map No. 4203, as per map recorded in Book 43, page 7 of Parcel Maps in the office of the County Recorder of said County, situated in the East half of the Southeast of Section 20, Township 18 South, Range 25 East, M.D.B. & M.

City of Visalia
NE District No. 87



LOCATION MAP



Scale: 1"= 400'

City of Visalia Agenda Item Transmittal

Meeting Date: April 18, 2005

Agenda Item Number (Assigned by City Clerk): 10

Agenda Item Wording: Request authorization to enter into contract with Deventec, Inc. for the installation of a photovoltaic energy generation system mounted on a parking shade structure at the Visalia Airport for a cost of one hundred seventy five thousand and five hundred dollars (\$175,500) after California Energy Commission rebate of \$84,000.

Deadline for Action: Rebates are scheduled to be reduced on June 30, 2005

Submitting Department: Community Development and Airport

Contact Name and Phone Number:

Steve Salomon, City Manager, 713-4312
Michael Olmos, Director of Community Development, 713-4332
Mario Cifuentez, 713-4480
Sharon Sheltzer, Project Manager, 713-4414

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5

Department Recommendation and Summary: Staff recommends that Council authorize the City Manager to enter into contract with Deventec, Inc., Energy Management Solutions, for the installation of a photovoltaic energy generation system mounted on a parking shade structure at the Visalia Airport for a net cost of one hundred seventy five thousand and five hundred dollars (\$175,500). Deventec will apply for a California Energy Commission rebate of \$84,000 and it is customary that as long as funds are available and a licensed contractor is employed then the application will be granted. The City will not need to front the anticipated rebate. The contract will have a provision whereby it becomes null if the rebate is not granted.

Discussion

Six proposals were received in response to the City RFP to offer the best solution including photovoltaic panels to reducing the energy dependence at the Visalia Airport. The RFP requested a 30 kilowatt photovoltaic energy system either on Hangar C, the Pilot's Lounge roof or a freestanding parking shade structure. Proposers were also given the opportunity to offer an alternative creative solution. The maximum 30 kilowatt system was designated after the rebates for systems over 30 kilowatts offered by Southern California Edison were no longer available.

A review Committee was formed including Chriss Helgeson, a building inspector with extensive experience in photovoltaics resulting from working at SCE, and Sharon Sheltzer, Project Manager, who also has experience in this field, to review the proposals. The top three qualified firms were selected. After they were designated as the most qualified their cost proposals were opened in the presence of an expanded committee that included Chriss, Sharon, Mario Cifuentez, Airport Manager, and Gus Aiello, Finance Manager. In alphabetical order the proposals were:

Table 1
RFP Responses
Proposal

<u>Vendor</u>			<u>Cost After Rebate</u>
Deventec, Inc. (San Luis Obispo)	Option 1	Parking structure	\$175,500
	Option 2	Small parking structure and awning	\$175,500
National Builders Supply (Visalia)	Option A	Flat mount hangar C East/West	\$132,872
	Option B	Hangar C South tilt	\$137,351
	Option C	Parking shade structure	\$152,872
Sol Source Energy (Arcadia)	Option A	Flat mount hangar C East/West	\$161,175

Analysis

The proposers were requested to analyze the options of installing photovoltaic panels on either Hanger “C”, the Pilot’s Lounge roof, or a parking shade structure/alternative creative solution.

Parking Shade Structure

- A similar amount of money would need to be spent to bore under the asphalt to provide electrical conduit from the Pilot’s Lounge to Hanger “C” as would be spent for the shade structure which provides a tangible benefit. The shade structure can be connected to the airport with a much shorter conduit via trenching. Mario Cifuentez believes that it would be a valuable addition to the airport to have a shaded parking area, and the energy system in a more visible location to the public, to highlight the City’s commitment to energy efficiency.

Hanger “C”

- There is some question if the 30 year old hanger roof is in good enough condition and has the structural integrity to support the installation. An engineer would have to be hired to make this determination. Boring for electrical conduit from the Pilot’s Lounge to the hanger would be expensive and disruptive.

Pilot’s Lounge roof

- The Pilot’s Lounge roof is covered with equipment and was determined by most proposers to be unsuitable for the installation.

The Committee believed that more value would be derived from this installation if a parking shade structure (and possibly a solar awning on the south side of the Pilot’s Lounge) were installed as a means of supporting the photovoltaic installation. The two companies designated as qualified that proposed a parking shade structure mounting system were Deventec and National Builder’s Supply. Deventec also offered the alternative to provide half the PV panels on a solar awning that would also reduce the heat build-up in the lounge, and half the PV panels on a smaller parking shade structure. This alternative does not increase Deventec’s proposal price, and they indicate that if the hybrid is chosen it may cost less than the larger parking structure.

The Proposal Review Committee recommends the Deventec proposal because the shade structure offered by them was more practical. The support poles of the cantilevered structure are out of the way of parking cars, and more aesthetically pleasing. Please review the attached photo and drawing of the proposed parking structure system designated as “A”. The National Builders Supply shade structure has poles at each corner that would interfere with easy parking and it might be more appropriate in a less visible location. Please review the attached photo designated as “B. The Deventec proposal would provide Sharp modules (the most efficient on the market) and multiple invertors and is designed for a capacity just under 30 kilowatts which will provide approximately 62% of the electricity normally provided by Southern California Edison. Staff would like to pursue the option of the combination parking/awning proposal

Financial Analysis

The payback period is the amount of time that it takes to recoup the original installation expenditure by totaling the savings on the electric bill until the savings exceeds the expenditure. After that time the electricity generated by the system is free with the exception of historically low maintenance costs.

Deventec calculated the payback period for the 30 kW photovoltaic installation to be approximately 13 years. Please review the Deventec Chart. They believe this is a conservative estimate because although it includes the SCE historical annual inflation rate (8% for small commercial) it does not include the expected inflationary cost of electricity and does not incorporate the possibility of leveraging a time-of-use electricity meter. Deventec projects that the break-even period could possibly be shortened to 10 years.

City staff performed an analysis using California Public Utilities Commission prices for electricity, which are an assembly of historic prices from many providers and last years cost per kilowatt of 0.1441. This table inflationary rate is 6.5% and the City calculations ascertained a payback period between 13 and 14 years, corroborating the Deventec calculation.

Table II
Value of Solar Panels

Projected KWH per year	60,225
Cost per KWH	0.144
Annual Value of Solar Power	8,672

Assume power rates increase by 8% per year

Year	Value of Solar Power	Cumulative Value of Solar Power	
1	8,672	8,672	
2	9,366	18,039	
3	10,115	28,154	
4	10,925	39,079	
5	11,799	50,878	
6	12,743	63,620	
7	13,762	77,382	
8	14,863	92,245	
9	16,052	108,297	
10	17,336	125,633	
11	18,723	144,356	
12	20,221	164,577	
13	21,839	186,416	Payback
14	23,586	210,001	
15	25,473	235,474	
16	27,510	262,984	
17	29,711	292,695	
18	32,088	324,783	
19	34,655	359,439	

Finance provided an analysis of the projected return on investment. Assuming a 25 year life expectancy for the PV panels which is guaranteed by warranty, an 8% per year rise in electricity costs and no additional maintenance costs, the return on investment would be 9.5%. This number would most likely be adjusted by two factors: the inverter's life span is 20 years (today's cost to replace is \$28,000) and will have to be replaced before the PV panels, and the PV panels historically continue to operate beyond their warranty time. The continued operation after the 20th year would offset the cost of the new inverters in one year's time.

Prior Council/Board Actions: none
Committee/Commission Review and Actions:

Alternatives: Enter into contract with low bidder National Builders Supply

Attachments: photos, chart and drawings of two proposed shade structures

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):
1. Staff recommends that Council authorize the City Manager to enter into contract with Deventec, Inc., Energy Management Solutions, for the installation of a photovoltaic energy generation system mounted on parking shade structure "A" at the Visalia Airport (or alternate hybrid parking shade structure/solar awning) for a cost of one hundred seventy five thousand and five hundred dollars (\$175,500), and to establish a CIP number for this project, or alternately,

2. Council authorize the City Manager to enter into contract with National Builders Supply for the installation of a photovoltaic energy generation system mounted on parking shade structure "B" at the Visalia Airport for a cost of one hundred fifty two thousand eight hundred and seventy two dollars (\$152,872), and to establish a CIP number for this project.

Financial Impact

Funding Source:
Account Number: Airport Enterprise Fund

Budget Recap:

Total Estimated cost: \$175,500	New Revenue:	\$
Amount Budgeted: \$	Lost Revenue:	\$
New funding required: \$0	New Personnel:	\$
Council Policy Change: Yes____	No__x__	

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No x

Review and Action: Prior:
 Required:

NEPA Review:

Required? Yes No x

Review and Action: Prior:
 Required

Tracking Information: Sign contract

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others: