

# Visalia City Council Agenda



For the regular meeting of: Monday, May 2, 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

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

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**EMPLOYEE RECOGNITION:** Elizabeth Hobbs Administrative Professional of the Year

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

**4:00 p.m.**

1. Consideration of the Visalia Park and Recreation Commission's recommendation of naming the city's new community sports park "Visalia Heritage Park."
2. Review and authorization for the City Manager to execute an agreement with the Provost & Pritchard Engineering Group to perform a Feasibility Study on the Establishment & Operation of a Supplemental, City Owned, Water System in the City of Visalia.

### **-Convene jointly as the Redevelopment Agency Board and the Visalia City Council**

3. Review of proposed process and City Council direction for the proposed development of the Civic Center Master Plan with consultant Bruce Race of RACESTUDIO.

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

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

**Updates:** High Speed Rail Update  
Airport Update

## **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: Road 108 St. Johns River Basin (right of way acquisition)  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, Alex Peltzer, Vander Stelt Family
6. Conference with Real Property Negotiators  
Property: 33.34 acres of the Santa Fe Railroad right-of-way between Avenue 272 & St. Johns River  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salmon, Don Stone, George Ross, American Trail Association, Tulare Valley Railroad Company

## **REGULAR SESSION**

### **7:00 p.m.**

#### **PLEDGE OF ALLEGIANCE**

#### **INVOCATION -**

#### **SPECIAL PRESENTATIONS/RECOGNITION**

Proclamation presentation declaring May 1 through May 7, 2005, Municipal Clerks Week.

Proclamation presentation declaring May 2 through May 8, 2005, Public Service Recognition Week.

Proclamation presentation declaring May 14, 2005, Happy Hearts Day.

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

minutes (speaker timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your address.

#### **CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

7. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
  - a) Authorization to read ordinances by title only.
  - b) Approval of the site location for the "Greatest Generation World War II Mural" on private property located at 26644 South Mooney Boulevard.
  - c) Consideration to Authorize the filing of an appeal regarding a Tulare County Planning Commission decision approving Tract Map 759 located east of the Saint John's River, west of Ben Maddox Way, within the City of Visalia's 165,000 Urban Development Boundary.
  - d) Authorization to award the contract for West Side Taxiway construction at the Visalia Municipal Airport to Glen Wells Construction in the amount of \$2,882,746.20. Project numbers 4011-720000-0-0-9568-2003 & 4011-720000-0-0-97360-2005, corresponding to FAA AIP Project numbers 3-06-0271-19, 20, 21 & 22.
  - e) Authorization for the City of Visalia to apply jointly with the County of Tulare for Federal funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and execution of a Memorandum of Understanding (MOU) regarding the grant.
  - f) Authorization for the City Manager to enter into a contract for professional services for labor relations, negotiations and/or other mediation services with James Harbottle for an amount not to exceed \$45,000 through December 31, 2007.
  - g) Adoption of a Resolution of Intention to create a Property & Business Improvement District for five (5) years and authorization to set June 06, 2005 as the date of public hearing. This would extend the program in the existing area. **Resolution 2005-60 required.**
  - h) Authorize the City Manager to approve and grant vehicular ingress and egress, on a case-by-case basis, for those properties with vehicular access rights relinquished to the City of Visalia.
  - i) Authorization to bid the public improvements for Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 6111-720000-0-0-9534-2005.

- j) Award a contract for the South Trunkline Sanitary Sewer Improvements to the low bidder George Dakovich & Son, Inc. in the amount of \$2,671,747.00. Project # 1231-720000-0-0-9840-2005.
- 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 Parcel Map No. 2004-19, located east of Century Street between Goshen Avenue and Pershing Avenue (22 lots and 1 ponding basin lot) and the Formation of Landscape and Lighting District No. 05-06, Parcel Map No. 2004-19; **Resolutions 2005-61 and 2005-62 required.**
  - 2. Authorize the Recordation of the Final Map for Fieldstone Oaks, located at the northwest corner of Houston Avenue and County Center Street (347 lots) and the Formation of Landscape and Lighting District No. 05-11, Fieldstone Oaks **Resolution 2005-63 and 2005-64 required**; APN: 089-020-002.
  - 3. Authorize the Recordation of the Final Map for Foxwood Estates Unit No. 5, located on the south side of Ferguson Avenue, along the extension of Roeben Street (47 lots) and the Formation of Landscape and Lighting District No. 05-08, Foxwood Estates No. 5; **Resolution 2005-65 and 2005-66 required.**

*Pursuant to staff's request the City Sewer Connection Fee Item below is to be continued to Monday, May 16, 2005 (Motion required.)*

- 8. PUBLIC HEARING - Review of the City's Sewer Connection Fees.
- 9. REGULAR ITEM - Proposed 4 year program for Solid Waste's rate & fees beginning on July 1, 2005, primarily for conversion of the fleet to CNG fuel.
- 10. REGULAR ITEM - Consideration of initiating an Annexation, General Plan Amendment, Change of Zone, and a Specific Plan Amendment for property located in the Highway 198 Scenic Corridor Area. This is a request by Sierra Village, Inc. (Quad Knopf, agent.) The subject property is located on the southeast corner of Noble Avenue and Roeben Street. APN: 087-450-001 through 005.

**- Convene Joint as the Redevelopment Agency Board and the Visalia City Council**

- 11. PUBLIC HEARING - Review and approval of the 2005-2009 Consolidated Plan and the 2005-2006 Action Plan for the CDBG and HOME federal grants.

*(A copy of the Consolidated Plan is available for public review in the City Clerk's Office. To make arrangements for a personal copy contact Cass Cook, Senior Administrative Analyst, at 713-4298.)*

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

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

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

**Upcoming Council Meetings**

Tuesday, May 3, 2005 (Joint Meeting with VUSD and City of Visalia, hosted by VUSD 6-8 p.m., VUSD Board Room)

Monday, May 16, 2005

Monday, June 6, 2005

Monday, June 13, 2005 (Special Meeting, Visalia Convention Center)

Monday, June 20, 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.

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Consideration of the Visalia Park and Recreation Commission's recommendation of naming the city's new community sports park "Visalia Heritage Park."

**Deadline for Action:** N/A

**Submitting Department:** Parks and Recreation Department

**Contact Name and Phone Number:** Don Stone, 713-4397

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:** The Visalia Parks & Recreation Commission is recommending the name "**Visalia Heritage Park**" as the top choice for the 80+ acre community sports park currently being planned for northern Visalia.

At their regular April 19<sup>th</sup> meeting, the Commission selected the following two names as their top choices for the much anticipated community park. The Commission selected these two names from a final listing of nine names as proposed by the Sports Park Advisory Committee:

1. "**Visalia Heritage Park**"
2. "**Visalia Riverway Park**"

The process to selecting a name for the park started in February. The first step was an extensive publicity campaign to solicit names from the community. Karen Tellalian organized the "**You Name It**" campaign to encourage public participation. Over a six week period, 240 names were submitted. Next members of the Citizens Advisory and Beautification Committees participated in the screening of names by rating their 25 best names based on the City Facility Naming Policy guidelines. These names were next reviewed by the Sports Park Advisory Committee to narrow the list to nine names that were considered by the Park and Recreation Commission.

Visalia Heritage Park was selected for the following reasons: First, the design theme for the park uses historical elements from the farming and ranching eras. The structures incorporate the farm / ranch style and the landscaping also uses accent trees and plants that are either native to the area or typically used. In addition a Heritage Court is being planned to highlight historical eras. A "donor's wall" is also part of the court which will recognize the heritage of giving that supported the development of the park.

The name Visalia Riverway Park is an alternate choice and was chosen because it reflects the parks location next to the St. Johns River.

It's important to recognize that the Commission felt the park was more than just traditional sports with the planned community playgrounds, group picnic areas, water elements, and BMX track facilities. Future phases could also include a community center and/or a swimming center. For these reasons, the Commission did not want to include the words "sports park" in the new name.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

| <i>Financial Impact</i>         |                 |  |    |
|---------------------------------|-----------------|--|----|
| <b>Funding Source:</b>          |                 |  |    |
| <b>Budget Recap:</b>            |                 |  |    |
| Total Estimated cost: \$        | New Revenue:    |  | \$ |
| Amount Budgeted: \$             | Lost Revenue:\$ |  |    |
| New funding required:\$         | New Personnel:  |  | \$ |
| Council Policy Change: Yes_____ | No_____         |  |    |

**Attachments:** Sports Park Advisory Committee Recommendation, Park Naming Guidelines

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

**City Manager Recommendation:**

Copies of this report have been provided to:

| <b><i>Environmental Assessment Status</i></b> |     |           |    |
|---|-----|-----------|----|
| <b>CEQA Review:</b>                           |     |           |    |
| Required?                                     | Yes |           | No |
| Review and Action:                            |     | Prior:    |    |
|   |     | Required: |    |
| <b>NEPA Review:</b>                           |     |           |    |
| Required?                                     | Yes |           | No |
| Review and Action:                            |     | Prior:    |    |
|   |     | Required: |    |

|   |
|---|
| <b>Tracking Information:</b> <i>(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)</i> |
|---|

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

Community Sport Park  
Names Submitted by Sports Park Advisory Committee

1. Visalia Community Sports Park
2. Visalia Sports Park
3. St. Johns River Sports Park
4. Visalia Riverway Park
5. Visalia Riverway Sports Park
6. St. Johns Sports Park
7. Visalia Heritage Park
8. Sequoia Sports Park
9. St. Johns Sports Park

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Authorize the City Manager to execute an agreement with the Provost & Pritchard Engineering Group to perform a Feasibility Study on the Establishment & Operation of a Supplemental, City Owned, Water System in the City of Visalia.

**Deadline for Action:** None

**Submitting Department:** Community Development and  
Public Works Department

**Contact Name and Phone Number:**

Bill Carr – 713-4633  
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.): \_\_\_\_\_

**Department Recommendation and Summary:** Staff recommends that the City Council authorize the City Manager to execute an agreement between the City and Provost and Pritchard Engineering Group in the amount of \$98,500.00 to perform a Feasibility Study on the Establishment and Operation of a Supplemental, City Owned, Water System in the City of Visalia. Project Number 0011-72000-0-0-9794-2005.

**Background**

Council is considering the potential development of City-Owned and operated Water Service System which would be independent from the California Water Service system. This effort was initiated at the request of several land development companies in the community and in recognition of the City's interest in managing and enhancing local water and ground water resources.

Based on the discussion at the October 18, 2004 City Council Work Session and the approval of the staff recommendation on the October 18, 2004 City Council Agenda, staff went through the formal RFP process to select a consultant to perform the aforementioned Feasibility Study.

In December, 2004 a Request for Proposals was distributed to interested engineering firms and a public notice of availability for the RFP was duly published. On December 27, 2004, eight firms attended a Proposer's Conference to receive information and ask questions of staff. On January 19, 2005, Proposals were received from 3 firms: Provost and Prichard (Visalia/Fresno), Willdan Associates (Visalia/Sacramento) and Matrix Consulting (Palo Alto). Seven members of the City Staff, including the City Attorney & the City Finance Director rated the proposals and there was NO clear cut consultant preference. On February 23, 2005 oral presentations were made by the three firms to a panel consisting of:

Michael Olmos, CD & PW Director  
David Jacobs, CD & PW Assistant Director  
Dennis Keller, Consulting Water Engineer  
Bill Carr, CD & PW Project Manager filling in for the BIA representative unable to attend at last minute.

After considerable discussion, the above panel eliminated one firm (Matrix Consulting), but there still was not a decision on which of the two remaining firms was preferred. On March 18, 2005 a second oral presentation was made by the 2 remaining firms to a panel consisting of:

Don Landers, City Councilman  
Greg Kirkpatrick, City Councilman  
Dan Dooley, City Attorney  
Bob Dowds, Mangano Homes (BIA Representative)  
Darlene Matta, McMillin Homes (BIA Representative)

The decision of the above panel was that the firm of Provost and Pritchard Engineering Group had the best team and most responsive proposal to perform the requested work. It was then decided to review the two firms cost proposals to make sure there was not a difference that would impact the panel's decision. The proposal costs were as follows:

|                                       |              |
|---------------------------------------|--------------|
| Provost & Pritchard of Visalia/Fresno | \$98,500.00  |
| Willdan Group of Visalia/Sacramento   | \$149,800.00 |

Based on the above, it was the panel's recommendation to hire the firm of Provost & Pritchard Engineering Group to perform the Feasibility study of the establishment and operation of a supplemental, City-owned, water system in the City of Visalia.

During the work session on October 18, Council stated that the development community should share in the cost of the feasibility study. Staff has contacted the Building Industry Association and interested developers, and they have agreed to pay \$25,000 of the \$98,500 fee for this work. It also should be noted that the development community paid for the cost of a preliminary study that formed the basis of the October 18 work session. The preliminary study funded by the BIA cost of about \$9,000.

**Prior Council/Board Actions:** October 18, 2004

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

**Alternatives:** Take no action and allow Cal Water to extend water system improvements into newly developing areas.

**Attachments:** October 18, 2004 Agenda Item  
October 8, 2004 Letter from BIA  
February 5, 2004 Letter from BIA  
April 25, 2005 Letter from California Water Service Company  
Area Map

**City Manager Recommendation:**

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

Move to authorize the City Manager to execute an agreement with Provost & Pritchard Engineering Group to perform a Feasibility Study of the Establishment & Operation of a Supplemental, City Owned, Water System in the City of Visalia, subject to \$25,000 funding participation from the building community.

**Financial Impact**

**Funding Source:**

Account Number: 0011-720000-0-0-9794-2005

**Budget Recap:**

|                                 |   |
|---------------------------------|---|
| Total Estimated cost: \$120,000 | New Revenue:\$ 25,000 (Building Industry Association) |
| Amount Budgeted: \$ 0           | Lost Revenue: \$                                      |
| New funding required:\$ 70,000  | New Personnel: \$                                     |
| Council Policy Change: Yes_____ | No__X__   |

Copies of this report have been provided to:

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

**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:

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

**Others:**

This  
By

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 02, 2005

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

**Agenda Item Wording:** Review of proposed process and City Council direction for the proposed development of the Civic Center Master Plan with consultant Bruce Race of RACESTUDIO.

**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, Community Development & Public Works Director, 713-4332  
Fred Brusuelas, Assistant Director, Community Development & Public Works, 713-4364  
Bob Nance, Economic & Redevelopment Manager, 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.): 30

**Department Recommendation and Summary:**

Upon completion of a Work Session update, the City Council to provide the committee, staff and consultant with direction for development of a Civic Center Master Plan.

**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. On April 18, 2005, the City Council approved the amendment to the contract with Bruce Race of RACESTUDIO for professional consulting services in developing the Civic Center Master Plan.

**Civic Center Master Plan Summary:**

The Civic Center Master Plan will provide a comprehensive strategy for urban design, facility planning and financing. The development process 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.

#### **Consultant Planning Team:**

The Consultant Planning Team will 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

#### **Master Plan Development Process:**

The development process is proposed to be done in three phases summarized herein below:

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.
- April 18, 2005 – City Council approval of amendment to contract with RACESTUDIO for professional services in developing the master plan.

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

Formation of the Civic Center Master Plan Committee

#### **Alternatives:**

None recommended

**Attachments:**

Proposed Scope of Work

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):**  
Upon completion of the Work Session review, staff is requesting City Council direction for further development of the Civic Center Master Plan.

|  |        |                 |    |
|--|--------|-----------------|----|
| <b><i>Financial Impact</i></b>                   |        |                 |    |
| <b>Funding Source:</b> Civic Center Reserve Fund |        |                 |    |
| <b>Budget Recap:</b>                             |        |                 |    |
| Total Estimated cost: \$                         |        | 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:

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes No X

Review and Action: Prior:

Required: An environmental review and process will be required upon completion of the Master Plan to address anticipated development

**NEPA Review:**

Required? Yes No X

Review and Action: Prior:

No Federal funds are anticipated to be used for this project.

Required:

**Tracking Information:** Staff to proceed with the development of the Civic Center Master Plan in accordance with City Council direction.

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

**Others:**

## 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

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**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            |
| <br>Labor Subtotal        | <br>121,600       |
| <br>Cost Estimator (TBD)  | <br><u>10,000</u> |
| <br>TOTAL                 | <br>\$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> |
|-------------|--------------|-------------|

**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        |

|                         |
|-------------------------|
| <b>Phase 2: Options</b> |
|-------------------------|

|              |                 |              |
|--------------|-----------------|--------------|
| 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       |

|   |
|---|
| <b>Phase 3: Civic Center Program Report</b> |
|---|

|                |                 |              |
|----------------|-----------------|--------------|
| 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> |

|              |               |
|--------------|---------------|
| <b>TOTAL</b> | <b>43,400</b> |
|--------------|---------------|

**A. PLESCIA & CO.  
BUDGET SUMMARY**

| <b>Task</b>               | <b>Hours</b>      | <b>Cost</b>   |
|---------------------------|-------------------|---------------|
| 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>  |
| <b>TOTAL</b>              |                   | <b>22,800</b> |

**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>  |
| <b>TOTAL</b>              |                   | <b>21,800</b> |

**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>  |
| <b>TOTAL</b>              |                   | <b>33,600</b> |

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Approval of the Site Location for the "Greatest Generation World War II Mural" on Private Property Located At 26644 South Mooney Boulevard.

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:**

Vincent A. Elizondo, Director of Parks & Recreation, 713-4367

**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:**

City staff recommends that the City Council approve the proposed site plan for the "Greatest Generation World War II Mural" on private property located at 26644 South Mooney Boulevard subject to revisions of the proposed site plan as identified by the City's Site Plan Review Committee, with the understanding that the revisions need to be completed and approved prior to the issuance of a building permit.

**Background:**

In July, 2004 the Veterans Day Committee submitted an application to paint a WWII Tribute mural in downtown Visalia. While the content and location were being considered, the original site location was withdrawn and a new site was brought forward for Council consideration on November 30, 2004. At that time, the Council indicated "they were not opposed to the mural (content) itself, but rather the location," which was 200 yards west of 2900 W. Burrel, fronting West Main. Issues related to safety, graffiti and the riparian nature of the location were raised as areas of concern with the proposed site. Council asked the Visalia Veterans Day Committee and City staff to seek another site.

Since that time, the Committee and staff have met on the subject and have sought an appropriate location. On March 23, the Visalia Veterans Day Committee submitted a revised application for the new proposed site at 26644 South Mooney Boulevard.

The City's Site Plan Review Committee has reviewed the proposed World War II mural project and requested several changes related to pedestrian and handicapped access to the mural, and adjustments to the storm basin, to accommodate the project. The site plan was given a "Revise and Proceed" on April 20<sup>th</sup>, 2005, subject to the changes identified by the Committee. The

changes need to be submitted to and approved by the Community Development and Public Works Department prior to the issuance of a building permit.

A copy of the site plan was submitted to CalTrans for comments due to the proximity of the mural along South Mooney Boulevard (State Highway 63). City staff was informed by Al Dias, CalTrans Transportation Planner on April 26<sup>th</sup> that CalTrans had “no comments” regarding the mural project.

**Prior City Council Actions:**

June 28, 2004: The Council adopted Mural Guidelines for the City.

July 12, 2004: The initial application was submitted at a Council and expedited processing was requested.

Aug. 2, 2004: The Council tabled the item pending changes.

Nov. 30, 2004: The Council accepted the content of the WW II mural but rejected the proposed site for the mural.

**Committee/Commission Review and Actions:** On August 13, 2004, the Mural Panel reviewed a revised sketch and concluded that given the size and scope of the mural, it does not contain enough local images to comply with the mural guidelines adopted by the City Council. If changes were made after this date, they have not been submitted to the Mural Panel for review since the Council indicated they were not opposed to the content.

**Alternatives:**

The Council could direct the applicant to further redesign the mural to comply more precisely with the City’s mural guidelines.

The Council could direct the applicant to consider a different location.

The Council could deny the application.

**Attachments:**

World War II Mural Project Site Plan as submitted by architect Jack Hayslett on April 20, 2005.

Revised Application from the Visalia Veterans Day Committee submitted on March 23, 2005.

**City Manager Recommendation:**

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

Move to approve the proposed site plan for the “Greatest Generation World War II Mural” at 26644 South Mooney Boulevard subject to the revisions of the proposed site plan as identified by the City’s Site Plan Review Committee.

Copies of this report have been provided to:

***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_____ |                   |

***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:** May 2, 2005

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

**Agenda Item Wording:** Consideration to authorize the filing of an appeal regarding a Tulare County Planning Commission decision approving Tract Map 759 located east of the Saint John's River, west of Ben Maddox Way, within the City of Visalia's 165,000 Urban Development Boundary.

**Deadline for Action:** None

**Submitting Department:** Community Development and Public Works Dept. - Planning

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

**Contact Name and Phone Number:**

Michael Olmos, Community Development & Public Works Director 713-4332  
Fred Brusuelas, Community Development & Public Works Assistant Director 713-4364

**Department Recommendation and Summary:**

That the City Council authorize staff to file an appeal of the Tulare County Planning Commission action approving Tentative Tract Map 759 to the Tulare County Board of Supervisors.

Background

The Tulare County Planning Commission on April 27, 2005 made a decision by a vote of 3 to 2 to approve Tract Map TM 759. The subdivision project is a 58 acre residential division of land comprising of 19 lots approximately 2.4 acres in size. The project location (APN: 079-070-012, 003) is along the west side of Ben Maddox Way and is adjacent to the Saint Johns River.

The project, although consistent with the 30 year old Tulare County General Plan (Rural Residential), is in consistent in the Visalia General Plan (Urban Reserve). The site is situated within the City's adopted 165,000 population Urban Development Boundary.

Past letters or correspondence and presentation to the Tulare County Planning Commission have communicated the City's strong objections to the proposed residential development.

Attached herewith are City of Visalia letters or opposition from Mayor Bob Link, Community Development and Public Works Director Mike Olmos and former Planning Manager Steve Brant.

The Tulare County appeal application is \$490 and must be filed with the County Clerk of the Board within 10 days of the Planning Commission Decision.

**Prior Council/Board Actions:** N/A

This document last revised 4/29/05 1:51 PM

By author: Susan Currier

File location and name: H:\(1) AGENDAS for Council\050205\Item 7c Tulare County Map Appeal.doc

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

**Alternatives:** Don't file an appeal and allow decision approving map to stand.

**Attachments:**

- Visalia Urban Development Boundaries in vicinity of TM 759
- Existing Zoning Map for TM 759
- Revised Tentative Subdivision Map TM 759
- City of Visalia letter to Tulare County Planning Commission dated February 18, 2005
- City of Visalia letter to Tulare County Planning Commission dated June 8, 2004
- City of Visalia letter to Tulare County Planning Commission dated December 15, 2004

**City Manager Recommendation:**

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

I move that the City Council authorize staff to file an appeal of the Tulare County Planning Commission to the Tulare County Board of Supervisors regarding Tentative Tract Map 759.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**  
Account Number: None.

**Budget Recap:**

|                                |                   |
|--------------------------------|-------------------|
| Total Estimated cost: \$       | New Revenue: \$   |
| Amount Budgeted: \$            | Lost Revenue: \$  |
| New funding required: \$       | New Personnel: \$ |
| Council Policy Change: Yes ___ | No <u>X</u> ___   |

***Environmental Assessment Status***

**CEQA Review:**  
Required? No  
Review and Action: Prior:  
Required:

**NEPA Review:**

Required? 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)*

None.

**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:** May 2, 2005

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

**Agenda Item Wording:** Authorization to award the contract for West Side Taxiway construction at the Visalia Municipal Airport to Glen Wells Construction in the amount of \$2,882,746.20. Project numbers 4011-720000-0-0-9568-2003 & 4011-720000-0-0-9736-2005, corresponding to FAA AIP Project numbers 3-06-0271-19, 20, 21 & 22.

**Deadline for Action:**

**Submitting Department:** Administrative Services – Airport

**Contact Name and Phone Number:** Mario Cifuentez, II  
Airport Manager, x4480

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:

#### Executive Summary:

City staff recommends that City Council award the project to Glen Wells Construction for the amount of \$2,882,746.20. The contract price is \$704,650 (19.6%) less than the engineer's estimates. This project will include the construction of a parallel taxiway on the West Side of the runway, corresponding connecting taxiways and an upgrade to the existing taxiway lighting system. More specifically, Staff recommends that Council:

- 1) Award the project to Glen Wells Construction for their bid amount;
- 2) Approve \$230,000 in additional CIP funds (95% funded by the FAA and 5% from the Airport Operating fund) to cover the cost of the project to cover the additional costs of electrical upgrades; and
- 3) Authorize the City Manager to execute FAA Grant Agreement No. 3-06-0271-22 in the amount of \$145,008, once it is received to fund the remaining portion of this project.

#### Background:

Bids were received and opened for this project on April 14, 2005. A total of six (6) bids were received ranging from \$2,882,746.20 by Glen Wells Construction of Visalia to \$3,789,668 by W. Jaxon Baker of Redding, CA. The engineer's estimate for the project was \$3,587,396.00 and the average bid was \$3,172,913.

This document last revised: 04/29/2005 1:51 PM

By author: Mario Cifuentez

File location and name: H:\(1) AGENDAS for Council\050205\Item 7d Award contract for West Side Taxiway Project.doc

|    |                                     |                        |
|----|-------------------------------------|------------------------|
|    | <b><i>Engineer's Estimate</i></b>   | <b>\$ 3,587,396.00</b> |
| 1. | <u>Glen Wells Construction</u>      | <u>\$ 2,882,746.20</u> |
| 2. | <u>Granite Construction Company</u> | <u>\$ 3,047,804.00</u> |
| 3. | <u>Lee's Paving</u>                 | <u>\$ 3,049,293.56</u> |
| 4. | <u>M. J. Menefee</u>                | <u>\$ 3,239,356.00</u> |
| 5. | <u>R. J. Berry</u>                  | <u>\$ 3,167,211.00</u> |
| 6. | <u>W. Jaxon Baker</u>               | <u>\$ 3,789,668.00</u> |

The consulting engineer has reviewed the bids and recommends the City award the contract to the low bidder, Glen Wells Construction for the bid amount, pending FAA Approval. Glen Wells Construction satisfactorily completed the Runway and Taxiway reconstruction project for the Airport in 1999 and has a history of completing FAA funded projects for the airport.

This project has been identified through the City's Capital Improvement Program. This project was previously approved by Council in two phases for Fiscal Years 2002-03 and 2004-05, but sufficient FAA funding wasn't approved by the FAA until this year. This project will construct a full-length taxiway on the West side of the runway in addition to several connecting taxiways. Additionally, this project will include an upgrade to our taxiway lighting system, which was necessary to accommodate the additional lighting.

We have an abundance of property available for development on the West Side. Several areas are prime sites for aviation related services. Without a West side parallel taxiway, aircraft are forced to taxi across the runway at its midpoint. For an airport without a tower, such as Visalia, this can create a dangerous situation. Currently we have only one operation on the West Side. That single operation has had several incidents involving midfield crossings of the runway. Until the taxiway is built, we are forced to limit development of the west side to low intensity uses, mostly private hangars. This taxiway would make way for future taxiways that would allow access to areas of future development. If we are to develop the of airport property to its fullest potential, access to all areas is our foremost consideration

The FAA is currently reviewing all bid submittals and related materials and staff anticipates that the FAA will recommend award of the contract to Glen Wells Construction during the first week of May.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:** The Airport Committee concurs with Staff's recommendation and recommends that Council award the contract for construction of these improvements.

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By author: Mario Cifuentez

File location and name: H:\(1) AGENDAS for Council\050205\Item 7d Award contract for West Side Taxiway Project.doc

**Alternatives:** Do not award contract and not complete the project. Not moving forward with this project would limit the growth of the airport and require the relinquishment of the grant funding to the FAA.

**Attachments:** Abstract of Bids,

**City Manager Recommendation:**

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

Move to award the contract for construction of the West Side Taxiway to Glen Wells Construction in the amount of \$2,882,746.20, pending FAA Approval.

Move to appropriate \$230,000 in additional funding to cover the additional costs of the project.

Move to Authorize the City Manager to accept the Federal Aviation Administration Grant Agreement for AIP 22 funding the construction of a parallel taxiway at the Visalia Municipal Airport, once the grant is received.

***Financial Impact***

**Funding Source:**

Account Number: 4011-720000-0-0-99568-2003 & 4011-720000-0-0-9736-2005

**Budget Recap:**

|                                     |                   |
|-------------------------------------|-------------------|
| Total Estimated cost: \$ 3,000,000  | New Revenue: \$   |
| Amount Budgeted: \$ 2,770,000       | Lost Revenue: \$  |
| New funding required:\$ 230,000     | New Personnel: \$ |
| Council Policy Change: Yes___ No_✓_ |                   |

Copies of this report have been provided to:

This document last revised: 04/29/2005 1:51 PM

By author: Mario Cifuentez

File location and name: H:\(1) AGENDAS for Council\050205\Item 7d Award contract for West Side Taxiway Project.doc

**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:** May 2, 2005

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

**Agenda Item Wording:** Authorization for the City of Visalia to apply jointly with the County of Tulare for Federal funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and execution of a Memorandum of Understanding (MOU) regarding the grant.

**Deadline for Action:** May 2, 2005

**Submitting Department:** Police

**Contact Name and Phone Number:** Police Chief Jerry Barker, Ext. 4215 or Cheryl Jackson, ext. 4301

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 Council authorize the City of Visalia to participate in a joint grant application with the County of Tulare for a newly created and funded Justice Assistance Grant (JAG) Program and execute the required grant related Memorandum of Understanding between the City and the County. The JAG Program was proposed to streamline justice funding and grant administration and allows states, tribes and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most.

The JAG formula includes a state allocation consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics and a direct allocation to units of local government. JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice for any one or more of six purpose areas.

The City of Visalia, jointly with the County of Tulare, is eligible for a disparate Federal allocation of funds in the amount of \$150,239. A disparate allocation of funds occurs when a constituent unit of local government is scheduled to receive one and one-half times more than another constituent unit, while the other unit of local government bears more than 50% of the costs of prosecution or incarceration that arise for Part 1 violent crimes reported by the geographically constituent unit. According to Federal officials, the portion of the disparate allocation attributable to the City of Visalia is \$90,906 and the portion attributable to the County of Tulare is \$59,333, and have advised the two entities to negotiate the use of the funds.

All JAG applications were due on March 31, 2005. However, the Sheriff's Department applied for and received an extension until May 20, 2005 to meet program requirements.

Staff from the Police Department and the Sheriff's Department have met and have negotiated the use of JAG funds for a county-wide Gang Prevention Specialist/School Liaison to work with all schools within Tulare County for the prevention and suppression of gang activity, to be staffed by Sheriff's Department personnel.

JAG grant funds will be used by Tulare County to establish a new program and fund a County-wide Gang Prevention Specialist to work with schools within Tulare County for the prevention and suppression of gang activity. The Gang Prevention Specialist will make presentations at school assemblies to educate students as to the dangers of gang affiliation and activities and will work with school officials to identify gang activity in their respective areas and to assist school personnel in preventative measures.

The Sheriff's Department will work with local government and school officials to develop an outreach program and materials to educate students, teachers and the community as to the dangers and problems associated with gang activities.

Federal funds received will be paid in a single block grant of \$150,239 and will be placed in a Trust Account by the County designated for the JAG funding purpose. All interest derived from these funds is required to remain within the trust and to be expended specifically for this program. JAG funds will reimburse the County general fund for costs of personnel, equipment and support costs. There is no local match requirement.

**Prior Council/Board Actions:** N/A

**Committee/Commission Review and Actions:**

**Alternatives:** Deny the application of these Federal funds.

**Attachments:** Memorandum of Understanding

**City Manager Recommendation:**

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

I move for authorization for the City of Visalia to apply jointly with the County of Tulare for Federal funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and to execute a Memorandum of Understanding (MOU) regarding the grant.

**Financial Impact**

**Funding Source:** Federal Bureau of Justice Assistance Grant will provide all funds needed for the program: City of Visalia portion - \$90,906  
(County of Tulare portion - \$59,333)

Account Number: \_\_\_\_\_ (Call Finance for assistance)

**Budget Recap:**

|                        |                |                |          |
|------------------------|----------------|----------------|----------|
| Total Estimated cost:  | \$90,906       | New Revenue:   | \$90,906 |
| Amount Budgeted:       | \$             | Lost Revenue:  | \$       |
| New funding required:  | \$             | 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*)

1. Memorandum of Understanding (MOU) to be signed and returned to the Police Department to be forwarded to the Sheriff's Department for inclusion in the grant application.

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

**Others:**

MS APPLICATION NUMBER 2005-F4004-CA-DJ

CITY CLERK  
CONTRACT NO. \_\_\_\_\_

THE STATE OF CALIFORNIA

KNOW ALL BY THESE PRESENT

COUNTY OF TULARE

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF VISALIA, CALIFORNIA AND COUNTY OF TULARE, CALIFORNIA**

**2005 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by and between The COUNTY OF Tulare, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY OF VISALIA, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Tulare County, State of California, witnesseth:

WHEREAS, this Agreement is made under the authority of Sections \_\_\_\_\_, \_\_\_\_\_ Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY \$90,906 from the JAG award for the County-Wide Gang Prevention Specialist Program: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

**Section 1.**

CITY agrees to pay COUNTY a total of \$90,906 of JAG funds.

**Section 2.**

COUNTY agrees to use \$150,239 for the County-Wide Gang Prevention Specialist Program until September 30, 2008.

**Section 3.**

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the \_\_\_\_\_ Tort Claims Act.

**Section 4.**

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the \_\_\_\_\_ Tort Claims Act.

**Section 5.**

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

**Section 6.**

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**Section 7.**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF VISALIA, CALIFORNIA

COUNTY OF TULARE, CALIFORNIA

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:      APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: \_\_\_\_\_  
Contract Authorization

\_\_\_\_\_  
City Attorney

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Authorization for the City Manager to enter into a contract for professional services for labor relations, negotiations and/or other mediation services with James Harbottle for an amount not to exceed \$45,000 through December 31, 2007.

**Deadline for Action:** May 2, 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 and Summary:

Staff recommends renewing the professional services agreement with James H. Harbottle to perform various services for the City relating to labor relations, personnel activities, negotiations, and/or medication activities. These services include, but are not limited to, the following areas:

- Advise and consultation
- Grievance handling and processing
- Negotiations with bargaining units
- Mediation and fact finding activities
- Serving as the hearing officer for code enforcement violations and related activities
- Perform conflict resolution and lease negotiation functions relating to the Model Mobile Home Lease Program
- Other such advice, opinion, or assistance requested by the City through the City Manager or his/her designee

Mr. Harbottle has been assisting the City over the past eighteen (18) months in the various areas outlined above. Most of the emphasis during this period was placed on providing negotiating services in regards to the Mobile home Model Lease Program and labor negotiations with the various city bargaining units. He has successfully facilitated MOU changes (the Paramedic Program), is currently conducting negotiations with the City's bargaining unit – Group M, and is working collaboratively with the Mobile Home Task Force in developing a new model mobile home lease agreement.

Staff recommends renewing the contract with Mr. Harbottle as his services are based on need by the City and allows the City to adjust its cost accordingly without hiring additional staff. In

addition, the various city bargaining units will be commencing new contract negotiations during this contract period. With four out of five MOU's set to expire in July 2007, a considerable amount of time will be required and staff will be relying upon Mr. Harbottle to facilitate the negotiations process and serve as the City's Chief negotiator. The recommended termination date of this agreement is December 2007, as new agreements with the bargaining units should be reached by that time.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

n/a

**Alternatives:**

- assign negotiating and mediation responsibilities to existing staff
- hire additional staff to assume responsibilities

**Attachments:**

Contract

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move the City Council authorize the City Manager to enter into a contract with James Harbottle to perform various labor relations, negotiations and/or mediation services for the City beginning May 2, 2005 through December 31, 2007, and contract not to exceed \$45,000.

***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:



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** May 02, 2005

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

**Agenda Item Wording:** Adoption of a Resolution of Intention to create a Property & Business Improvement District for five (5) years and authorization to set June 06, 2005 as the date of public hearing. This would extend the program in the existing area. (Resolution 2005-\_\_ required)

**Deadline for Action:** May 02, 2005

**Submitting Department:** Administration, Community Development & Public Works and the Community Redevelopment Agency

**Contact Name and Phone Number:**

Steve Salomon, City Manager, 738.3312  
Michael Olmos, Community Development & Public Works  
Director, 713-4332  
Fred Brusuelas, Assistant Director, Community Development &  
Public Works, 713-4364  
Bob Nance, Economic & Redevelopment Manager, 713-4511

**Department Recommendation and Summary:**

That the City Council upon receipt of the Management Plan, Assessment Engineer's Report and Proposed District Map:

1. Adopt a Resolution of Intention to create a Property & Business Improvement District for five (5) years;
2. Direct the City Clerk's Office, in conjunction with the Downtown Visalians & Alliance, to initiate the election balloting process required to complete the formation in accordance the applicable sections of the Street & Highway Code and Proposition 218 and set the criteria for the appointment of an Advisory Board;
3. Direct the City Manager, on behalf of the City Council, to vote in favor of the formation for those City properties within the proposed PBID III district at the estimated \$65,462/year assessment rate for five (5) years; and
4. Set June 06, 2005 as the date of a Public Hearing to receive public testimony and comments regarding the proposed formation.

The above-listed actions are required to formally initiate the formation of a Downtown Property-Based Business Improvement District under the California Streets & Highways Code and Proposition 218 assessment district formation requirements. The proposed third PBID has the same boundary including Zones 1 & 2 and assessment criteria as the original PBID I and existing PBID II districts. For the proposed third round, a new Management Plan and

This document last revised: 4/29/05 1:53:00 PM

By author: DRNANC

File location and name: drnanc/bob/pbid/pbid iii intent to form 05-02-2005 agenda

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\_\_

assessment schedule were prepared and evaluated in the Engineer's Report in accordance with the Streets & Highways Code.

Petitions showing the proposed assessments were submitted to the respective property owners to determine if there was sufficient support for renewing the district for an additional 5 years. More than 50% of the private property owners responded favorably toward the re-formation and assessment. Public entities owning property in the proposed district have also responded positively including the Kaweah Delta District Hospital and Tulare County and indicated their willingness to participate.

### **Background**

The existing Downtown Property-Based Business Improvement District (the "PBID II") is near sunset of its four (4) year life. Over these past four years, PBID II has installed significant capital improvements, provided increased public safety and cleanup activities within the adopted PBID II boundaries and Downtown Visalia in general. Operating under the authority of the City Council, the Downtown Visalians & Alliance have successfully used the assessment funding in addressing a large variety of the downtown district's needs.

Improvements include additional landscape and trees, expanded public safety, graffiti removal, funding for additional public parking, informational signage, and alleyway cleaning.

### **PBID III – PROPOSED BUDGET**

The Downtown Visalians & Alliance have successfully completed the initial petition process required as the first step in forming the PBID for a third five (5) year term. In accordance with previous City Council direction, the petition process clearly indicated that over 50% of the assessment-based votes of the private property owners within the proposed district are in favor of reforming the district. The petition process also verified that a majority of both private and public property owners' support for the proposed five (5) year renewal of the assessment district. Funds generated from the proposed third term of the assessment district will be used in accordance the proposed Management Plan. The following is summary of the major expenditure categories for each year of the five (5) year term:

## PBID III Proposed 5-year Budget

| <u>Divisions:</u>                      | <u>Total</u>         |
|--|----------------------|
| <u>Capital Improvement Projects:</u>   |                      |
| Landscape \$ Streetscape               | 10,000               |
| Parking Improvement                    | 65,000               |
| Misc. (Deferred Maintenance)           | <u>2,500</u>         |
| <b>Subtotal</b>                        | <b>77,500</b>        |
| <br><u>Maintenance &amp; Security:</u> |                      |
| Landscaping & Cleaning                 | 20,000               |
| Graffiti removal                       | 20,000               |
| Security                               | 150,000              |
| Miscellaneous                          | <u>2,500</u>         |
| <b>Subtotal</b>                        | <b>192,500</b>       |
| <br><u>Business Development</u>        |                      |
| Marketing                              | <u>10,000</u>        |
| <b>Subtotal</b>                        | <b>10,000</b>        |
| <br><u>Administration:</u>             |                      |
| Administrative Contract                | 69,000               |
| Tulare County Collection Fee           | 1,000                |
| Legal & Professional Services          | 1,000                |
| Audit                                  | 1,000                |
| PBID Renewal Fund                      | 2,500                |
| Miscellaneous                          | <u>1,000</u>         |
| <b>Subtotal</b>                        | <b>75,500</b>        |
| <br><b>TOTAL PER YEAR</b>              | <br><b>\$355,500</b> |

Included herein are copies of the proposed Management Plan that includes the proposed assessment for each property owner. As a major property owner in the Downtown area, the City of Visalia will be assessed \$65,462 per year for each of the proposed five (5) year term. This amount is approximately \$12,000 lower than the City's previous annual assessment for the existing PBID II. The proposed elimination of marketing activities from the previous PBID II Management Plan has resulted in a 17% reduction in the annual budget with a corresponding reduction in assessments. Marketing for the PBID was deemed as a duplication of the Downtown Visalians advertising activities and therefore eliminated.

It is proposed that the Redevelopment Agency contribute project funding within the proposed Downtown PBID area that will meet or exceed the City's obligation. It is noteworthy that the County of Tulare and Kaweah Delta District Hospital both have agreed to participate and pay their respective assessments.

**Prior Council/Board Actions:**

February 22, 2005 – Authorization for petition process

**Committee/Commission Review and Actions:**

This document last revised: 4/29/05 1:53:00 PM

By author: DRNANC

File location and name: drnanc/bob/pbid/pbid iii intent to form 05-02-2005 agenda

**Alternatives:**

None Recommended

**Attachments:**

Proposed Management Plan and Budget

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):**  
 I move that the City Council having received a copy of the proposed Management Plan, Assessment Engineer's Report and Proposed District Map:

1. Adopt a Resolution of Intention to create a Property-Based Business Improvement District for five (5) years;
2. Direct the City Clerk's Office to start the balloting process required to complete the formation in accordance the applicable sections of the Street & Highway Code and Proposition 218 and set the criteria for the appointment of an Advisory Board;
3. Direct the City Manager, on behalf of the City Council, to vote in favor of the formation for those City properties within the proposed PBID III district at the estimated \$65,462/year assessment rate for five (5) years; and
4. Set June 06, 2005 as the date of a Public Hearing to receive public testimony and comments regarding the proposed formation.

***Financial Impact***

**Funding Source:**  
 Account Number: \_\_\_\_\_ (Call Finance for assistance)

**Budget Recap:**

|                                  |                                   |
|----------------------------------|-----------------------------------|
| Total Estimated cost: \$327,310  | New Revenue: \$                   |
| Amount Budgeted: \$              | Lost Revenue: \$                  |
| New funding required: \$         | New Personnel: \$                 |
| Council Policy Change: Yes _____ | No <input type="checkbox"/> _____ |

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This document last revised: 4/29/05 1:53:00 PM

By author: DRNANC

File location and name: drnanc/bob/pbid/pbid iii intent to form 05-02-2005 agenda

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes                      No ►

Review and Action: Prior: Required: Review will be required on a case-by-case basis

**NEPA Review:**

Required? Yes                      No ► No Federal Funds are proposed for this program

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:** May 02, 2005

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

**Agenda Item Wording:** Authorize the City Manager to approve and grant vehicular ingress and egress, on a case-by-case basis, for those properties with vehicular access rights relinquished to the City of Visalia

**Deadline for Action:** May 02, 2005

**Submitting Department:** Community Development & Public Works

**Contact Name and Phone Number:**

Steve Salomon, City Manager, 713-4312  
Michael Olmos, Community Development & Public Works Director, 713-4332  
Dan Dooley, City Attorney, 636-0200  
Fred Brusuelas, Assistant Director, Community Development & Public Works, 713-4364  
Bob Nance, Economic & Redevelopment Manager, 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.):   5  

**Department Recommendation and Summary:**

Staff recommends the City Council:

Authorize the City Manager to approve and grant vehicular ingress and egress points, on a case-by-case basis and upon conferring with the Engineering Division, for those properties who have or will relinquish access rights to the City of Visalia.

**Background:**

The City of Visalia has required certain property owners to relinquish access to public streets where public safety, vehicular traffic circulation or future development concerns create a need to control access points. This activity is done so that the City can control the number and distance from intersections that drive approaches can be installed on City streets in accordance with standard, adopted Traffic Engineering standards and practices. Typically used for corner lots, this practice has also been used for those major roadways where limiting access points are desirable due to traffic loads, truck movements and higher speeds.

In March 1991, the Hayes Family Trust (property owners at that time) filed a parcel map for that area along the south side of Riggin Avenue between Road 76 and Kelsey relinquished access rights to the City of Visalia for both Riggin Avenue and Plaza Drive. Recent development interest has indicated the need for access to both Riggin and Plaza necessitating the City to arrange for direct access.

The requested action will allow the City Manager, on a case-by-case basis and upon consultation with the Engineering Division, to permit vehicle access connections to those roadways where property owners have previously relinquished access rights.

**Prior Council/Board Actions:**

City Council acceptance of maps and other instruments whereby property owners relinquished access rights.

**Committee/Commission Review and Actions:**

None

**Alternatives:**

None recommended

**Attachments:**

None

**City Manager Recommendation:**

|   |
|---|
| <p><b>Recommended Motion (and Alternative Motions if expected):</b></p> <p>I move the City Council:<br/>Authorize the City Manager to approve and grant vehicular ingress and egress, on a case-by-case basis and upon conferring with the Engineering Division, for those properties relinquishing access rights to the City of Visalia.</p> |
|---|

Copies of this report have been provided to:

**Financial Impact**

**Funding Source:** No funding involved in this action

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 <input checked="" type="checkbox"/> No <input type="checkbox"/> |                   |

**Environmental Assessment Status**

**CEQA Review:**

Required? Yes No

Review and Action: Prior:

Required: Each project that would require access would be required to be evaluated for CEQA compliance on a case-by-case basis.

**NEPA Review:**

Required? Yes No X

Review and Action: Prior:

Required:

**Tracking Information:** Staff to track those properties where access is granted.

**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:** May 2, 2005

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

**Agenda Item Wording:** "Authorization to bid the public improvements for Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 6111-720000-0-0-9534-2005."

**Deadline for Action:** None

**Submitting Department:** Community Development and Public Works Department

**Contact Name and Phone Number:** Jim Funk 713-4540 or 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.): 3

**Department Recommendation and Summary:** Staff recommends that the City Council authorize construction of the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 6111-720000-0-0-9534-2005.

The project is generally located at the northwest corner of Stevenson Street and Mineral King Avenue. Construction of the temporary parking lot will offset the loss of parking stalls due to the impending City's West Acequia Avenue Parking Structure Project and Kaweah Delta Health Care District's North Tower Project along the south side of West Acequia Avenue. Both the City and KDHCDC projects are scheduled to start construction later this year and will require the removal of existing surface parking. The Temporary Parking Lot Improvements project is anticipated to be completed by early July 2005.

The Temporary Parking Lot Improvements project consists of clearing the existing site south of twenty-five foot riparian setback area south of Mill Creek between Stevenson Street and Conyer Street north of Mineral King Avenue. The proposed parking lot improvements will not encroach into the riparian setback area along the south side of Mill Creek that was recent renovated with landscaping and a trail. A temporary asphalt concrete surface will be installed along with access drive approaches along Stevenson Street and Conyer Street. The temporary parking lot will include a double arm parking lot light salvaged from the City's Corporation Yard. The temporary parking lot will be striped for 109 total parking stalls of which five (5) will be stenciled as accessible (handicap) parking stalls. The estimated cost of the project is \$85,000.

The temporary parking lot is designed as an interim improvement that may be removed once the West Acequia Avenue parking structure is opened to the public (est. Fall 2006) at which time the City Council can determine if the temporary parking lot should remain longer based on

parking needs in the area due to ongoing construction activity for the hospital expansion or offer the lot for private development.

Council is empowered to authorize the construction of capital improvement projects without the requirement of paying prevailing wage if only locally generated funds are used to pay for the project. In this case, the City will use locally generated Parking In-Lieu Fee (6111) funds to finance the project.

**Alternatives:** Bid as a prevailing wage rate project.

**Attachments:** Proposed Temporary Parking Lot Layout

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the bid for the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 6111-720000-0-0-9534-2005.

***Financial Impact***

**Funding Source:**

Account Number: 6111 (Parking In-Lieu Fee)

**Budget Recap:**

|                        |          |                |    |
|------------------------|----------|----------------|----|
| Total Estimated cost:  | \$85,000 | New Revenue:   | \$ |
| Amount Budgeted:       | \$       | Lost Revenue:  | \$ |
| New funding required:  | \$85,000 | New Personnel: | \$ |
| Council Policy Change: | Yes____  | No__X          |    |

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes X No  
Review and Action: Prior: Categorical Exempt (required prior to awarding contract)  
Required:

**NEPA Review:**

Required? Yes No x  
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:**

**Tracking Information:** *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*  
**None required**

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Award a contract for the South Trunkline Sanitary Sewer Improvements to the low bidder George Dakovich & Son, Inc. in the amount of \$2,671,747.00 Project # 1231-720000-0-0-9840-2005.

**Deadline for Action:** May 26, 2005 (30 days after bid opening)

**Submitting Department:** Community Development & Public Works

**Contact Name and Phone Number:** Adam Ennis 713-4323, Jim Funk 713-4540, 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.):   1  

**Department Recommendation and Summary:** The Community Development Department recommends that the City Council award a contract for the South Trunk Sanitary Sewer Improvements to the low bidder George Dakovich & Son, Inc. in the amount of \$ 2,671,747.00. Project # 1231-720000-0-0-9840-2005.

The sanitary sewer trunkline will extend along Akers Street from about 1300 feet south of Caldwell Avenue to the Visalia Parkway alignment and along the Visalia Parkway alignment from Akers Street to Santa Fe Street, and then along Santa Fe Street from the Visalia Parkway alignment north to Caldwell Avenue. A portion of the trunk sewer line crossing Mooney Boulevard at Visalia Parkway was installed by the South Packwood Creek Development. This project will tie into each end of the existing sewer. The trunkline is 36 inches in diameter along Akers Street, 33 inches in diameter along the future Visalia Parkway alignment and 24 inches in diameter along Santa Fe Street. The trunkline will serve areas between Caldwell Avenue and Avenue 272 from Shirk Road to Lovers Lane and areas further to the east in the future per the 1994 City Of Visalia Sewer System Master Plan.

The City Council approved bonds for the sewer trunk project in August 2002 and awarded a contract to QUAD KNOPF INC. in April 2004 to design the South Trunk Sanitary Sewer Improvements. The design of the South Trunk Sanitary Sewer Improvements is complete and is ready for construction.

On April 26, 2005 the City opened five bids submitted for the South Trunk Sanitary Sewer Improvements. The results of the bid opening are as follows:

- |  |                 |
|--|-----------------|
| 1. George Dakovich & Son, Inc., Fresno | \$ 2,671,747.00 |
| 2. Grizzly Construction, Inc., Clovis  | \$ 2,989,348.50 |
| 3. Bill Nelson GEC, Fresno             | \$ 3,134,380.00 |

|                                 |                 |
|---------------------------------|-----------------|
| 4. Floyd Johnstone Con., Clovis | \$ 3,180,908.50 |
| 5. T3 Engineering               | \$ 3,339,203.00 |

The Engineer's Estimate for this project is \$ 3,309,805.00. In general the bid items were slightly lower than the Engineer's Estimate resulting in a lower overall bid. The Engineer's Estimate for this project was based on the bid results of the recently awarded North Visalia Sanitary Sewer Trunkline. It appears that due to the relative size of this project and the open nature of the project site (less utilities and traffic to contend with) the overall bid items were less than the Engineer's Estimate.

The principals of George Dakovich & Son, Inc. are: President - Dan Dakovich; Secretary and Vice President - Dushan Spadier; and Treasurer - Violet Dakovich. George Dakovich & Son, Inc. acted as the General Contractor for the City of Visalia on the 2001 Riggin Avenue Sewer project which was in the amount of \$550,000.00. George Dakovich & Son has also completed a variety of capital improvement projects for the City of Fresno in the recent past including sewer projects similar to this project. In discussions with City of Fresno personnel it appears that George Dakovich & Son has performed well on projects with the City of Fresno.

This project is being funded by a 2002 sewer bond (approximately \$1,000,000.00) and by the city sewer fund (approximately \$1,700,000.00)

**Prior Council/Board Actions:** Authorization to bid as a non-prevailing wage project on December 13, 2004.

**Committee/Commission Review and Actions:**

**Alternatives:** Do not award contract or re-bid project.

**Attachments:** Exhibit #1 (Location Map) and Exhibit #2 (Bid Opening Spreadsheets)

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to award a contract for construction of the South Trunk Sanitary Sewer Improvements to the low bidder George Dakovich & Son, Inc. in the amount of \$ 2,671,747.00. Project # 1231-720000-0-0-9840-2005.

**Financial Impact**

**Funding Source:**

Account Number: 1231-720000-0-0-9840-2005 (\$ 2,520,000.00 Bond Funds in addition to budget)

**Budget Recap:**

|  |                |    |
|--|----------------|----|
| Total Estimated cost: \$ 2,671,747.00        | New Revenue:   | \$ |
| Amount Budgeted: \$3,085,613.00              | Lost Revenue:  | \$ |
| New funding required: \$                     | New Personnel: | \$ |
| Council Policy Change: Yes _____ No <u>X</u> |                |    |

Copies of this report have been provided to:

**Environmental Assessment Status**

**CEQA Review:**

Required? Yes  No   
 Review and Action: Prior: EIR Sanitary Sewer Master Plan – 1995  
 Required: None

**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:** May 2, 2005

**Agenda Item Number (Assigned by City Clerk):** 7k(1)

**Agenda Item Wording:** Authorize the Recordation of the Final Map for Parcel Map No. 2004-19, located east of Century Street between Goshen Avenue and Pershing Avenue (22 lots and 1 ponding basin lot) and the Formation of Landscape and Lighting District No. 05-06, Parcel Map No. 2004-19 (Resolution Nos. 05-61 and 05-62 required).

APN: 081-100-032, 033, 034, 037

**Deadline for Action:** May 16, 2005

**Submitting Department:** Community Development & Public Works

**Contact Name and Phone Number:**

Andrew Benelli      713-4340  
Greg Dais              713-4164

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 Parcel Map No. 2004-19 containing 22 industrial lots and 1 ponding basin lot. 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 \$338,099.90 and Labor and Material Bond in the amount of \$169,049.95; 3) cash payment of \$9,429.97 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final 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. 05-61 Initiating Proceedings for Formation of Assessment District No. 05-06, Parcel Map 2004-19; adopt the Engineer’s Report as submitted; and adopt Resolution No. 05-62 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 and pavement on local streets. The maintenance of these improvements is a special benefit to the development and enhances the land values to the individual property owners in the district.

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

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

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

**Committee/Commission Review and Actions:** The tentative parcel map for Parcel Map No. 2004-19 was approved by the Planning Commission on November 8, 2004. The tentative map will expire on November 8, 2006.

**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 Parcel Map No. 2004-19 and I move to adopt Resolution No. 05-61 Initiating Proceedings for Formation of Assessment District No. 05-06 “Parcel Map No. 2004-19” and adopt Resolution No. 05-62 Ordering the Improvements for Assessment District No. 05-06 “Parcel Map No. 2004-19.”

***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. 05-61

RESOLUTION INITIATING PROCEEDINGS  
FOR FORMATION OF  
ASSESSMENT DISTRICT 05-06  
PARCEL MAP NO. 2004-19  
(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 street lights, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated "Assessment District No. 05-06, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-06, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Parcel Map No. 2004-19".
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. 05-06

PARCEL MAP NO. 2004-19

(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. 05-06, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 2nd day of May, 2005 by its Resolution No. 05-61 & 62

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

RESOLUTION NO. 05-62

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 05-06  
PARCEL MAP NO. 2004-19  
(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. 05-06, 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 2004-2005.
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 - Tax Roll Assessment
    - Exhibit C - Engineer's Report

PASSED AND ADOPTED



**Exhibit "B"**

Tax Roll Assessment  
Parcel Map No. 2004-19  
Fiscal Year 2004-2005

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u>        |
|----------------|-------------------|----------------|--------------|------------------------|
| To Be Assigned | \$349.18          | To Be Assigned | 05-0601      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0602      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0603      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0604      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0605      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0606      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0607      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0608      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0609      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0610      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0611      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0612      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0613      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0614      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0615      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0616      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0617      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0618      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0619      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0620      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0621      | Parcel Map No. 2004-19 |
| To Be Assigned | \$349.18          | To Be Assigned | 05-0622      | Parcel Map No. 2004-19 |

## **Exhibit "C"**

Engineer's Report  
Landscape & Lighting Assessment District 05-06  
Parcel Map No. 2004-19  
Fiscal Year 2004-2005

### General Description

This Assessment District (District) is located Southwest corner of Goshen Avenue and Century Street. Exhibit "A" is a map of Assessment District 05-06. This District includes the maintenance of street lights and any other applicable equipment or improvements and also includes the preventative maintenance of all internal local City streets by means including, but not limited to overlays, chip seals/crack seals and reclamite (oiling).

### Determination of Benefit

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

### Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall, and lights benefit by the uniform maintenance and appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets.

### Estimated Costs

The District includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The District also includes the regular preventive maintenance of all internal local streets. Chip Seal is anticipated to be maintained on a 15 year cycle; Overlays on a 10 year cycle; Crack Seal on an 8 year cycle and Reclamite on a 6 year cycle. The total number lots within the district are 22.

## Exhibit "C"

Engineer's Report  
Landscape & Lighting Assessment District 05-06  
Parcel Map No. 2004-19  
Fiscal Year 2004-2005

The quantities and estimated costs are as follows:

| <u>Description</u>         | <u>Unit</u> | <u>Amount</u> | <u>Cost per unit</u> | <u>Total Cost</u> |
|----------------------------|-------------|---------------|----------------------|-------------------|
| Street Lights              | Each        | 5             | \$105.00             | \$525.00          |
| Chip Seal (15 year cycle)  | Sq. Ft.     | 71450         | \$0.190              | \$905.03          |
| Crack Seal ( 8 year cycle) | Sq. Ft.     | 71450         | \$0.02933            | \$261.98          |
| Reclamite (6 year cycle)   | Sq. Ft.     | 71450         | \$0.0211110          | \$251.40          |
| Overlays (10 year cycle)   | Sq. Ft.     | 71450         | \$0.65               | \$4,644.25        |
| Project Management Costs   | Lots        | 22            | \$18.00              | \$396.00          |
|                            |             |               |                      |                   |
| <b>TOTAL</b>               |             |               |                      | <b>\$6,983.66</b> |
| 10% Reserve Fund           |             |               |                      | \$698.37          |
|                            |             |               |                      |                   |
| <b>GRAND TOTAL</b>         |             |               |                      | <b>\$7,682.03</b> |
| <b>COST PER LOT</b>        |             |               |                      | <b>\$349.18</b>   |
|                            |             |               |                      |                   |
|                            |             |               |                      |                   |

### 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:

$$A_{max} \text{ for any given year "n"} = (\$7,682.03) (1.05)^{(n-1)}$$

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 "C"**

Engineer's Report  
Landscape & Lighting Assessment District 05-06  
Parcel Map No. 2004-19  
Fiscal Year 2004-2005

Example 1. The estimated year four cost of maintaining the improvements in the district is \$8,373.41 [a 9% increase over the base year estimated cost of \$7,682.03]. The maximum annual assessment for year four is \$8,892.91 [ $A_{\max} = (\$7,682.03) (1.05)$  (4-1)]. The assessment will be set at \$8,373.41 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 \$8,680.69 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$7,682.03]. 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 \$173.61 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum (4-1) annual assessment for year four is \$8,892.91 [ $A_{\max} = (\$7,682.03) (1.05)$ ]. The year four assessment will be set at \$8,680.69 plus the deficit amount of \$173.61 which equals \$8,703.59 [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 \$8,373.41 [a 9% increase over the base year assessment of \$7,682.03] and damage occurred to the masonry wall raising the year five expenses to \$9,372.08 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$9,210.75 (a 10% increase over the previous year) and below (5-1) the maximum annual assessment of \$9,337.56 [ $A_{\max} = (\$7,682.03) (1.05)$ ]. The difference of \$161.33 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:** May 2, 2005

**Agenda Item Number (Assigned by City Clerk):** 7k(2)

**Agenda Item Wording:** Authorize the Recordation of the Final Map for Fieldstone Oaks, located at the northwest corner of Houston Avenue and County Center Street (347 lots) and the Formation of Landscape and Lighting District No. 05-11, Fieldstone Oaks (Resolution Nos. 05-63 and 05-64 required). APN: 089-020-002

**Deadline for Action:** N/A

**Submitting Department:** Community Development & Public Works

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Doug Damko 713-4268

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 authorize the recordation of the final map for Fieldstone Oaks containing 347 single family lots and 4 open space 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 \$3,632,125.43 and Labor and Material Bond in the amount of \$1,816,062.72; 3) cash payment of \$638,942.38 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final 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. 05-63 Initiating Proceedings for Formation of Assessment District No. 05-11, Fieldstone Oaks; adopt the Engineer's Report as submitted; and adopt Resolution No. 05-64 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

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

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

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

**Committee/Commission Review and Actions:** The tentative subdivision map for Fieldstone Oaks was approved by the Planning Commission on October 11, 2004. The tentative map will expire on October 11, 2006.

**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 Fieldstone Oaks and I move to adopt Resolution No. 05-63 Initiating Proceedings for Formation of Assessment District No. 05-11 "Fieldstone Oaks" and adopt Resolution No. 05-64 Ordering the Improvements for Assessment District No. 05-11 "Fieldstone Oaks."

***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. 05-63

RESOLUTION INITIATING PROCEEDINGS FOR  
ASSESSMENT DISTRICT 05-11  
FIELDSTONE OAKS  
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:  
  
Maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pocket park amenities, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 05-11, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-11, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Fieldstone Oaks".
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. 05-11  
FIELDSTONE OAKS  
(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. 05-11, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 2nd day of May, 2005 by its Resolution No. 05-63 & 64

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

RESOLUTION NO. 05-64

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 05-11  
FIELDSTONE OAKS  
(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. 05-11, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2005-06.
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 "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11001     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11002     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11003     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11004     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11005     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11006     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11007     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11008     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11009     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11010     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11011     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11012     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11013     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11014     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11015     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11016     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11017     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11018     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11019     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11020     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11021     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11022     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11023     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11024     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11025     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11026     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11027     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11028     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11029     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11030     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11031     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11032     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11033     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11034     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11035     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11036     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11037     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11038     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11039     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11040     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11041     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11042     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11043     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11044     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11045     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11046     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11047     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11048     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11049     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11050     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11051     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11052     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11053     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11054     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11055     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11056     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11057     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11058     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11059     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11060     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11061     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11062     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11063     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11064     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11065     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11066     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11067     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11068     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11069     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11070     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11071     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11072     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11073     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11074     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11075     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11076     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11077     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11078     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11079     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11080     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11081     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11082     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11083     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11084     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11085     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11086     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11087     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11088     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11089     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11090     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11091     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11092     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11093     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11094     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11095     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11096     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11097     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11098     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11099     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11100     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11101     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11102     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11103     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11104     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11105     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11106     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11107     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11108     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11109     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11110     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11111     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11112     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11113     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11114     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11115     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11116     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11117     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11118     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11119     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11120     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11121     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11122     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11123     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11124     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11125     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11126     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11127     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11128     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11129     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11130     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11131     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11132     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11133     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11134     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11135     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11136     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11137     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11138     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11139     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11140     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11141     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11142     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11143     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11144     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11145     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11146     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11147     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11148     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11149     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11150     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11151     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11152     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11153     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11154     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11155     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11156     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11157     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11158     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11159     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11160     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11161     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11162     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11163     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11164     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11165     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11166     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11167     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11168     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11169     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11170     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11171     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11172     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11173     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11174     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11175     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11176     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11177     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11178     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11179     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11180     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11181     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11182     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11183     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11184     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11185     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11186     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11187     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11188     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11189     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11190     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11191     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11192     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11193     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11194     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11195     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11196     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11197     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11198     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11199     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11200     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11201     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11202     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11203     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11204     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11205     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11206     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11207     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11208     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11209     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11210     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11211     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11212     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11213     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11214     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11215     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11216     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11217     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11218     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11219     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11220     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11221     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11222     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11223     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11224     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11225     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11226     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11227     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11228     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11229     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11230     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11231     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11232     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11233     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11234     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11235     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11236     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11237     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11238     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11239     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11240     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11241     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11242     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11243     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11244     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11245     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11246     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11247     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11248     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11249     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11250     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11251     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11252     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11253     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11254     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11255     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11256     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11257     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11258     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11259     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11260     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11261     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11262     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11263     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11264     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11265     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11266     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11267     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11268     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11269     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11270     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11271     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11272     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11273     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11274     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11275     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11276     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11277     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11278     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11279     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11280     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11281     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11282     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11283     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11284     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11285     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11286     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11287     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11288     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11289     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11290     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11291     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11292     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11293     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11294     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11295     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11296     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11297     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11298     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11299     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11300     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11301     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11302     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11303     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11304     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11305     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11306     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11307     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11308     | Fieldstone Oaks |

**Exhibit "C"**

Tax Roll Assessment  
Fieldstone Oaks  
Fiscal Year 2005-06

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| To Be Assigned | \$286.37          | To Be Assigned | 05-11309     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11310     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11311     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11312     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11313     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11314     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11315     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11316     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11317     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11318     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11319     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11320     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11321     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11322     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11323     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11324     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11325     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11326     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11327     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11328     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11329     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11330     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11331     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11332     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11333     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11334     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11335     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11336     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11337     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11338     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11339     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11340     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11341     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11342     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11343     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11344     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11345     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11346     | Fieldstone Oaks |
| To Be Assigned | \$286.37          | To Be Assigned | 05-11347     | Fieldstone Oaks |

## **Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-11  
Fieldstone Oaks  
Fiscal Year 2005-06

### General Description

This Assessment District (District) is located at the northwest corner of Houston Avenue and County Center Street. Exhibit "A" is a map of Assessment District 05-11. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pocket park amenities, pavement on local streets and any other applicable equipment or improvements. The maintenance of irrigation systems, block walls and pocket park amenities includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The maintenance of pavement on local streets includes preventative maintenance by means including, but not limited to overlays, chip seals/crack seals and reclaimer (oiling). The total number lots within the district are 347.

### Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The purpose of pocket parks is to offer small open space/recreational venues of a more passive or intimate nature that serves residents within or adjacent to a planned residential development. The maintenance of the landscape areas, street lights, block walls and pocket parks is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the maintenance of all internal local streets within the subdivision, the City Council has determined that landscape areas, street lights, block walls, pocket parks and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance.

### Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally, including lots not adjacent to landscape areas, block walls, street lights and pocket parks. The lots not adjacent to landscape areas, block walls, street lights and pocket parks benefit by the uniform maintenance and overall appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets. All lots in the District derive a benefit from the nearby access to the various pocket parks.

### Estimated Costs

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

**Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-11  
Fieldstone Oaks  
Fiscal Year 2005-06

The quantities and estimated costs are as follows:

| Description                             | Unit      | Amount | Cost per unit | Total Cost          |
|---|-----------|--------|---------------|---------------------|
| <b>LANDSCAPE LOTS</b>                   |           |        |               |                     |
| Turf Area                               | Sq. Ft.   | 47950  | \$0.180       | \$8,631.00          |
| Shrub Area                              | Sq. Ft.   | 39400  | \$0.180       | \$7,092.00          |
| Trees                                   | Each      | 293    | \$25.00       | \$7,325.00          |
| <b>POCKET PARKS</b>                     |           |        |               |                     |
| Turf Area                               | Sq. Ft.   | 13733  | \$0.180       | \$2,471.94          |
| Shrub Area                              | Sq. Ft.   | 20698  | \$0.180       | \$3,725.64          |
| Trees                                   | Each      | 43     | \$25.00       | \$1,075.00          |
| <b>POCKET PARK PLAYGROUND EQUIPMENT</b> |           |        |               |                     |
| Annual fibar material replacement       | Cubic Yd. | 13     | \$42.00       | \$546.00            |
| Equipment Inspections                   | Hourly    | 8      | \$42.60       | \$340.80            |
| Repair/Replace Equipment                | Hourly    | 6      | \$42.60       | \$255.60            |
| Custodial Maintenance                   | Monthly   | 12     | \$172.00      | \$2,064.00          |
| Water                                   | Sq. Ft.   | 121781 | \$0.050       | \$6,089.05          |
| Electricity                             | Sq. Ft.   | 121781 | \$0.008       | \$974.25            |
| Trees In Local Street Parkways          | Each      | 436    | \$25.00       | \$10,900.00         |
| Street Lights                           | Each      | 65     | \$105.00      | \$6,825.00          |
| Chip Seal (15 year cycle)               | Sq. Ft.   | 382690 | \$0.190       | \$4,847.41          |
| Crack Seal ( 8 year cycle)              | Sq. Ft.   | 382690 | \$0.02933     | \$1,403.18          |
| Reclamite (6 year cycle)                | Sq. Ft.   | 382690 | \$0.0211110   | \$1,346.49          |
| Overlays (10 year cycle)                | Sq. Ft.   | 382690 | \$0.65        | \$24,874.85         |
| Project Management Costs                | Lots      | 347    | \$18.00       | \$6,246.00          |
| <b>TOTAL</b>                            |           |        |               | <b>\$97,033.21</b>  |
| 10% Reserve Fund                        |           |        |               | \$9,703.32          |
| <b>GRAND TOTAL</b>                      |           |        |               | <b>\$106,736.53</b> |
| <b>COST PER LOT</b>                     |           |        |               | <b>\$307.60</b>     |

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:

$$A_{max} \text{ for any given year "n"} = (\$106,736.53) (1.05)^{(n-1)}$$

## Exhibit "D"

Engineer's Report  
Landscape & Lighting Assessment District 05-11  
Fieldstone Oaks  
Fiscal Year 2005-06

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$116,342.82 [a 9% increase over the base year estimated cost of \$106,736.53]. The maximum annual assessment for year four is  
$$\$123,560.88 [A_{\max} = (\$106,736.53) (1.05)^{(4-1)}]$$
.  
The assessment will be set at \$116,342.82 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 \$120,612.28 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$106,736.53]. 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 \$2,245.73 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is  
$$\$123,560.88 [A_{\max} = (\$106,736.53) (1.05)^{(4-1)}]$$
.  
The year four assessment will be set at \$111,916.06 plus the deficit amount of \$2,412.25 which equals \$114,328.31 [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 \$116,342.82 [a 9% increase over the base year assessment of \$106,736.53] and damage occurred to the masonry wall raising the year five expenses to \$130,218.57 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$127,977.10 (a 10% increase over the previous year) and below the maximum annual assessment of

**Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-11  
Fieldstone Oaks  
Fiscal Year 2005-06

\$129,738.92 [ $A_{\max} = (\$106,736.53) (1.05)^{(5-1)}$ ].  
The difference of \$2,241.47 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:** May 2, 2005

**Agenda Item Number (Assigned by City Clerk):** 7k(3)

**Agenda Item Wording:** Authorize the Recordation of the Final Map for Foxwood Estates Unit No. 5, located on the south side of Ferguson Avenue, along the extension of Roeben Street (47 lots) and the Formation of Landscape and Lighting District No. 05-08, Foxwood Estates No. 5 (Resolution Nos. 05-\_\_\_\_\_ and 05-\_\_\_\_\_ required). APN: 077-100-20 & 32

**Deadline for Action:** May 16, 2005

**Submitting Department:** Community Development & Public Works

**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.): 1

**Department Recommendation and Summary:**

***Final Map***

Staff recommends that City Council approve the recordation of the final map for Foxwood Estates Unit No. 5 containing 47 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 \$1,035,180.45 and Labor and Material Bond in the amount of \$517,590.23; 3) cash payment of \$103,368.35 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final 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-\_\_\_\_\_ Initiating Proceedings for Formation of Assessment District No. 05-08, Foxwood Estates No. 5; adopt the Engineer’s Report as submitted; and adopt Resolution No. 05-\_\_\_\_\_ 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.

**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 Foxwood Estates Unit No. 5 subdivision was approved by the Planning Commission on July 26, 2004. The tentative map will expire on July 26, 2006.

**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 Foxwood Estates Unit No. 5 and I move to adopt Resolution No. 05-\_\_\_\_\_ Initiating Proceedings for Formation of Assessment District No. 05-08 “Foxwood Estates No. 5” and adopt Resolution No. 05-\_\_\_\_\_ Ordering the Improvements for Assessment District No. 05-08 “Foxwood Estates No. 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-\_\_\_\_\_

RESOLUTION INITIATING PROCEEDINGS  
FOR FORMATION OF  
ASSESSMENT DISTRICT 05-08  
FOXWOOD ESTATES NO. 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. 05-08, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-08, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Foxwood Estates No. 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. 05-08

FOXWOOD ESTATES NO. 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. 05-08, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 2nd day of May, 2005 by its Resolution No. 05-\_\_\_\_\_

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

RESOLUTION NO. 05-\_\_\_\_\_

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 05-08  
FOXWOOD ESTATES NO. 5  
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

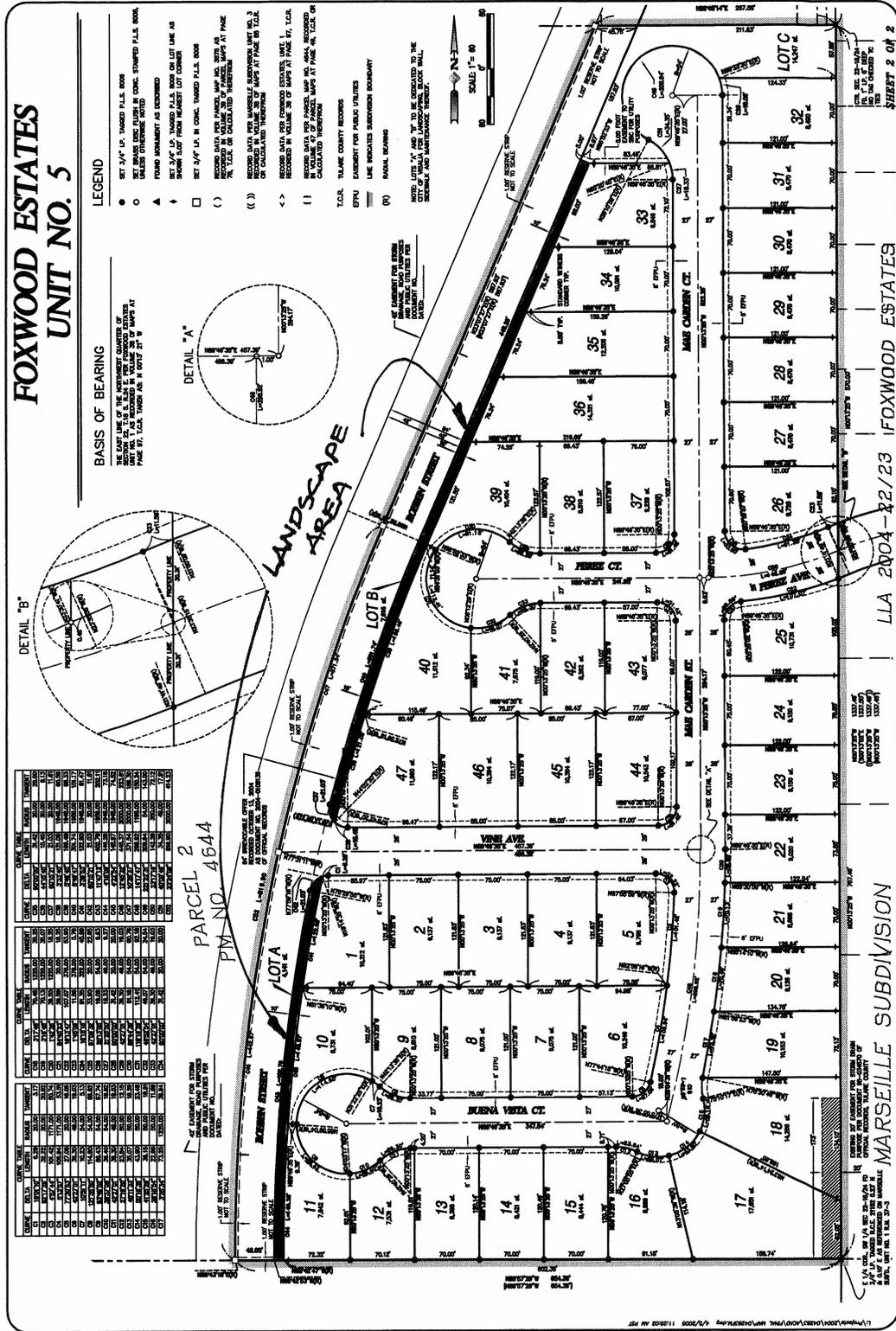
1. The City Council adopted its Resolution Initiating Proceedings for "Assessment District No. 05-08, City of Visalia, Tulare County, California" and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 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 "B"

Landscape Location Diagram  
Foxwood Estates No. 5



## Exhibit "C"

### Tax Roll Assessment Foxwood Estates No. 5 Fiscal Year 2004-05

| <u>APN #</u>   | <u>Assessment</u> | <u>Owner</u>   | <u>Lot #</u> | <u>District</u>       |
|----------------|-------------------|----------------|--------------|-----------------------|
| To Be Assigned | \$235.89          | To Be Assigned | 05-0801      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0802      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0803      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0804      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0805      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0806      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0807      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0808      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0809      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0810      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0811      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0812      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0813      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0814      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0815      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0816      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0817      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0818      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0819      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0820      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0821      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0822      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0823      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0824      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0825      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0826      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0827      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0828      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0829      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0830      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0831      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0832      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0833      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0834      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0835      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0836      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0837      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0838      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0839      | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89          | To Be Assigned | 05-0840      | Foxwood Estates No. 5 |

**Exhibit "C"**

Tax Roll Assessment  
Foxwood Estates No. 5  
Fiscal Year 2004-05

|                |          |                |         |                       |
|----------------|----------|----------------|---------|-----------------------|
| To Be Assigned | \$235.89 | To Be Assigned | 05-0841 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0842 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0843 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0844 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0845 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0846 | Foxwood Estates No. 5 |
| To Be Assigned | \$235.89 | To Be Assigned | 05-0847 | Foxwood Estates No. 5 |

## Exhibit "D"

Engineer's Report  
Landscape & Lighting Assessment District 05-08  
Foxwood Estates No. 5  
Fiscal Year 2004-05

### General Description

This Assessment District (District) is located south of Ferguson Avenue and east of Roeben Street. Exhibit "A" is a map of Assessment District 05-08. 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 lots within the district are 47.

**Exhibit "D"**

Engineer's Report  
 Landscape & Lighting Assessment District 05-08  
 Foxwood Estates No. 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.     | 11,380        | \$0.125              | \$1,422.50         |
| Shrub Area                     | Sq. Ft.     | 14,210        | \$0.125              | \$1,776.25         |
| Water                          | Sq. Ft.     | 25,590        | \$0.050              | \$1,279.50         |
| Electricity                    | Sq. Ft.     | 25,590        | \$0.008              | \$204.72           |
| Trees In Landscape Lots        | Each        | 57            | \$25.00              | \$1,425.00         |
| Trees In Local Street Parkways | Each        | 62            | \$25.00              | \$1,550.00         |
| Street Lights                  | Each        | 15            | \$105.00             | \$1,575.00         |
| Project Management Costs       | Lots        | 47            | \$18.00              | \$846.00           |
|                                |             |               |                      |                    |
| <b>TOTAL</b>                   |             |               |                      | <b>\$10,078.97</b> |
| 10% Reserve Fund               |             |               |                      | \$1,007.90         |
|                                |             |               |                      |                    |
| <b>GRAND TOTAL</b>             |             |               |                      | <b>\$11,086.87</b> |
| <b>COST PER LOT</b>            |             |               |                      | <b>\$235.89</b>    |

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:

$$A_{max} \text{ for any given year "n"} = (\$11,086.87) (1.05)^{(n-1)}$$

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 05-08  
Foxwood Estates No. 5  
Fiscal Year 2004-05

Example 1. The estimated year four cost of maintaining the improvements in the district is \$12,084.69 [a 9% increase over the base year estimated cost of \$11,086.87]. The maximum annual assessment for year four is \$12,834.44 [ $A_{\max} = (\$11,086.87)$  (4-1)]. (1.05) The assessment will be set at \$12,084.69 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 \$12,528.16 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$11,086.87]. 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 \$250.56 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum (4-1) annual assessment for year four is \$12,834.44 [ $A_{\max} = (\$11,086.87)$  (1.05)]. The year four assessment will be set at \$12,528.16 plus the deficit amount of \$250.56 which equals \$12,571.24 [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 \$12,084.69 [a 9% increase over the base year assessment of \$11,086.87] and damage occurred to the masonry wall raising the year five expenses to \$13,525.98 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$13,293.16 (a 10% increase over the previous year) and below the maximum annual assessment of \$13,476.16 [ $A_{\max} = (\$11,086.87)$  (5-1)]. (1.05) The difference of \$232.82 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:** May 2, 2005

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

**Agenda Item Wording:** Proposed 4 year program for Solid Waste's rate & fees beginning on July 1, 2005, primarily for conversion of the fleet to CNG fuel.

**Deadline for Action:**

**Submitting Department:** Public Works – Solid Waste

**Contact Name and Phone Number:**

|  |          |
|--|----------|
| Earl Nielsen, Public Works Mgr. - Support Services | 713-4533 |
| Jim Bean, Public Works Mgr. – Solid Waste          | 713-4564 |
| Tim Fosberg, Financial Analyst                     | 713-4565 |

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 15 min.

**Department Recommendation and Summary:**

That City Council direct staff to notice a public hearing for the purpose of implementing a four year program of annual increases to specific Solid Waste's rate beginning on July 1, 2005 primarily for increased vehicle costs due to conversion of the refuse fleet to Compressed Natural Gas (CNG) fuel and for additional recycling programs.

Staff recommends that specific Solid Waste rates be increased mainly due fleet conversion to CNG fuel and for additional recycling programs. An average increase of 2.5% for the each of the next four years is recommended: 2.1% for fleet conversion and replacement and 0.4% for additional and expanded operational recycling programs.

**Discussion:**

CNG Conversion. The transition to new CNG Solid Waste trucks and the installing of particulate matter filters on existing vehicles is being done in response to regulations issued by the California Air Resource Board (ARB) and the San Joaquin Valley Air Pollution Control District (SJVAPCD), to reduce particulate matter in the air resulting from burning diesel fuels.

The Solid Waste Enterprise fund's capital assets are made up of two components, refuse trucks and waste containers. Currently the trucks are diesel powered, a major source of air pollution in the Central Valley. Council has previously directed City staff to implement measures that will reduce emission when operationally feasible. On April 14, 2003 Council adopted resolution #2003-38, supporting a proactive stance on emission reduction for the City by transitioning to CNG fueled vehicles, and directing the use of the "lowest emission vehicles available, that are practical and reasonably cost competitive with other vehicles appropriate for the particular application and where funding is available to assure that such vehicles can be reasonably cost competitive".

CNG vehicles have progressed to the point that staff now recommends converting the Solid Waste fleet to CNG. The conversion, however, will increase the vehicle acquisition cost by \$50,000 per

vehicle. After conversion of the fund's fleet to CNG over 60% of the capital investment will be in trucks. As a result, staff has calculated the impact of the increased vehicle cost upon the fund.

Financial Overview. As reported earlier in the City's FY04-05 Mid-Year Financial Evaluation presented at the Mar. 28, 2005 Work Session, Solid Waste has over the years continued to meet its financial objectives of covering operations and capital costs. As presented in the following Table I - Solid Waste – Mid Year Operational Review taken from the earlier Council Agenda Item, revenues are in excess of budget and expense increases are outpacing revenue increases, thereby reducing the expected operating surplus. Despite this narrowing of the operating surplus, the fund currently remains healthy. But, as also stated in the earlier presentation, the cost of this CNG conversion will deplete the funds cash unless corrective action is taken.

Table 1  
Solid Waste – Mid Year Operational Review

|   | <u>Budgeted</u>     | <u>Projected</u>    |
|---|---------------------|---------------------|
| <b><u>OPERATIONS</u></b>                                |                     |                     |
| <b><u>RESOURCES</u></b>                                 |                     |                     |
| Operating Revenues                                      | \$ 11,124,963       | \$ 11,154,200       |
| Grants, Reimbursements & Non-Operating                  | 2,127,299           | 2,351,000           |
| RESOURCES TOTAL   | <u>13,252,262</u>   | <u>13,505,200</u>   |
| <br><b><u>OPERATING EXPENSES</u></b>                    |                     |                     |
| Personnel   | (2,889,917)         | (2,920,000)         |
| Operations & Maintenance                                | (3,589,639)         | (3,665,000)         |
| Depreciation  | (1,076,780)         | (1,076,800)         |
| Allocated Costs   | (5,190,596)         | (5,499,200)         |
| OPERATING EXPENSES TOTAL                                | <u>(12,746,932)</u> | <u>(13,161,000)</u> |
| <br><b>TOTAL OPERATING EXPENSES &amp; DEBT SERVICE</b>  |                     |                     |
|   | <u>(12,746,932)</u> | <u>(13,161,000)</u> |
| <br><b>CURRENT YEAR RESOURCES AVAILABLE FOR CAPITAL</b> |                     |                     |
|   | <u>\$ 505,330</u>   | <u>\$ 344,200</u>   |
| <br><b><u>CAPITAL ASSETS</u></b>                        |                     |                     |
| Beg. Capital Asset Cash                                 | 2,931,056           | 2,931,056           |
| Add: Depreciation Transfer                              | 1,076,780           | 1,076,800           |
| Less: Capital Purchases - Prior Yr. Rollover            | (1,924,730)         | (1,900,000)         |
| Less: Capital Purchases - Current Year                  | (2,112,190)         | (500,000)           |
| <b>ENDING CAPITAL ASSET CASH</b>                        | <u>\$ (29,084)</u>  | <u>\$ 1,607,856</u> |

The Solid Waste enterprise fund costs can be segregated into three cost components: landfill, operations, and capital assets. Landfill costs have remained relatively constant for a number of years. The County of Tulare has not raised its tipping fee in over 10 years. Operating costs although increasing, have been offset for a number of years by increasing operating efficiencies. The proposed capital cost increases are the direct effect of the required CNG fuel conversion of

the fleet to reduce particulate matter and avoid air quality problems produced by diesel engines. Major changes in any of these cost components may require additional rate considerations.

CNG Conversion - Cash Flow Consequences. As of July 1, 2004, the Solid Waste fund had a total cash balance of approximately \$3.9 million; \$2.9 million was set aside for capital replacement and \$1.1 million was remaining for operations. The amount of cash for operations is projected to increase by approximately \$0.3 million to \$1.4 million by the end of FY04/05 and currently appears to be sufficient; however, if tipping fees (landfill, recycling, green waste, etc.), which represent one-third of Solid Waste's expenses, increase this could quickly be depleted and an additional rate increase would likely be necessary.

Without the proposed 2.1% average annual capital increase for fleet conversion and replacement, the balance of the Capital Replacement Reserve will decline as shown in Table II, Projected Capital Replacement Reserve.

Table II  
Projected Capital Replacement Reserve  
Amounts in Millions

| Fiscal Year | Current (Without Rate Increase) | After Proposed Rate Increase |
|-------------|---------------------------------|------------------------------|
| 03 / 04     | \$ 2.9                          | \$ 2.9                       |
| 04 / 05     | 1.6                             | 1.6                          |
| 05 / 06     | 1.0                             | 1.2                          |
| 06 / 07     | 0.0                             | 0.8                          |
| 07 / 08     | (1.3)                           | 0.3                          |
| 08 / 09     | (1.8)                           | 0.9                          |

See Attachment 1 - Capital Expenditures & Replacement Reserves

The table illustrates that without the proposed rate increase, the fund's capital reserves will disappear and run a deficit. This portion of the rate increase allows the fund to maintain a reasonable capital replacement balance.

Solid Waste is also actively applying for federal and state grants; the estimated maximum anticipated to be received through F/Y 06/07 is about \$575,000 for both capital and operating expenditures.

Additional Recycling Programs. In addition to the fleet's CNG conversion, staff is recommending several additional recycling programs which will enhance the City's recycling efforts, namely:

- **Waste to Energy - new (\$125,000 to \$150,000 annually).** This is new program will be counted as a 100% diversion from the landfill. The City along with the other local cities in the Consolidated Waste Management Authority (JPA) will be sending a total of 26,000 tons annually to Long Beach for burning to create energy. The JPA has contracted for this limited amount of diversion until July 2006.
- **Green Waste Drop-Off programs - additional and expanded events (\$60,000 annually).** A spring drop-off event is being started in addition to the annual fall event. Also, this program is being expanded to include accepting green waste from commercial businesses.
- **Neighborhood Dump-On-Us programs - additional events (\$25,000 annually).** This program is being expanded in frequency from two times a year to five times per year.

The cost of these programs is approximately 2% of the enterprise's total revenues. Staff proposes that this 2% be funded by adding 0.4% a year to the proposed capital rate increase.

Basis for the Recommended Multi-Year Rate Increase Program. The City currently has several rates in which increases are scheduled for more than one year. Some examples of this multi-year rate program have already been established are the Storm Sewer's four-year rate increase and the Golf Course's multi-year increases for the CIP Surcharge. The two major factors of Solid Waste's proposed capital rate increase are: 1.) It is a multi-year increase and 2.) The increases stop after 4 years. The multi-year recommendation follows the City's financial philosophy of small gradual rate increases whenever possible.

Notification Process. If Council directs staff to proceed with the proposed rate program, the City will provide 15 day notice of the upcoming public hearing and will also be including a stuffer in the utility bill. After the public hearing, Council may act upon the rate program which is being proposed to take effect July 1, 2005.

### **Detailed Financial Analysis.**

The rate program being proposed is mainly based upon increased vehicle costs. As a result, the proposed increases differ slightly for each type of service, determined by that portion of the rate that reflects vehicle costs. The following examples detail the different increases to the various service types.

RESIDENTIAL. The baseline residential Solid Waste service (once a week collection of one divided container and one green waste container) is currently \$14.99 (add an additional \$1.01 for street sweeping and the combined rate totals \$16.00). The proposed adjustment would increase the rates by \$0.36 cents the first year (an extra penny is included to round up the \$14.99 to an even \$15.00) and then \$0.35 cents each year for the next 2 years, and by \$0.40 for the last year (rounding to the nearest nickel), ending in FY 08-09 with a Solid Waste rate (excluding street sweeping) of \$16.45. The annual percentage increase ranges from 2.3% in FY06-07 to 2.5% in FY08-09. The cumulative increase would total \$1.46 or 9.4% at the end of the 4 year period. No adjustment is being proposed to the Senior Citizen Life Line rate (see Attachment 2 - Sample Rates) for detail.

COMMERCIAL – Roll Off Box. A roll off box service, for example, consisting of one delivery and one collection would be increased by \$8.35 or 2.9% in FY05-06 and by \$9.80 or 3.1% in FY08-09. The cumulative increase would total \$36.30 or 12.0% at the end of the 4 year period (see Attachment 2 – Sample Rates) for detail. The proposed increases for Commercial accounts are larger due to the fact that these services are more capital intensive than residential collection.

COMMERCIAL – Front Load Bins. A front load 3 yard bin service rate (most common) for example, which has five collections per week will get a slightly higher increase than the rate with one collection per week. This is due to the greater number of truck trips which increases the effect of a capital replacement related rate increase. In this example, the 05-06 FY increase would be 1.9% for the five collections per week, versus a 1.7% increase for one collection per week. The cumulative increase for the 3 collections per week would total \$12.40 or 7.8% at the end of the 4 year period (see Attachment 2 – Sample Rates) for detail.

### **Comparable Rates:**

RESIDENTIAL - The survey in Table III, Single Family Residences, was included with the Mid-Year Financial Evaluation presented to Council on Mar. 28, 2005, and indicates that Visalia's current residential rate is among the lowest in the surrounding area. The proposed rate increases for the

next 4 years would end with a Solid Waste rate (excluding street sweeping) of \$16.45 in FY08-09, which is still below the current average for the area.

Table III  
**Monthly Solid Waste Rates**  
**Single Family Residences (Excludes Street Sweeping)**

| <u>City</u>      | <u>Residential</u>    | <b>Visalia</b>           |         |
|------------------|-----------------------|--------------------------|---------|
| Clovis           | \$25.77               |                          |         |
| Reedley          | 24.50                 |                          |         |
| Lemoore          | 23.00                 |                          |         |
| Kingsburg        | 22.40                 |                          |         |
| Tulare County ** | 21.00                 |                          |         |
| Dinuba           | 20.94                 |                          |         |
| Hanford          | 20.90                 |                          |         |
| Bakersfield      | 19.56                 |                          |         |
| Woodlake **      | 18.25                 |                          |         |
| Goshen           | 18.00                 |                          |         |
| Fresno           | 18.00                 | Currently                | \$14.99 |
| Farmersville     | 17.00                 |                          |         |
| Lindsay **       | 16.90                 | Proposed FY 05-06        | 15.35   |
| Exeter **        | 16.60                 | Proposed FY 06-07        | 15.70   |
| Porterville      | 15.00                 | Proposed FY 07-08        | 16.05   |
| <b>VISALIA</b>   | <b>14.99</b>          | Proposed FY 08-09        | 16.45   |
| Tulare **        | <u>14.13</u>          |                          |         |
| <b>Average</b>   | <b><u>\$19.23</u></b> | Excludes street sweeping |         |

\*\* Cities that have already scheduled a rate increase for FY 05/06 are shown at the increased rate.

COMMERCIAL – Roll Off Box – Table IV - 30 Yard Roll Off Box This survey again indicates that Visalia’s Roll Off Box service is among the lowest in the surrounding area. An annual average increase of 1.8% for the next 4 years would end with rates that are still among the very lowest even when compared to today’s rates of surrounding cities.

Table IV  
**30 Yard Roll Off Box - Permanent**

| <u>City</u>         | <u>On-Call Empty</u>   | <b>Visalia</b>    |          |
|---------------------|------------------------|-------------------|----------|
| Bakersfield         | \$179.55               |                   |          |
| Dinuba (private)    | 165.00                 |                   |          |
| Kingsburg (private) | 160.00                 |                   |          |
| Porterville         | 143.26                 |                   |          |
| Hanford (private)   | 140.00                 | Currently         | \$105.00 |
| Fresno              | 133.00                 |                   |          |
| Visalia (private)   | 117.00                 | Proposed FY 05-06 | 110.65   |
| Tulare              | 111.00                 | Proposed FY 06-07 | 116.65   |
| Goshen              | 108.00                 | Proposed FY 07-08 | 122.95   |
| <b>VISALIA</b>      | <b><u>105.00</u></b>   | Proposed FY 08-09 | 129.60   |
| <b>Average</b>      | <b><u>\$136.18</u></b> |                   |          |

COMMERCIAL – Front Load Bins – Table V. 3 Yard Bins this survey again indicates that Visalia’s current Front Load Bin service is among the lowest in the surrounding area. An annual average increase approximating 1.8% for the next 4 years would end with rates that are still among the very lowest even when compared to today’s rates of surrounding cities.

Table V  
3 Yard Bin Monthly Rates

| City           | Collections Per Week  |                        |                        |
|----------------|-----------------------|------------------------|------------------------|
|                | 1 time                | 3 times                | 5 times                |
|                | \$147.0               |                        |                        |
| Clovis         | 6                     | \$441.32               | \$735.57               |
| Bakersfield    | 127.31                | 286.93                 | 509.37                 |
| Lemoore        | 124.75                | 306.75                 | 489.25                 |
| Lindsay        | 103.25                | 261.00                 | 420.00                 |
| Hanford        | 100.00                | 217.25                 | 334.30                 |
| Dinuba         | 93.46                 | 238.03                 | 378.08                 |
| Goshen         | 90.75                 | 229.75                 | 369.50                 |
| Fresno         | 83.31                 | 261.43                 | 422.31                 |
| Reedley        | 81.35                 | 203.90                 | 337.60                 |
| Woodlake       | 76.25                 | 184.75                 | 292.50                 |
| Exeter         | 73.88                 | 181.36                 | 288.84                 |
| Porterville    | 65.52                 | 196.56                 | 327.60                 |
| Tulare         | 62.36                 | 186.22                 | 310.07                 |
| Kingsburg      |                       | 157.95                 | 260.90                 |
| VISALIA        | <u>56.00</u>          | <u>151.40</u>          | <u>246.80</u>          |
| <b>Average</b> | <b><u>\$91.80</u></b> | <b><u>\$233.64</u></b> | <b><u>\$381.51</u></b> |

| Visalia           |                      |         |         |
|-------------------|----------------------|---------|---------|
|                   | Collections Per Week |         |         |
|                   | 1 time               | 3 times | 5 times |
|                   |                      | \$151.4 | \$246.8 |
| Currently         | \$56.00              | 0       | 0       |
| Proposed FY 05-06 | 56.95                | 154.25  | 251.60  |
| Proposed FY 06-07 | 57.95                | 157.25  | 256.65  |
| Proposed FY 07-08 | 59.00                | 160.45  | 261.95  |
| Proposed FY 08-09 | 60.10                | 163.80  | 267.55  |

Recent Solid Waste Rate Adjustments. During the biennial rate adjustments for the FY’s 04-05 & 05-06 that occurred June 21, 2004, the adjustments listed below were the only changes made at that time. The Solid Waste fees for the most part were not raised as the fund had sufficient operating and capital cash reserves.

New Rates: Front Load Bin Service & Roll Off Box Service – GREEN WASTE  
New reduced rates are being established to encourage separation of Green Waste and recognize the reduce disposal charge.

Decreased Rate: Residential – ADDITIONAL DIVIDED CONTAINERS  
The rate for an additional residential divided container was reduced to encourage recycling.

Increased Rates: Residential – CONTAMINATED RECYCLABLES  
3<sup>rd</sup> and 4<sup>th</sup> occurrence of contaminated container empties penalty charges were increased to encourage separation of garbage from recyclables and discourage the contamination of recyclables collected.

**Prior Council Actions:**

- Mar. 28, 2005      FY04-05 Mid-year evaluation, including SW rate recommendation
- June 21, 2004      Rate & Fee Review (biennial), minor changes to SW rates (see above).

**Committee/Commission Review and Actions:**

The Citizen Advisory Committee reviewed the proposed 4 year rate increase program on Apr. 6<sup>th</sup> 2005 and voted unanimously to recommend to City Council to adopt the four year rate increase program.

**Alternatives:**

Do not raise the rates and hold off until additional operating or capital costs increase the need for a rate increase or until cash reserves are reduced.

**Copies Provided To:**

Citizens Advisory Committee

**Attachments:**

- 1. SW – Capital Expenditures & Capital Cash Reserves Projections
- 2. SW – Sample Selected Rates, FY05-06 through FY08-09

**City Manager Recommendation:**

**Recommendation:**  
 “It is recommended that staff proceed with increasing specific SW rates For each of the next four years and proceed with holding a public hearing to raise these specific Solid Waste rates.”

***Environmental Assessment Status***

|                     |     |           |    |
|---------------------|-----|-----------|----|
| <b>CEQA Review:</b> |     |           |    |
| Required?           | Yes |           | No |
| Review and Action:  |     | Prior:    |    |
|                     |     | Required: |    |
| <b>NEPA Review:</b> |     |           |    |
| 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:**

***Financial Impact***

**Funding Source:**

Account Number: Various Solid Waste Residential and Commercial Accounts

**Budget Recap:**

|   |                |                     |
|---|----------------|---------------------|
| Total Estimated cost: \$                | New Revenue    | \$ 1,075,495 (total |
| Amount Budgeted: \$                     | New Personnel: | \$ for four years)  |
| New funding required:\$                 |                |                     |
| Council Policy Change: Yes_____ No_____ |                |                     |

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

If approved, the following is a projected timeline to have the new rates implemented by August 1, 2005:

|                            |        |                               |
|----------------------------|--------|-------------------------------|
| Notice of Public Hearing   | May 1  | 10 Day Publication            |
| Public Hearing Held        | May 16 |                               |
| Rate Codes to Cal Water    | Jun 7  |                               |
| First Billing w/ New Rates | Aug 1  | Effective July 1 (in ARREARS) |

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 2, 2005

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

**Agenda Item Wording:** Consideration of initiating an Annexation, General Plan Amendment, Change of Zone, and a Specific Plan Amendment for property located in the West Highway 198 Area. This is a request by Sierra Village, Inc. (Quad Knopf, agent). The subject property is located on the southeast corner of Noble Avenue and Roeben Street. (APN: 087-450-001 through 005)

**Deadline for Action:** None

**Submitting Department:** Community Development and Public Works Dept. - Planning

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 15

**Contact Name and Phone Number:** Brandon Smith, Associate Planner 713-4636

### **Department Recommendation and Summary:**

Recently, the Planning Division has received a project which encompasses an Annexation, General Plan Amendment, Change of Zone, and Specific Plan Amendment, and is located inside the area identified as the West 198 Scenic Corridor Study Area. Based on direction given by the City Council to Staff during a work session in January 2004, Staff is recommending that the City Council not initiate this project, and that the project shall proceed only after the completion of a comprehensive land use study for the Scenic Corridor area.

### Background

On January 20, 2004, the Planning Division held a work session with the City Council to talk about various advance planning and growth issues. One of the topics of discussion was whether to allow the processing of individual applications for general plan amendments in the area identified as the West 198 Scenic Corridor Area prior to a comprehensive land use study being completed for the area. This area is generally comprised of the land possessing a general plan land use designation of Agriculture bordered on the north by Goshen Avenue, on the south by Caldwell Avenue, on the west by Plaza Park, and on the east by Akers Street (see attached map).

This discussion was primarily based on two project requests received by the City at the time. Both of these projects included a request to change a land use designation from Agriculture to Residential, and would necessitate preparing an Environmental Impact Report to consider impacts to agriculture and open space. At the work session, the Council directed Staff to allow

these two projects that were already received by staff to proceed, and that any future projects received in the area shall not be processed until a comprehensive land use study was completed for the study area.

The two requests that the City received at the time of the work session included an 80-acre area located south of Tulare Avenue between Shirk and Roeben Streets that is known as the "Elliott and Vander Weerd" property. An EIR is currently being prepared for this project and will be coming to the Council for review shortly. The other site is the open space area located between Hillsdale Avenue and Highway 198, west of Akers Street, and is known as the "Tiffany Ranch Phase II Subdivision". To date, Staff has not received any authorization from the applicant to prepare an EIR for this project.

### Proposed Project

The project recently received by Staff is located on a 34-acre area south of Highway 198, north of the existing Sierra Village facility, and west of the Adventure Fun Park. Most of the site is located outside of the City limits, and therefore requires annexation into the City limits. The Change of Zone (which only pertains to a 1-acre parcel in the project area) and General Plan Amendment are requests to change Agriculture designations in the area to 27 acres of Professional / Administrative office designation and 13 acres of Residential designation (see proposed site master plan provided by applicant). According to the plan, 25 acres of office and residential designation would be located south of the Cypress Avenue extension, and would constitute the expansion area for the Sierra Village Assisted Living Facility located south of the project site. The 15 acres of office designation north of the Cypress Street extension would not be associated with Sierra Village. A Specific Plan Amendment has also been requested to add wording in the Land Use Plan section of the West Visalia Specific Plan that would facilitate the proposed project. Quad Knopf, acting as the agent for the project, has also submitted a draft Initial Study and Notice of Preparation for Staff review, which states that an Environmental Impact Report would be prepared for the project.

The entire site is located inside the City's current Urban Development Boundary, and has a General Plan Land Use Designation of Agriculture. Currently, the site contains vacant land and a tree orchard, with one residence located on the site. The current City limits border the north, east, and south sides of the site. The site does not contain any land under Williamson Act contract.

### Discussion

Staff's recommendation of not initiating the proposed project is based on the Council's direction given at the work session on January 20, 2004 that a comprehensive land use study for the Scenic Corridor area shall be completed before processing any further requests for General Plan Amendments in the area. The Scenic Corridor Area is the largest contiguous area of open space surrounded by the City limits, and has continued to remain a strong visual element for residents and visitors approaching Visalia from the west. Both the Council and City Staff have identified that creating a master plan of this area is needed to allow consistent development in the area while retaining these agricultural and natural elements along the corridor, and in order to prevent piecemeal and discontinuous development from occurring prematurely on this land.

As an alternative, the City Council may choose to initiate this project and allow the project to be processed with its own review separate from the comprehensive land use study. Council's action on this item does not require making an environmental finding or adopting a Resolution.

It would only allow the entitlement applications for the project to be processed and allow the preparation of an EIR. No commitment to approve the project is included in this initiation.

If Council does choose to initiate the project, it should be subject to a requirement that a permanent landscaped setback of 100 feet from Highway 198 be incorporated into the project. A 100-foot setback from right of way would be in conformance with the open space plan (see attached) approved by the Council and recommended by the Council-appointed Highway 198 Task Force and Steering Committee. By comparison, the Village West center and Adventure Park was developed with a 75 foot setback from the Highway right-of-way.

The project proposes to redesignate the property from an agricultural to an urban classification, resulting in the loss of agricultural land. As part of the General Plan Amendment process if initiated by Council, Staff will recommend that an agricultural mitigation fee or similar effect be imposed on the project.

#### Addition of Residential Units in Non-Designated Areas towards UDB

The project's General Plan Amendment, if approved, will include the creation of residential units in an area not previously identified or designated for Residential land uses. Over the past few years, the City Council has approved other General Plan Amendments which have converted areas not cited for residential growth to residential designations in various locations around the City. Examples of this include the conversion of Business Research Park (BRP) designations at Highway 198/McAuliff and Shirk/Riggin. When such General Plan Amendments are approved, they contribute towards reaching the 129,000 population criteria for the City's Urban Development Boundary, but do not promote the buildout of existing residential designations at an equal pace.

If the proposed project is initiated, Staff recommends that the Council consider a policy that a number of persons equal to the State average household population times the number of proposed dwelling units be added to the 129,000 population figure for the UDB. This would extend the period of time that the 129,000 UDB will be effective, and enable the City to delay moving to the next growth ring due to additional units being provided in the current UDB.

**Prior Council/Board Actions:** The City Council held a work session on Planning issues on January 20, 2004, which included discussion about processing applications for general plan amendment in the West 198 Scenic Corridor Area. At the work session, the Council directed Staff to allow these two projects that were already received by staff to proceed, and that any future projects received in the area would not be processed until a comprehensive land use study was completed for the area.

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

**Alternatives:** As an alternative, the City Council may initiate this project and allow the project to be processed with its own review separate from the comprehensive land use study, subject to inclusion of a 100 foot permanent landscaped setback along Highway 198.

**Attachments:**

- Proposed Site Master Plan provided by applicant
- West 198 Scenic Corridor Study Area with General Plan Land Use Designations
- West 198 Scenic Corridor Study Area with Open Space and Setback Areas
- Proposed General Plan Land Uses for site
- Location Sketch

**City Manager Recommendation:**

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

I move that the request by Sierra Village for Annexation, General Plan Amendment, Change of Zone, and Specific Plan Amendment not be initiated prior to the completion of a comprehensive land use study for the Scenic Corridor area.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**

Account Number: None.

**Budget Recap:**

|                                       |                   |
|---------------------------------------|-------------------|
| Total Estimated cost: \$              | New Revenue: \$   |
| Amount Budgeted: \$                   | Lost Revenue: \$  |
| New funding required: \$              | New Personnel: \$ |
| Council Policy Change: Yes____ No_X__ |                   |

***Environmental Assessment Status***

**CEQA Review:**

Required? No

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? 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*)

None.

**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:** May 2, 2005

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

**Agenda Item Wording:** Review and approval of the 2005-2009 Consolidated Plan and the 2005-2006 Action Plan for the CDBG and HOME federal grants.

**Deadline for Action:** May 2, 2005

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Steve Salomon, City Manager, 713-4312  
Michael Olmos, Community Development & Public Works  
Director, 713-4332  
Fred Brusuelas, Assistant Director, Community  
Development & Public Works, 713-4364  
Bob Nance, RDA & Economic Development Manager, 713-4511  
Cass Cook, Senior Administrative Analyst, 713-4298

For action by:

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

For placement on which  
agenda:

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

Est. Time (Min.): 20

**Department Recommendation:**

Staff recommends the City Council, upon holding a public hearing to receive comments,

- Adopt the proposed Consolidated Plan for 2005-2009 Community Development Block Grant (CDBG) and Housing Investment Partnership (HOME) as proposed or amended per City Council direction,
- Adopt the attached Action Plan for 2005-2006 as proposed or amended per City Council direction, and
- Authorize staff to make the appropriate budget adjustments and submit the Consolidated Plan to the US Department of Housing and Urban Development in accordance with HUD regulations for use of CDBG and HOME Grant Funds.

**Please Note:** Preparation and submittal of a Consolidated Plan is a HUD mandated activity for receipt and use of Federal CDBG and HOME Grant Funds. The Plan is a budgeting tool and guideline to assure receipt and use of Federal CDBG and HOME Grant Funds for qualified activities for the 5-year period between July 1, 2005 and June 30, 2009. The Consolidated Plan, as prepared and submitted for City Council approval, is based upon the projected continued receipt of both CDBG and HOME Grant Funds in amounts similar to those previously received.

It is noteworthy that no new programs, projects or activities are included in the proposed Action Plan for 2005-2006 or 5-year Consolidated Plan. If after adoption of the Action Plan and Consolidated Plan, the City Council determine to add a project, program or activity or elect to significant alter the Action Plan budget or Consolidated Plan; an amendment process is available to accommodate the desired changes.

Recently President Bush proposed significant program and funding changes for HUD and specifically the CDBG Program. Should the President's proposed changes go through, the changes may shift CDBG funding to certain geographic areas based on new funding criteria. It is difficult to assess the impact at this time on the City of Visalia. To address potential outcomes, staff is reviewing the CDBG commitments, programs, projects and activities to develop recommendations to be brought to the City Council based upon the following, worst case scenarios:

1. The CDBG Program ends with this current year 2004-2005 funding
2. The CDBG Program ends after the 2005-2006 funding year.

Staff will continue to monitor the proposed changes and provide the City Council with updates as details become available. If CDBG funding allocations change based on new federal mandates, staff will return to Council with recommendations on appropriate changes to the Consolidated Plan and Action Plan.

## **BACKGROUND**

### *Consolidated Plan*

The City of Visalia is an entitlement city which receives annual CDBG and HOME funds administered by HUD based upon population. As an entitlement city, Visalia receives these funds without competing with other communities.

A mandatory condition to receive the grant funds is the adoption of a Consolidated Plan providing a 5-year schedule of how these funds will be applied to meet community needs in accordance with federal guidelines. The current Consolidated Plan was adopted by Council on May 12, 2000.

### *Action Plan*

The City prepares an Action Plan, which addresses the priorities described in the adopted Consolidated Plan on an annual basis. As opportunities arise or conditions change, the City may amend this annual budget to meet changing needs, or take advantage of an opportunity in accordance with HUD regulations.

## **PROGRAM SUMMARY:**

The purpose of the Public Hearing is to allow citizens to review and provide comments about the proposed FY 2005-06 Action Plan and 2005-2009 Consolidated Plan. Upon close of the Public Hearing, the City Council can then consider those comments and take actions toward adoption of the Action Plan and Consolidated Plan including approving it as submitted, or make changes to the draft and adopt the Plans as amended.

To receive its annual entitlement Community Development Block Grant (CDBG) and Housing Investment Partnership (HOME) funds, the City must adopt an Annual Action Plan. The plan must be adopted and submitted to the Department of Housing and Urban Development (HUD) by May 15.

Visalia's Action Plan constitutes an application for funds under two different HUD formula programs. The application will ask for: Community Development Block Grant (CDBG) funds in the amount of \$1,345,457 and Housing Investment Partnership Program (HOME) funds in the amount of \$545,392 for a total of \$1,890,849.

| <b>One-Year Action Plan<br/>Expenditure Total:</b> |             |
|--|-------------|
| ✓ CDBG .....                                       | \$1,829,878 |
| ✓ HOME .....                                       | \$4,260,439 |
| ✓ Total .....                                      | \$6,090,317 |

In addition to the annual grants, the City receives payments from past loans and sales. These funds are referred to as "Program Income". We anticipate receiving \$400,000 in CDBG program income and \$600,000 in HOME program income next year for use within the approved

programs and projects. While the CDBG grant and associated program income can be used for many purposes including job creation, the HOME grant and associated program income are limited to the creation and rehabilitation of affordable housing.

It is a goal of the City to encourage and provide for increased citizen participation in the planning process.

An information meeting was held on the Consolidated Plan and Action Plan during regularly scheduled meetings of the North Visalia Advisory Committee met at the on March 16, 2005.

Citizens Advisory CDBG Subcommittee met with staff to review the Action Plan at on February 22, 2005. Citizens Advisory Committee, after a report from the CDBG Subcommittee, reviewed and approved the Annual Action Plan on March 2, 2005.

The public hearing is also a part of the citizen participation process.

**Prior Council / Board Actions:**

May 12, 2000                    2000-2004 Consolidated by Council  
May 3, 2004                    2004-2005 Annual Action Plan adopted by Council

**Committee/Commission Review and Actions:**

None

**Alternatives:**

**Attachments:**

Exhibit - 2005-2009 Consolidated Plan and 2005-06 Action Plan

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move the City Council, upon holding a Public Hearing to receive comments and testimony:

1. Adopt the proposed Consolidated Plan for 2005-2009 Community Development Block Grant (CDBG) and Housing Investment Partnership (HOME) as proposed or amended per City Council direction,
2. Adopt the attached Action Plan for 2005-2006 as proposed or amended per City Council direction, and
3. Authorize staff to make the appropriate budget adjustments and submit the Consolidated Plan to the US Department of Housing and Urban Development in accordance with HUD regulations for use of CDBG and HOME Grant Funds.

**Financial Impact**

**Funding Source:** CDBG and HOME

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 <u>X</u>       |

**Environmental Assessment Status**

**CEQA Review:**

Required? Yes \_\_\_\_\_  No  X

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes \_\_\_\_\_  No  X NEPA review is done on a project by project basis.

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:**

# SUMMARY OF PROPOSED 2005/06 ACTION PLAN

|                                     |   | CDBG      | HOME      | RDA<br>LOW/MOD | TOTAL     | UNITS |
|-------------------------------------|---|-----------|-----------|----------------|-----------|-------|
| <b>SOURCES OF REVENUE:</b>          |   |           |           |                |           |       |
| 1                                   | Cash - Beginning Balance                | 425,422   | 3,115,047 | 597,325        | 4,137,794 |       |
| 2                                   | Annual Grant Amount                     | 1,345,457 | 545,392   |                | 1,890,849 |       |
| 3                                   | Tax Increment Revenue                   |           |           | 1,033,779      | 1,033,779 |       |
| 4                                   | HOME matching funds - RDA Low/Mod       |           |           |                | -         |       |
| 5                                   | Program Income                          | 400,000   | 600,000   |                | 1,000,000 |       |
| 6                                   | Interest Earnings/Investment Earnings   |           |           | 7,721          | 7,721     |       |
| 7                                   | <b>TOTAL REVENUE</b>                    | 2,170,879 | 4,260,439 | 1,638,825      | 8,070,143 |       |
| 8                                   |   |           |           |                |           |       |
| <b>EXPENDITURES:</b>                |   |           |           |                |           |       |
| 10                                  | Operating                               | 11,500    | 5,800     | 63,797         | 81,097    |       |
| 11                                  | Redevelopment Allocation                | 275,986   | 11,886    | 173,002        | 460,874   |       |
| 12                                  | Direct Allocations                      | 26,735    | 45,348    | 55,732         | 127,815   |       |
| 13                                  | Loan Servicing                          | 6,000     |           |                | 6,000     |       |
| 14                                  | Bond Debt Service                       |           |           | 57,745         | 57,745    |       |
| 15                                  | Developer and other Agreements          |           |           | 55,000         | 55,000    |       |
| 16                                  | <b>Subtotal Admin and Operating</b>     | 320,221   | 63,034    | 405,276        | 788,531   |       |
| 17                                  |   |           |           |                |           |       |
| 18                                  | Net for Programs and Projects           | 1,850,658 | 4,197,405 | 1,233,549      | 7,281,612 |       |
| 19                                  |   |           |           |                |           |       |
| <b>HOMEOWNERSHIP:</b>               |   |           |           |                |           |       |
| 21                                  | Habitat for Humanity Land Purchase      |           |           | 100,000        | 100,000   | 1     |
| 22                                  | Homebuyers Assistance Program           |           | 400,000   |                | 400,000   | 20    |
| 23                                  |   |           |           |                |           |       |
| <b>NEIGHBORHOOD REHABILITATION:</b> |   |           |           |                |           |       |
| 25                                  | Housing Rehabilitation                  |           | 200,000   |                | 200,000   | 6     |
| 26                                  | Senior Repair and Handicapped Access    |           | 70,000    |                | 70,000    | 14    |
| 27                                  | Emergency Repairs and Basic Needs       |           | 100,000   |                | 100,000   | 9     |
| 28                                  | Senior Home Minor Repairs               | 87,000    |           |                | 87,000    | 600   |
| 29                                  |   |           |           |                |           |       |
| <b>PUBLIC IMPROVEMENTS:</b>         |   |           |           |                |           |       |
| 30                                  | ADA Compliance Projects                 | 40,000    |           |                | 40,000    | 15    |
| 31                                  | Park Improvements                       | 50,000    |           |                | 50,000    | 2     |
| 32                                  | Community Campus of Visalia             | 20,000    |           |                | 20,000    | 1     |
| 33                                  | West Parking Structure Loan Payment     | 571,685   |           |                | 571,685   | 1     |
| 34                                  | East Parking Structure Loan Payment     | 537,472   |           |                | 537,472   | 1     |
| 35                                  |   |           |           |                |           |       |
| <b>COMMUNITY SERVICES</b>           |   |           |           |                |           |       |
| 36                                  | Code Enforcement- Target Areas          | 70,000    |           |                | 70,000    | 120   |
| 37                                  | Fairhousing Hotline                     | 33,500    |           |                | 33,500    | 100   |
| 38                                  |   |           |           |                |           |       |
| <b>ECONOMIC DEVELOPMENT</b>         |   |           |           |                |           |       |
| 39                                  | Job Creation/Retention                  | 100,000   |           |                | 100,000   | 100   |
| 40                                  |   |           |           |                |           |       |
| <b>REDEVELOPMENT PROJECTS:</b>      |   |           |           |                |           |       |
| 41                                  | TCHA assistance- L/M apartments         |           |           | 1,000,000      | 1,000,000 | 70    |
| 42                                  | Downtown Senior Housing                 |           | 2,500,000 |                | 2,500,000 | 60    |
| 43                                  | Property Acquisition- Housing Projects  |           | 927,405   |                | 927,405   | 10    |
| 44                                  | <b>Subtotal Programs &amp; Projects</b> | 1,509,657 | 4,197,405 | 1,100,000      | 6,807,062 |       |
| 45                                  |   |           |           |                |           |       |
| 46                                  |   |           |           |                |           |       |
| 47                                  | <b>TOTAL EXPENDITURES</b>               | 1,829,878 | 4,260,439 | 1,505,276      | 7,595,593 |       |
| 48                                  |   |           |           |                |           |       |
| <b>REVENUE LESS EXPENDITURES</b>    |   |           |           |                |           |       |
| 49                                  |   |           |           |                |           |       |
| 50                                  | Remaining to Carry Forward              | 341,001   | -         | 133,549        | 474,550   |       |