



Visalia City Council Agenda

For the regular meeting of: Monday, May 16, 2005

Location: City Hall Council Chambers

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

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

EMPLOYEE INTRODUCTION:

Introduction of Police Department Employees: Rose Flores, Communications Operator; Carlos Lujan, Police Officer Recruit; Randy Fasani, Police Officer; Jim Potts, Sr. ID Technician.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

1. Discuss Sunset Waste Paper's proposal to construct a solid waste transfer station for City use, extend recycling contract and enter into contract for solid waste transfer station
2. Presentation of the joint City/Chamber of Commerce's Visitor's Task Force recommendations
3. Update on the Sequoia Kings Canyon National Park shuttle project and consideration of the formation of a Tourism Transportation Task Force to support efforts with the Shuttle, Scenic Air and Amtrak
4. Report on the impact on Visalia from the Governor's recommendations on Transportation (report to be distributed on 5/16) and an update on the High Speed Rail activities.

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

ITEMS OF INTEREST

CLOSED SESSION

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

5. Conference with Real Property Negotiators
Property: Avenue 280 and West of Hwy 99; APN: 119-010-021
Under Negotiation: Discussion of price, terms and conditions of a possible lease option and lease agreement with Tulare County Compost and Biomass, Inc.
Negotiators: Steve Salomon, Michael Olmos, David Jacobs, Jim Ross, Gary Birdsong, Tulare County Compost and Biomass, Inc.
6. Conference with Real Property Negotiators
Property: Approximately 6.6 acres located on the north side of Goshen Avenue, west of future Virmargo Avenue alignment APN 098-050-014, 020, 059
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Andrew Benelli, Jerry Irons, Barry Nottoli
7. Conference with Real Property Negotiators
Property: Plaza Park Arena (Raceway)
Under Negotiation: Discussion of price, terms and conditions of a possible amendment to a lease agreement with the Plaza Park Raceway Association
Negotiators: Steve Salomon, Vince Elizondo, Plaza Park Raceway Association
8. Conference with Real Property Negotiators
Property: 11- acres of surplus property, parts of APN 098-070-031, 022 and 014 at 321 N. Lovers Lane (Coopman Property)
Under Negotiation: Price, terms, conditions of sale
Negotiators: Steve Salomon, Don Stone, Mark Fulmer, VUSD
9. Conference with Real Property Negotiators
Property: 720 W. Mineral King
Under Negotiation: Price, terms and conditions of lease agreement
Negotiators: Steve Salomon, Mike Olmos, Mike Cully, Visalia Chamber of Commerce
- 9a. Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Gov. Code Section 54956.9)
Name of Case: City of Visalia v Harrah, et. al., TCSC No. 04-210016
10. Public Employee Performance Evaluations
Title: City Manager

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

SPECIAL PRESENTATIONS/RECOGNITION

Resolution of Commendation Presentation to Jim Barnes, volunteer with the PAL program.

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

10. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.
 - b) Award a contract for the Pistol Range Upgrades to the low bidder Atkins Bergreen, Inc. in the amount of \$325,290.
 - c) City Council's approval of the City's continued participation in the Mobile Home Model Lease Program and Authorization for the City Manager to sign the 2005 Master Long Term Lease Agreement and Memorandum of Understanding between Mobile Home Park Owners, Mobile home Park Residents and the City of Visalia.
 - d) Removed at the request of staff.
 - e) Appointment of Tom Peltzer to serve the remainder of a two-year term on the Delta Vector Control District Board.
 - f) Authorize the Transit Division to submit a grant application to the San Joaquin Valley Air Pollution Control District REMOVE II program in the amount of \$68,480 to finance a Park-N-Ride Lot (\$50,000) and a Transit Pass Subsidy (\$18,480) program for the Visalia City Coach.

- g) Authorization to staff to submit a REMOVE II application in the amount of \$30,000 for the construction of a bike path along McAuliff Street from Mill Creek to Houston Avenue.
- h) Authorization to apply for \$45,000 grant from San Joaquin Valley Air Pollution Control District Remove II program for a bike path along Packwood Creek
- i) Accept the City of Visalia Cash and Investment Report for the quarter ending March 31, 2005, and approve **Resolution 2005-68** adopting the City of Visalia's annually updated Investment Policy and delegating authority to invest funds for the City to the Administrative Services Director/Treasurer or his/her delegate.
- j) Authorization for the City Manager to execute Amendment No. 3 to the Wastewater Service Agreement between the City of Visalia and the Goshen Community Service District.
- 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. Authorization to record the final map of Eagle Creek No. 1 Subdivision (74 lots), located at the southwest corner of Ferguson Avenue and Roeben Street and the formation of Landscape and Lighting District No. 05-12, Eagle Creek Subdivision; **Resolution 2005- 69 and 2005-70 required.** APN: 126-012-004.
- l) Award a contract for the Demaree Street and Houston Avenue Traffic Signal Installation and Street Improvements to the low bidder Glen Wells Construction Company, Inc. in the amount of \$392,045.29. Project # 1241-720000-0-0-9560-2005.
- m) Authorization for the City Manager and the Fire Chief to notice the County of Tulare of the City's intent to terminate the City of Visalia's Automatic Aid Agreement with the County of Tulare.
- 11. PUBLIC HEARING - Authorization to amend the City's Solid Waste rates and fees effective for the four fiscal years beginning on July 1, 2005 primarily for the conversion of the fleet to CNG fuel; **Resolution 2005-67 required.**
- 12. PUBLIC HEARING (continued from 5/2/05) - consider raising the City's Sewer Connection Fees.
- 13. REGULAR ITEM - Award Contract for the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements project. Project # 6111-720000-0-0-9534-2005.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Last printed 05/13/2005 2:55 PM

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 16, 2005

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording:

Discuss Sunset Waste Paper's proposal to construct a solid waste transfer station for City use, extend recycling contract and enter into contract for solid waste transfer station.

Deadline for Action:

None

Submitting Department:

Community Development and Public Works

Contact Name and Phone Number

Andrew Benelli, Asst. Dir. Comm. Dev. / Public Works 713-4340
Jim Bean, Public Works Manager 713-4564

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 30 Min.

Department Recommendation and Summary:

Sunset Waste Paper has submitted a proposal to build and operate a solid waste transfer station and recycling facility in the Industrial Park. The transfer station would be used by the City's refuse fleet and by other solid waste haulers. The facility would replace the existing recycling facility located on Goshen Avenue at Cain Street. Sunset is proposing a fifteen-year contract with the City to provide transfer station services. Sunset's proposal also includes extending the current recycling contract for five additional years. Both contracts would then run concurrently until 2020. Both contracts would also have an option to be extended until 2025. The proposal also includes a reduction in the rate that the City is currently paying for processing recyclable materials. Sunset's existing site would be offered to the City for the appraised value (estimated at \$1.5 million). The tipping fee for refuse disposal would be the same as the City is currently paying at the County landfill.

Recommendation:

The City could potentially reduce operating costs by being able to unload both the recycled material and garbage at one location. However, staff does not support the additional five-year contract for processing recycled material because cheaper alternatives may be available in the recycling market after expiration of the Sunset contract. Staff recommends completing the existing contract with Sunset without modifications. Further, staff recommends soliciting proposals for transfer station and recycling services (competitive process) near the end of Sunset's current contract (2015).

Summary:

Sunset Waste has been processing the City's recyclables since June, 2000. The current contract is for a fifteen-year term and will end in June, 2015. The recyclables are collected by City operators and unloaded at Sunset's facility at 1707 W. Goshen Avenue. The trucks that service residential customers are equipped for split cans and haul both garbage and recyclables. The trucks must first unload the garbage at the landfill and then go to Sunset's yard to unload the recyclables. There would be a significant operational savings if the trucks could unload all at one facility.

Sunset Waste Paper Proposal:

Sunset Waste is proposing to construct and operate a ten-acre solid waste transfer station on Sunnyview Avenue in the Industrial Park. At a transfer station, collection trucks unload garbage and recyclables. The material is then assembled into larger loads for bulk hauling to a landfill. Waste operators realize cost savings when the transfer station is closer to the collection area and reduces the travel time for the trucks.

Sunset initially considered a transfer station at their current location on Goshen Avenue. The site is zoned Service Commercial which requires a Conditional Use Permit for enclosed transfer stations. Prior to October, 2004 transfer stations were not listed in the City's zoning matrix. On October 4, 2004, the City Council approved a request from Sunset Waste to change the Zoning Ordinance to allow enclosed solid waste transfer stations as a "Conditional" use in the Service Commercial Zone. The City Council also approved changing the zoning matrix to allow enclosed transfer stations in the Light Industrial zone as a conditional use, and in the Heavy Industrial zone as a permitted use. The proposed site on Sunnyview Avenue is in a Heavy Industrial Zone District. City staff has encouraged Sunset to investigate sites in the Heavy Industrial zone.

Sunset estimates that constructing the new transfer station will cost \$5.5 million. In order to secure a revenue stream and capital financing to facilitate this move, Sunset is requesting the City extend their current recycling contract by five years and enter into a fifteen-year contract for transfer station facilities. The tipping fee at the new transfer station would initially be \$31.00 per ton, which is the same as Tulare County Recycling and the County landfill (Rd. 80). Sunset is proposing reducing the processing fees by \$1.29 per ton (from \$23.10 to \$21.81 for commercial recyclables and from \$27.01 to \$25.72 for residential recyclables). The proposed contract for recyclable processing and transfer station facilities would last until 2020 and would have an option to be extended for five years until 2025.

Sunset's proposal would initially result in reducing the City's operational expenses. Staff estimates that the City would save about \$65,000 per year by unloading the trucks at a single facility. This amount would increase each year as the City grows. The disposal drivers would save time by having the shorter haul route and would also be able to unload faster than at the landfill. Construction of a transfer station for garbage only (and not recyclables) would not result in significant operational savings. The reduction in the aggregate processing fees by \$1.29 per ton would save the City approximately \$17,000 per year (also increasing each year).

Unloading the City's residential (split) trucks at Sunset's proposed transfer station will have significant financial impact on Tulare County landfill revenue. Sunset intends to load the trash into large trucks and haul it to a privately owned landfill in Fresno County for disposal. The tipping fees at the private facility are less than the Tulare County tipping fees. City staff estimates that the county would lose about \$400,000 annually. That amount would increase if

both residential and commercial trucks were unloaded at Sunset's transfer station. The City spends about one million dollars annually at Road 80 landfill for garbage disposal.

The market for recycled materials has changed significantly since the City entered into the contact with Sunset in 2000. Many recycled materials are now a marketable commodity. The values of aluminum, cardboard, glass, newspaper, plastic and tin have all increased. However, the most significant increase has resulted from changes in the state program for refundable deposits called California Redemption Value, or CRV. On January 1, 2004, the state upped redemption value by sixty percent for small drinks and one hundred percent for large drinks. CRV on twelve-ounce containers jumped from 2.5 cents per drink to four cents and on larger bottles and cans, from four cents to eight cents.

Visalia is currently paying Sunset to process the recyclables. Sunset does not compensate the City for the value of the recyclables that are collected. Many cities are being paid for their recyclables and not paying a processing fee. Several local cities are currently being paid for their recyclables by Tulare County Recycling (TCR). Tulare County Recycling is a subsidiary of Waste Management and is privately owned and operated. They have a transfer station south of the Visalia City limits on Lovers Lane. The City refuse fleet currently unloads garbage from the south part of town at TCR's transfer station. However, none of the City's recyclables are unloaded at this facility due to the Sunset contract. The cities that are contracted with TCR have told Visalia staff that they are satisfied with the services and continue to lower their operational costs. TCR is currently paying the Cities of Tulare and Porterville \$28.00 per ton for their commercial recyclables and paying the City of Kingsburg \$18.00 per ton for their residential recyclables, and none of these cities pay a processing fee. (Tulare County Recycling is owned by Waste Management and the City of Kingsburg is serviced by Waste Management Company, but they operate on separate budgets.) TCR has looked at Visalia's most recent recycling composition studies and have estimated that they would pay the City of Visalia \$28.00 per ton for commercial recyclables and \$6.00 per ton for residential recyclables. They indicated that the City would not have to pay a processing fee. The estimated annual income from the sale of the recyclables in the current year would be approximately \$150,000. The revenue saved from not paying a processing fee would be \$370,000. The total annual savings would be \$520,000. This, of course, would increase as the city population grows. Please see Exhibit A, attached to this report, for a comparison of recycling fees paid by other California cities.

The City of Porterville recently hired a consulting firm to perform an analysis of recycling program options for their City. Most of the report is irrelevant to the City of Visalia recycling options. However, the consultant did investigate the local values of recycled material. Please see Exhibit C for a copy of the Executive Summary from the consultants report.

Through the existing contract, the City pays Sunset Waste Paper over \$370,000 annually for processing fees, and receives no revenue or credit for the value of the recyclables. There are ten years remaining on the current contract (2015). Due to City growth, processing expenses increase about \$11,000 per year (three percent). Over the remaining ten years of the existing contract, the City expects to pay an estimated \$4.8 million to Sunset. Entering into the proposed contract with Sunset will reduce the processing fee rate and extend the contract until 2020. The proposed contract would reduce the amount paid for processing recyclables between now and 2015 to \$4.6 million. The City would also save over \$800,000 in operational expenses by unloading at the transfer station. However, if the value of recycled materials stays at the current rates, the City would lose substantial revenue in the years between 2015 and 2020. Staff estimates the value of the recyclables collected in 2016 will be about \$207,000. The estimated loss in potential revenue between 2015 and 2020 is \$1.1 million. The City would save about one million dollars between now and 2015 with Sunset's proposal. However,

between 2015 and 2020 the City would lose the option to receive any revenue from selling recycled material. The City would also be committed to paying a processing charge that most cities are not currently obligated to pay. The cost of Sunset's processing fee and the lost revenue from not being able to sell the recycled material is estimated to be \$3.6 between 2015 and 2020. This additional cost of \$3.6 million significantly exceeds the \$1.0 million that would be saved with the lower processing fees and the operational saving from the transfer station. These estimates are based on the current values of recycled material. This market changes significantly from year to year. It is difficult to project the market rates for ten to fifteen years in the future. Please see Exhibit B for a financial analysis of Sunset's proposal.

Conclusion:

The construction of a transfer station would result in significant operational savings. Relocating Sunset's facility to an area that is zoned for heavy industries would be beneficial. Staff believes the value of recyclable material will increase from today's value. Staff does not support the extension of the recycling contract for five additional years. It seems unwise to enter into a long term contract that does not include some compensation to the City for recovered materials. It is premature to lock in a rate now for a market that will not occur for ten years. Staff is also reluctant to enter into a fifteen-year commitment for transfer station services when there are other vendors (i.e. Tulare County Recycling) that are currently offering this service to the City. Staff recommends completing the existing contract with Sunset without modifications. Further, staff recommends soliciting proposals for transfer station and recycling services (competitive process) near the end of Sunset's current contract (2015).

Prior Council/Board Actions:

- Approved a fifteen-year contract with Sunset Waste Paper in June 2000.
- Approved a month by month contract with Tulare County Recycling to provide transfer station services in October 2003.

Committee/Commission Review and Actions:

N/A

Alternatives:

- Extend the current contract with Sunset another five years with a five-year option for recycling services, in conjunction with a twenty-year transfer station contract.
- Extend the current contract five years with a five-year option if Sunset would eliminate the processing charges incurred by Visalia and offer an opportunity to share in potential revenues from recyclables, in conjunction with a 20-year transfer station contract.
- Complete existing contract with Sunset in June, 2015. In January, 2013, put together a Request for Proposal and award new contract in June 2013 to successful bidder to start providing services in June 2015.

Attachments:

- Exhibit A, Recycling Fee Comparison
- Exhibit B, Financial Analysis of Sunset Proposal
- Exhibit C, Analysis of Recycling Program Options and Costs: City of Porterville

City Manager Recommendation:

Recommended Action: Complete the existing contract with Sunset Waste Paper without any changes.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost:	\$0	New Revenue:	\$
Amount Budgeted:	\$0	Lost Revenue:	\$
New funding required:	\$0	New Personnel:	\$
Council Policy Change:	___ No___		

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**EXHIBIT A
RECYCLING FEE COMPARISON**

CITY	VENDER	PROCESSING FEE / TON		MATERIAL PAYMENT / TON	
		RESIDENTIAL	COMMERCIAL	RESIDENTIAL	COMMERCIAL
Visalia (current)	Sunset	\$23.10	\$27.10	\$0	\$0.
Visalia (proposed)	Sunset	\$22.10	\$26.10	\$0	\$0
Merced	Sunset	\$22	\$22	\$0	\$0
Bakersfield	Smurf it	\$0	\$0	\$10	\$14
Porterville	TCR	\$0	\$0	NA	\$28
Tulare	TCR	\$0	\$0	NA	\$28
Fresno	Sunset	\$15.74	\$15.74	\$5.90	\$5.90
Kingsburg	TCR	\$0	\$0	\$18	NA
San Diego	Allen & Comp.	\$0	\$0	\$10-\$40	\$10-\$40
Riverside	Aqua Mansa MRF	\$0	\$0	\$7.00	\$7.00
Sacramento	BLT Enter.	\$0	\$0	\$10-\$12	\$10-\$12
Brawley	Valley Envir.	\$0	\$0	\$0	\$0
Santa Monica	Allen & Comp.	\$0	\$0	\$10-\$40	\$10-\$40
Selma	Kings Waste Authority	\$0	\$0	\$24	\$10
Avenal	Kings Waste Authority	\$0	\$0	\$24	\$10
Kettleman City	Kings Waste Authority	\$0	\$0	\$24	\$10

City of Visalia Agenda Item Transmittal

Meeting Date: May 16, 2005

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Presentation of the Visitor Task Force Recommendations

Deadline for Action: July 1, 2005

Submitting Department: Administration

Contact Name and Phone Number: Mayor Bob Link, Council Member Greg Kirkpatrick, Mike Cully, Chamber President/CEO, 734-5876 and Leslie Caviglia, Deputy City Manager, 713-4317

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 20

Department Recommendation and Summary:

In July, 2004, the City Council appointed a task force to review the current operations of the Tourism Bureau and the Convention Bureau and to recommend ways to attract more visitors to Visalia. Specific goals were outlined for the Task Force.

One of the key recommendations involves combining the Tourism and Convention Bureaus into a single Bureau that is initially managed and housed at the Visalia Chamber of Commerce. If the Council accepts the Task Force's recommendation, staff will bring a contract with specific conditions and a budget back for the Council's consideration in June.

The recommendations based on the goals are as follows:

***Develop a recommend course for future action including the organizational structure under which the goals can best be achieved**

-The Tourism Bureau and the Convention Bureau be combined into a single unit no later than July 1, 2005.

-That the new Convention and Visitor's Bureau (CVB) initially be operated at the Chamber of Commerce, with the Chamber handling the management of the Bureau under a contract with the City. If approved, a contract will be brought back for Council consideration in June.

-That the CVB become a separate organization. As part of this process, it is recommended that the financial matters of the combined CVB be kept separate from the Chamber, that the paperwork be completed within the next year for a separate non-profit organization, and that a plan be developed for the CVB to separate from the Chamber and become a separate organization within 18-36 months.

-That the new organization's initial goal will be to promote visitors to Visalia, but will be organized broadly enough to include other participants, either government or private, that might choose to become involved at a later date.

-That the City Council appoint a Management Oversight Committee to oversee the operations of the new CVB including budget, goals, and marketing. Included in the Oversight Committee's charge would be the development of a reporting/accountability process based on industry standards that include baseline marketing goals.

-That the Management Oversight Committee be comprised of 2 representatives of the Council, 2 from the Chamber of Commerce, 2 from the Restaurant Association, 4 from the Hotel industry and 3 members-at-large.

***Recommend specific expectations and goals including methods for monitoring and verifying results**

-The Task Force recommends the Tourism efforts be focused on re-evaluating trade show efforts, become more web-based, develop mini-tours that can be marketed, and develop a tracking/referral system.

-The Task Force recommends Convention efforts focus on and develop specific leads for the SMERFA market (social, military, education, religious, fraternal and agriculture), develop a consistent follow up/tracking system, expand it's marketing efforts into southern California.

-With regards to monitoring, the Force reviewed the industry standards for evaluating CVB's. The International Association of Convention and Visitor Bureaus and the Western Association of Convention and Visitor Bureaus have detailed reports and examples of how CVB's can and should be evaluated. The Task Force believes implementing these standards, as appropriate for the size and focus of the local CVB, will provide the accountability the Council is seeking.

***Identify methods for achieving goals including the pros, cons and costs of each**

Tourism Bureau

-Re-evaluate trade show efforts – current underway by Tourism Bureau staff. After a full year, she will make recommendations including any budget adjustments.

-Become more web-based –staff has already outlined a new web page outline for tourism; however, any further work will wait until a decision regarding the Bureau(s) has been made. Initial cost estimate to develop web page: \$15,000

-Develop mini-tours – Ag tour, mural tour, biking tour, art tour are some of the mini-tours mentioned. Costs for developing and marketing each mini-tour will vary and will be evaluated as appropriate.

-Tracking/referral system – the staff is using ACT to coordinate with the current tracking software in use at the Chamber, but is also looking into better software. Cost: Unknown yet

Convention Bureau

-Develop more specific, comprehensive SMERF marketing targets – list continues to be developed by staff. Cost: No additional cost identified

-Develop a consistent follow up/tracking system – is being pursued by staff. Cost: Unknown

-Expand marketing into southern California – will be included in new fiscal year marketing efforts. Cost: Will be proposed with new budget

***Identify additional potential funding sources that could further the objectives of the work program**

-The Task Force is recommending the CVB be organized as a separate organization with the idea that additional funding sources may be appropriate in the future. As the new organization develops, possible funding sources would include memberships, tourism assessments, a Business Improvement District and advertising/co-op opportunities. Both Bureaus already have joint advertising/co-op ventures, and will peruse additional opportunities. The Task Force believes the other funding opportunities should be discussed further as the new organization develops.

***Compile and evaluate current efforts by all organizations working to attract people to Visalia and the immediate area including budget and funding sources**

-The Sequoia Regional Council used grant funds to develop a marketing plan; which the Task Force found useful; however, no on-going marketing funds are currently available.

-The Tulare County Economic Development Corporation oversees the Sequoia Regional Council and has assisted them in their efforts, but does not currently have any on-going tourism marketing fund committed.

-The Central Valley Visitors and Convention Organization includes Visalia and has \$20,000 for marketing. The Tourism Bureau has been active with this group and attended an L.A. tradeshow.

-The State of California markets California in general and the Tourism Bureau joins with local Hotels/attractions to jointly advertise in the state tourism magazine. Total budget \$7.9 million

-The City of Visalia funds the majority of both Bureaus' budget. The current funding is \$266,000.

The people appointed to the Task Force are listed below. Some appointees made career changes, which did not allow them to be involved throughout the process.

Visalia City Council:	Bob Link and Greg Kirkpatrick
Visalia Chamber of Commerce:	Don Ritter (United Parcel) and Nancy Lockwood (Rita B and Company)
Hotel Industry:	Bill Toggle (Radisson), Robert Lee (Lampighter), Javier Solis (replaced by Samantha Ramage) (Holiday Inn) and Anil Chagan (Comfort Suites)
Restaurant Industry:	Armondo Apadaca (Depot), Mike Mellion (Mimi's Café)
Attraction Industry:	Elizabeth LaMar (Fox Theatre), Mark Tilchen (Downtown National Parks Store)
Retail Industry:	Kelly Hauert, (Downtown Visalians) Don Wright (Wright's Hallmark)
Community At Large:	Cliff Dunbar (Buckman-Mitchell) and Patty Gaebe (Community Volunteer)
Visalia Economic Development Corporation:	Glenn Morris

Prior Council/Board Actions:

July, 2004 – The Council appointed the Task Force Members

April, 2004 – The Council identified a comprehensive review of visitor attraction efforts as one of their priorities at their strategic planning session.

Committee/Commission Review and Actions: N/a

Alternatives:

The Council could choose to adopt some or none of the Task Force's recommendations

The Council could provide specific direction for follow up for the Task Force

Attachments:

City Manager Recommendation:

Copies of this report have been provided to: Members of the Task Force

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_____	

Recommended Motion (and Alternative Motions if expected):

I move that we accept the recommendations of the Visitor's Task Force.

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)*

If recommendations are accepted, a contract with the Chamber needs to be developed.

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 16, 2005

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Update on the Sequoia Kings Canyon National Park shuttle project and consideration of the formation of a Tourism Transportation Task Force

Deadline for Action: N/A

Submitting Department: Administration

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

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: Staff recommends that the City continue to work with the National Park Service (NPS) in general and the Sequoia Kings Canyon National Park service officials in particular to implement both an internal shuttle within the park, and a Gateway service from the Valley floor to the park, including the option of contracting with the NPS to operate the internal shuttle if needed to have the shuttle operational by the summer of 2006. It is also recommended that the City Council authorize the formation of a Tourism Transportation Task Force that would focus on implementing the Sequoia Kings Canyon National Park shuttle, marketing the new Scenic Air Service and pursue joint promotions with Amtrak.

This week Mayor Link and City Manager Steve Salomon met with NPS officials and our Federal Legislators to discuss both the internal and Gateway Shuttle. They used the attached white paper to provide background information and frame the current situation.

The Visalia representatives learned that the NPS anticipates implementing a \$10 fee admission fee increase in early 2006. The funds from this additional gate fee will be used to fund the shuttle. The NPS is continuing to work on an internal shuttle, and are finalizing a scope of work to determine how comprehensive the internal shuttle will be, cost estimates and operational options. The NPS expect to have the details for the shuttle finalized by the end of September, 2005, to allow time to organize and publicize the shuttle.

In February, the City Council authorized the development of a marketing and operational plan for the Gateway Shuttle, including scenarios for the operation of the internal shuttle. There are economies of scale that could be realized if the internal and Gateway Shuttle are operated cooperatively, either through a joint contract with a provider, or through a contract issued by the NPS to the City of Visalia for operation of the shuttle.

While any proposal for operation of the internal shuttle would need to be fully evaluated as the details unfold, staff recommends the City continue to be open to study issue if it appears that the City could assist in order to implement the shuttle next year.

Staff also recommends that the Council consider appointing a Tourism Transportation Task Force (TTTF). With regards to the shuttles, the Task Force would advocate with the NPS for a comprehensive internal shuttle that begins next summer and transports visitors to all the major attractions in the park, and would work on the operational and marketing plan for the Gateway Shuttle. In addition, they would work on marketing strategies to support Scenic Air and their service from Visalia to Las Vegas. The Task Force would also work to establish a mutually beneficial relationship with Amtrak to promote train travel to the Central Valley in general, and Visalia and the national park in particular. Staff recommends that the TTTF be comprised of a representative from each of the following: Chamber of Commerce, Hispanic Chamber of Commerce, Downtown Visalians, Airport Committee, and the Transit Committee, two representatives from the hotel industry, and three members at large. It is recommended that the Task Force be jointly staffed by City Staff and the Tourism Bureau Manager.

Prior Council/Board Actions:

February, 2004 - Council approved a contract with Moore and Associates to develop an operating and marketing plan for a Gateway Shuttle.

December, 2004 – The Council was updated on discussions with the NPS and discussed the possibility of a jointly operated internal/Gateway Shuttle

Committee/Commission Review and Actions:

Alternatives:

The Council could choose to have the Task Force comprised of a different mix of representatives.

The Council could choose not to appoint a Task Force

The Council could direct staff to only work on the Gateway Shuttle and not consider any proposals for joint operation of the shuttle should the NPS propose such an option.

Attachments: Shuttle White Paper

City Manager Recommendation:

<i>Financial Impact</i>			
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_____		

Recommended Motion (and Alternative Motions if expected):

I move to approve the formation of a Tourism Transportation Task Force as recommended.

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

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

NEPA Review:

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

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: May 16, 2005 - Item 11b

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Award a contract for the Pistol Range Upgrades to the low bidder Atkins Bergreen, Inc. in the amount of \$325,290.

Deadline for Action: May 16, 2005

Submitting Department: Police

Contact Name and Phone Number: Chuck Hindenburg 713-4250, Rick Haskill 713-4205, Tim Connors 713-4237

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 Police Department recommends that the City Council award a contract for the Pistol Range Upgrades to the low bidder Atkins Bergreen, Inc. in the amount of \$325,290. This Capital Improvement Project (CIP) is budgeted in the amount of \$440,840 in the current fiscal year.

The upgrade will address the problem of ricochets caused by lead accumulation in the existing range berm by providing fill dirt the entire length of the range, approximately 275 feet. On the primary range a bullet trap system consisting of concrete and chopped rubber will be constructed over the earth fill. A kneewall and target range will be installed in front of the bullet trap. To prevent erosion of the berm and alleviate potential fire hazards, landscaping will be provided for the berm above the bullet impact area. Existing railroad ties at the top of the berm will be repaired or replaced as necessary to mitigate any ricochet hazard.

On March 9, 2005 the City issued a Request for Proposal for the upgrade project and received two responses. A selection committee consisting of members from the Police Department reviewed each proposal and on April 25, 2005 opened the cost proposals submitted by the two respondents. The results are as follows:

- | | |
|--------------------------------|---------------|
| 1. Atkins Bergreen, Visalia | \$ 325,290.00 |
| 2. URS Corporation, Sacramento | \$ 380,000.00 |

After considering all the selection criteria defined in the RFP, the City is recommending Atkins Bergreen, Inc. The firm had a strong proposal to meet the needs of the project and is the low cost leader. Atkins Bergreen has worked with the City as the General Contractor on a prior project at the Wastewater Treatment Plant and performed well.

This document last revised: 5/13/05 2:57:00 PM

By author: .

File location and name: H:\(1) AGENDAS for Council\051605\Item 11b Pistol Range Upgrades1.doc

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Do not award contract and not complete the project. Not moving forward with project will result in continued risk to personnel from ricochets with the problem being exacerbated with each use of the range.

Attachments:

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to award a contract for construction of the Pistol Range Upgrades to the low bidder Atkins Bergreen, Inc. in the amount of \$325,290.00. Project # 0011-720000-0-0-9591-2005.

Financial Impact

Funding Source:

Account Number: 0011-720000-0-0-9591-2005 (Call Finance for assistance)

Budget Recap:

Total Estimated cost: \$ 325,290.00	New Revenue:\$
Amount Budgeted: \$ 440,840.00	Lost Revenue:\$
New funding required:\$	New Personnel:\$
Council Policy Change: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Copies of this report have been provided to:

This document last revised: 5/13/05 2:57:00 PM

By author: .

File location and name: H:\(1) AGENDAS for Council\051605\Item 11b Pistol Range Upgrades1.doc

City of Visalia Agenda Item Transmittal

Meeting Date: May 16, 2005

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

Agenda Item Wording: City Council's approval of the City's continued participation in the Mobile Home Model Lease Program and Authorization for the City Manager to sign the 2005 Master Long Term Lease Agreement and Memorandum of Understanding between Mobile home Park Owners, Mobile home Park Residents and the City of Visalia.

Deadline for Action:

May 16, 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 that the City Council approve the City's continued participation in the Mobile Home Model Lease Program and authorize the City Manager to sign the new 2005 Master Long Term Lease Agreement and Memorandum of Understanding between Mobile home Park Owners, Mobile home Park Residents and the City of Visalia.

In 1997, the City of Visalia agreed to participate in a Model Mobile home Lease Program for 10 mobile home parks in the City. In lieu of adopting a rent control ordinance, Council adopted the Visalia Master Long Term Lease Program. The primary purpose of the lease was to provide residents living in mobile home parks some stability in their monthly space rental for their mobile homes. The 1997 Model Lease:

- Provides a formula which, for the life of the lease, controlled the amount of monthly rent the mobile home park could charge the resident.
- Limits the amount the park owner could increase the rental space upon sale of the mobile home.
- Provides Mediation services for disputes related to the terms and conditions of the Model Lease.

In 2001, responding to complaints by the residents that the park owners were circumventing the lease by not offering it to park resident, the City of Visalia negotiated a Memorandum of Understanding, whereby the park owners would offer the lease on an agreed upon schedule to new park residents and also to residents whose leases were terminating. The City agreed to provide educational materials and to otherwise enforce the terms of the MOU.

By 2003 many of the original leases were expiring which led to a number of additional problems and many complaints by the park residents against the park owners. The 2005 Model Lease

Program, embodied herein as the 2005 Visalia Master Long Term Lease Agreement and 2005 Memorandum of Understanding were negotiated as a result of the discord between the Park Owners and Residents. If ratified by the City Council, the 2005 Model Lease Program will begin on May 16, 2005 and will terminate in five (5) years, May 16, 2010.

By approving the documents and participation in the model Lease Program for another five (5) years, City Council is committing the City to:

- Remain active in mobile home issues for the life of the lease program,
- Provide mediation services to resolve disputes related to the lease program, and
- Facilitate a binding arbitration process for the park owners and park residents should mediation fail.

The 2005 Model Lease contains many language changes from the 1997 lease. Comparing it to the 1997 Model Lease:

- Like the 1997 lease, the 2005 Model Lease provides a formula, which, for the life of the lease, controls the amount of monthly rent the mobile home park can charge the resident, but the formula in the 2005 lease allows the park owner to charge a higher monthly rent than allowed in the 1997 formula.
- The 2005 Model Lease removes the limitations the park owner can increase the rental space upon sale of the mobile home. Upon sale of the mobile home, the park owner is no longer limited to a 10% increase, but instead is allowed to bring the monthly rent for the space to the "market rate."
- The 2005 Model Lease continues to provide the same Mediation services by the City, plus the City's assistance with a defined arbitration process and the right of the City Mediator to forward an opinion to the Arbitrator as to the party most at fault in the dispute.

Although the 2005 MOU replaces the 2001 MOU, it otherwise provides the same basic protections and obligates the City to the same level of service to the park owners and residents as the 2001 MOU.

Prior Council/Board Actions:

1997 City Council approved Visalia Master Long Term Lease Agreement
May 1, 2001 City Council approved the Memorandum of Understanding between Park Owners, Park Residents and City of Visalia

Committee/Commission Review and Actions:

n/a

Alternatives:

Terminate the City's participation and involvement in the Master Long Term Lease Agreement in mobile home parks

Attachments:

Background Document, Lease Comparison Document, 1997 Model Lease, 2005 Model Lease, 2001 MOU, 2005 MOU

This document last revised: 5/13/05 2:58:00 PM

By author: Carol Cairns

File location and name: H:\(1) AGENDAS for Council\051605\Item 11c mobilehomemodellease2005.doc

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):I move to approve the City's continued participation in the Mobile Home Model Lease Program and authorize the City Manger to sign the 2005 Visalia Master Long Term Lease Agreement and 2005 Memorandum of Understanding between the participating Mobile Home Park Owner, Mobile Home Park Residents and the City of Visalia.

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:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: May 16, 2005

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

Agenda Item Wording: Appointment of Tom Peltzer to serve the remainder of a two-year term on the Delta Vector Control District Board

Deadline for Action: May 16, 2005

Submitting Department: Administration

Contact Name and Phone Number: Leslie Caviglia, Deputy City Clerk (559) 713-4317

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation and Summary: The Delta Vector Control District is an agency that addresses issues related to mosquito abatement. The Board of Directors is made up of representatives from many local jurisdictions. Appointments to the Board are for two-year terms and are subject to unlimited renewals. The Visalia City Council is responsible for the appointment of one of these representatives. Presently a vacancy exists, which was previously held by Gerald Steiner, who was appointed in April, 2004 to replace Dr. Ivan Crookshanks.

The Delta Vector Board of Directors has requested that Tom Peltzer be appointed to serve the remainder of Mr. Steiner's term, which will expire Dec. 31, 2005. Mr. Peltzer has indicated that he is willing to serve the remainder of this year, which will give the City time to recruit a suitable candidate to serve in the new 2006-2008 term.

Having served as the Board's "County At-Large" member, Mr. Peltzer has several years of distinguished service for the District. Mr. Peltzer's land was recently annexed into the City so he can no longer serve as an at-large member, but can serve as the Council's representative.

The Delta Vector Control District Board supports Mr. Peltzer's appointment and believes that his service will honor the work of Dr. Crookshanks. A recruitment for additional applications was conducted and no other applications were received.

Prior Council/Board Actions:

April, 2004, appointment of Gerald Steiner
December 17, 2001, appointment of Dr. Ivan Crookshanks

Committee/Commission Review and Actions: N/A

Alternatives: To ask the Citizen's Advisory Committee to recruit for the position and appoint a different representative.

Attachments: Letter from the Delta Vector Control District, Mr. Pelter's application.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to approve the appointment of Tom Peltzer to serve as the City representative on the Delta Vector Control District Board for the remainder of the term expiring December 31, 2005.

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*)

Recruit and appoint a replacement prior to December 31, 2005

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: May 16, 2005

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

Agenda Item Wording: Authorize the Transit Division to submit a grant application to the San Joaquin Valley Air Pollution Control District REMOVE II program in the amount of \$68,480 to finance a Park-And-Ride Lot and a Transit Pass Subsidy program for the Visalia City Coach.

Deadline for Action: May 16, 2005

Submitting Department: Administration -Transit Division

Contact Name and Phone Number:
Monty Cox 713-4591

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 min.

Department Recommendation:

That the City Council authorize the Transit Division to submit a grant application to the San Joaquin Valley Air Pollution Control District REMOVE II program in the amount of \$68,480 to finance a Park-And-Ride Lot and a Transit Pass Subsidy program for the Visalia City Coach. There is no match required for this grant.

Department Summary and Discussion:

Summary

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has released a Request for Proposals for REMOVE II (REduce MOtor Vehicle Emissions) Program projects. The Transit Division is submitting an application to fund \$50,000 towards improvements at a proposed Park-And Ride Lot and \$18,480 for a Transit Pass Subsidy program for the Visalia City Coach.

If awarded, the Transit Center Park-And-Ride Lot would be located in the downtown, near the Transit Center. While the exact site is yet to be determined, it will have at least 50 parking spaces. The Park-And-Ride Lot will be close to the City of Visalia Transit Center which serves as the hub for all local and regional transportation services within the Visalia Urbanized Area, including connectivity between Visalia City Coach, Tulare County Transit, Greyhound, Amtrak, and Orange Belt Stages. People will be able to park in the lot, and transfer to these alternate modes of transportation. Carpoolers and Vanpoolers will also be able to use the lot. The new park-and-ride lot will serve as a catalyst for attracting users to alternative transportation modes that ultimately will eliminate a substantial number of vehicle trips and vehicle miles traveled.

The Transit Pass subsidy grant will be used to offer new bus pass purchasers, that sign up for the program, a discount for up to six monthly bus passes. The purpose for the subsidy is to increase the number of bus riders in the City of Visalia. This will result in the elimination of emissions generated from the automobiles that would be driven if those choosing to ride the bus chose to drive instead.

Discussion

The REMOVE program provides an opportunity on a regular basis to apply for funds for projects that reduce air pollution. They have various categories of projects. Both of the proposed projects qualify under an appropriate category.

Since the goal of the REMOVE program is to reduce existing generators of pollution, only projects that fund subsidies to new riders will score high enough to be awarded. The subsidy will be distributed through an application and verification process. Currently the City offers a 31-Day Pass for \$28. If awarded, this grant will allow us to reduce the cost of the monthly bus pass for new riders to \$14, which is half of the cost of a 31-Day Pass. This grant will provide subsidies for up to 1320 passes. We used a similar program last year and limited new riders to 6 passes at the reduced rate. If we use similar guidelines, and limit new riders to 6 passes at the reduced rate, the grant will attract 220-300 new bus riders.

Between fiscal years 1999 and 2004 bus ridership declined. In the last year, we have implemented several changes, including the discount pass, service to Farmersville, Exeter, extended evening hours, and Sunday service. As a result, ridership has increased significantly. It is our goal to continue to attract new riders by reducing the monthly pass and other incentives.

There is no match required for this grant. However, for the Park-And-Ride Lot, we will use Federal Transit Administration (FTA) Section 5307 funds of \$396,000 and State Transportation Development Act (TDA) funds of \$99,000 to cover the purchase of the property.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: The Transit Advisory Committee recommends Council authorize the application for and acceptance of these funds for this project.

Alternatives: Do not apply for these funds.

Attachments: None

City Manager/Executive Director Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move that the City Council authorize the Transit Division to submit a grant application to the San Joaquin Valley Air Pollution Control District REMOVE II program in the amount of \$68,480 to finance a Park-And-Ride Lot and Transit Pass Subsidy program for Visalia City Coach.

Financial Impact

Funding Source:

Account Number:

Budget Recap:

Total Estimated cost:	\$68,480	New Revenue:	\$68,480
Amount Budgeted:	\$ 0	Lost Revenue:	\$ N/A
New funding required:	\$0	New Personnel:	\$ N/A
Council Policy Change:	Yes <input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Copies of this report have been provided to:

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)*

City of Visalia Agenda Item Transmittal

Meeting Date: May 16, 2005

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

Agenda Item Wording: Request Authorization to Staff to Submit a REMOVE II Application in the Amount of \$30,000 for the Construction of a Bike Path Along McAuliff Street From Mill Creek Parkway to Houston Avenue.

Deadline for Action: No deadline, but the Air District plans to issue the REMOVE II grant funding on a first-come, first-served basis.

Submitting Department: Community Development & Public Works

Contact Name and Phone Number: Michael Carr 713-4595, 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 authorize the Engineering Division to apply for a funding grant in the amount of \$30,000 through the San Joaquin Valley Air Pollution Control District's REMOVE II Program to help pay for a McAuliff Street bicycle path.

The purpose of the Bicycle Infrastructure Incentive Component of the Program is to encourage the development and expansion of bicycle transportation facilities that promote the use of bicycles as a safe and viable transportation alternative. Construction of a bike path on McAuliff would allow adult students, school kids, and teachers who live in the near Mill Creek Park to get Visalia Adult School, Golden West High School, Valley Oak Middle School and Golden Oak Elementary School without having to ride their bikes on Lovers Lane, a high-speed 4-lane arterial Street. Adults could use their bikes instead of cars to get to school or work, and parents may feel that the bike path makes it safe enough to let their children ride their bikes to school instead of driving the car to drop them off. The bike path would be a "Class 1" path, which means it would be off of the street, providing a buffer between bikes and cars.

The Air District currently has \$3.5 million available in the REMOVE II Program. Funding for the program comes from the Department of Motor Vehicles (DMV) as a percentage of the motor vehicle registration fee. The program is structured in a way to offer incentives rather than pay outright for projects, and funding limits have been set in all the components in order to spread the funding across numerous projects in the Central Valley. The limit in the Bicycle Infrastructure Incentive Component has been set at \$50,000/mile for a Class 1 bike path up to a maximum of \$100,000 per project. The section of the McAuliff Street bike path to be funded is approximately 0.6 miles in length. Therefore, the City would be applying for a grant in the amount of \$30,000. The additional cost to put in the 10-foot-wide concrete bike path versus a

standard 5-foot-wide sidewalk is approximately \$60,000, so the grant would pay for approximately half of the upgrade. The local share of the funding would come from the Transportation Account (1611).

If REMOVE II grant funding is still available at the time the McAuliff Street extension is built, the City could apply for another grant to extend the class 1 bike path further south to Mineral King Avenue.

Prior Council/Board Actions: Council approved a grant application for a REMOVE grant to assist in paying the local share of a Congestion Mitigation and Air Quality (CMAQ) grant for the purchase of five hybrid cars in 2002.

Committee/Commission Review and Actions:

Alternatives: Do not pursue the REMOVE grant for this project; Instruct staff to pursue REMOVE funding for a different project or projects.

Attachments: Exhibit #1 – Location Map; Exhibit #2 – Bicycle Infrastructure Component informational overview

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to authorize staff to submit a REMOVE II application in the amount of \$30,000 for the construction of a bike path along McAuliff Street from Mill Creek Parkway to Houston Avenue.

Financial Impact

Funding Source: REMOVE II Grant, 1611 (Transportation Fund)

Budget Recap:

Total Estimated cost: \$ 60,000 (approx)	New Revenue: \$ 30,000
Amount Budgeted: \$ 60,000	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 X No
Review and Action: Prior: April 7, 2003
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 16, 2005

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

Agenda Item Wording: Authorization to apply for \$45,000 grant from the SJVPCD REMOVE II program for a bike path along Packwood Creek.

Deadline for Action: May 16, 2005

Submitting Department: Parks & Recreation

Contact Name and Phone Number:

Don Stone 713-4397
Paul Shepard 713-4209

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 San Joaquin Valley Air Pollution Control District offers a bicycle infrastructure component in their REMOVE II grant program. Staff is seeking authorization to apply for \$45,000 grant to augment a Transportation Enhancement Act grant of \$656,000 that was awarded to the City in 2004 to construct a bicycle path along Packwood Creek from County Center to the Divisadero Street alignment. This grant required an 11% matching local matching funds. The Remove II funds will be used as a part of the City's match for this project.

The project consists of the purchase three acres of riparian corridor on the south side of Packwood Creek, landscaping of seven acres, and construction of one mile of Class I bicycle path. Acquisition is scheduled to be completed by August 2005 and construction will take place in the fall of 2006. Total estimated cost of the project is \$768,000. There is no requirement for a match.

The Air District currently has \$3.5 million available in the REMOVE II Program. Funding for the program comes from the Department of Motor Vehicles (DMV) as a percentage of the motor vehicle registration fee. The program is structured in a way to offer incentives rather than pay outright for projects, and funding limits have been set in all the components in order to spread the funding across numerous projects in the Central Valley. The limit in the Bicycle Infrastructure Incentive Component has been set at \$50,000/mile for a Class 1 bike path up to a maximum of \$100,000 per project.

Financial Impact

Funding Source:

Account Number:

Budget Recap:

Total Estimated cost: \$ 787,000	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes_____	No_x____

Prior Council/Board Actions: Authorization to apply for TEA grant

Committee/Commission Review and Actions: None

Alternatives: City funds will be used for match

Attachments: Site map

Recommended Motion (and Alternative Motions if expected):

Move that staff be authorized to apply for \$45,000 of REMOVE II funds to be used for the construction of the Packwood Creek bike path”.

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes x No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes x 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 16, 2005

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

Agenda Item Wording: Authorization for the City Manager to execute Amendment No. 3 to the Wastewater Service Agreement between the City of Visalia and the Goshen Community Services District.

Deadline for Action: May 16, 2005

Submitting Department: Community Development and Public Works

Contact Name and Phone Number: David Jacobs, Assistant Director, 713-4492, Jim Ross, Utilities Manager, 713-4466

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: It is recommended that the Council authorize the City Manager to execute Amendment No. 3 to the Wastewater Service Agreement between the City of Visalia and the Goshen Community Services District.

Summary: Council authorized a Wastewater Service Agreement between the City of Visalia and the Goshen Community Services District (District) on June 5, 1995. In the agreement, the City agreed to accept, treat and dispose of all sanitary and process wastewater collected by the District. In return, the District agreed to discharge all wastewater into the City sewerage system for treatment and disposal. As part of the agreement, the District was to construct several City Master Plan sewer lines and would receive a credit (\$942,500) to be used against future Conveyance Connection Charges only.

The conditions set forth in the original agreement placed a limit on the volume of wastewater from the District at 300,000 gallons per day. However, in order to meet US Department of Agriculture funding requirements, the daily limit was reduced to 253,000 gallons per day (Amendment No. 1, April 23, 1996). Provisions were included in the Agreement whereby District could obtain, and City was obligated to provide, future increases in their permitted flow, as needed. In November 2003, District purchased an additional 33,000 gallons per day capacity due to increasing flows.

Because District flows are again approaching permitted capacity, The District is requesting an increase of 49,000 gallons per day to a total of 335,000 gallons per day. This additional capacity will also provide sufficient capacity for a planned 73 lot residential development within the District. The City treatment plant has sufficient capacity to adequately treat the requested flow. The District flow does show slightly elevated electrical conductivity (EC) values but not sufficiently so to cause concern at this time. District and City are working together to identify and eliminate the source.

Author: Jim Ross

Last saved on 5/11/2005 5:15 PM

File name: Item 11i Goshen amendment 3 agenda 051605

The increase will require the District to pay a one time Treatment Connection Charge of \$77,420. Furthermore, a one time Conveyance System Charge of \$86,730 is due and will be deducted from the District's credit with the City. The District will have a remaining credit of \$420,335 to be used against future Conveyance Connection Charges.

The District estimates that over the next five years, an additional 165,000 gallons per day capacity (total of 500,000 gallons per day) will be needed to accommodate the anticipated growth within the District (see attachment).

Currently, the District pays a monthly wastewater operations and maintenance fee of approximately \$9,000 per month based on its discharge volume and characteristics.

Prior Council/Board Actions:

Approval of Wastewater Service Agreement: June 5, 1995
Approval of Amendment No. 1: May 6, 1996
Approval of Amendment No. 2: November 3, 2003

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Amendment No. 3
Letter from District dated February 4, 2005

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

Move to Authorize the City Manager to execute Amendment No. 3 to the Wastewater Service Agreement between the City of Visalia and the Goshen Community Services District.

Financial Impact

Funding Source:

Account Number: 1232-442170

Budget Recap:

Total Estimated cost: \$	New Revenue:	\$77,420
Amount Budgeted: \$	Lost Revenue:\$	
New funding required:\$	New Personnel:	\$
Council Policy Change: Yes____	No <u>XX</u>	

Copies of this report have been provided to:

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

Tracking Information: (<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>)
<i>None</i>

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

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

Agenda Item Number (Assigned by City Clerk):11j(1)

City Council Meeting Date: May 16, 2005

Agenda Item Wording: Authorization to record the final map of Eagle Creek No. 1 Subdivision (74 lots), located at the southwest corner of Ferguson Avenue and Roeben Street and the formation of Landscape and Lighting District No. 05-12, Eagle Creek Subdivision (Resolution Nos. 05-69 and 05-70 required)
APN: 126-012-004

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

For placement on agenda as:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Deadline for Council Action: June 6, 2005

Submitting Department: Community development/Public Works

Contact Name and Phone Number:

Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

Final Map

Staff recommends that City Council approve the recordation of the final map of Eagle Creek No. 1 Subdivision, containing 74 single family lots. All bonds, cash payments, subdivision map agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful performance bond in the amount of \$ 1,190,373.80 and Labor and Material bond in the amount of \$ 595,186.90; 3) Cash payment of \$ 150,284.06 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- 69 Resolution of Intention for Assessment District No. 05-12, Eagle Creek Subdivision; adopt the Engineer's Report as submitted; and adopt Resolution No. 05- 70 confirming the Engineer's Report ordering the improvements and levying the first annual assessment.

The City of Visalia has been allowing 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 landscaping, irrigation, street lights outside the walls along streets adjacent to the development. These improvements are special to the development and enhance the land values to the individual property owners in the district. Street preventative maintenance is not included in the district due to this subdivision being approved prior to the street maintenance policy being adopted.

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 Actions: The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining those landscape districts that enhance the subdivision.

Committee/Commission Review and Actions: The tentative subdivision map Eagle Creek No. 1 Subdivision was first approved by Planning Commission on August 23, 2004 with the expiration date of August 23, 2006.

Alternatives:

Attachments:

Resolution of Intention; Resolution Ordering the Improvements; Exhibits "A", "B", "C", "D"

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

"I move to authorize the recordation of the final map for Eagle Creek No. 1 Subdivision and adopt Resolution No. 05-69 Resolution Initiating Assessment District No. 05-12 "Eagle Creek Subdivision and adopt Resolution No. 05- 70 Ordering the Improvements for Assessment District No. 05-12 "Eagle Creek Subdivision".

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:

Budget Recap:

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

RESOLUTION 05-69
INITIATING ASSESSMENT DISTRICT 05-12
Eagle Creek Subdivision
(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. 05-12, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram Assessment District No. 05-12, City of Visalia, Tulare County, California", which map is on file with the City Clerk and is hereby approved and known as "Eagle Creek Subdivision".
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. 05-12
Eagle Creek Subdivision
(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. 05-12, City of Visalia, 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. 05-70

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-12
Eagle Creek Subdivision
(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. 05-12, 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 Formation of the District
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcel of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit A

Assessment Diagram

Assessment District No 05-12

City of Visalia, Tulare County, California

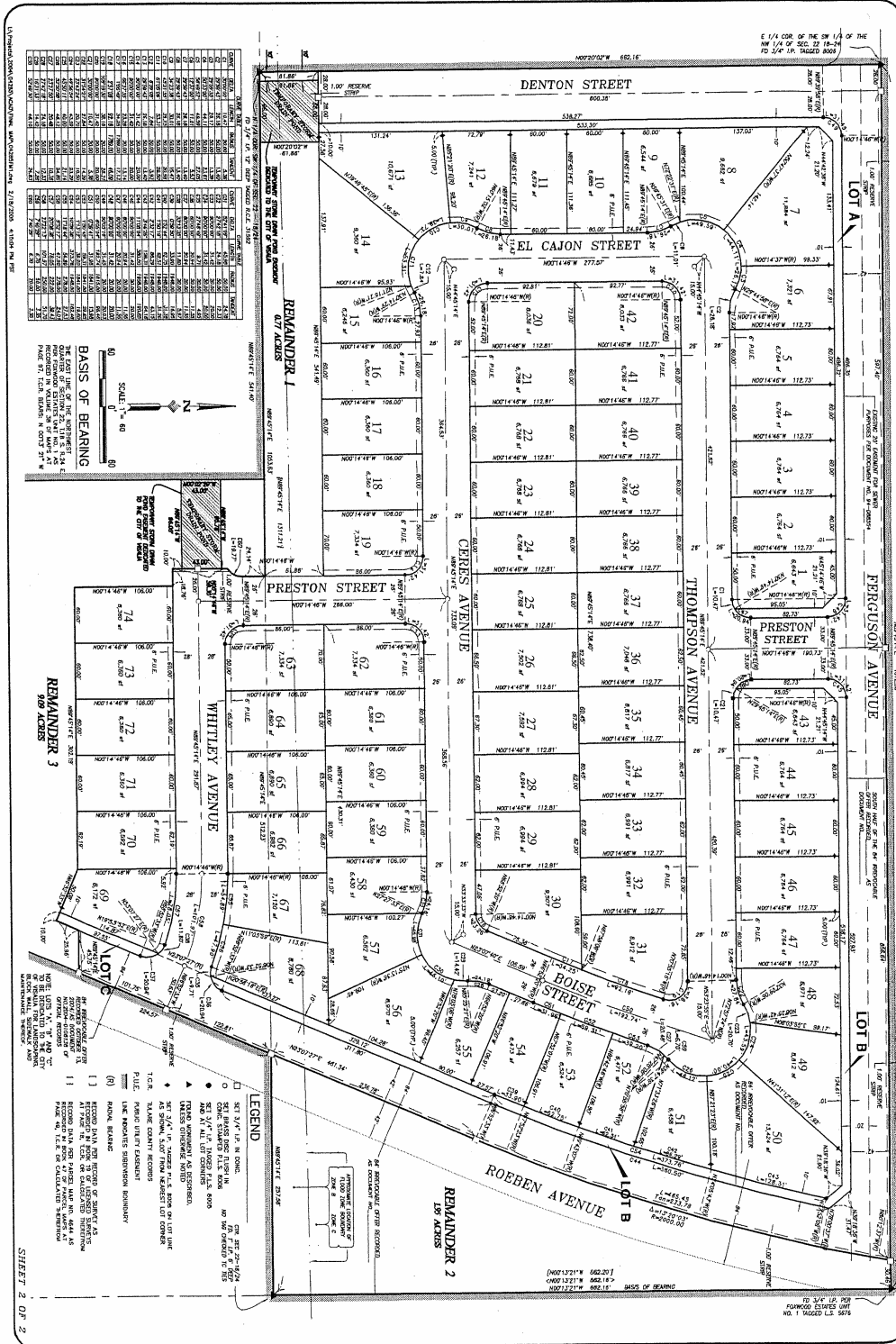


Exhibit B
Landscape Location Diagram
Assessment District No 05-12
City of Visalia, Tulare County, California

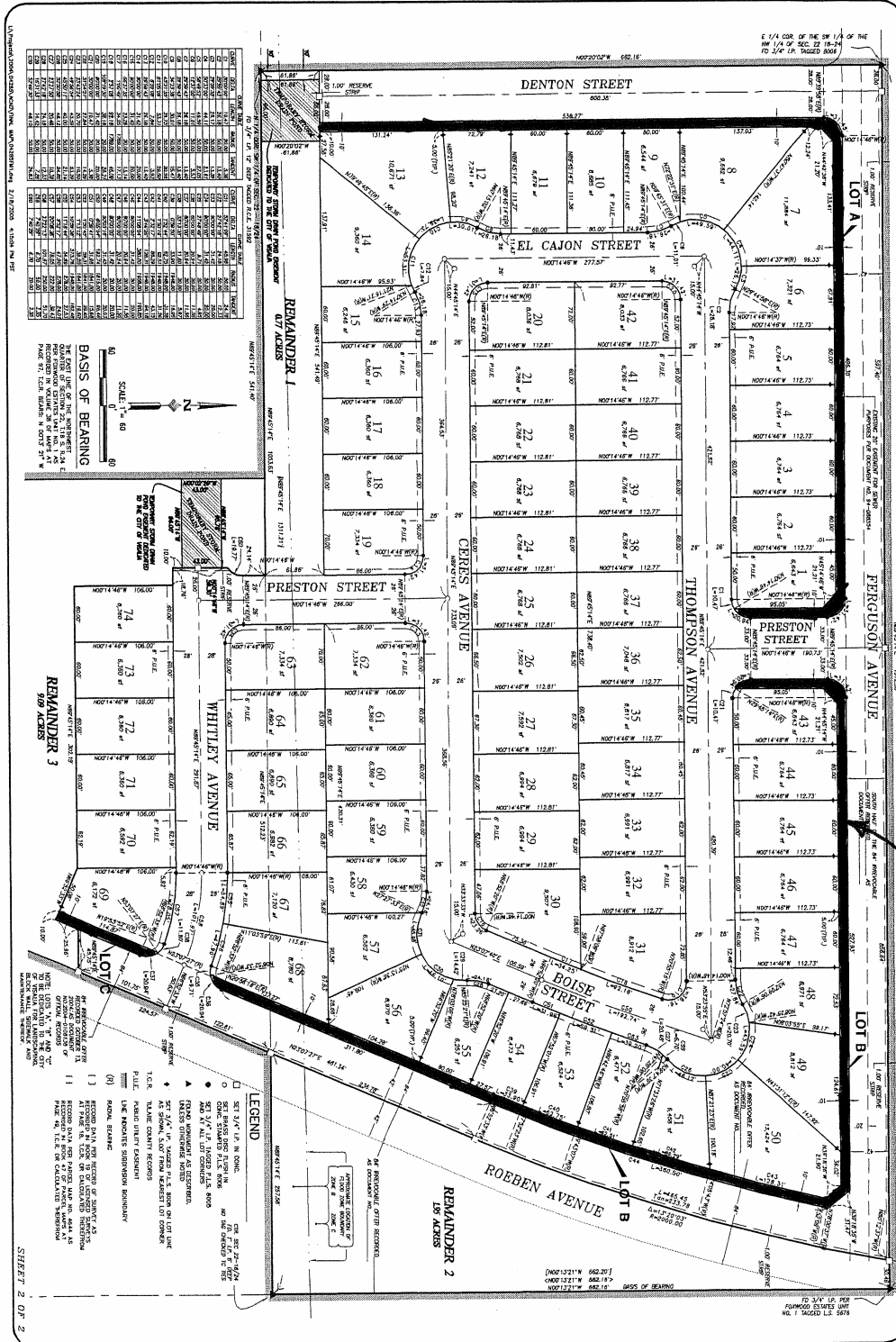


Exhibit C
Tax Roll Assessment
Assessment District No 05-12
City of Visalia, Tulare County, California
Fiscal Year 2004-05

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
to be assigned	\$224.65	To Be Assigned	05-1201	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1202	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1203	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1204	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1205	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1206	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1207	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1208	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1209	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1210	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1211	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1212	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1213	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1214	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1215	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1216	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1217	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1218	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1219	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1220	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1221	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1222	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1223	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1224	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1225	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1226	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1227	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1228	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1229	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1230	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1231	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1232	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1233	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1234	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1235	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1236	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1237	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1238	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1239	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1240	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1241	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1242	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1243	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1244	Eagle Creek
to be assigned	\$224.65	To Be Assigned	05-1245	Eagle Creek

Exhibit D

ENGINEER'S REPORT OF THE CITY OF VISALIA LANDSCAPE AND LIGHTING DISTRICT 05-12 Eagle Creek Subdivision FISCAL YEAR 2004-2005

General Description

This assessment district is located at the Southwest corner of Ferguson Avenue and Roeben Street. Exhibit "A" is a map of the assessment district 05-12. The district includes the maintenance of the 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 concurrently have an adequate funding source for maintenance of landscaping, lighting and walls should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the district, the following method of apportionment has been used. All lots in the district benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall, and lights benefit by the uniform maintenance and appearance of the district.

Estimated Costs

The district includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The total number of lots within the district at this time is 74 with future annexation of 198 lots for a total of 272 lots.

Exhibit D

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.	12360	\$0.125	\$1,545.00
Shrub Area	Sq. Ft.	24175	\$0.125	\$3,021.88
Water	Sq. Ft.	36535	\$0.050	\$1,826.75
Electricity	Sq. Ft.	36535	\$0.008	\$292.28
Trees In Landscape Lots	Each	116	\$25.00	\$2,900.00
Trees In Local Street Parkways	Each	88	\$25.00	\$2,200.00
Street Lights	Each	19	\$105.00	\$1,995.00
Project Management Costs	Lots	74	\$18.00	\$1,332.00
TOTAL				<u>\$15,112.91</u>
10% Reserve Fund				\$1,511.29
GRAND TOTAL				<u><u>\$16,624.20</u></u>
COST PER LOT				\$224.65

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:

$$A_{max} \text{ for any given year "n"} = (\text{Error! Not a valid link.}) (1.05)^{(n-1)}$$

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$17,700.73 [a 9% increase over the base year estimated cost of \$16,239.20]. The maximum annual assessment for year four is \$18,798.90 [$A_{\max} = (\$16,239.20)^{(4-1)}$ (1.05)]. The assessment will be set at \$17,700.73 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 \$18,350.30 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$16,239.20]. 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 \$367.01 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 \$18,798.90 [$A_{\max} = (\$16,239.20)^{(4-1)}$ (1.05)]. The year four assessment will be set at \$18,350.30 plus the deficit amount of \$367.01 which equals \$18,393.38 [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 \$17,700.73 [a 9% increase over the base year assessment of \$16,239.20] and damage occurred to the masonry wall raising the year five expenses to \$19,811.82 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$19,470.80 (a 10% increase over the previous year) and below the maximum annual assessment of \$19,738.85 [$A_{\max} = (\$16,239.20)^{(5-1)}$ (1.05)]. The difference of \$341.02 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 16, 2005

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

Agenda Item Wording: Award a contract for the Demaree Street and Houston Avenue Traffic Signal Installation and Street Improvements to the low bidder Glen Wells Construction Company Inc. in the amount of \$392,045.29. Project # 1241-720000-0-0-9560-2005.

Deadline for Action: June 9, 2005 (30 days after bid opening)

Submitting Department: Community Development & Public Works

Contact Name and Phone Number: David Jacobs 713-4492, Jim Funk 713-4540, Fred Lampe 713-4270

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 and Public Works Department recommends that the City Council award a contract for the Demaree Street and Houston Avenue Traffic Signal Installation and Street Improvements to the low bidder Glen Wells Construction Company Inc. in the amount of \$392,045.29. Project # 1241-720000-0-0-9560-2005.

The street improvement portion of this project will widen the existing intersection at Demaree Street and Houston Avenue to its ultimate width. Left and right turn lanes will be added to each street approaching the intersection to improve traffic flow. Curb, gutter, sidewalks, and handicap ramps will be installed at the three undeveloped corners. Existing pavement, 140 feet in all directions, will be removed and replaced with permanent pavement. Temporary pavement will be added to transition traffic through the proposed intersection and back to the existing roadways.

The traffic signal installation portion of the project includes installing the signal poles, lights, mast arms, pedestrian hardware, and traffic detectors. Several utility poles and underground utilities will be relocated by the utility companies at their cost to make room for the wider intersection.

Demaree Street and Houston Avenue will be widened and permanently paved as adjacent properties develop or as part of a future capital improvement project. Currently the city is reviewing plans to widen the south side of Houston Avenue east of Demaree Street and the east side of Demaree Street south of Houston Avenue as part of a final map process for the former Green Acres Land Company site. Additionally, tentative and final maps are being processed for the north side of Houston Avenue between Demaree Street and County Center Street.

On May 10, 2005 the City opened four bids submitted for the Demaree Street and Houston Avenue Traffic Installation and Street Improvements. The results of the bid opening are as follows:

1. Glen Wells Construction Company Inc.	\$392,045.29
2. R. J. Berry Jr., Inc.	\$393,275.00
3. Seal Rite Paving Company	\$435,328.14
4. Lee's Paving	\$484,537.50

Currently \$105,000 remains budgeted in the transportation impact fund (1241) for the project. An additional \$385,000 will be required to complete the project. (\$392,045 for the contract and \$97,955 for project management, testing, Inspection, and contingencies.) Staff recommends the additional funds come from the available balance in the same transportation impact fund (1241).

Glen Wells Construction Company is an established local paving contractor with a number of projects completed for the City of Visalia. The company has recently been awarded a contract for the West Side Taxiway at the Visalia Airport in the amount of \$2,882,746.20. In 2001 Glen Wells Construction completed the Riggan Avenue at Dinuba Boulevard Street Improvements and in 1999 the Runway and Taxiway Reconstruction project also at the Visalia Airport.

Prior Council/Board Actions: City Council Certified the Mitigated Negative Declaration prepared for the Demaree Street and Houston Avenue Improvements with Resolution 2003-83 on July 21, 2003

Council approved three property purchases for additional right of way adjacent to the intersection from September 2003 to January 2004.

Council authorized staff to bid this project as a non-prevailing wage project on September 7, 2004.

Council accepted an irrevocable offer to dedicate real property for thirty feet of right of way on Houston Avenue on February 7, 2005.

Committee/Commission Review and Actions:

Alternatives: Do not award contract.

Attachments: Location Map and Bid Opening Spreadsheets

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to award a contract for construction of the Demaree Street and Houston Avenue Traffic Signal Installation and Street Improvements to the low bidder Glen Wells Construction Company Inc. in the amount of \$392,045.29. Project # 1241-720000-0-0-9560-2005

Financial Impact

Funding Source:

Account Number: 1241 (Transportation Impact)

Budget Recap:

Total Estimated cost:	\$490,000	New Revenue:	\$
Amount Budgeted:	\$105,000	Lost Revenue:	\$
New funding required:	\$385,000	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	X	No	
Review and Action:	Prior:			Negative Declaration - 2003
	Required:			None

NEPA Review:

Required?	Yes		No	X
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 16, 2005

Agenda Item Number (Assigned by City Clerk): 111

Agenda Item Wording: Accept the City of Visalia Cash and Investment Report for the quarter ending March 31, 2005, and approve Resolution Number 2005-68 adopting the City of Visalia's annually updated Investment Policy and Delegating authority to invest funds for the City to the Administrative Services Director/Treasurer or his/her delegate.

Deadline for Action: None

Submitting Department: Administration - Finance

Contact Name and Phone Number:

Eric Frost 713-4474

Nathan Hernandez 713-4425

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.): _____

Recommendation: Staff recommends that Council take the following actions:

1. Accept the City of Visalia Cash and Investment report for the quarter ending March 31, 2005
2. Approve the annually adopted Investment Policy
3. Delegate authority of the investment program to the Administrative Services Director/Treasurer or his/her delegate

Summary: The March 31, 2005 Cash and Investment report is the third quarter report for fiscal year 2004-2005. The portfolio had a managed balance of \$102.8 million on March 31, 2005. The investments have earned an annualized rate of 2.63% for the first nine months of the fiscal year. Table I, Managed Portfolio Performance Statistics on page 2 lists the key benchmarks and performance statistics for the City's portfolio.

Discussion: The City Council is required by California Government Code to annually review and approve the City's Statement of Investment Policy. The policy is included as Attachment A. Changes to the policy are ***bold and italicized*** or struck-through. Changes were minimal again this year as there have been no significant changes to the government code which regulates the City's investment portfolio. Notes have been added within the policy to highlight the reason for the requested change.

City Council maintains authority to invest the funds of the City; however, California Government Code authorizes the Council to delegate authority to invest funds of the City to the Treasurer (Administrative Services Director or ASD) on an annual basis. Council's motion to delegate that authority for one year to the Treasurer will be valid until that authority is revoked or expires. A committee consisting of the ASD and three Financial Analysts meets on a monthly basis to discuss the market, availability of funds for investment and appropriate investments for the portfolio to ensure a disciplined investment management approach.

Table I: Managed Portfolio Performance Statistics (dollars in millions)

Quarter Ending	Portfolio Balance	City Monthly Portfolio Rate	LAIF Balance	LAIF Rate	2 YR Treasury	Weighted Average Maturity
March 31, 2005	\$102.8	1.01%	\$7.9	2.38%	3.77%	1.25 years
December 30, 2004	\$95.9	2.94%	\$10.8	2.00%	3.07%	1.27 years
September 30, 2004	\$107.2	2.81%	\$26.7	1.67%	2.61%	1.18 years
June 30, 2004	\$108.1	2.55%	\$52.6	1.44%	2.70%	1.12 years
March 31, 2004	\$104.4	3.81%	\$52.1	1.47%	1.57%	1.22 years

FY 2004 Earnings Rate	3.24%
FY 2005 YTD Earnings Rate	2.63%

The March portfolio rate of 1.01% is lower due to the use of a cash basis of accounting for calculating the monthly earnings rate on the investments in the portfolio. Using a cash basis, reduces or increases interest earnings in any month when there is a maturity of a bond that was originally purchased with a premium (above face value) or discount (below face value). For additional information see the Memo to ASD, Attachment B.

Absent the adjustment for the premium, the City's March rate would have been approximately 3.00%. Beginning in FY 05-06, the portfolio will be converted from a cash basis to an accrual basis to mitigate the fluctuations caused by premium and discount bonds. There is no effect to the actual amount of interest earnings received or the general ledger balances.

Cash Summary: Total cash and investments changed slightly from \$116.89 million on December 31, 2004 to \$116.97 million on March 31, 2005. Staff anticipates that these balances will decrease over time due to the use of cash reserves to fund current and future Capital Projects as well as the \$5.0 million cash infusion to the 1996 Convention Center bond refinancing that will occur on May 12, 2005.

The City's cash and investments consist of the following (see page 8 of the Cash and Investment Report for additional detail):

Table II: Cash Summary

Investment Type	Amount (in millions)
Managed Portfolio	
LAIF	\$7.90
CD's	\$0.30
Agencies	\$77.65
Medium Term Notes	\$13.00
Treasury Notes	\$4.00
Total Managed Portfolio	\$102.85
Trustee Cash	\$9.59
Banks & Depositories	\$4.55
Total Cash & Investments	\$116.99

The City's investments are diversified by the various maturities, structures, and credit types in the above categories which are allowed by the City's Investment Policy and California Government Code Section 53600 (et seq.). LAIF funds are highly liquid to meet the City's daily cash flow requirements while maintaining a high degree of safety and usually a higher rate of return over other suitable liquid investments.

Economic Outlook: Since June 30, 2004, the Federal Open Market Committee (FOMC) has raised the Federal Funds rate (Fed Funds), the rate for overnight loans between banks, eight times from 1.00% to the current rate of 3.00% or 200 basis points (100 basis points equals 1.00%). The Fed Funds rate plays an important role in the market. Changes to the rate and / or the Fed's stance on monetary policy can lead to a chain of events which normally has implications for both short-term and long-term interest rates. The FOMC still believes the Fed Funds rate is "accommodative" or at a level below what is necessary to maintain price stability, the Fed's primary goal. They also still believe the rate should be increased at a "measured pace" or at a slow and deliberate pace.

Economists have accurately predicted that the FOMC would raise rates by 25 basis points at each of the last eight meetings; and consensus is they will continue on this pace through the next quarter with a possible break in the fourth quarter of the calendar year. The market expects a Fed Funds rate of 3.25% after the June FOMC meeting and 3.50% by the August meeting; however, inflation (or lack thereof), an economic slowdown or other global factors may play a role in future increases this year. Staff anticipates that the Fed Funds rate for June 30, 2005 will be 3.25% and between 3.50% and 3.75% for the calendar year end; resulting in a gradual rise in investment yields over the next 6 months.

Over the past 20 years, the City's portfolio rate has closely mirrored the Fed Funds rate plus or minus a margin or difference. During times of rising Fed Funds rates, the difference narrows to about 50 basis points or ½ % as it was on December 31, 2004 with the portfolio rate at 2.75% and Fed Funds at 2.25%. When the Fed Funds rate has reached its peak for the cycle, the rate has been above the City's portfolio rate by about 50 basis points or ½ %. Currently, Fed Funds is above the City's portfolio rate by about 40 basis points with a March 31, 2005 of 2.63% and Fed Funds at 3.00%. Given the history, the City's June 30, 2005 portfolio rate could essentially be the same as it was on June 30, 2004, or roughly between 3.00 - 3.25%.

Future Management: Staff expects investment interest rates to be steady to rising over the next quarter. The market expectation is that the FOMC will raise the Fed Funds rate over the next quarter to a less accommodating or "neutral level" which economist predict to be between 3.50 – 4.50% (50 to 150 basis points from the current rate). What this means is that the FOMC is likely at the end of the tightening cycle. Staff will continue to invest in short-term investments of one to three years and will position the portfolio to hold the higher rates by moving the weighted average maturity (WAM) from 1.25 years to 1.50 years. As rates stabilize, the WAM will be moved closer to 2.00 years.

The City's Investment policy states the portfolio will be limited to an average life of three years or less. During periods of rising interest rates, the average will be closer to one year to keep funds available for investment when interest rates are higher. During periods of higher rates, the average will be closer to three years to take advantage of higher rates for a longer period. In addition, staff will monitor the bond market to take advantage of purchase or sale opportunities that provide safety and liquidity while maximizing yield in the City's portfolio.

Prior Council/Board Actions:

Investment Policy approved April 2004

Authority for Administrative Services Director/Treasurer or his delegate to invest funds of the City approved in April 2004.

Committee/Commission Review and Actions:

Alternatives:

Attachments:

City of Visalia Statement of Investment Policy
City of Visalia's cash and investment report for March 31, 2005.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):
Move to accept the City of Visalia Cash and Investment Report for the quarter ending March 31, 2005 and approve Resolution No 2005-____.

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:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: May 16, 2005

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

Agenda Item Wording: That the City Council authorize the City Manager and the Fire Chief to notice the County of Tulare of the City's intent to terminate the City of Visalia's Automatic Aid Agreement with the County of Tulare known as Tulare County Agreement No. 15905 and No. 15905-A (separate from Tulare County Mutual Aid Agreement No. 8557 which remains in effect).

Deadline for Action:

Submitting Department: Fire Department

Contact Name and Phone Number:

City Manager Steve Salomon	713-4312
Fire Chief George Sandoval	713-4218

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: That the City Council authorize the City Manager and the Fire Chief to notice the County of Tulare of the City's intent to terminate the City of Visalia's Automatic Aid Agreement with the County of Tulare known as Tulare County Agreement No. 15905 and No. 15905-A (separate from Tulare County Mutual Aid Agreement No. 8557 which remains in effect).

Background: The City of Visalia and the County of Tulare currently have an Automatic Aid agreement for fire protection and rescue services within mutually agreed upon boundaries of each agency's response area. This agreement was developed to increase each agency's fire response capabilities by effectively providing additional personnel and equipment on emergency scenes in a reduced time frame. The agreement was adopted by the Visalia City Council on May 21, 1990, (County Agreement No. 15905) and amended to extend the response area on September 18, 1995, (County Agreement No. 15905-A) when Visalia added an additional station in the north part of the City. It is a reciprocal agreement that has been working very well since its inception. Both the City and the County have benefited. Automatic aid figures for 2004 show that we have received aid from the County 3.3% of our total call volume for the year, and have given auto aid 3.2% of our total call volume.

Other cities in the in the County have reciprocal fire protection agreements with Tulare County, but the agreements differ in that they address each city's unique circumstance and relationship with the County. The Fire Chiefs of these cities have indicated that they are in the process of reviewing their contracts at this time. Our uniqueness is that we have two County fire stations in close proximity to the City.

An automatic aid agreement differs from a mutual aid agreement in that under an automatic agreement, each agency is automatically dispatched (no verbal request need be made) into specifically agreed upon areas of each agency's response area. Due to the location of existing fire stations, both City and County, there are areas where emergencies can best be serviced (faster response time) by the automatic dispatch of the closest station---City or County. As it is a reciprocal agreement, no compensation is required by either agency. The agreement also provides additional equipment and personnel at emergency incidents to augment the first-in unit. The mutual aid agreement, on the other hand, entered into by several cities in the county is an agreement whereby a party to the agreement can officially (through specific channels) request aid from another agency or multiple agencies under the agreement in coping with an impending fire or other emergency of a magnitude that appears to be developing beyond the control and resources of the initial fire protection agency. The mutual aid agreement (Tulare County Agreement No. 8557) is not affected by the request being made at this time and will remain in effect.

At the present time, the County is facing financial constraints that necessitated the restructuring of their Fire Department. As a result, on Tuesday, April 19, 2005, the Tulare County Board of Supervisors approved a plan that eliminated full-time paid firefighting staff at Fire Station 9 – Walnut & Lovers Lane (as well as other County stations) to on-call volunteers only effective May 1, 2005. This change in staffing, or extended response time, means the County is no longer able to meet the intent of the agreement which was to increase each agency's fire response capabilities. According to the terms of the agreement, either party shall have the right to terminate the agreement without cause upon 90 days prior written notice to the other party. This action has been confirmed by City Attorney Alex Peltzer. The Visalia Fire Department is recommending at this time that the City Council exercise the City's option to terminate the agreement by authorizing staff to provide written notice to the County of our intent. We will, however, continue to discuss other options of mutual benefit with the County for a new automatic aid agreement.

The Department will continue to meet its obligation under the current automatic agreement until the expiration of the 90-day period. Furthermore, the City of Visalia and its Fire Department are still committed to providing mutual aid to the County and to our neighboring cities upon request as outlined in the joint Mutual Aid Agreement with the surrounding cities (County Agreement No. 8557). Such an agreement is also in place with the California Office of Emergency Services (OES) for Strike Team Responses.

Prior Council/Board Actions: May 21, 1990 - Automatic Aid Agreement with County of Tulare adopted by the Visalia City Council (County Agreement No. 15905)

September 18, 1995, Automatic Aid Agreement Amendment adopted by the Visalia City Council (County Agreement No. 15905-A)

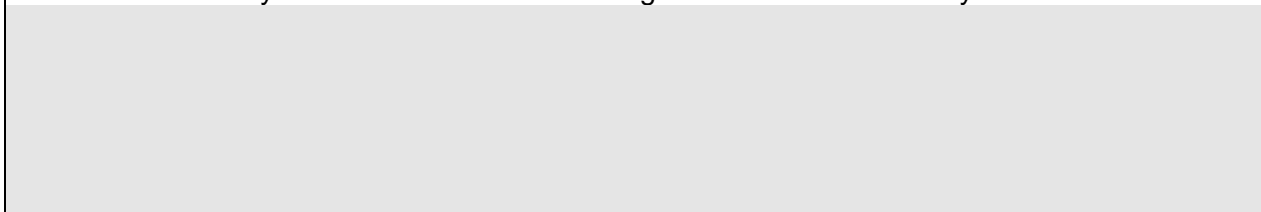
Committee/Commission Review and Actions:

Alternatives: Continue to provide automatic aid into the County per the agreement without response in kind from the County.

Attachments: Automatic Aid Agreement TCA 15905 and Amendment TCA 15905-A

City Manager/Executive Director Recommendation:

Recommended Motion (and Alternative Motions if expected): That the City Council authorize the City Manager and the Fire Chief to notice the County of Tulare of the City's intent to terminate the City of Visalia's Automatic Aid Agreement with the County of Tulare.



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 _____	

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

Copies of this report have been provided to:

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

City of Visalia
Agenda Item Transmittal

Meeting Date: May 16, 2005

Agenda Item Number (Assigned by City Clerk): 12

Agenda Item Wording: Authorization to amend the City's Solid Waste's rate & fees effective for the four fiscal years beginning on July 1, 2005, primarily for conversion of the fleet to CNG fuel.
Resolution 2005-67 required

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:

Staff recommends that City Council hold a public hearing to solicit citizen input on the proposed implementation of a four year rate program that annual increases 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.

Staff recommends that specific Solid Waste rates be increased annually on the average of 2.5% due fleet conversion to of the fleet to CNG fuel and for additional recycling programs. The average increase of 2.5% for the each of the next four years is comprised of 2.1% for fleet fuel conversion and 0.4% for additional and expanded recycling programs.

Discussion:

CNG Conversion. The transition to new CNG fueled Solid Waste trucks 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.

Solid Waste's capital assets are made up almost exclusively refuse trucks and waste containers. Currently the trucks are diesel powered, a major source of air pollution. Council has previously directed City staff to implement measures that will reduce emission when operationally feasible. On April 14, 2003 Council adopted a resolution supporting a proactive stance on emission reduction by transitioning to CNG fueled vehicles, and directing the use of the "lowest emission vehicles available, that are practical and reasonably cost competitive".

CNG vehicles have progressed to the point that staff now recommends converting the Solid Waste fleet. The conversion, however, will increase the vehicle acquisition cost by \$50,000. After conversion of Solid Waste's fleet to CNG over 60% of the investment in capital assets 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 Mid-Year 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 fund's cash reserved for capital unless corrective action is taken.

Table 1
Solid Waste – Mid Year Operational Review

	<u>Budgeted</u>	<u>Projected</u>
<u>OPERATIONS</u>		
<u>RESOURCES</u>		
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>
 <u>OPERATING EXPENSES</u>		
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>
 TOTAL OPERATING EXPENSES & DEBT SERVICE		
	<u>(12,746,932)</u>	<u>(13,161,000)</u>
 CURRENT YEAR RESOURCES AVAILABLE FOR CAPITAL		
	<u>\$ 505,330</u>	<u>\$ 344,200</u>
 <u>CAPITAL ASSETS</u>		
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)
ENDING CAPITAL ASSET CASH	<u>\$ (29,084)</u>	<u>\$ 1,607,856</u>

Solid Waste expenditures can be segregated into three components: tipping fees (e.g. landfill, recycling, green waste, etc.) operations, and capital assets. Tipping fees have remained relatively constant for a number of years. The County of Tulare has not raised its landfill fee in over 10 years. Operating costs although increasing, have been offset for a number of years by operating efficiencies. Solid Waste has not had to raised it's rates in over 8 years. The proposed increases for capital costs are resultant of the required CNG fuel conversion of the fleet. 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 which represent one-third of Solid Waste's expenditures 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 in a few years will disappear and then run into 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 approximately \$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 enhance the City's recycling efforts, specifically:

- **Waste to Energy - new (\$125,000 to \$150,000 annually).** This is new program will count 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. Additionally, 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 their 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 increases that are scheduled for more than one year. Some examples of multi-year increases

are the Storm Sewer's four-year program and the Golf Course's multi-year increases for the CIP Surcharge. The multi-year recommendation follows the City's financial philosophy of small gradual rate increases whenever possible rather than less frequent larger ones.

Detailed Financial Analysis.

The rate program being proposed is mainly based upon increased vehicle costs. As a result, that portion of the rate that reflects vehicle costs, will differ slightly for each type of refuse service provided, due to varying vehicle use. 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 rate 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 rate (excluding street sweeping) of \$16.45. This results in annual percentage increases ranging from 2.3% in FY06-07 to 2.5% in FY08-09. The cumulative increase totals \$1.46 or 9.4% at the end of the 4th year (see Attachment 2 - Sample Rates for detail). No adjustment is being proposed to the Senior Citizen Life Line rate.

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 4th year (see Attachment 2 – Sample Rates for detail). The proposed increases for Commercial accounts are larger due as the collections are more capital intensive than residential.

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 the capital portion of the rates. In this example, the FY05-06 increase is 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 totals \$12.40 or 7.8% at the end of the 4th year (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 reports 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 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>	Visalia	
Clovis	\$25.77	Currently	\$14.99
Reedley	24.50	Proposed FY 05-06	15.35
Lemoore	23.00	Proposed FY 06-07	15.70
Kingsburg	22.40	Proposed FY 07-08	16.05
Tulare County **	21.00	Proposed FY 08-09	16.45
Dinuba	20.94	Excludes street sweeping	
Hanford	20.90		
Bakersfield	19.56		
Woodlake **	18.25		
Goshen	18.00		
Fresno	18.00		
Farmersville	17.00		
Lindsay **	16.90		
Exeter **	16.60		
Porterville	15.00		
VISALIA	14.99		
Tulare **	<u>14.13</u>		
Average	<u>\$19.23</u>		

** 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 reports that Visalia’s service is among the lowest in the surrounding area. An annual average increase of 1.8% for each of the next 4 years would still end with rates that are among the 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>	Visalia	
Bakersfield	\$179.55	Currently	\$105.00
Dinuba (private)	165.00	Proposed FY 05-06	110.65
Kingsburg (private)	160.00	Proposed FY 06-07	116.65
Porterville	143.26	Proposed FY 07-08	122.95
Hanford (private)	140.00	Proposed FY 08-09	129.60
Fresno	133.00		
Visalia (private)	117.00		
Tulare	111.00		
Goshen	108.00		
VISALIA	<u>105.00</u>		
Average	<u>\$136.18</u>		

COMMERCIAL – Front Load Bins – Table V, 3 Yard Bins this survey again indicates that Visalia’s service is among the lowest in the surrounding area. An annual average increase approximating 1.8% for the next 4 years would still end with rates that are among the 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>
Average	<u>\$91.80</u>	<u>\$233.64</u>	<u>\$381.51</u>

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

Last Years Rate Adjustments. During the biennial rate adjustments for FY’s 04-05 & 05-06 that occurred June 21, 2004, the adjustments listed below were the only Solid Waste changes made at that time. The fund’s 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 were 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
3rd and 4th occurrence of contaminated container empties penalty charges were increased to discourage the contamination of recyclables.

Prior Council Actions:

- May 2, 2005 Proposal of 4 year rate increase program for conversion of fleet to CNG
- 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. 6th 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
3. Resolution #2005-
4. SW – Rates & Fees, FY05-06 through FY08-09

City Manager Recommendation:

Recommendation: Motion to approve Resolution #2005- 67 authorizing amendments to the City’s Solid Waste rates and fees effective for the four fiscal years beginning on July 1, 2005, primarily for conversion of the fleet to CNG fuel.

Environmental Assessment Status

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

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 16, 2005

Agenda Item Number (Assigned by City Clerk): 9

Agenda Item Wording: Public Hearing to consider increasing the City's Sewer Connection Fees to recover costs of installation.

Deadline for Action:

Submitting Department: Community Development and
Public Works

Contact Name and Phone Number:

David Jacobs, Assistant Community Development and Public
Works Director, 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.): 15 min.

Department Recommendation and Summary:

Staff recommends that the City Council increase the sewer connection fees to recover the costs of installing sanitary sewer and laterals. This increase in fee would affect existing developments that were originally constructed without sanitary sewer and either the city later installed the system or will in the future install a sanitary sewer system when older subdivisions are annexed into the city. This increase does not impact major new subdivisions because developers construct the main lines in the streets and sewer laterals as a part of the construction of the subdivision.

The portions of the sewer connection fee proposed for change at this time receive small annual incremental increases, but have not undergone an analysis in recent years to relate the fee to the cost of construction. It is proposed that through the island annexation program, sewer will be extended to the county subdivisions that were developed with septic tank/leach field systems. Through the recent sewer project for the Pinkham Island annexation and other recent projects, it became evident that the fee does not cover the cost of installation of the system and that an increase is warranted.

If adopted as proposed, the standard connection fee for a single family residence would increase from \$2,509.62 to \$4,857.60.

Background

The existing sewer connection fee does not cover the actual costs for the installation of sewer mains and laterals.

The sewer connection fee is collected when an existing resident requests a new lateral to connect to the system. The resident is usually removing a septic system and is connecting to City sewer for the first time. The sewer connection fee includes several components. The proposed major increases are associated with the parts of the fee that relate to the physical

construction of the main line in the street and the laterals to provide connection from the main line to the residential lot property line. The components are:

1. Front foot fees (to pay for the installation of the main sewer line in the street)
2. Lateral and wye (to pay for the installation of the wye and lateral to connect to from property line to the main sewer line)
3. Encroachment permit, trench patch, and patch maintenance fee
4. Trunk Line Capacity (to recover capital cost for trunk line construction) **No Change Proposed**
5. Treatment Plant Connection (to recover capital costs for capacity at the treatment facility) **No Change Proposed**
6. Building permit fee **No Change Proposed**

New residential developments usually install the main sewer lines and lateral and would only pay the inspection fee, trunk line capacity and treatment plant connection charges. The only time a development would pay the front foot fee is if they are building adjacent to an existing street with an existing sewer line.

The existing and proposed fee structure is shown on the following table:

	Current Fee	Proposed Fee	
Front foot fee	(\$11.66/linear foot) - \$699.60 (assumed 60 foot frontage)	(\$32.45/linear foot) \$1,947.32 (assumed 60 foot frontage)	
Lateral and wye	349.20	1,580.00	
Trunk line capacity	557.69	557.69	No Change
Treatment Plant connection	553.01	553.01	No Change
Building permit fee	116.99	116.99	No Change
Encroachment permit, trench patch, and patch maintenance fee.	233.13	102.60	(listed separately on attached fee schedule)
Total	\$2,509.62	\$4,857.60	

Explanation of Increases

- Sewer Main Line in Street

Recent residential sewer construction within the City has averaged around \$64.92 per foot. This includes manholes, sewer lines, and connection to an existing sewer. Using the same assumption for the width of an average lot (60 feet in the existing fee schedule) and the sewer line is servicing both sides of the street the front foot cost for a single lot is \$1,947.60, or \$32.45 per foot.

- Sewer Lateral between Main Line and Property Line

The City has entered into a contract with a private contractor to install individual laterals when needed at \$82 per linear foot. This contract is used when there is an existing sewer main in the street, but there is no sewer lateral to the property. With the typical residential lateral averaging 30 feet, the average actual cost is \$2460.00. The cost of a lateral is reduced to between \$700 and \$1200 when the lateral is placed at the time the main sewer line is installed as part of an overall project. Realizing that the City will probably not receive the low end of the lateral bid on future projects an average between the low (\$700) and high (\$2460) was used to develop an average cost of \$1,580 for the lateral fee.

- Encroachment permit, trench patch, and patch maintenance fee.

If a lateral needs to be installed, an encroachment permit, trench patch, and patch maintenance fee is charged. The fee is proposed to be reduced to \$102.60, to match the current fee rate for the various parts of this fee.

- Building Permit Fee

There are two building inspections included as a part of the sewer connection fee. There is an inspection of the new plumbing line from the house to the lateral at the property line and a second inspection to make sure the septic tank was properly dismantled. This fee is adjusted to match whatever the building permit fee for inspections is at the time the connection fee is paid.

Payment Options

Property owners may use credit cards, pay cash or place the connection fee on their property tax bill (if property is inside the city limits) to be paid over a ten year period. After January 1, 2007, the pay back period will be reduced back to five years for property owners who pay for sewer connection after that date. In 2003, City Council extended the pay back period to 10 years for the period of time the State island annexation legislation will be in effect. The extension of pay back time was to be an incentive for property owners to connect to the system. The legislation also expires January 1, 2007. Council may extend the pay back period at that time if it is still considered a needed incentive. Property owners outside the city limits may also pay over a five year time frame, through a recorded agreement.

The sewer connection fee pays for the sewer lateral to be brought to the property line of the residential lot. It is the property owners' responsibility to pay for the plumbing between the house and the property line and to properly dismantle the septic tank. The cost for that part of the project can be significant.

Effective Date

Staff recommends that the fee go into effect in 90 days (normally 60 days from the public hearing) to provide an ample opportunity for property owners who might have been planning to connect, to do so within the current rate structure and to allow property owners to sign up for sewer in areas inside the city where small projects are imminent.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Leave the sewer connection fee unchanged, Approve a connection fee less than proposed.

Attachments: Resolution, existing connection fee schedule

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to adopt resolution 2005- setting the sewer connection fees.

Copies of this report have been provided to:

Financial Impact

Funding Source:
Account Number: 4311-720000-0-0-9228-2005 (Wastewater fund)

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? No
Review and Action: Prior:
Required:

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

Required:

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

Resolution No. 2005-

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF VISALIA ADOPTING THE
2005 SEWER CONNECTION FEES

WHEREAS, the City Council of the City of Visalia adopted Resolution 2004-63 to establish the revised sewer main facilities charges; and

WHEREAS, the City Council of the City of Visalia has determined the front foot fee and the lateral fee to be inadequate to meet the purpose for which they were intended and desires to adjust the fee schedule; and

WHEREAS, Visalia Municipal Code Chapter 13.08.750 authorizes the City Council, upon majority vote, to adopt and adjust by resolution, a fee schedule for the front foot fee and lateral fee; and

WHEREAS, the City of Visalia has analyzed the need for such adjustment and presented same to the City Council; and

WHEREAS, the revision of the fee is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), as revised, pursuant to the provisions of Section 15273 of the CEQA guidelines, and

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

WHEREAS, the City Council of the City of Visalia did conduct the public hearing on the proposed sewer connection fee schedule on May 16, 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Visalia as Follows:

1. That the adoption of the Sewer Connection Fee is consistent with the requirements in the authorizing ordinances;
2. That the proposed fee adjustments comply with the increase requirements contained in the Mitigation Fee Act (Gov. Code Section 66016, et seq.);
3. The Fees are statutorily exempt from the California Environmental Quality Act;
4. Sewer Connection Fees shall be as shown in exhibit "A" attached.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Visalia adopts the sewer main facilities charges. The fee shall not be effective until 90 days after the adoption thereof.

Exhibit A

City of Visalia

CONNECTION FEES **SEWER MAIN FACILITIES CHARGES**

<u>Front Foot</u>	\$	32.45									
SINGLE-FAMILY RESIDENTIAL											
EXISTING LATERAL AND WYE											
Connection of a single-family residential dwelling with an existing lateral and wye to City sewer system	\$	4755.01 /unit includes trunk line capacity and treatment plant connection charge; front foot, lateral, wye, and plumbing permit fee									
NON-EXISTING LATEAL AND WYE											
Residential trench patch, when lateral and wye are not existing	\$	102.6 /unit									
Per Contract - Bid# 03-04-53R to be effective 7-1-04											
<u>4" Lateral</u>											
R-1 Zone	\$	82.00 /foot									
R-M, P-A, C, & M Zones	\$	92.00 /foot									
<u>6" Lateral</u>											
R-1 Zone	\$	85.00 /foot									
R-M, P-A, C, & M Zones	\$	95.00 /foot									
<u>Wyes</u>											
4"	\$	100.00 /each									
6"	\$	105.00 /each									
PERMIT FEES											
Septic Hauler Annual Permit	\$	75.00 /annum									
Industrial Waste Discharge Permit	\$	240.00 /annum									
Non-significant Discharge Permit	\$	30.00 /biennially									
<p>Calculation of all Industrial Treatment Plant Connection Charges are based on the Average Day, Peak Month Loadings from the Industrial Waste Discharge Permit.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Flow:</td> <td style="width: 10%; text-align: center;">\$</td> <td style="width: 30%; text-align: right;">1.57 /gal/day, plus</td> </tr> <tr> <td>Biochemical Oxygen Demand:</td> <td style="text-align: center;">\$</td> <td style="text-align: right;">193.18 /lb/day, plus</td> </tr> <tr> <td>Suspended Solids:</td> <td style="text-align: center;">\$</td> <td style="text-align: right;">122.09 /lb/day</td> </tr> </table> <p>The treatment plant connection charge will be collected retroactively from a user if any additions or process changes result in a 10% increase loading to the treatment plant above what was originally paid for in the treatment plant connectin fee.</p> <p>This 10% increase will be based on flow, pounds/day for biochemical oxygen demand and lbs/day for suspended solids.</p>			Flow:	\$	1.57 /gal/day, plus	Biochemical Oxygen Demand:	\$	193.18 /lb/day, plus	Suspended Solids:	\$	122.09 /lb/day
Flow:	\$	1.57 /gal/day, plus									
Biochemical Oxygen Demand:	\$	193.18 /lb/day, plus									
Suspended Solids:	\$	122.09 /lb/day									

City of Visalia
Agenda Item Transmittal

Meeting Date: May 16, 2005

Agenda Item Number (Assigned by City Clerk): 14

Agenda Item Wording: Award Contract for the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements project. Project # 6111-720000-0-0-9534-2005.

Deadline for Action: June 6, 2005 (30 days after bid opening)

Submitting Department: Community Development & Public Works

Contact Name and Phone Number: Michael Carr 713-4595, Jim Funk 713-4540

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: Staff recommends that the City Council award Mark Hoffman General Engineering the contract for the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements project for the amount of \$91,860.13. Project # 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 KDHCD 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 and installed by the contractor. The temporary parking lot will be striped for 109 total parking stalls of which five (5) will be stenciled as accessible (handicap) parking stalls.

As requested by Council during their May 2 meeting, staff intends to have street trees planted approximately 35 feet apart in the existing landscape strip between the curb and sidewalk on Stevenson, Mineral King and Conyer. The landscape strip is approximately 3-feet wide and the sidewalk is 5-feet wide. At each tree location, the sidewalk will be notched 1-foot, which allows sufficient room for tree planting, and maintains ADA compliance for sidewalk width. Since the

trees will be spaced apart and be planted on the opposite side of the sidewalk, they should not interfere with trucks and equipment when building takes place on the site in the future. The tree-planting and irrigation work will be installed under a separate contract with the Urban Tree Foundation, with Mr. Brian Kempf acting as Project Manager.

The temporary parking lot is to be constructed 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.

At the May 2, 2005, meeting, Council authorized the construction of this project without the requirement of paying prevailing wage since only locally-generated Parking In-Lieu Fee (6111) funds are being used to finance the project.

On May 11, 2005 the City opened five (5) bids submitted for the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements project. The results of the bid opening are as follows:

1. Mark Hoffman General Engineering	Tulare, CA	\$91,860.13
2. Central Valley Asphalt	Lindsay, CA	\$97,938.00
3. Sierra Range Construction	Visalia, CA	\$98,995.94
4. Seal Rite Paving Company	Clovis, CA	\$102,759.85
5. Lockwood General Engineering	Visalia, CA	\$139,261.50

The principal of Mark Hoffman General Engineering is Mr. Mark E. Hoffman. The City of Visalia has contracted with Mark Hoffman General Engineering most recently on the construction of Cameron Avenue between County Center and Court Street, and a project to add two lanes on Ben Maddox between Tulare Avenue and Walnut. Mark Hoffman General Engineering performed well on both of those projects and staff recommends awarding them this contract.

Prior Council/Board Actions: Authorization to bid as a non-prevailing wage project on May 2, 2005.

Committee/Commission Review and Actions:

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

Attachments: Exhibit #1 (Location Map), Exhibit #2 (Site Detail) and Exhibit #3 (Bid Opening Spreadsheet)

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to award a contract to Mark Hoffman General Engineering for construction of the Mineral King Avenue & Stevenson Street Temporary Parking Lot Improvements in the amount of \$91,860.13. Project # 6111-720000-0-0-9534-2005.

Financial Impact

Funding Source:

Account Number: 6111-720000-0-0-9534-2005

Budget Recap:

Total Estimated cost: \$	91,860.13	New Revenue:	\$
Amount Budgeted: \$	14,000.00	Lost Revenue:	\$
New funding required: \$	95,000.00	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 X No

Review and Action: Prior:

Required: Categorical Exemption (CE) is being processed

NEPA Review:

Required? Yes No X

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: