

# Visalia City Council Agenda



For the regular meeting of: Monday, June 6, 2005

Location: City Hall Council Chambers

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

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

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## **Employee Introductions:**

Chief of Police Jerry Barker introduces Guadalupe Ruiz-Police Technician; Laura Nelsen-Communications Operator; Sharon Billups-Communications Operator; Ossie Dominguez-Police Officer

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

**4:00 p.m.**

1. Overview of Subdivision Map Process by Fred Brusuelas.  
*(Copies of the Improvement Standards and the Zoning Ordinance are available for public review at the Office of the City Clerk or you may obtain a copy for your records from Assistant Community Development/Public Works Director Fred Brusuelas at 713-4364.)*
2. Acknowledge work of staff task force to review City processes for the purchase of vehicles.

*\*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)**

3. Item removed from Agenda.
4. Item removed from Agenda.

5. Conference with Labor Negotiator  
Employee Groups: All Employee Groups  
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
6. Conference with Real Property Negotiators  
Property: located north of Goshen Avenue and west of Roeben Street, portion of APNs 077-100-034 and 077-100-019  
Under Negotiation: price, terms, conditions of purchase for storm drain acquisition  
Negotiators: Steve Salomon, David Jacobs, Fred Machado
7. Conference with Real Property Negotiators  
Property: SE corner of Houston & McAuliff 3709 E. Houston – APN 103-120-004  
Under Negotiation: Price, terms conditions of sale  
Negotiators: Steve Salomon, Michael Olmos, David Jacobs, Grace Homes
8. Conference with Real Property Negotiators  
Property: 202.5 acres located on Caldwell Ave just west of State Route 99; APN 119-010-021  
Under Negotiation: Price, terms, conditions of proposed lease  
Negotiators: Steve Salomon, Michael Olmos, David Jacobs, Jim Ross, Ronald Koetsier, Koetsier Dairies
9. Public Employee Performance Evaluations  
Title: City Manager

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Rich Guerra, Visalia First Assembly of God

### **SPECIAL PRESENTATIONS/RECOGNITION**

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

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

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) Appointment of Liz Wynn and Vincent Salinas to the Visalia Planning Commission, effective July 1, 2005, to fulfill full four-year terms.
  - c) Authorize the Finance Department to create Capital Improvement Program (CIP) projects in the Transportation Impact Fee (1241) fund for Visalia Parkway, Shirk Road, Tulare Avenue, Demaree Street, and Riggin Avenue.
  - d) Authorize the City Manager to enter into a contribution agreement with California Department of Transportation (Caltrans) for the purchase of right of way for the Mooney Boulevard major intersections projects. **Resolution 2005-72 required.**
  - e) Authorization to bid the construction of street improvements on Akers Street between Caldwell Avenue and Whitendale Avenue without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-720000-0-0-9263-2000.
  - f) Establish prima facie speed zones on West Street between Caldwell Avenue and Whitendale Avenue at 30 MPH and amend the Official Speed Zone List of the City of Visalia. **Resolution No. 2005-73 required.**
  - g) Establish prima facie speed zones on Cameron Avenue between Mooney Boulevard (SR-63) and Court Street at 45 MPH and amend the Official Speed Zone List of the City of Visalia. **Resolution No. 2005-74 required.**
  - h) Authorize the Recordation of the final parcel map for Tentative Parcel Map 2004-22, located north of Hurley Avenue and east of Marcin Street; APN: 085-570-006 & 085-540-018.
  - i) Intention to Form Open Space District No. 88, Parcel Map No. 2004-18, located at the southwest corner of Ferguson Avenue and Cain Street, setting June 20, 2005, as the date of protest hearing. **Resolution No. 2005-75 required.**
  - j) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation of* the final map(s) related thereto (if applicable):
    1. Authorize the Recordation of the Final Map for Riggin Ranch Subdivision (33), located southeast corner of Riggin Avenue and Linwood Street and the Formation of Landscape and Lighting District No. 05-13, Riggin Ranch Subdivision; **Resolution 2005-76 and 2005-77 required.** APN: 077-170-008 & 009.
  - k) **Introduction of Ordinance 2005-06** declaring 1415 N. Tipton surplus property. Property to be purchased by the Redevelopment Agency for an affordable housing project.

- l) **Introduction of Ordinance 2005-07**, authorizing award of bid no. 04-05-58, a ten year Lease of Farm Land, to Koetsier Dairies. The Property is located at the northwest corner of Ave. 280 and Highway 99.
  - m) Authorization for the Mayor to appoint a sub-committee to work with city and county staff on fire related issues.
11. REGULAR ITEM – Review of City’s Budget
- a) Review and approve action on FY 2005/06 Budget.
  - b) Review and approval of the City Managers Recertified Measure T Plan.
  - c) Approval of **Resolution 2005-78** adopting the 2005-2006 appropriations limit for the City of Visalia.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

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

**Upcoming Council Meetings**

Monday, June 13, 2005 (Special Meeting, 4 p.m. Work Session, City Hall Council Chambers)

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:** June 6, 2005

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

**Agenda Item Wording:** Overview of the subdivision map process

**Deadline for Action:** None

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

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

For placement on which agenda:

Work Session  
 Closed Session  
 Regular Session:  
 Consent Calendar  
 Regular Item  
 Public Hearing  
Est. Time (Min.): 45

**Contact Name and Phone Number:**

Michael Olmos, Community Development & Public Works Director 713-4332  
Fred Brusuelas, Community Development & Public Works Assistant Director 713-4364  
Andrew Benelli, Community Development & Public Works Assistant Director 713-4340

**Department Recommendation and Summary:**

This is an informational item to update the City Council on the current subdivision processing and activities. The Community Development and Public Works Department recommends that the following subdivision design issues be referred to the Development Standards Task Force, as follows: Small lot subdivision standards and planned unit development standards. The Department also recommends that the Subdivision Ordinance be updated as described in the recommendations listed in Section 7.

**Workshop Discussion:**

1. SUBDIVISIONS

The creation of Land Parcels for purposes of Land Development, Sale and leasing may be considered the most important implementation of the City's General Plans Process and zoning registrations. It becomes the design framework upon which the physical development of the city is created. The subdivision of land is the foundation upon which property owners, developers, builders, investors, financial institutions, and government agencies place their future. Subdivided land creates the building blocks for land ownership, economic opportunities, wealth creation, tax generation, and contributes in a large measure the physical appearance of the city in which people live and work. The subdivision review process, therefore, is a significant item requiring prudent evaluation by city decision making.

The Subdivider's submittal of maps and applications are based upon adopted City Council policies and regulations. Decisions to approve, deny, or condition subdivisions are a

matter of compliance with the adopted policies and regulations. City decision makers cannot mandate design conditions that are not adopted by the City Council.

## 2. SUBDIVISION MAP ACT

The 1907 Subdivision Map Act was the first land use law passes by the California state legislature. It established the procedures local governments must use when considering the subdivision of land. The act has evolved into a powerful tool for local governments to exact concessions from developers. In part, the Subdivision Map Act seeks to ensure that adequate public services are provided in new subdivisions.

For More than two decades, the Subdivision Map Act simply required developers to file subdivision maps so that the state could keep track of land for title purposes. But an amendment added to the act in 1929 allowed the local governments to mandate that developers dedicate land to sidewalks, roads and utility easements. Another series of amendments in the 1930's gave local governments more power to control the design and improvements of subdivisions. The purpose for the amendments was two-fold: to prevent creation of lots that were usable; and to give local governments the power to exact from developers improvements needed to serve the subdivision. The law provides an extensive list of exactions and fees that local governments are authorized to collect.

Unlike the general plan or zoning law, the Subdivision Map Act does not apply to all land within a community. It only applies to a landowner who seeks to subdivide his or her land. Any land that is subdivided to be sold, leased, or financed must be approved by the appropriate local governing agency. Therefore, the local government must adopt subdivision regulations that both comply with state law and correlate with the general plan.

Under the Subdivision Map Act, the City must deny subdivision authorization if it finds that one or more of the conditions is present:

- Environmental Damage
- Inconsistency with local general plan
- Physical unsuitability of the site
- Conflict with public easements
- Choices on Council/Planning Commission approvals under state law

## 3. VISALIA SUBDIVISION ORDINANCE

The current codified and amended version of the City's subdivision ordinance was adopted November 2004. The Visalia Subdivision Ordinance is considered a supplement to the State of California Subdivision Map Act, as now in effect or hereinafter amended. Identified in the Subdivision Ordinance (Title 16 of the Visalia Municipal Code) are the following important provisions of purpose and responsibility:

### 1. Purpose and Scope

- A. To aid in the implementation of the general plan of the City, and elements thereof, as adopted by the City Council;
- B. To provide lots of sufficient size and appropriate design for the purposes of which they are to be used;

- C. To provide streets of adequate capacity for the anticipated traffic which would utilize them and to ensure that they are designed to promote a safe vehicular and pedestrian traffic circulation system;
- D. To accommodate new development in a manner which will preserve and enhance the city's living environment and create new beauty through skilled subdivision design;
- E. To provide for water supply, sewage disposal, storm drainage, solid waste collection and other utilities and facilities which are required by conditions of an urban environment;
- F. To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider rather than by the property owners of the city at large.

2. Responsibility: The Visalia Subdivision Ordinance assigned the following responsibilities:

- A. City Attorney: The City Attorney (Currently Dan Dooley, or is designee) shall be responsible for approving as to form all subdivision improvement agreements and subdivision improvements securities.
- B. City Council: The city council shall have final jurisdiction in the approval of final maps if the acceptance of land and improvements is proposed for dedication to the city.
- C. City Engineer: The City Engineer shall be responsible for;
  - 1. Establishing design and construction details, standards and specifications;
  - 2. Determining if proposed subdivision improvements comply with the provisions of this title and the Subdivision Map Act and for reporting the findings together with any recommendations for approval, or conditional approval, of the tentative map to the city planner;
  - 3. The processing and checking of final maps, parcel maps, reversion to acreage maps, amended maps, subdivision improvement plans, lot line adjustment maps, mergers and certificates of compliance;
  - 4. The inspection and approval of subdivision improvements;
  - 5. The approval of private improvements (improvements not to be maintained by the city).

*(For subdivision purposes Andrew Benelli, Assistant Director of Community Development and Public Works, signs as City Engineer)*
- D. Planning Commission: The Planning Commission is the designated official body charged with the duty of conducting public hearings, making investigations and reports on the design and improvement of real property, the imposing of requirements or conditions thereon, and shall approve, conditionally approve or disapprove tentative subdivision maps.
- E. City Planner: The City Planner shall be responsible for:
  - 1. Investigating proposed subdivisions and parcel maps for conformity to the general plan, specific plans, and zoning ordinances of the city and reporting his finding together with recommendations for approval, conditional approval or disapproval to the Planning Commission;
  - 2. Examining and certifying that the final maps are in substantial conformance to the approved or conditionally approved tentative map.

- F. Site Plan Review Committee: The site plan review committee shall be responsible for the review of tentative parcel maps, tentative subdivision maps, vesting tentative subdivision maps, and vesting tentative parcel maps and shall provide the subdivider and the planning commission with the committee's comments, and requirements for conformance to city ordinances and policies.
- G. Subdivider: The subdivider shall prepare maps consistent with the standards contained herein and design public improvements consistent with the public improvement standards of the city.  
*(Fred Brusuelas, Assistant Community Development and Public Works Director, serves as City Planner)*

#### 4. SUBDIVISION MAP APPLICATION PROCESSING (BRIEF DESCRIPTION)

- A. The subdivision application process begins with a contact from a subdivider to the planning and/or engineering staff via a pre-application meeting or the submitting of an application to be reviewed by the Site Plan Review Committee.
- B. The site plan review committee conducts a meeting to evaluate the subdivision in accordance with city standards. (This may take more than one meeting, depending on extent of necessary revisions.)
- C. Upon completion of site plan review, the subdivision map proposed will be assigned to a project planner for report preparation, environmental evaluation and public hearing scheduling.
- D. A public meeting will be scheduled for planning commission review. A decision will be made to approve or deny the project based upon adopted city standards and policies; and citizen input.
- E. Objections to the Planning Commission's decision may be appealed to the City Council, if not; the decision to approve the tentative map is final.
- F. The final subdivision map is reviewed and approved by the city council. (By law, the final map must conform to the approved tentative map).

#### 5. SUBDIVISION MAP ACTIVITY

The City of Visalia, in conjunction with other Central Valley cities is experiencing a residential boom. Over 4,000 new lots were created in Visalia by approved subdivision maps in calendar year 2004. As of May 2005, approximately 2,000 new lots are in the process of being created or having been approved this calendar year. This volume of subdivision activity represents a record level for the City of Visalia.

The record volume of subdivision map activity continues to put a high demand on staffing and city resources. Expectations of a quick review and approval by applicants continue to be the norm. Efforts by the City staff to serve the public interest also continue. The current volume of subdivision map activity has a wide range of designs, parcel sizes and shapes to meet desired objectives of the applicant and their responses to the market place. New types of subdivision designs not common to the area are also being submitted (such as very small lot single family subdivisions).

#### 6. SUBDIVISION MAP OBSERVATIONS



City Planner, Fred Brusuelas, and City Engineer, Andrew Benelli, have made numerous observations of the subdivision map process, submitted applications and provisions of the Visalia Subdivision Ordinance. These observations can be summarized as follows:

A. Planning Observations

1. Subdivision applications continue to dominate the majority of current planning staff resources.
2. Demand is growing for small lot detached homes as a means to keep dwelling unit costs reasonable and meet market demand. Many new subdivision design proposals do not fit traditional parcel sizes. Small parcel sizes and ultra-small parcel size parcels are being proposed without benefit of properly adopted design standards to address new contemporary project design. Design elements such as planning open space and lot coverage are of particular concern.
3. The currently adopted General Plan (2020 plan) is fourteen years old and needs to be evaluated and amended to address changing economic, social and development dynamics. A comprehensive General Plan update is scheduled to begin in 2006.

B. Engineering Observations

1. Developers are submitting designs that are not clearly addressed in the current City of Visalia Subdivision Ordinance or Standard Plans. More compact housing (smaller parcels) generates design issues related to traffic volumes, parking demands, solid waste collection, storm water run off, and utility services.
2. Land values have escalated making some parcels that were previously unprofitable to develop now worthy of being subdivided. This has resulted in many requests to divide marginal properties and existing home sites. This often results in request for parcels with poor access and limited on street parking. Solid waste service is also challenging for many of these parcels.
3. The Transportation Impact fee program was restructured in December, 2004. The program was changed to provide the City with the ability to widen existing collector and arterial roadways before traffic volumes increase from new development. Aspects of the new program are still being developed and resolved. This change will help minimize traffic impacts as new neighborhoods are developed.
4. In conjunction with the development community, the City has worked hard to create quality residential neighborhoods in the community. Changing dynamics in the residential markets are creation new challenges for the City. As we see the markets move toward higher densities, our standards must stay ahead of these changes. The development standards Task Force will soon be reviewing proposal standards for a small lot ordinance. Other refinements to City standards will also be considered to improve neighborhood design.

## 7. DEVELOPMENT STANDARDS TASK FORCE

On August 16, 2004, Council appointed a Development Standards Task Force to develop recommendations on several planning and development issues. Attached is a copy of the Council report for that item. Currently, the task force has completed recommendations on pocket park policy (now being implemented) and is completing recommendations on standards for large commercial buildings. Staff is also beginning discussions on small lot subdivision standards with the Task Force.

## 8. RECOMMENDATIONS

### A. Recommendations by the City Planner:

Based upon the current observations and review of subdivision projects, the City Planner recommends that the City Council authorize the following:

1. That the Development Standards Task Force proceed with the study of residential small lot design and recommend design criteria for future residential small lot subdivision development.
2. That the planned unit development ordinance be amended to provide greater flexibility for residential density calculation and better standards to address issues of good design to include usable open space, parking and trash pick up.
3. That the subdivision ordinance be amended to establish design criteria for street connectivity, solar access lot design and other necessary modifications to produce quality subdivision design.

### B. Recommendations by the City Engineer:

Based on the current observations and review of the Subdivision projects the City Engineer recommends that the City Council authorizes the following:

1. That the Development Standards Task Force review the Standard Plans and determine if the street widths and sidewalk placement should be changed for small lot and Planned Unit developments. They also need to consider neighborhood trash enclosures and off-street parking.
2. That staff prepare a Development Reimbursement Policy for City Council to review and adopt. The Reimbursement Policy will address improvements to arterial/collector roadways, improvements to pocket parks, and landscape improvements on public property.

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

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

**Alternatives:** None

**Attachments:**

- August 16, 2004 Council Report on Development Standards Task Force
- Subdivision Ordinance and Improvement Standards
- City of Visalia Improvement Standards Booklet
- City of Visalia Subdivision Ordinance Chapter16 Booklet

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** Provide direction as appropriate.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**

Account Number: None.

**Budget Recap:**

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

***Environmental Assessment Status***

**CEQA Review:** Not Required

Required? No

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? No

Review and Action: Prior:  
Required:

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

None.

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Acknowledge work of staff task force to review City processes for the purchase of vehicles.

**Deadline for Action:** June 6, 2005

**Submitting Department:** Police, Fleet & Finance

**Contact Name and Phone Number:**  
Bob Williams, Assistant Chief of Police  
713-4227

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.): \_\_\_\_\_

**Committee/Commission Review and Actions:** The City-Wide Fleet Committee has met with City Manager Steve Salomon, Assistant City Manager Carol Cairns and all Department Heads to receive input and approval for changes in the administrative policies and procedures pertaining to managing the City government vehicle fleet.

**Attachments:** Vehicle Police / Fixed Asset Policy Pertaining to Vehicles

**City Manager Recommendation:** Administrative Policy Approved by City Manager on June 2, 2005

Copies of this report have been provided to:

This document last revised: 6/3/05 2:46:00 PM

By author: Leslie Caviglia

File location and name: H:\(1) AGENDAS for Council\060605\Item 2 City Wide Vehicle Fleet Policy.doc

***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: 5012 Fund (Vehicle Depreciation Fund)  
(Call Finance for assistance)

**Budget Recap:**

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

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Appointment of Liz Wynn and Vincent Salinas to the Visalia Planning Commission, effective July 1, 2005, to fulfill full four-year terms expiring June 30, 2009.

**Deadline for Action:** June 30, 2004

**Submitting Department:** Administration

**Contact Name and Phone Number:** Michael Olmos, 713-4332;  
Leslie Caviglia, 713-4317,

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): \_\_\_\_\_

**Department Recommendation and Summary:**

It is recommended that current Planning Commissioners Vincent Salinas and Liz Wynn be appointed to serve four-year terms on the Visalia Planning Commission effective July 1, 2005 and expiring June 30, 2009.

Vincent Salinas was appointed to the Commission in the fall of 2003 to fill the unexpired term of Ken Oplinger. At that time, the Council chose to select alternates who could be called upon to serve on the Commission should a vacancy(s) occur within a year. Liz Wynn was selected as the first alternate and was appointed to fill the unexpired term of Jim Armstrong in June, 2004. Both Salinas and Wynn are eligible for reappointment and have indicated they are interested in serving a full term.

At Council's discretion, both Salinas and Wynn would be eligible to be appointed to serve another full term, from 2009-2013, since they both served less than half an unexpired term.

**Council/Board Actions:**

October, 2003 - Salinas selected to serve an unexpired term  
June, 2004 – Wynn was appointed to fill another unexpired term.

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

**Alternatives:** The Council could choose to appoint someone else, or could ask to have a full recruitment conducted.

**Attachments:** N/A

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to appoint Liz Wynn and Vince Salinas to a four year term on the Planning Commission, ending June 30,2009.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**

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

**Budget Recap:**

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

***Environmental Assessment Status***

**CEQA Review:**

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

**NEPA Review:**

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

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



**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Authorize the Finance Department to create Capital Improvement Program (CIP) projects in the Transportation Impact Fee (1241) fund for portions of Visalia Parkway, Shirk Road, Tulare Avenue, Demaree Street, and Riggin Avenue

**Deadline for Action:** none

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

**Contact Name and Phone Number:** David Jacobs – 713-4492

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5 min.

**Department Recommendation and Summary:** Staff recommends the City Council authorize the Finance Department to create Capital Improvement Program (CIP) projects in the Transportation Impact Fee (1241) fund for Visalia Parkway from Dans Street to County Center, Shirk Road from State Route 198 to Riggin Avenue, Tulare Avenue from Lovers Lane to McAuliff Street., Demaree Street from Goshen Avenue to Riggin Avenue, and Riggin Avenue from Shirk Street to Dinuba Boulevard

City Council on October 21, 2004 adopted a new policy and transportation impact fee. This fee was adjusted in February to suspend 20% for commercial and office developments and an additional 15% for projects on infill sites (based on criteria approved by Council). With the adoption of the new fee the City will accelerate selected road projects within the Circulation Element. The roads will serve the developments that will be paying the higher impact fees and arterial streets having community wide impact.

Staff is recommending a \$12.2 million project list based on a debt capacity study conducted by the Administrative Services Department. Since the current growth pattern of the City is unusually strong a conservative approach was used to determine the amount for the project list based on historical growth averages.

In order for the Engineering Design Department to allocate costs to the projects a CIP project will need to be assigned. The following is a list of the project and the amounts needed in the first year for preliminary design, environmental documentation and to acquire right of way once the environmental process is completed. If the projects progress faster than anticipated a new Council item will be brought back to allocate the necessary money to the project(s).

Project Name	Description	Amount for 05/06 Environmental and some right of way acquisition
Visalia Parkway	Construct ½ the road from Dans Street to County Center and construct a full width crossing of Packwood Creek.	\$50,000
Shirk Road	Construct a full 110' arterial road from State Route 198 to Riggin Avenue.	\$150,000
Tulare Avenue	Construct ½ the road from Lovers Lane to McAuliff Street.	\$150,000
Demaree Street	Construct a full 84' arterial road from Goshen Avenue to Riggin Avenue	\$100,000
Riggin Avenue	Construct ½ the road from Shirk Street to Dinuba Boulevard	\$150,000

The Engineering Department is estimating a 1.5 year process to design and acquire right of way for Demaree Street and Tulare Avenue which could be under construction spring 2007. Visalia Parkway could be under construction summer of 2007 since the right of way has been acquired and the only hurdle is a permit from Army Corps of Engineers. Riggin Avenue and Shirk Road have more substantial right of way acquisition that is estimated to take a full two years to acquire and the projects should be under construction spring of 2008

**Prior Council/Board Actions:** Approved accelerated capital improvement project list April 2005

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

**Alternatives:** none recommended

**Attachments:**

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the Finance Department to create Capital Improvement Program (CIP) projects in the Transportation Impact Fee (1241) fund for portions of Visalia Parkway, Shirk Road, Tulare Avenue, Demaree Street, and Riggin Avenue projects.

**Financial Impact**

**Funding Source:**

Account Number: 1241 (Transportation Impact Fee)

**Budget Recap:**

Total Estimated cost: \$600,000	New Revenue:	\$
Amount Budgeted: \$0	Lost Revenue:	\$
New funding required:\$600,000	New Personnel:	\$
Council Policy Change: Yes___	No__x__	

Copies of this report have been provided to:

**Environmental Assessment Status**

**CEQA Review:**

Required? Yes  No

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes No

Review and Action: Prior:  
Required:

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

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Authorize the City Manager to enter into a contribution agreement with California Department of Transportation (Caltrans) for the purchase of right of way for the Mooney Boulevard major intersections upgrade projects. (Resolution 2005-72 required)

**Deadline for Action:** none

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

**Contact Name and Phone Number:** David Jacobs – 713-4492

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5 min.

**Department Recommendation and Summary:** Staff recommends the City Council authorize the City Manager to enter into a contribution agreement with California Department of Transportation (Caltrans) for the purchase of right of way for the Mooney Boulevard major intersections projects. The estimated cost to the City is \$783,000.

The City of Visalia and Caltrans are undertaking projects to improve traffic flow on Mooney Boulevard.

The Caltrans project will upgrade State Route 63 (Mooney Boulevard) from a four to a six-lane divided highway from Packwood Creek to Noble Avenue. The project includes construction of three travel lanes in each direction with some road realignment; dual left turn lanes at four intersections, single right turn lanes, wider curb radii, wheel chair ramps, and bus turnouts. The project would also modify the widths of the medians, lanes, shoulders, and sidewalks

The City's project will improve the Mooney Boulevard intersections with Tulare Avenue, Walnut Avenue, Beech Avenue, and Whitendale Avenue to except the dual turn lanes being added by the Caltrans project and to increase the intersection capacity per the City's Circulation Element. The City has entered into a contract with Omni-Means to do the engineering design and California Environmental Quality Act (CEQA) compliance on the Mooney Boulevard intersections project. The Mitigated Negative declaration was approved by Council on March 4, 2002.

In an effort to streamline the right of way acquisition and reduce the number of times each property owner is contacted as a result of the two projects the City and Caltrans have agreed any property acquisition that is needed by both projects would be acquired by Caltrans. Caltrans has completed the appraisals of the properties to be purchased and are currently negotiating some of the Mooney Boulevard acquisitions. Once the Contribution agreement is signed Caltrans will begin negotiating acquisitions that affect both projects.

Caltrans is expecting to have the right of way completed by the end of 2006 and the Mooney Boulevard widening project to be under construction in spring 2007.

### **Background**

In 1993 Caltrans approved a Project Study Report (PSR) for Mooney Boulevard Widening. The PSR is a planning level document that has alternatives, cost estimates, and potential environmental concerns for the widening of Mooney Boulevard from 4 lanes to 6 lanes. The PSR was required in order to receive State Transportation Improvement Program (STIP) funding. The Mooney project was included in the 1998 STIP with \$662,000 to complete preliminary engineering and environmental documentation (PA&ED). The PA&ED phase was completed in 2002 with the adoption of a finding of no significant impact. During the PA&ED phase the traffic study showed a need for dual left turns at the intersection of Tulare Avenue, Walnut Avenue, Beech Avenue and Whitendale Avenue. These intersections are not wide enough within City right of way to accept the dual left turns so the City created CIP projects to fund the widening of the intersections to accept the dual left turn lanes. In 2002 the City entered into a contract with Omni-Means (\$208,834.00) to complete the environmental studies, the design, and legal descriptions for property acquisition on the four intersections. A mitigated negative declaration was approved by the City in 2001.

Caltrans started the next phase plans, specifications, and estimate (PS&E) in 2002 with a \$1,000,000 in STIP funding. The design of the widening was limited on most of the sections to within the existing right of way by reducing the sidewalk width and the median width. The exception to this occurred at the intersections where widening was needed to accommodate left and right turn lanes as well as bus stop locations. During this phase Caltrans, City of Visalia, and Omni-Means have been working to insure that both projects are the same datum and the projects will tie together.

The City project needs to acquire right of way from the following parcels:

#### Tulare Avenue

- APN 095-120-005 (Restaurant south side west of Mooney)
- APN 095-120-027 (vacant lot south side west of Mooney)
- APN 095-120-054 (7-11 store southwest corner of intersection)
- APN 096-321-001 (gas station southeast corner of intersection)
- APN 095-011-023 (Paint store north side east of Mooney)
- APN 095-011-019 (Copeland's north side east of Mooney)
- APN 095-011-018 (Jack in the Box northeast corner of intersection)
- APN 095-112-011 (commercial building northwest corner of intersection)
- APN 095-112-021 (apartments north side west of Mooney)
- APN 095-113-013 (northwest corner of Shady and Tulare)

### Walnut Avenue

APN 121-160-006 (Visalia Mall)

APN 121-160-003 (Union Bank southwest corner of intersection) The union bank building needs to be modified on its northeast corner to allow for the widening project. It has been determined the modification will not effect the bank operations.

APN 096-291-024 (car wash northwest corner of Tulare and Central)

APN 096-291-023 (gas station northeast corner of intersection)

APN 095-130-024 (IN & Out Burger northwest corner of intersection)

APN 095-130-030 (Kragen north side west of Mooney)

APN 095-130-046 (Orchard's north side west of Mooney)

### Beech Avenue

APN 121-070-039 (shopping center south side west of Mooney)

APN 131-070-022 (Bank of the West southwest corner of intersection)

### Whitendale Avenue

APN 121-090-063 (commercial side south side west of Mooney)

APN 121-090-041 (commercial side south side west of Mooney)

APN 121-090-038 (gas station southwest corner of intersection)

APN 121-070-049 (commercial north side west of Mooney)

APN 121-070-047 (commercial side north side west of Mooney)

APN 121-070-048 (Bank northwest corner of intersection)

APN 122-011-014 (gas station northeast corner of intersection)

APN 122-011-019 (Pizza shop north side east of Mooney)

APN 122-011-020 (Dry Cleaners north side east of Mooney)

APN 122-011-008 (northwest corner of Central and Whitendale)

Current estimates for the projects including construction, right of way and utilities are:

City Project - \$2,900,000

Caltrans Project - \$22,500,000

**Prior Council/Board Actions:** approved Mitigated Negative Declaration March 2002

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** Contribution agreement, right of way maps

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to enter into a contribution agreement with California Department of Transportation (Caltrans) for the purchase of right of way for the Mooney Boulevard major intersections projects. The estimated cost to the City is \$783,000

***Financial Impact***

**Funding Source:**

Account Number: 1241-720000-0-0-9270-2004, 1241-720000-0-0-9252-2004, and 1241-720000-0-0-9036-2002 (transportation impact fees)

**Budget Recap:**

Total Estimated cost: \$783,000	New Revenue:	\$
Amount Budgeted: \$1,433,000	Lost Revenue:	\$
New funding required:\$	New Personnel:	\$
Council Policy Change: Yes_____	No_____	

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes  No  
Review and Action: Prior: MND approved March 2002  
Required:

**NEPA Review:**

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

Copies of this report have been provided to:

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



**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. 2005-72**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF VISALIA AUTHORIZING THE CITY MANAGER  
TO SIGN CALTRANS CONTRIBUTION AGREEMENT #06-1192**

**WHEREAS**, per Street and Highway code section 130 the City of Visalia is authorized to enter into an agreement with Caltrans, and

**WHEREAS**, the City of Visalia desires to have Caltrans acquire right of way at the intersection corners of State Route 63 at Whitendale Avenue, Beech Avenue, Walnut Avenue and Tulare Avenue that is required for the City's widening projects, and

**WHEREAS**, Caltrans is willing to perform right of way activities for the City's widening project, and

**WHEREAS**, the City Council of the City of Visalia desires to enter into a contribution agreement with Caltrans; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Visalia that the City Manager is authorized to sign contribution agreement #06-1192

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Authorization to bid the construction of street improvements on Akers Street between Caldwell Avenue and Whitendale Avenue without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-720000-0-0-9263-2000.

**Deadline for Action:** None

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

**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:** Staff recommends that the City Council authorize construction of street improvements on Akers Street between Caldwell Avenue and Whitendale Avenue without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-720000-0-0-9263-2000.

The Project will improve a half mile portion of Akers Street from a two lane, undivided arterial to a four lane divided arterial. Existing narrow sections will be widened to their ultimate width with curb, gutter and sidewalk added. Median islands with street lighting will be installed in Akers street from Caldwell Avenue to Whitendale Avenue. Storm drains will be installed. The traffic signal at Akers Street and Caldwell Avenue will be modified for the four lane roadway.

The Akers street improvement project will be put out to bid in mid June. The right of way has been purchased and several utility companies have already relocated their facilities to accommodate the work. The project is expected to cost about \$1,000,000. Previous project funding was directed at design and right of way acquisition. Funds for construction will be requested at the time Council is asked to award the bid.

Council is empowered to authorize the construction of capital improvement projects without the requirement of paying prevailing wage if only locally generated funds are used to pay for the project. In this case, the City will use locally generated transportation impact fees to finance the project.

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

**Attachments:** Location Map

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the bid for construction of street improvements on Akers Street between Caldwell Avenue and Whitendale Avenue without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-720000-0-0-9263-2000.

***Financial Impact***

**Funding Source:**

Account Number: 1241 (Transportation Impact Fees)

**Budget Recap:**

Total Estimated cost: \$1,000,000	New Revenue: \$
Amount Budgeted:	Lost Revenue: \$
New funding required: \$1,000,000	New Personnel: \$
Council Policy Change: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes  No  
Review and Action: Prior: Mitigated Negative Declaration April 2000  
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*)  
**None**

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Establish prima facie speed zones on West Street between Caldwell Avenue and Whitendale Avenue at 30 MPH and amend the Official Speed Zone List of the City of Visalia. Resolution No. 2005-73.

**Deadline for Action:** June 20, 2005

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

**Contact Name and Phone Number:**

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5 min.

**Department Recommendation and Summary:**

Staff recommends City Council to adopt Resolution No. 2005-73, which will establish prima facie speed zone on West Street between Caldwell Avenue and Whitendale Avenue and amend the Official Speed Zone List of the City of Visalia.

The speed limit on West Street is currently posted at 25 miles per hour (MPH). West is designated as a Residential District as defined in the California Vehicle Code 515. The City has received citizen complaints that the current 25 MPH speed limit impedes traffic flow. A traffic study has been completed for this portion of West Street with the 85<sup>th</sup> percentile of vehicles traveling 38 MPH at a location 100 feet north of Oakview Street and the 85<sup>th</sup> percentile of vehicles traveling 40 MPH at a location 100 feet north of Dorothea Street. Staff is recommending posting the speed limit on West Street between Caldwell Avenue and Whitendale Avenue at 30 MPH based on traffic safety considerations. The existing roadway has residential homes on both sides of the roadway with several areas of large Valley Oak trees encroaching into the roadway. The oak trees and the vehicles backing out of driveways create a hazard for high speed traffic. Therefore, staff recommends that the speed limit be set at 30 MPH which is lower than the current 85<sup>th</sup> percentile speed. West Street was classified as a Collector Street in previous Circulation Elements but the latest Circulation Element dated May 2001 down graded this portion of West Street to a local street due to its primarily residential character. Therefore, staff is recommending posting West Street between Caldwell Avenue and Whitendale Avenue at 30 MPH.

In summary, staff recommends establishing the following speed zones:

<u>Street Name</u>	<u>Present Speed Limit</u>	<u>Proposed Speed Limit</u>
West Street	25 MPH posted	30 MPH

The above prima facie speed limits shall become effective with the posting of the appropriate speed limit signs. The installation of said speed zone signs shall take place within three weeks of adoption of this resolution.

**Prior Council/Board Actions:** None

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

**Alternatives:** None

**Attachments:** Site map – Exhibit A  
Proposed Resolution No. 2005-73 (West Street)

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** Staff recommends the adoption of Resolution No. 2005-73, establishing prima facie speed zone on West Street between Caldwell Avenue and Whitendale Avenue at 30 MPH and amend the Official Speed Zone List of the City of Visalia.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:** (General Fund – Traffic Signs)  
Account Number: 0011-543300-33313 (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$ 700.00	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes_____	No <u> X </u>

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes No **X**

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes No **X**

Review and Action: Prior:  
Required:

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

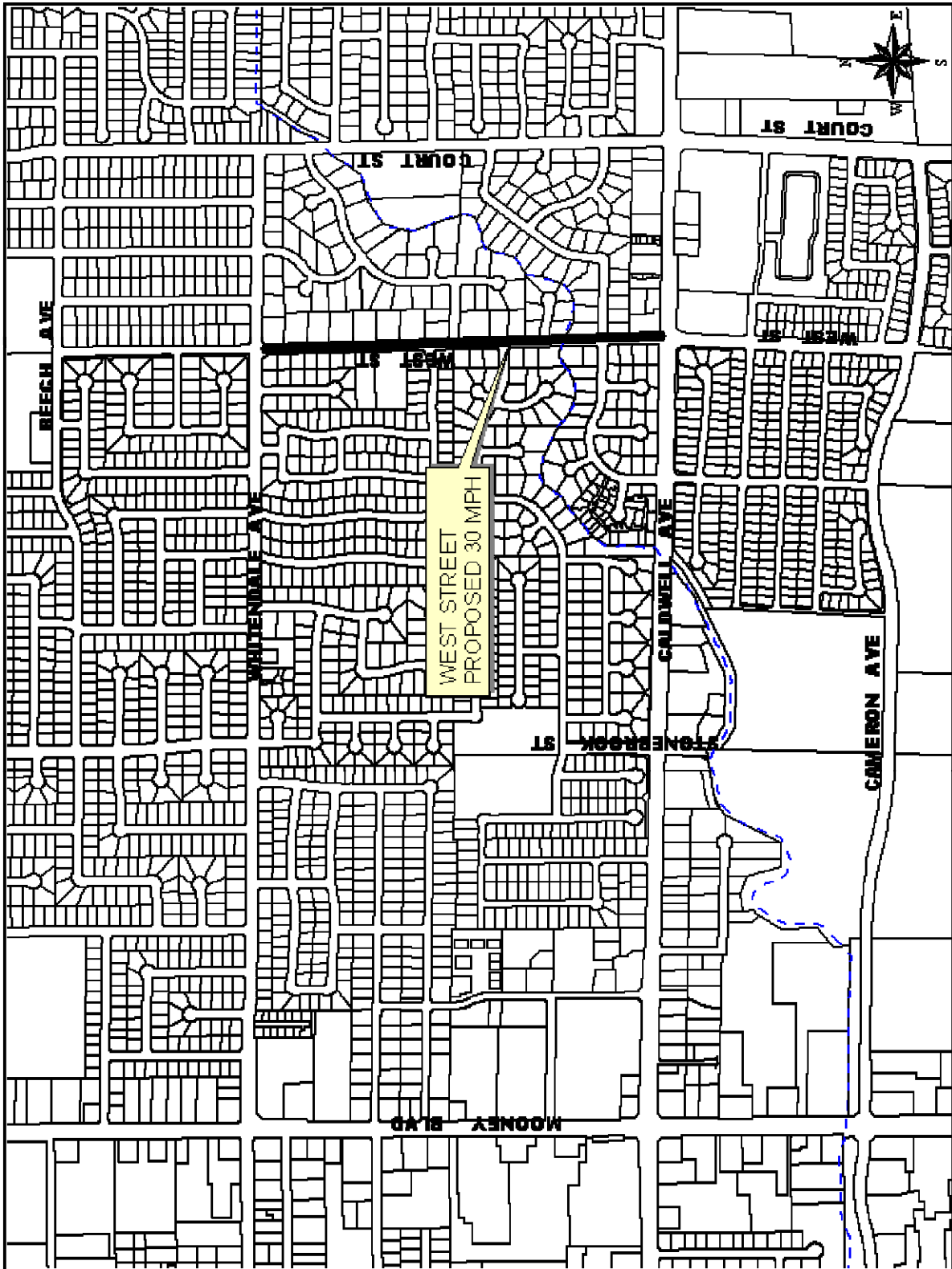
**Administrative Services Finance Review (Signature):**

**Others:**

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



# Exhibit A



**RESOLUTION No. 2005-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA  
AMENDING THE OFFICIAL SPPED ZONE LIST PURSUANT TO  
CHAPTER 10.12 INCLUSIVE OF TITLE 10, VEHICLE AND TRAFFIC**

**WEST STREET**

**WHEREAS**, the Council of the City of Visalia, pursuant to Chapter 10.12 inclusive of Title 10, Vehicle and Traffic, of the Ordinance Code, may enact prima facie speed limits on various roadways or portions thereof within the City of Visalia; and

**WHEREAS**, an “Engineering and Traffic” survey was performed pursuant to Section 10.12.060 of the Ordinance Code; and

**WHEREAS**, West Street is designated as a local street in the City’s Circulation Element and has many single family homes with driveways that require residents to back out into the roadway; and

**WHEREAS**, the width of West Street is reduced in several areas because of large oak trees growing adjacent to the travel lanes of the roadway; and

**WHEREAS**, City Engineering staff has determined that an unsafe condition would be created if the speed limit was set at the current 85<sup>th</sup> percentile speed of the traffic; and

**WHEREAS**, said prima facie speed limits are enacted pursuant to the provisions as set forth within the California Vehicle Code;

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

Under the provisions of Chapter 10.12 inclusive of Title 10, Vehicles and Traffic, of the Ordinance Code, the prima facie speed limits for the following roadways, or portions thereof, are hereby determined and declared to be as shown below, and shall be included in the official City of Visalia Speed Zone List:

<b><u>Street Name</u></b>	<b><u>Proposed Speed Limit</u></b>
West Street	30 MPH

The above prima facie speed limits shall become effective with the posting of the appropriate speed limit signs. The installation of said speed zone signs shall take place within three weeks of adoption of this resolution.

PASSED AND ADOPTED:

\_\_\_\_\_  
Bob Link, Mayor

ATTEST:

APPROVED BY CITY ATTORNEY:

\_\_\_\_\_  
Steven M. Salomon, City Clerk

\_\_\_\_\_  
Daniel M. Dooley

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Establish prima facie speed zones on Cameron Avenue between Mooney Boulevard (SR-63) and Court Street at 45 MPH and amend the Official Speed Zone List of the City of Visalia. Resolution No. 2005-74.

**Deadline for Action:** June 20, 2005

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

**Contact Name and Phone Number:**

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5 min.

**Department Recommendation and Summary:**

Staff recommends City Council to adopt Resolution No. 2005-74, which will establish prima facie speed zone on Cameron Avenue between Mooney Boulevard (SR-63) and Court Street and amend the Official Speed Zone List of the City of Visalia.

Cameron Avenue was constructed between Mooney Boulevard and Vintage Street with the construction of the Packwood Center in the fall of 2003. The current speed limit on this segment is 55 MPH. Residents in the area have complained about safety along Cameron Avenue due to high traffic speeds. This segment has also experienced recent vehicle accidents caused in part by speeding. A traffic study was recently completed for Cameron Avenue between Mooney Boulevard (SR-63) and Court Street. The 85<sup>th</sup> percentile speed of the traffic for this portion of Cameron Avenue was determined to be approximately 48 MPH. Staff recommends that the 85<sup>th</sup> percentile speed is used to establish the speed limit. The measured 85<sup>th</sup> percentile speed will be rounded down to the nearest five mile per hour and the roadway will be posted at 45 MPH.

In summary, staff recommends establishing the following speed zones:

<u>Street Name</u>	<u>Present Speed Limit</u>	<u>Proposed Speed Limit</u>
Cameron Avenue	55 MPH unposted	45 MPH

The above prima facie speed limits shall become effective with the posting of the appropriate speed limit signs. The installation of said speed zone signs shall take place within three weeks of adoption of this resolution.

**Prior Council/Board Actions:** None

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

**Alternatives:** None

**Attachments:** Site map – Exhibit A  
Proposed Resolution No. 2005-74 (Cameron Avenue)

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** Staff recommends the adoption of Resolution No. 2005-74, which will establish prima facie speed zone on Cameron Avenue between Mooney Boulevard (SR-63) and Court Street at 45 MPH and amend the Official Speed Zone List of the City of Visalia.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:** (General Fund – Traffic Signs)  
Account Number: 0011-543300-33313 (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$ 700.00	New Revenue:	\$
Amount Budgeted: \$	Lost Revenue:\$	
New funding required:\$	New Personnel:	\$
Council Policy Change: Yes_____	No <u><b>X</b></u>	

***Environmental Assessment Status***

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

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

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

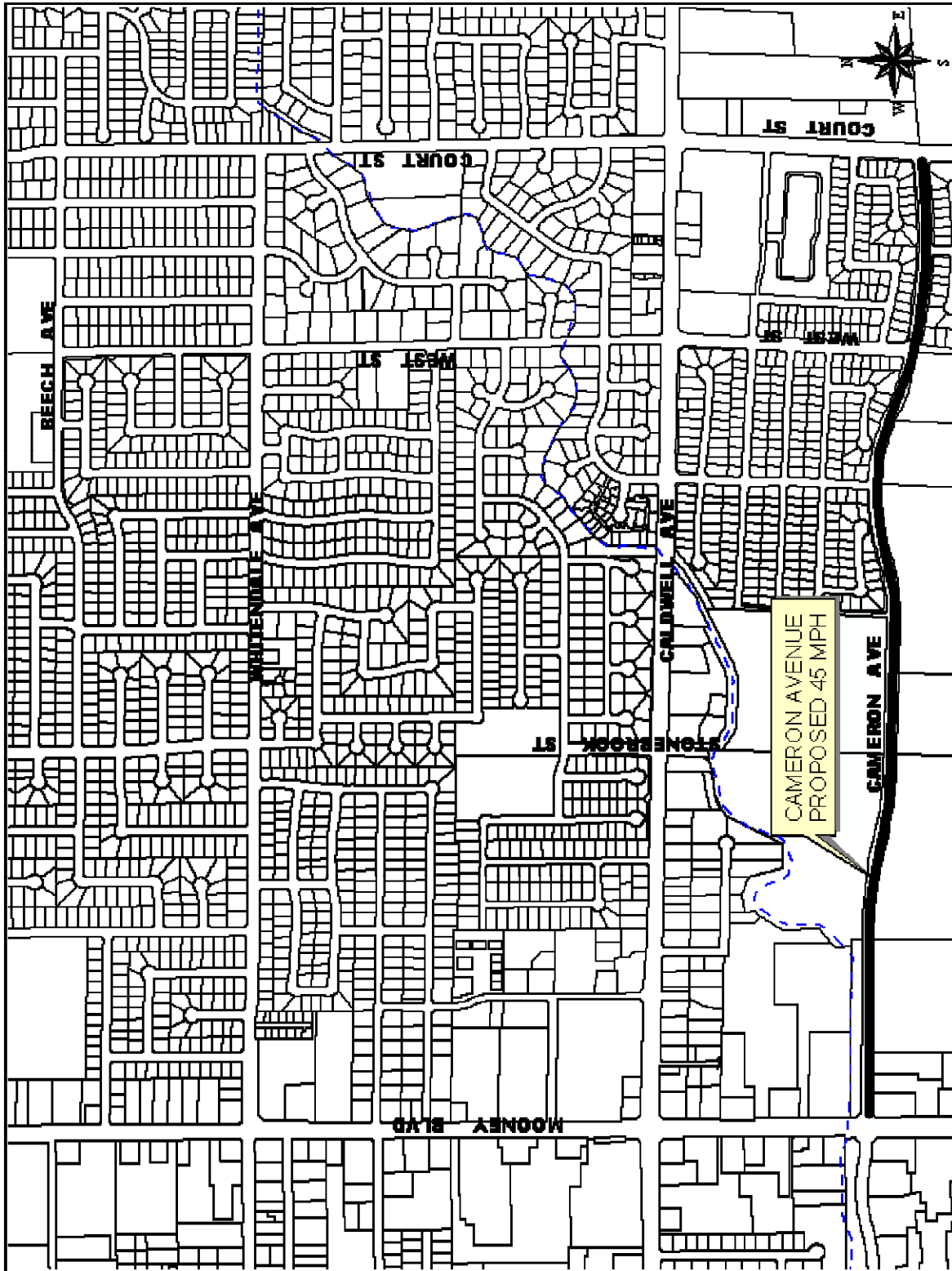
**City Attorney Review (Signature):**

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

**Others:**

**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)*

# Exhibit A



**RESOLUTION No. 2005-74**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA  
AMENDING THE OFFICIAL SPPED ZONE LIST PURSUANT TO  
CHAPTER 10.12 INCLUSIVE OF TITLE 10, VEHICLE AND TRAFFIC**

**CAMERON AVENUE**

**WHEREAS**, the Council of the City of Visalia, pursuant to Chapter 10.12 inclusive of Title 10, Vehicle and Traffic, of the Ordinance Code, may enact prima facie speed limits on various roadways or portions thereof within the City of Visalia; and

**WHEREAS**, an “Engineering and Traffic” survey was performed pursuant to Section 10.12.060 of the Ordinance Code; and

**WHEREAS**, Cameron Avenue is designated as a collector street in the City’s Circulation Element and the 85<sup>th</sup> percentile speed of the traffic is approximately 48 MPH, and

**WHEREAS**, said prima facie speed limits are enacted pursuant to the provisions as set forth within the California Vehicle Code;

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

Under the provisions of Chapter 10.12 inclusive of Title 10, Vehicles and Traffic, of the Ordinance Code, the prima facie speed limits for the following roadways, or portions thereof, are hereby determined and declared to be as shown below, and shall be included in the official City of Visalia Speed Zone List:

<b><u>Street Name</u></b>	<b><u>Proposed Speed Limit</u></b>
Cameron Avenue	45 MPH

The above prima facie speed limits shall become effective with the posting of the appropriate speed limit signs. The installation of said speed zone signs shall take place within three weeks of adoption of this resolution.

PASSED AND ADOPTED:

\_\_\_\_\_  
Bob Link, Mayor

ATTEST:

APPROVED BY CITY ATTORNEY:

\_\_\_\_\_  
Steven M. Salomon, City Clerk

\_\_\_\_\_  
Daniel M. Dooley

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Authorize the Recordation of the final parcel map for Tentative Parcel Map 2004-22, located north of Hurley Avenue and east of Marcin Street. APN: 085-570-006 & 085-540-018

**Deadline for Action:** N/A

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

**Contact Name and Phone Number:**

Doug Damko 713-4268  
Andrew Benelli 713-4340

For action by:

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

For placement on which agenda:

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

Est. Time (Min.):   1  

**Department Recommendation and Summary:**

Staff recommends that City Council approve the recordation of the final parcel map of Tentative Parcel Map 2004-22. This parcel map divides 12.33 acres into a 3.60 acre parcel with an existing residence and an 8.73 acre parcel. All bonds, cash payments, subdivision agreement and final parcel map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$2,306.80 and Labor and Material Bond in the amount of \$1,153.40; 3) cash payment of \$216.00 distributed to various accounts; and 4) Final Parcel Map.

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

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



**Committee/Commission Review and Actions:** Tentative Parcel Map 2004-22 was approved by the Planning Commission on December 13, 2004. The tentative parcel map will expire on December 13, 2006.

**Alternatives:** N/A

**Attachments:** Location Map, Tentative Parcel Map

**City Manager Recommendation:**

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

"I move to authorize the recordation of the final parcel map for Tentative Parcel Map 2004-22, located north of Hurley Avenue and east of Marcin Street.

***Financial Impact***

**Funding Source:**

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

**Budget Recap:**

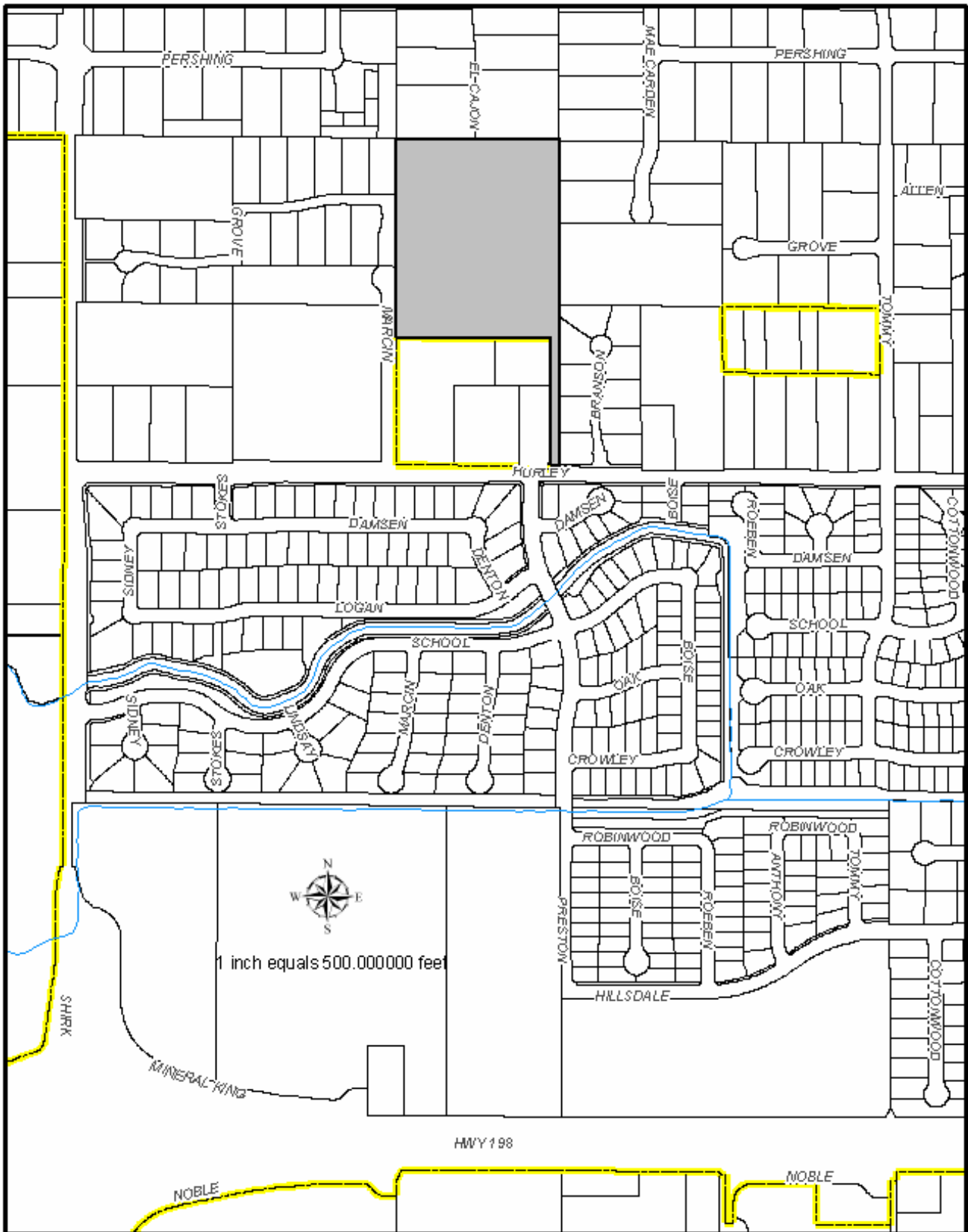
Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes____ No____	

**Copies of this report have been provided to:**



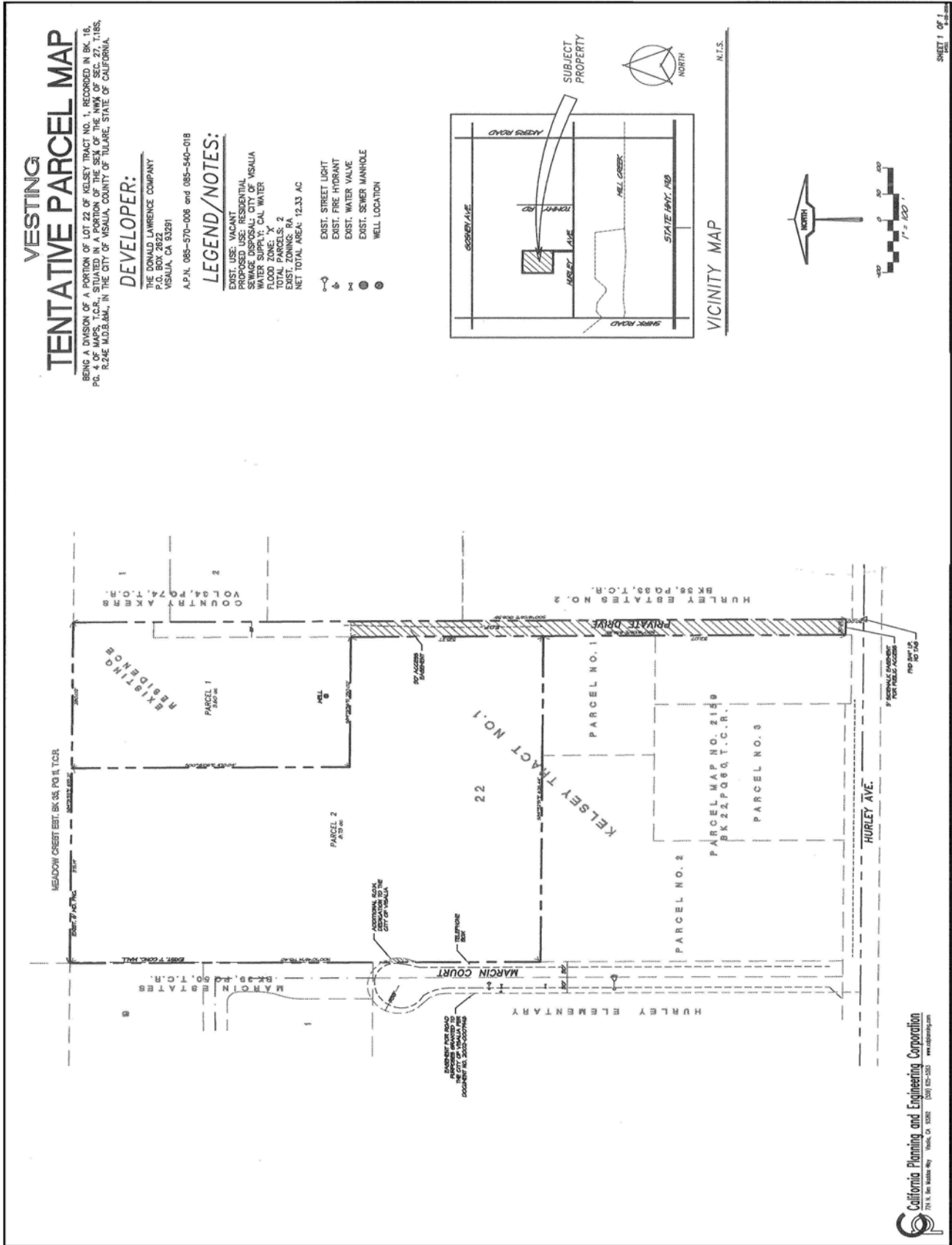
# Exhibit "A"

## Location Map



# Exhibit "B"

## Tentative Parcel Map



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Intention to Form Open Space District No. 88, Parcel Map No. 2004-18, located at the southwest corner of Ferguson Avenue and Cain Street, setting June 20, 2005, as the date of protest hearing. Resolution No. 2005- \_\_\_\_\_ required.

**Deadline for Action:** June 6, 2005

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

**Contact Name and Phone Number:**

Greg Dais 713-4164  
Andrew Benelli 713-4340

For action by:

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

For placement on which agenda:

Work Session  
 Closed Session

Regular Session:

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.):   1  

**Department Recommendation and Summary:** That the City Council adopt Resolution No. 2005-\_\_\_\_\_, stating the intent to form Open Space District No. 88, Parcel Map No. 2004-18 and setting June 20, 2005, as the date of protest hearing.

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

The Planning Commission has approved Parcel Map No. 2004-18, for property located at the southwest corner of Ferguson Avenue and Cain Street. This property is a single family residential project creating 3 lots and is owned by one owner (Jose & Romana Estrada). One of the conditions of the tentative map requires the formation of an open space maintenance district for the maintenance of amenities within the Northeast Specific Plan area. As noted above, the Specific Plan requires open space maintenance districts to be established for the purpose of maintaining amenities such as landscaping along public streets, walkways, crosswalks, parking areas, drainage facilities, parkways, lighting, and sprinkler systems. The owner of the property has petitioned the City to form the open space maintenance district.

The resolution of intention is the first step in the formation of a special district. If adopted, a hearing would be held on June 20, 2005 after which the Council may adopt a resolution forming the district.

**Prior Council/Board Actions:** None

**Committee/Commission Review and Actions:** Planning Commission approved Parcel Map No. 2004-18 on.

**Attachments:** Resolution, Location Sketch and owner's petition

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected)** That the City Council adopt Resolution No. 2005-\_\_\_\_\_, stating the intent to form Open Space District No. 88, Parcel Map No. 2004-18 and setting June 20, 2005, as the date of protest hearing.

***Financial Impact***

**Funding Source:**

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

**Budget Recap:**

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

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:** Categorically Exempt

Required?

Review and Action: Prior:  
Required:

**NEPA Review:**

Required?

Review and Action: Prior:  
Required:

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

*June 20, 2005 will be the date of the protest hearing for this item.*

**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 VISALIA CITY COUNCIL

A RESOLUTION OF INTENTION TO FORM  
OPEN SPACE DISTRICT NO. 88  
PARCEL MAP NO. 2004-18

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

1. In its opinion, the public interest and convenience require, and it is the intention of said Council to order the formation of a maintenance district in a portion of said City, pursuant to Title 12, Chapter 12.40 of the Ordinance Code of the City of Visalia, to be designated "Open Space District No. 88", by which name it shall hereafter be referred to and all subsequent proceedings, including the proceedings for the levy and collection of charges.

2. Said maintenance district, and the boundaries thereof, benefited and to be assessed for the maintenance and operation of improvements hereinafter referred to, are situated in the Northeast Specific Plan Area, City of Visalia, County of Tulare, State of California, and are particularly described on the attached map Exhibit A, and by this reference incorporated herein.

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

4. Such maintenance shall include all special landscaped areas including the road median and other special landscaped areas. At this time, the cost to the district per parcel per month is not established. The cost shall be established and adopted by separate resolution.

5. The City Clerk is hereby directed to be caused to be mailed notice of the adoption of this resolution, postage prepaid to all persons owning real property and/or residential units which will be within said proposed Maintenance district whose names and addresses appear on the last equalized County Assessor's role including the role of State assessed property, (or as known to the Clerk, said mailing to be completed at least 10 days prior to the date set for the hearing).

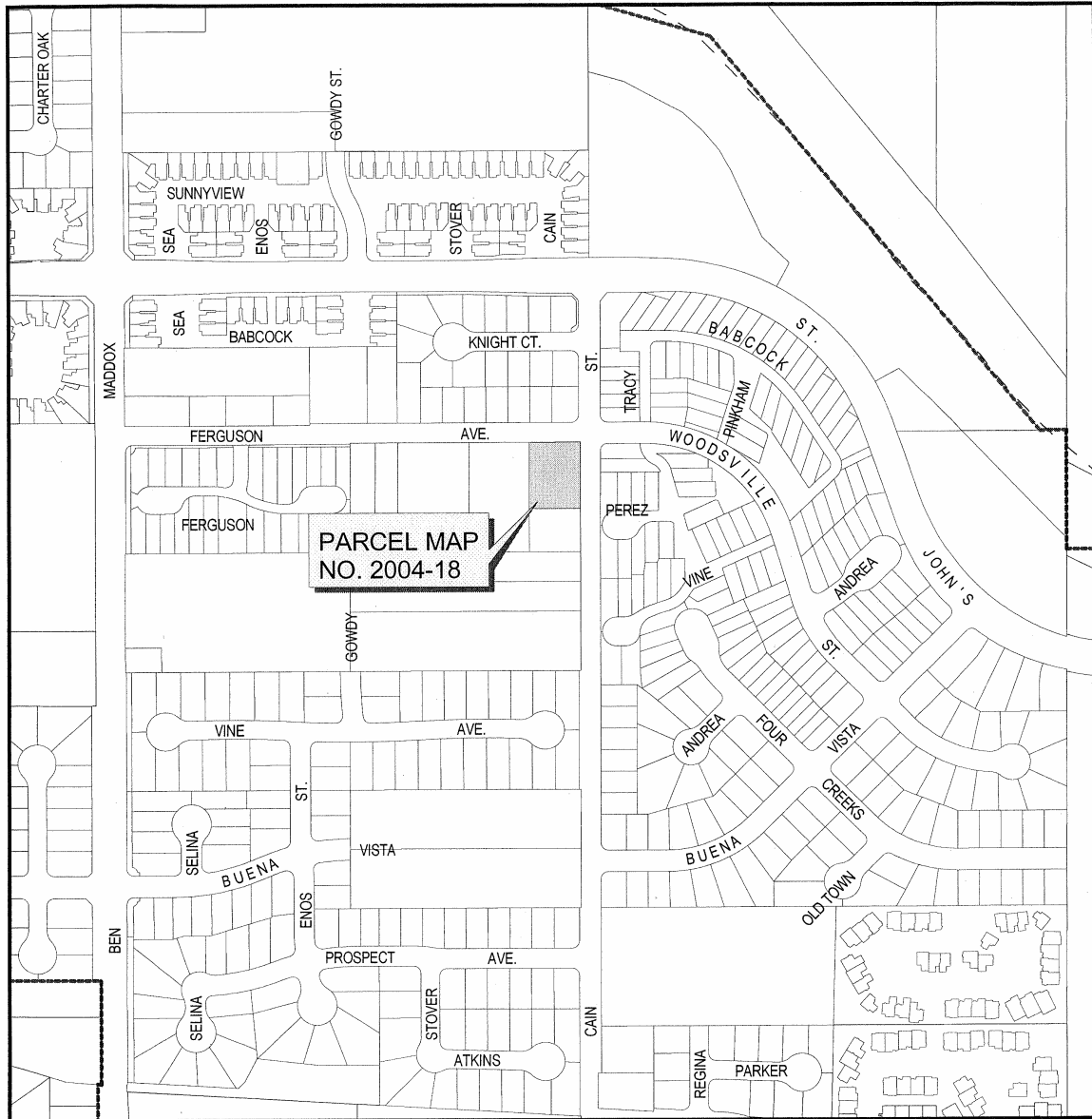
6. Notice is hereby given that Monday, June 20, 2005, at the hour of 7:00 p.m., in the regular meeting place of the City Council, City Hall Council Chambers, 707 W. Acequia Ave., Visalia, California, are hereby fixed as time and place when and where and all persons having any objection to the formation of said Open Space District No. 88, or to the extent of



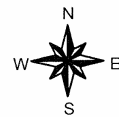
said Maintenance District, or both, may appear before said Council and show cause why the formation of said proposed Maintenance District should not be carried out in accordance with this resolution of intention.

Open Space District No. 88, Parcel Map No. 2004-18, being a division of a portion of Lot 5 of the Cain Tract, as per map recorded in Book 2, page 99 of Maps in the office of the County Recorder of said County, situated in a portion of the north half of the southwest quarter of Section 21, Township 18 South, Range 25 East, M.D.B. & M.

City of Visalia  
North District No. 88



LOCATION MAP



Scale: 1"= 400'

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Authorize the Recordation of the Final Map for Riggin Ranch Subdivision (33 lots), part of which is gated with private streets, located southeast corner of Riggin Avenue and Linwood Street and the Formation of Landscape and Lighting District No. 05-13, Riggin Ranch Subdivision (Resolution Nos. 05-76 and 05-77 required). APN: 077-170-008 & 009.

**Deadline for Action:** June 6, 2005

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

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Ken McSheehy 713-4447

For action by:

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

For placement on which agenda:

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

Est. Time (Min.):   1  

**Department Recommendation and Summary:**

***Final Map***

Staff recommends that City Council approve the recordation of the final map for Riggin Ranch containing 33 lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$643,088.39 and Labor and Material Bond in the amount of \$375,694.82; 3) cash payment of \$92,395.53 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. A Maintenance Bond valued at 10% of the cost of the public improvements will be required prior to recording the Notice of Completion. The Maintenance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the final 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. 05-76 Initiating Proceedings for Formation of Assessment District No. 05-13, Riggin Ranch Subdivision; adopt the Engineer's Report as submitted; and adopt Resolution No. 05-77 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

The City of Visalia has been allowing the developers of subdivisions to form assessment districts under the Landscape and Lighting Act of 1972, and now under Proposition 218, in lieu of using homeowners associations for the maintenance of common features such as landscaping, irrigation systems, street lights and trees on local streets. The maintenance of these improvements is a special benefit to the development and enhances the land values to the individual property owners in the district. Street preventive maintenance is not included in the district due 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/Board Actions:** The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance the subdivision.

**Committee/Commission Review and Actions:** The tentative subdivision map for Riggin Ranch subdivision was approved by the Planning Commission on November 24, 2003. The tentative map will expire on November 24, 2005.

**Alternatives:** N/A

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

**City Manager Recommendation:**

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

"I move to authorize the recordation of the Final Map for Riggin Ranch and I move to adopt Resolution No. 05-76 Initiating Proceedings for Formation of Assessment District No. 05-13 "Riggin Ranch Subdivision" and adopt Resolution No. 05-77 Ordering the Improvements for Assessment District No. 05-13 "Riggin Ranch Subdivision."

***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__X__	

**Copies of this report have been provided to:**

***Environmental Assessment Status***

**CEQA Review:**

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

**NEPA Review:**

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

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

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

RESOLUTION NO. 05-76

RESOLUTION INITIATING PROCEEDINGS  
FOR FORMATION OF  
ASSESSMENT DISTRICT 05-13  
Riggin Ranch 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 street lights and street trees and any other applicable equipment or improvements.
2. The proposed district shall be designated "Assessment District No. 05-13, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-13, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Riggin Ranch 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. 05-13  
Riggin Ranch 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. 05-13, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 6th day of June, 2005 by its Resolution No. 05-76 & 77

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



RESOLUTION NO. 05-77

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 05-13  
Riggin Ranch 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. 05-13, City of Visalia, Tulare County, California" and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2005-06.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
  - a. Clerk's Certification to County Auditor
  - b. Resolution Initiating Proceedings
  - c. Resolution Ordering Improvements
  - d. Engineer's Report:
    - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
    - Exhibit B - Landscape Location Diagram
    - Exhibit C - Tax Roll Assessment
    - Exhibit D - Engineer's Report

PASSED AND ADOPTED





**Exhibit "C"**

Tax Roll Assessment  
Riggin Ranch  
Fiscal Year 2005-06

To Be Assigned	\$149.97	To Be Assigned	05-1312	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1313	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1314	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1315	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1316	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1317	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1318	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1319	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1320	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1321	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1322	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1323	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1324	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1325	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1326	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1327	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1328	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1329	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1330	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1331	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1332	Riggin Ranch
To Be Assigned	\$149.97	To Be Assigned	05-1333	Riggin Ranch

## **Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-13  
Riggin Ranch  
Fiscal Year 2005-06

### General Description

This Assessment District (District) is located at the southwest corner of Riggin Avenue and Linwood Street. Exhibit "A" is a map of Assessment District 05-13. This District includes the maintenance of trees and street lights and any other applicable equipment or improvements. The maintenance of the street trees and street lights. The total number lots within the district are 33.

### Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The maintenance of the street trees and street lights are vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments, the City Council has determined that street trees and street lights 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 street trees and street lights. The lots not adjacent to the street trees and street lights benefit by the uniform maintenance and overall appearance of the District.

### Estimated Costs

The estimated costs to maintain the District includes the costs to the street trees and street lights and any other applicable equipment or improvements.

## Exhibit "D"

Engineer's Report  
Landscape & Lighting Assessment District 05-13  
Riggin Ranch  
Fiscal Year 2005-06

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.	0	\$0.180	\$0.00
Shrub Area	Sq. Ft.	0	\$0.180	\$0.00
Water	Sq. Ft.	0	\$0.050	\$0.00
Electricity	Sq. Ft.	0	\$0.008	\$0.00
Trees In Landscape Lots	Each	0	\$25.00	\$0.00
Trees In Local Street Parkways	Each	110	\$25.00	\$2,750.00
Street Lights	Each	11	\$105.00	\$1,155.00
Project Management Costs	Lots	33	\$18.00	\$594.00
<b>TOTAL</b>				<b>\$4,499.00</b>
10% Reserve Fund				\$449.90
<b>GRAND TOTAL</b>				<b>\$4,948.90</b>
<b>COST PER LOT</b>				<b>\$149.97</b>

### Annual Cost Increase

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

$$A_{\max} \text{ for any given year "n"} = (\$4,948.90) (1.05)^{(n-1)}$$

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

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

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

**Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-13  
Riggin Ranch  
Fiscal Year 2005-06

Example 1. The estimated year four cost of maintaining the improvements in the district is \$5,394.30 [a 9% increase over the base year estimated cost of \$4,948.90]. The maximum annual assessment for year four is  $(4-1)$   
 $\$5,728.97[A_{\max} \$4,948.90)(1.05)^{(4-1)}$ . The assessment will be set at \$5,394.30 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 \$5,592.26 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$4,948.90]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$43.08 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum  $(4-1)$   
annual assessment for year four is \$5,728.97 [ $A_{\max} = (\$4,948.90) (1.05)^{(4-1)}$ ]. The year four assessment will be set at \$5,592.26 plus the deficit amount of \$111.85 which equals \$5,704.11 [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 \$5,394.30 [a 9% increase over the base year assessment of \$4,948.90] and damage occurred to the masonry wall raising the year five expenses to \$6,037.66 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$5,933.73 (a 10% increase over the previous year) and below  $(5-1)$   
the maximum annual assessment of \$6,015.42 [ $A_{\max} = (\$4,948.90) (1.05)^{(5-1)}$ ]. The difference of \$103.93 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:** June 6, 2005

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

**Agenda Item Wording:** First Reading of Ordinance 2005-06 declaring 1415 N. Tipton surplus property. Property to be purchased by the Redevelopment Agency for an affordable housing project

**Deadline for Action:** none

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

**Contact Name and Phone Number:** David Jacobs – 713-4492

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 5 min.

**Department Recommendation and Summary:** Staff recommends the City Council authorize the first reading of Ordinance 2005-06 declaring 1415 N. Tipton surplus property.

1415 N. Tipton was purchased for the Houston Widening project. The property is located at the northeast corner of Santa Fe Street and Houston Avenue. The Houston Avenue project will construct a round about at the intersection of Houston, Santa Fe and NE 5<sup>th</sup>.

The Engineering department normally holds onto excess property until the project is completed. This allows for a lay down area for the contractor and a place to store and retrieve excess dirt. This property however is located behind a block wall which does not allow the property to be used for the project.

The Redevelopment Agency is willing to purchasing the property for an affordable housing project. The appraised value of the lot according to a Hopper appraisal is \$35,000. Once the Redevelopment Agency has purchased the property they will work with the local non profit agencies to complete an affordable housing project. Once a non-profit agency has been located the Redevelopment Agency will come back to Council for approval of the project.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** ordinance, Location map



**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the first reading of the Ordinance 2005-06 declaring 1415 N. Tipton surplus property.

***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:**

ORDINANCE NO. 2005-06  
DECLARING 1415 N. TIPTON SURPLUS  
AND DECLARING INTENT TO SELL TO  
VISALIANS INTERESTED IN AFFORDABLE HOUSING  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

Section 1: The City of Visalia owns all the legal and beneficial interest in certain real property commonly referred to as APN 091-211-001, and commonly known as 1415 N. Tipton Street, and

Section 2: Said real property is more particularly and legally described in Exhibit "A" attached hereto and made a part hereof

Section 3: The City Council of the City of Visalia, having considered evidence submitted in oral and written form, finds the subject real property is not now, nor will be of public use or necessity, and

Section 4: The City of Visalia wishes to sell real property and the rights and entitlement, and

Section 5: Having found the subject property to have no further public use or necessity, the Council declares said property to be surplus and hereby authorizes the sale of said property

Section 6: This ordinance shall become effective thirty days after passage hereof.

PASSED AND ADOPTED:

\_\_\_\_\_  
Bob Link, Mayor

ATTEST:

APPROVED BY CITY ATTORNEY:

\_\_\_\_\_  
Steven M. Salomon, City Clerk

\_\_\_\_\_  
Daniel M. Dooley

## **EXHIBIT 'A'**

### **1415 N. Tipton Legal Description**

Lot 1 of Katie Village Subdivision, in the City of Visalia, County of Tulare, State of California, as per Map recorded in Book 30, Page 23 of Maps in the office of the County Recorder of said County,

Excepting the following described property:

Beginning at the southwest corner of said Lot1  
Thence along the east line of said Lot 1, N 0°05'36" W, 10.00 feet;  
Thence along a line parallel and 10.00 feet north of the south line of said Lot 1, N89°50'25"W, 108.10 feet to the beginning of a curve concave northeasterly with a radius of 40.00 feet;  
Thence northwesterly 32.72 feet along said curve through a central angle of 46°51'57" to the beginning of a compound curve concave to the east, having a radius of 89.00 feet;  
Thence northerly 63.50 feet along said curve through a central angle of 40°52'54" to the north line of said lot 1;  
Thence along said north line S89°54'24"E, 0.96 feet to the northwest corner of said Lot 1;  
Thence along the west line of said Lot 1, S00°07'09"E, 80.00 feet to the southwest corner of said Lot 1;  
Thence along the south line of said Lot 1, S89°50'25"E, 161.89 feet to the point of beginning

Said lot contains 7909.26 square feet

## City of Visalia Agenda Item Transmittal

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Introduction of Ordinance 2005-07, authorizing award of bid no. 04-05-58, a ten year Lease of Farm Land, to Koetsier Dairies. The Property is located at the northwest corner of Ave. 280 and Highway 99. Ordinance 2005-07 required.

**Deadline for Action:** June 6, 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

Staff recommends that Council adopt Ordinance 2005-07 and award bid no. 04-05-58, Lease of Farmland, to Koetsier Dairies. This ten year lease of 202.5 acres of farmland, located at the northwest corner of Ave 280 and Highway 99, is valued at \$470,804.40 over a ten year period.

### Discussion

The City of Visalia wastewater fund owns a 900 acre parcel of farm land located on Ave 280, between Highway 99 and Road 68. The site has been in walnut production for approximately 35 years. Due to declining production, 250 acres of walnut trees were recently removed. This portion, near the northwest corner of Ave 280 and Highway 99, is now ready for other crop uses. Not included in this lease agreement is the westernmost 50 acres for which a use has not yet been determined.

The City of Visalia issued Request for Bids (RFB) 04-05-58 for a ten year lease of 202.5 acres of the property. The following six bids were received:

<b>Bidder</b>	<b>10-year lease price</b>
Koetsier Dairy	\$470,804.40
Bebereia Farms	\$287,996.00
Bassett Farms	\$283,500.00
Sharp	\$243,000.00
Bob Brazil	\$240,050.00
Shuklian Farms	\$50,625.00

Due to the condition of the land, a significant investment of time and money will be required during the first several years of this lease. For example, the land must be ripped and cross-ripped in order to expose and remove tree roots. These roots must then be hand loaded onto trailers, shredded and hauled away. Additional root removal will be required during the first few years of this lease. Root removal must be followed by leveling. The lease period of ten years will allow Lessee time to recover their initial investment.

Lease payments will be made based on the following schedule:

<b>Year of Lease</b>	<b>Payment per acre</b>	<b>Number of acres</b>	<b>Annual total</b>
Year 1	0	202.5	\$0
Year 2	100	202.5	\$20,250
Year 3	190.62	202.5	\$38,600.55
Year 4	290.62	202.5	\$58,850.55
Year 5	290.62	202.5	\$58,850.55
Year 6	290.62	202.5	\$58,850.55
Year 7	290.62	202.5	\$58,850.55
Year 8	290.62	202.5	\$58,850.55
Year 9	290.62	202.5	\$58,850.55
Year 10	290.62	202.5	\$58,850.55
<b>Total 10-year lease amount</b>			<b>\$470,804.40</b>

Koetsier Dairy is located on Ave 280, directly south of the subject property. They have been at this location for over 30 years where they farm 140 acres. In addition, they farm an additional 65 acres near the Highway 99 and Highway 198 interchange.

Should additional sections of walnut trees be removed during the course of this agreement, Lessee shall be allowed to lease the additional acres upon mutually agreeable terms and conditions. In addition, the City may terminate or withdraw portions of land from this agreement, without penalty, upon twelve months notice.

**Prior Council/Board Actions:** None

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** Site map  
Lease Agreement  
Ordinance 2005-07

**City Manager Recommendation:**

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

Move to adopt Ordinance 2005-07 and award bid no. 04-05-58, a ten-year lease of 202.5 acres of farmland, located at the northwest corner of Ave 280 and Highway 99, to Koetsier Dairies.

***Financial Impact***

**Funding Source:**

Account Number: 4311-642952-43432

**Budget Recap:**

Total Estimated cost: \$	New Revenue:	\$ \$470,804.40
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:

***Environmental Assessment Status***

**CEQA Review:**

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

**NEPA Review:**

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

**Tracking Information:** (*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*)

*Annual billing in December beginning 12/05 ending 12/14.*

**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:** June 6, 2005

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

**Agenda Item Wording:** That the City Council authorizes the Mayor to appoint a subcommittee to work with City and County staff on fire related issues.

**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 authorizes the Mayor to appoint a subcommittee to work with City and County staff on fire related issues.

**Background:** On the May 16, 2005, Council Agenda, Fire had placed an item on the agenda that would have started the process for terminating the City of Visalia's Automatic Aid Agreement with the County of Tulare. As a follow up to the request on May 16 by Tulare County Board of Supervisors member Phil Cox to continue the item, I am recommending that Council authorize the Mayor to appoint a subcommittee to work with City and County staff on fire related issues.

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 areas on September 18, 1995, (County Agreement No. 15905-A) when Visalia added an addition station in the north part of the City. Both the City and the County have benefited from the agreement.

At the present time, the County is facing financial constraints that necessitate 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. As a result, it is my recommendation that a subcommittee be formed to assist the fire department on City and County fire related issues. In the interim, the Department will continue to meet its obligation under the current automatic agreement until the subcommittee

prepares a recommendation. 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).

**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:**

**Attachments:**

**City Manager/Executive Director Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** That the City Council authorizes the Mayor to appoint a subcommittee to work with City and County staff on fire related issues.

***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:

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

Others:

***Environmental Assessment Status***

**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:** June 6, 2005

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

**Agenda Item Wording:** Review and approve action on the 2005/06 Budget

**Deadline for Action:** June 30, 2005

**Submitting Department:** Administrative Services

**Contact Name and Phone Number:** Eric Frost, x4474, Gus Aiello, x4423, Ruth Martinez, x4327

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\_\_

### Department Recommendation and Summary:

The Council has already adopted a two year budget which included Fiscal Year 2005/06. Fiscal year 2005/06 totals over \$128 million before any amendments. This budget is in place. No additional actions are necessary. However, the following report reviews progress from last year and makes a number of recommendations to improve the City's position. Staff recommends that the City Council consider information on:

June 6	Overview of 05/06 budget
June 13	Capital Improvement Program Status
June 20	Additional items and adoption of any proposed amendments

### Discussion

The City Council adopted a two year budget in June of 2004. The second year's budget will become effective July 1, 2005. Last year, the Council had numerous work sessions on the budget, reviewing the City's capital and operating budgets in depth. Council grappled with the State takeaways, in which the State will take another \$1.3 million from the City's General Fund this year on top of early 1990 state actions which cost Visalia some \$2 million a year. In the end, the Council approved a budget that was balanced by using both Emergency and PERS operating reserves.

As part of prudent fiscal management, Council should consider the City's current condition and make budget adjustments as appropriate. Adjustments are part of the ongoing fiscal review that Council conducts in the form of budget, mid-year, mid-budget cycle and audit reports. To assist the Council at this time, staff has prepared several items, namely:

- **A Capital Project Status Report.** Staff has assembled a separate report on all capital projects for the Council's review. The report provides the April 30, 2005 status of all the

City's projects. As Council deems appropriate, the City Council may reemphasize or redirect staff efforts on these projects.

- **Recertified Measure T Plan.** Measure T requires that the City Manager submit a revised Measure T spending plan each year. That separate report provides Council with management's recommendations on plan implementation. The report outlines the current status of the sales tax override and recommends that Council continue implementing the plan as outlined in the ballot measure, despite less than expected revenues.
- **Prop. 4 Spending Limit.** Each year the City is required to adopt a spending limit. The limit came out of the Prop. 13 era which strived to control spending by setting a spending limit based upon inflation or income growth and population growth.
- **Recommended changes to the General Fund Budget.** In reviewing next year's budget, some opportunities exist for Council to adjust the budget of General Fund programs. Management has met with department heads and is recommending additions to the 05/06 budget along with alternatives that are not recommended.

One item that is not included in this report is a review of monies given to non-profit agencies. The City gives funds to 5 non-profits. Council has directed staff to review the use of those funds and report back to Council. On June 17, members of the CAC with Vince Elizando, Parks and Recreation Director and Gus Aiello, Finance Manager, will interview the affected agencies and plan to report back to Council on July 18 about their finding and any potential recommendations.

**Current Year Projections.** The City's fiscal position has improved since the adoption of the budget last year. At the beginning of the fiscal year, the City balanced its General Fund budget by using operating reserves from both the City's Emergency (\$0.8 million) and PERS reserve (\$2.3 million). City Management also made a commitment to reduce the use of operating reserves as opportunities presented themselves in the coming fiscal year.

The City has made progress on controlling the 04/05 budget. Operating expenditures are expected to be \$1.4 million less than budgeted and revenues are more than expected. As a result, the City has not had to use either of its operating reserves this fiscal year. In fact, some one time revenues will cause the City to have a surplus which will be applied to the Council's priorities as shown on Table I, Application of General Fund Revenues over Expenditures:

Further, management was charged with working on a number of items this last year, namely:

- **Increased Planning Efforts:** Staff was tasked to work on the following planning activities:
  - East Downtown plan
  - Open Space West 198 plan
  - Southeast Growth Area Master plan (potential consultant interviews scheduled)
  - Comprehensive North and South of Highway 198 plan
  - General Plan Update (to begin in 2006)

Good progress has been made on the East Downtown plan, now to include planning for the City's civic center. In addition, Council will move into the Transit Center at the end of



Increase investment in tourism

Bruce Race has been engaged to assist Council with planning for the Civic Center.

Improved relationship with Sequoia National Park

The Visitors and Convention Bureau has been combined with the City's Convention Sales Force in the Chamber, to become a separate entity next year.

Staff continues to develop a cooperative relationship with the National Park Service, anticipating shuttle service in 2006.

- **Review and implement various impact fees:** Council this past year reviewed and implemented revised Transportation Impact Fees, Police and Fire Impact Fees; General Facilities Impact fees and Park Impact Fees. A General Plan Maintenance Fees was implemented to help defray costs associated for updating the General Plan. Staff has also brought to Council Annexation Fees for a Ground Water Recharge.
- **Work to reduce the use of operating reserves:** As previously stated, the City did not use either the Emergency or the PERS reserve this last year due to spending savings and improved revenues.
- **Implement a self-insured Workers Compensation Program:** The City has converted to a self-insured program this last year. Total cost for this year appears to be approximately \$1 million compared to a total premium cost the prior year of \$2.5 million.

Despite the progress the City has made, the State continues to have challenges. Revenues are up compared to expectations at the State level. However, many of these revenues may be temporary.

The State conducted a tax amnesty program this last year, ending in March. The hammer in the program was that if a company was found owing additional taxes after the amnesty program, the taxes would double. Rather than risk the potential of a doubling of taxes, many companies paid the contested amounts and are seeking a reimbursement. Some proportion of the extra revenues will be rebated next year, reducing revenues. Compounding this problem is the State's obligation to increase repayments for past borrowing by \$4 billion next year. As a result, the State budget remains a major concern.

**Analysis of 05/06 Budget – General Fund.** The adopted General Fund budget for Fiscal Year 05/06 includes the use of operating reserves in the following amounts: Emergency Reserve (\$1.30 million) and PERS Reserve (\$2.25 million). Management was charged with finding ways to reduce the budget's reliance upon reserves to fund the budget. Through both management actions such as a change in funding Worker's Compensation and increasing revenues, the need to use the Emergency Reserve has been eliminated. Council was also able to deal with a number of operational issues at mid-year. However, the City's General Fund Budget still relies upon the use of PERS Reserves in the 05/06 budget.

Table II, FY 05/06 General Fund Budget Forecast, details Finance's best assessment for FY 05/06. The table divides additional revenues into what are ongoing revenues and what are one-time revenues. As a result, the Council has additional resources: approximately \$500,000 of ongoing revenues with another \$600,000 of one-time revenues related to payment of past sales

tax revenues and another \$400,000 in higher than expected development revenues which are expected to decrease in time.

In evaluating options on how to best use these resources, it is important to remember the source of the excess funds. One-time funds should be put towards capital projects or other one-time expenditures. Ongoing funds may be committed towards ongoing expenditures. To do otherwise might lead to structural budget problems now being experienced by the State of California. **Management recommends that new, ongoing expenditures be funded only from ongoing revenue sources. Therefore, approximately \$500,000 of new, ongoing programs may be funded.**

Prior to bringing this report to Council, management has met with each department head to examine what recommendations they would make to Council if opportunities became available to improve services. The most pressing of their requests which ongoing or dedicated revenues can support are recommended below:

Table II  
FY 05/06 General Fund Budget Forecast  
(All Amounts in Millions)

	<u>Orig. Budget</u>	<u>Forecast</u>	<u>Change</u>
Revenues			
Current	43.7	46.0	2.3
One-time	0.0	1.0	1.0
Internal Reimbursements	16.1	16.1	0.0
Total	59.8	63.1	3.3
Expenditures			
Departmental	57.8	58.0	0.2
CIP	4.9	6.9	2.0
Transfers/Debt	4.1	4.1	0.0
Total	66.8	69.0	2.2
Rev. Over/(Under) Exp.	(7.0)	(5.9)	1.1
Planned Use of Reserves			
Operational (PERS and Emergency)	4.0	2.2	(1.8)
Capital (ie, Sports Park and CIP)	3.0	5.1	2.1
Total	7.0	7.3	0.3
Remaining Resources	0.0	1.4	1.4
Budget Recommendations		(0.8)	
Net Remaining *	0.0	0.6	

\* Remaining resources are one-time monies and would be applied to Council's reserve priorities

- \$120,000 for **increased outside professional services** to improve site plan review and meet the continuing demands of the development community. The weekly site plan



meetings have increased from 2-3 hours to 8 hours. Staff now platoons into the meetings and “Now Serving” numbers are posted to manage the flow of applicants. Outside help will help staff prepare for these meetings and improve application processing. This approach is recommended instead of directly hiring a planner and engineer in order to avoid a long-term commitment to employees. Funding will come from continued, elevated development fees.

- \$85,000 for **an Associate Planner** to begin preliminary work on the City’s General Plan. The City implemented a new planning fee this last year to fund work on the City’s General Plan. The City plans to employ consultants to work on the plan next fiscal year for promises to be a multi-year project. However, much preliminary work needs to be done to before hiring a consultant which can begin now with the addition of this planning position.
- \$86,200 for **two Police records specialist**, identified as the number one need by police management, are necessary to reduce the cycle time between the initial report of a crime and the assignment of that crime to the appropriate detective as well as improving other police record keeping. The last increase police records specialist allocations occurred some 10 years ago.
- \$146,500 for **two additional Police Officers**, replacing two of the four grant funded police officer positions that will discontinue during the fiscal year, one immediately and the other in December. Police management has recommended that all four positions be replaced. However, budget constraints lead to the reduced recommendation and point out the problem with grants: grants end and ongoing revenues may not be available. No police officers will be laid off because grant funded officers will be transitioned into open positions.
- \$105,000 to the **Fire Department to pay for additional call back pay** as result of the County’s decision to reduce staffing at their Lovers Lane Station. The closure of this station has reduced the ability of the County to provide automatic aid. In the past, a full-time firefighter would respond to the call and meet volunteers at the scene. Now, County volunteers must drive to the station and bring the apparatus to the scene, significantly increasing response time.

The proposed alternative by the Fire Chief is to discontinue automatic aid and backfill stations with the City’s paid volunteers when call demand warrants. In other words, when call demand requires that the Fire Chief redeploy resources, paid staff would be called in instead of relying on County assistance.

- \$15,000 for ongoing, hourly **clerical support for the Council and City Manager’s office** needed to fully staff the administrative offices as they move to the Transit Center sometime this summer.
- \$11,600 for increased **Park Maintenance for two new parks** coming on line this year. The City is about to operate the new Cherry Meadow Park and a yet unnamed park at Burk and Monte Vista. Each of these parks will cost approximately \$5,800 a year in additional mowing, janitorial and utility costs.
- \$9,600 for increased **Park Maintenance for Jefferson and Whitendale Parks** to support use of those facilities for league play fields. As the community grows and

increased demand is placed on open space, Jefferson and Whitendale have become organized play fields. Park and Recreation recommends increasing the mowing contract for these area from once every two weeks to once a week, increasing the care given to these facilities.

- \$152,700 to begin funding ***an annual rent or depreciation charge for City Hall West occupancy***. The City Council is working towards building a New City Hall. One strategy for paying for the building would be to assess a rental or depreciation charge for its own space and setting aside that rental charge in the Civic Center Reserve fund. The proposed charge would be for City Hall West at \$1 per square foot per month. City Hall East currently makes an annual payment towards debt service as that facility was originally purchased as part of the 1996 Convention Center Debt refinancing. However, when that debt is repaid in 2020, those funds can also be put into the building replacement fund.
- \$25,000 to ***refurbish the Stonebrook Park Well***. The park currently has a well that is failing. The well is not gravel packed, thus allowing dirt to flake off into the well, sometimes stopping the water flow. The options open to the City are to refurbish the well or connect to CalWater. Connecting to CalWater would cost \$17,000; however, the annual operating cost is approximately \$6,500 compared to \$2,700 a year for the City well. In a little more than two years, the operating cost savings for the City Well would pay for the cost differential.
- \$60,000 for ***improved Recreation Management Software system***. The Recreation Department uses a DOS based computer program which maintains the Recreation Departments class and park registrations. This system is from the early 1990s, does not support internet registration and does not compare well to other systems. Recreation purposes converting the current system to Class software, the most commonly used recreation system on the market with over 200 California users. The major benefits of the system are:
  - support internet and phone registration
  - better integration of systems which supports a quicker registration and retrieval of information. For example, the current system might take 5 minutes to register for a class while the new system may take as little as 1 minute to register.
  - improved management system reporting which will support improved decision making by the Recreation Department management
  - improved databases which reduce support requirements
  - better software customer support to resolve system problems

The cost is \$31,000 for acquisition, \$21,600 for installation and training, \$7,400 ongoing maintenance.

The total cost of these proposed amendments is \$816,600 as shown on Table III, General Fund Proposed Changes:

Table III  
General Fund Proposed Changes  
Fiscal Year 05/06  
(All Amounts in Thousands)

<b>General Fund</b>	<u>Ongoing</u>	<u>Dev. Fees</u>	<u>Capital/ one-time</u>	<u>Total</u>
1) Site Plan Professional Help		120.0		120.0
2) Associate Planner/ General Plan		85.0		85.0
3) Police Records Clerks	86.2			86.2
4) Police Officers	146.5			146.5
5) Fire Department Call Back	105.0			105.0
6) Administration Help	15.0			15.0
7) New Park Maintenance	11.6			11.6
9) Whitendale/Jefferson Park	9.6			9.6
9) City Hall Rent	152.7			152.7
10) Stonebrook Park Well			25.0	25.0
11) Recreation Software	7.4		52.6	60.0
General Fund	534.0	205.0	77.6	816.6

New programs have been limited to approximately \$500,000, supported by ongoing revenues. The Site Plan Professional Help and Planner would be supported by elevated development fees and would provide additional planning and engineering services. If and when fee levels decrease, the out sourcing of this work would be discontinued. The remaining money is one-time revenues and would be put into the Council's priorities if revenues exceed budget.

Other Departmental Recommendations Not Recommended Due to a Lack of Funding.

**Administration**

- **Potential Need at the SPCA.** The SPCA is working on a budget proposal for Council. The proposal is not ready for Council and needs to be thoroughly reviewed by staff. However, the City has a statutory duty to provide animal control and will need to deal with this issue when the SPCA has prepared their materials. The current fixed price contract, signed 5 year ago, expires in June but allows for month to month continuation until a new agreement is reached. The agreement does not reflect the cost of serving a larger Visalia and current business costs for insurance. As a result, this may become an increased cost in the future.

In addition, the SPCA's facilities are in poor condition. The Agency is working to develop a capital building plan and will need assistance from all the entities that use the SPCA facility as well as non-profit contributions to build a new facility. As their plans progress, they will present their plan to Council.

**Fire**

- **Fire Reorganization.** Fire is working on a plan to reorganize their service delivery. The reorganization may include increased costs. The plan intends to realign battalion chief

duties to focus some additional management responsibilities on the day chiefs and add personnel to the fire marshal duties. However, the City Manager has asked that the department defer major reorganization changes in light of budget constraints.

- **Increase Emergency Medical Response.** The City has begun providing Paramedical Service. Ten paramedics are now employed with potentially 3 more to be hired shortly. The hiring process is actually ahead of the original plan and might allow the City to accelerate the staffing of paramedics. However, management recommends staying with the current ramp up plan, evaluating the growth and cost of the program before accelerating the plan's implementation.
- **Trailer Vs Vehicle.** Fire has a need to refill air bottles at a fire, respond to hazmat incidents and investigate suspected arsons which requires substantial equipment. The equipment is now transported using trailers instead of vehicles. This approach was thought to be a less costly method for meeting this need. However, the problem with the approach is that the trailers are not used. The time required to find a driver with a Class A license and connect a vehicle to the trailers during the real time pressures of an emergency response has led the first responders to take from the trailers what equipment they can carry and respond to the incident. Although the department is meeting the community's needs, the approach is less than optimal. After further study, the department hopes to bring this item back to the City Council.
- **Airport Commercial Flight Requirements.** New FAA regulations require that Fire Suppression equipment, located at the Airport, be on standby for 15 minutes before and after scheduled commercial flights land and take off as of June 2005. The equipment need not be staffed by full-time Fire personnel. However, the FAA requirements limit availability of Fire unit responses during those short intervals of scheduled landings and take-offs. Fire Management is developing staffing patterns to meet the demand. City Management has asked them to meet the response within their current budget.

### ***Parks and Recreation***

- **Management of Landscape and Lighting Maintenance Assessment Districts (LLMADs).** As the City increasingly relies on LLMADs to care for common space areas in new subdivisions, the number of LLMADs increases. Parks and Recreation is charged with managing these districts and concerned about the management effort needing additional staffing. Because the management of these LLMADs has just recently been reassigned to Parks and Recreation, City Management has asked staff to continue managing the process to determine what the need is after the new staffing arrangement has been in place for a while.
- **Park Ranger Program.** Park and Recreation has identified an increased security need to the City's parks, particularly as larger parks come on line. City Management has directed staff to work within the confines of current monies unless community support builds for a City-wide LLMAD for such services.
- **Maintenance of Waterways.** As the City acquires more waterways, the trails become more connected and used. As a result, more maintenance of those trails is needed. City Management has directed staff to work on developing funding sources for the maintenance of these waterway trails such as building community support builds for a City-wide LLMAD.

## **Other Funds**

With one exception, Management does not propose any changes to the other funds of the City as presented for the 05/06 fiscal year. The Council recently approved a 2.5% rate increase for Solid Waste and Waste Water has an already approved 5.0% rate increase. Both are scheduled for July 1. The typical residential bill will increase less than \$1 per month. Overall, the enterprises continue to remain fiscally healthy and solvent. Management recommends one major additional capital project in the wastewater fund.

- \$1,000,000 for **sewer lateral connections** to the Waste Water system. The City is annexing a number of fully developed County islands. As a result, some 1,000 homeowners will have an opportunity to connect to the City's sewer system. Each connection costs approximately \$5,000. Staff expects that half will connect within the next two or three years. Although the homeowners pay a fee to connect to the system, the City needs to budget the cost of constructing the sewer laterals and lines.

A number of challenges exist in the impact fee funds, notably the Transportation related funds, as the City adjusts to a new fee structure for Transportation Impact Fees. Additionally, Transit has asked for an hourly employee to conduct management audits of the Transit management company. City management has asked Transit staff to develop management audits using internal staff. Additional time will also help the City assess the cost impact of recent service extensions implemented this year.

**Summary.** Staff recommends that the Council make the following adjustments to the City's budget as shown below on Table IV, Proposed Changes – Mid Cycle:

Table IV  
Proposed Changes – Mid Cycle  
Fiscal Year 05/06  
(All Amounts in Thousands)

<b>General Fund</b>	<u>Ongoing</u>	<u>Dev. Fees</u>	<u>Capital/ one-time</u>	<u>Total</u>
1) Site Plan Professional Help		120.0		120.0
2) Associate Planner/ General Plan		85.0		85.0
3) Police Records Clerks	86.2			86.2
4) Police Officers	146.5			146.5
5) Fire Department Call Back	105.0			105.0
6) Administration Help	15.0			15.0
7) New Park Maintenance	11.6			11.6
9) Whitendale/Jefferson Park	9.6			9.6
9) City Hall Rent	152.7			152.7
10) Stonebrook Park Well			25.0	25.0
11) Recreation Software	7.4		52.6	60.0
General Fund	534.0	205.0	77.6	816.6
Waste Water				
12) Sewer Connections			1,000.0	1,000.0
Total	534.0	215.0	1,077.6	1,816.6

The proposed changes total more than \$1.7 million. Table V, Budget Summary – with Proposed Changes, shows the City’s total budget for 2005/06. With the proposed changes, the total budget is \$130.1 million. Therefore, the proposed changes a less than 1.5% of the City’s total budget.

Finally, it is significant to note that the City recently received an A rating on its debt from Standard and Poor’s. One of the comments from the rating agency was that, in its opinion, the City exhibited excellent financial management. Such a statement from a rating agency is high praise but fails to capture the discipline that the Council has exhibited by matching ongoing revenues to ongoing expenses, setting aside reserves for major capital projects and remaining fiscally accountable to the community. In any case, such actions as this review sustain the City’s fiscally conservative approach to finances.

Table V  
**BUDGET SUMMARY - With Proposed Changes**

SOURCES and USES	GENERAL FUND	CAPITAL PROJECT FUNDS	SPECIAL REVENUE FUNDS	DEBT SERVICE FUNDS	BUSINESS TYPE FUNDS	INTERNAL SERVICE FUNDS	TOTAL BUDGET
<b>2005-06</b>							
SOURCES:							
Revenues	46,972,000	11,036,880	14,297,158	87,000	42,257,856	-	114,650,894
Available Resources - Planned Use/(Return)	6,671,486	6,816,100	56,298	-	2,256,969	(306,822)	15,494,031
05/06 SOURCES	53,643,486	17,852,980	14,353,456	87,000	44,514,825	(306,822)	130,144,925
USES:							
Operations	(58,728,913)	(476,777)	(9,468,326)	(12,043)	(38,439,260)	(20,370,982)	(127,496,301)
Reimbursements	16,104,273	-	758,946	133,563	2,044,615	20,967,891	40,009,288
Net Operations	(42,624,640)	(476,777)	(8,709,380)	121,520	(36,394,645)	596,909	(87,487,013)
Debt Service	(293,722)	(537,473)	(123,446)	(1,576,922)	(5,159,055)	-	(7,690,618)
Capital Projects	(6,957,140)	(17,682,737)	(3,952,440)	-	(11,437,170)	(1,657,690)	(41,687,177)
Transfers In	-	844,007	214,869	1,368,402	5,622,433	-	8,049,711
Transfers Out	(3,767,984)	-	(1,783,059)	-	(2,498,668)	-	(8,049,711)
Add Back Depreciation	-	-	-	-	5,352,280	1,367,603	6,719,883
05/06 USES	(53,643,486)	(17,852,980)	(14,353,456)	(87,000)	(44,514,825)	306,822	(130,144,925)
NET SOURCES AND USES	-	-	-	-	-	-	-

**Prior Council/Board Actions:**

2004/06 Budget Adoption, June 29, 2004  
 Mid-year Financial Report, March 28, 2005

**Committee/Commission Review and Actions:**

**Alternatives:** The City Council could:

- 1) act on these items tonight; or,
- 2) request more information and act upon this and other items on June 13 or June 20.

The Council has met the Charter requirement of adopting a balanced budget when it did so last year. Article IX, section 8 states:

Section 8. Adoption of the Budget: After the conclusion of the public hearing, the Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable, and thereafter it shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the various departments or activities therein described. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

***At any meeting after the adoption of the budget, the Council may amend or supplement the budget by motion.***

These proposed actions are meant to make small changes in the City's budget as it moves forward.

**Attachments:** #1a, General Fund Budget Summary, FY 04/05  
#1b, General Fund Budget Summary, FY 05/06  
#2, All Fund, Total Budget Summary, FY 05/06

**City Manager Recommendation:**

<b><i>Financial Impact</i></b>	
<b>Funding Source:</b>	
Account Number: _____	(Call Finance for assistance)
<b>Budget Recap:</b>	
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):**

***(Staff recommends receiving materials today and considering other budget items on June 13 and June 20, acting upon the recommendations at the Council's June 20 meeting.)***

Approve the following (with exceptions as appropriate):

1. Proposed revisions to the 2005/06 Budget;
2. Certified Measure T plan;
3. Proposition 4 spending limit; and,
4. Proposed revisions to the 2004/05 CIP status report.

Copies of this report have been provided to:





**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** June 6, 2005

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

**Agenda Item Wording:** Recertification of the Measure T Plan

**Deadline for Action:** June 6, 2005

**Submitting Department:** Administration – City Manager

**Contact Name and Phone Number:**

Steve Salomon, 713-4312

Gus Aiello, 713-4423

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**

That Council approve recertification of the Measure T plan with one recommended change.

**Summary**

The Measure T plan is on schedule. Year one of the plan has been met by achieving the following;

- Hiring 5 police officers
- Purchasing 5 police patrol vehicles
- Contracting with a construction manager to manage the construction of 2 police precincts
- Including the police administration and dispatch center in the Civic Center study
- Purchasing 5 acres of land for the location of the Northwest Fire Station/Training Center
- Releasing a Request for Qualifications (RFQ) for a construction manager to manage the building of the Fire project

On July 1, 2004, the City began collecting a ¼ cent sales tax in order to implement the Measure T plan. Each year, the City Manager is required to recertify the plan and bring it to Council for approval. It is recommended that Council accept the City Manager's recertification of the plan for the 05/06 fiscal year with one additional change; the purchase of a fire engine rather than a Quint fire apparatus in FY 05/06.

**Discussion**

This document last revised: 6/3/05 3:04:00 PM  
By author:  
File location and name:

Measure T is being implemented according to plan. The first year of the plan calls for mostly operational expenditures, such as the hiring of police officers, while at the same time accumulating cash for more capital intensive expenditures in subsequent years.

#### Police

During the first two years of plan implementation, the City will have hired ten police officers and purchased ten new marked vehicles. There has been some turnover with the police officers hired for the FY 04/05 plan, resulting in a salary and benefits costs savings of approximately \$156,000. However, all Measure T positions are currently filled. The City began the process of constructing two Police precincts and has contracted with Monique Cayle of CM Construction Services in Visalia, to manage those projects. With regards to the new Police administration and dispatch center, the City has included this project in the Civic Center Master Plan study. Upon completion of the study, a site will identified and purchased and construction will follow.

#### Fire

The Fire Department has also progressed according to plan. The City has acquired a five acre site for a Northwest Fire station at Shirk and Ferguson, which had a ground breaking on June 3, 2005. Council approved City staff to pursue a Construction Manager at Risk contract to assist in the management of the Fire Station project. Finance has issued a Request for Qualifications (RFQ) to interested firms that will manage the project from design through construction. Responses to the RFQ were received 5/27/05 and are being reviewed. The only change to Fire's plan, as noted above, is the purchase of a fire engine rather than a Quint fire apparatus in FY 05/06. Council authorized the purchase of Quint earlier this fiscal year to replace an older engine, resulting in the need for another engine. An engine is less expensive than a Quint apparatus and operationally, Fire requires one Quint, according to Chief Sandoval.

Table I below, Measure T Plan Years 1 and 2, details progress milestones.

<b>TABLE I</b>	
<b>Measure T Plan Years 1 and 2</b>	
<b>FY 04/05</b>	
<b>Police</b>	<b>Status</b>
Hire 5 new Police Officers	(5) officers hired 7/04
Purchase 5 new Police vehicles	(5) vehicles purchased 5/04
New Police Admin/Dispatch Center *	The location of the facility is included in the Civic Center study
(2) Police Precints*	The City has contracted with Monique Cayle of Construction Management Services in Visalia. The architectural firm Indigo is 95% done with construction drawings. Bids for construction are anticipated the end of August
<b>Fire</b>	<b>Status</b>
Purchase 5 acres of land for NW Station/Training facility*	The City acquired the 4/7/05. A groundbreaking was held 6/3/05
Design NW Fire Station and Training Area*	A Request for Qualifications for Construction Manager @ at Risk was distributed by Finance. Responses were received 5/27/05 and are in review
<b>Projected FY 05/06</b>	
<b>Police</b>	<b>Status</b>
Hire 5 new Police Officers	(5) officers expected to be hired 7/05
Purchase 5 new Police vehicles	(5) vehicles expected to be received 10/05
<b>Fire</b>	<b>Status</b>
Develop/construct NW Fire Station/Training facility*	A Request for Qualifications for Construction Manager @ at Risk was distributed by Finance. Responses were received 5/27/05 and are in review
Fire Engine*	Recommended change from the original plan to purchase an Engine rather than a Quint Fire apparatus
Acquire 2 acres for SE Fire Station*	The location of the property is part of the South East Master Plan

\* Includes General fund and Impact Fees

### **Accountability**

At its March 29, 2004 meeting, Council approved an item which detailed various accountability policies for City staff to implement. A summary of these and the status of the each are detailed below:

- **Expand City's audit engagement to include Measure T** - the Finance Department is finalizing an engagement letter with M. Green and Co. CPA firm to perform a progress audit to ensure adherence to the plan as written.
- **Annual review by the Citizens Advisory Committee (CAC)** – the CAC has created a Measure T subcommittee consisting of 6 members (Ed Blanco, Tim Foster, Tom Sherry, Amarik Singh, Shawn Smith and Brian Summers). The charge of the subcommittee is to

review the Measure T plan annually and make a recommendation to the entire CAC on recertification of the plan. The subcommittee has met multiple times with City staff, including the City Manager, and most recently with Police Chief Barker and Fire Chief Sandoval to review the progress made on the plan. At its June 1, 2005 monthly meeting, the subcommittee made a motion to recertify the plan with the change in Fire as noted. The CAC concurred with the recommendation and moved to approve.

- **City manager recertification of the Plan** – City Manager recommends recertification of the Plan as outlined in the Measure T ballot.

Additionally, the City committed to and has implemented the following structure and policies:

- **Establish a separate Measure T fund and two subfunds**– two funds have been established, one for Police (1121) and one for Fire (1122)
- **The subfunds will earn or be charged interest** – to date, the funds have a combined interest earnings of \$8,443, \$2,774 for Police and \$5,669 for Fire.
- **Advances must be repaid within 24 months** – in order to accelerate the purchase of Police vehicles, a General Fund advance was made at the end of FY 03/04 and subsequently repaid in early FY 04/05.
- **General Fund support for Public Safety may not be less than the prior year** – the table below confirms an annual increase in Public Safety General Fund spending, excluding Measure T:

	<b>FY 03/04</b>	<b>FY 04/05</b>	<b>FY 05/06</b>
	<b>Actual</b>	<b>Projection</b>	<b>Budget</b>
Police	19,044,197	20,037,700	22,642,252
Fire	8,075,548	8,948,300	9,438,512

- **Establish an economic uncertainty fund of 25%** - the economic uncertainty fund is established only after the current year plan is funded. The intent is to have a reserve account of 25% of the current year revenues. Projected revenues are \$3.9 million. Therefore, the Police and Fire economic uncertainty funds have been set up at \$0.585 and \$0.390 million, respectively. Table II, Measure T Financial Status, provides an update of projected revenues and expenses in FY 04/05.

TABLE II  
Measure T Financial Status  
FY 04/05

	Police		Fire		Total	
	<u>Budget</u>	<u>Projected</u>	<u>Budget</u>	<u>Projected</u>	<u>Budget</u>	<u>Projected</u>
Revenues	2,700,000	2,340,000	1,800,000	1,560,000	4,500,000	3,900,000
Investment Earnings	-	3,000	-	6,000	-	9,000
Total Revenues	2,700,000	2,343,000	1,800,000	1,566,000	4,500,000	3,909,000
Salary & Benefits	477,100	320,474	-	-	477,100	320,474
Spec. Dept. Exp.	-	8,000	-	-	-	8,000
Prof. Services	-	5,500	-	3,500	-	9,000
Interest Expense	-	2,500	-	20	-	2,520
Capital Improvements	2,023,741	250,000	358,948	1,000	2,382,689	251,000
Vehicle/Audit	39,500	39,500	20,000	20,000	59,500	59,500
Total Expenditures	2,540,341	625,974	378,948	24,520	2,919,289	650,494
Economic Uncertainty Fund	-	585,000	-	390,000	-	975,000
Rev over/(under) exp	159,659	1,132,026	1,421,052	1,151,480	1,580,711	2,283,506

- **Accelerate plan implementation in the event revenues exceed plan amounts –** revenues do not exceed the plan, so the plan is not being accelerated.

## Revenues

Table III, Measure T Receipts – 04/05, projects the Measure T receipts. Cash collections are estimated to fall short of the budget by \$600,000. This shortfall is primarily due to differences in how point of sale and district sales taxes are applied to sales of vehicles, construction materials and business to business where the ultimate destination is outside Visalia. If the final destination sale is outside Visalia, the purchase is not subject to the ¼ cent sales tax, which was not anticipated when the Measure T revenue budget was prepared. Approximately \$240 million of such sales occur in Visalia each year.

Although the shortfall is significant, it should not warrant a change to the original plan, at least not yet. The plan anticipated accumulating resources during the first years of the plans life. The accumulation will be less at the outset than planned. It is recommended that City staff closely monitor the Measure T cash flow as opposed to the demands of the plan over the next fiscal year and report back to Council on the status of the fund. Future growth may bridge this funding gap.

Table III  
Measure T Receipts - 04/05

	<u>Budget</u>	<u>31-Mar</u>	<u>Projections</u>		<u>Projected Variance</u>
			<u>June 30 Cash</u>	<u>Full Year</u>	
Police	2,700,000	1,298,732	1,134,026	2,340,000	360,000
Fire	1,800,000	871,506	1,151,480	1,560,000	240,000
Total	4,500,000	2,170,238	2,285,506	3,900,000	600,000

## Summary

Measure T is being implemented according to plan. The plan calls for a cash balance of \$3.5 million at the end of the first year, which is projected to be \$2.3 million. The remaining cash balance is for future planned capital and infrastructure expenditures such as (2) police precincts and the Northwest Fire Station. The difference of \$1.2 million can be attributed to the funding of the economic uncertainty fund in the amount of \$975k as well as a shortfall in anticipated revenues as discussed. However, given these facts, the City Manager recommends recertification of the plan with one additional change; to accommodate the purchase of a fire engine rather than a Quint apparatus. With regards to the revenue shortfall, as noted above, it is recommended that City staff closely monitor sales tax receipts as the plan progresses.

## Prior Council/Board Actions:

**December 2, 2003** – Council agenda item authorizing an ordinance to a tax ballot measure for a ¼ cent tax

**March 29, 2004** – Council review of the proposed implementing actions and direct staff as appropriate (includes fiscal accountability measures).

**April 5, 2004** - adoption of resolution certifying the results of the Measure T ballot.

**June 28, 2004** – certification of the Measure T plan

**March 28, 2005** – recommendation for staff to monitor revenues and revise the Measure T plan if revenues significantly vary from projections.

**March 28, 2005** – accelerate the hiring of Measure T personnel and capital expenditures from FY 05/06.

## Committee/Commission Review and Actions:

**Alternatives:** Recertify the plan with changes to be determined

**Attachments:** Memorandum from the Citizens Advisory Committee  
Visalia Public Safety Tax Measure Program Guidelines as approved by City Council December 2, 2003

## City Manager Recommendation:

**Recommended Motion (and Alternative Motions if expected):** I move to accept recertification of the Measure T plan, with one additional change as noted.

***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:** June 6, 2005

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

**Agenda Item Wording:** City Council approval of Resolution No. 2005-78 adopting the 2005-2006 appropriations limit for the City of Visalia.

**Deadline for Action:** June 30, 2005

**Submitting Department:** Administrative Services - Finance

**Contact Name and Phone Number:**

Eric Frost, Administrative Services Director	713-4474
Ruth Martinez, Financial Analyst	713-4327

**For action by:**

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

**For placement on which agenda:**

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

**Est. Time (Min.):** 5

**Department Recommendation and Summary:**

That the City Council adopt Resolution No. 2005-78 establishing the appropriations limit for the 2005-06 fiscal year of \$82,807,600.

**Discussion:**

The Appropriation Limitation imposed by Propositions 4 and 111 creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The Limit is based on actual appropriations during the 1978-79 fiscal year and is increased each year by a factor comprised of the change in population combined with the change in California per capita personal income.

The only fund subject to limit is the General Fund.

The State of California Department of Finance is mandated to provide the population and California per capita personal income change data for local jurisdictions to calculate their appropriations limits.

Based on the following data received from the Department of Finance, a population change of 3.88 and per capita income change of 5.26, the appropriations limit for 2005-06 is \$82,807,600. The total appropriation subject to limitation for the 2005-06 fiscal year is \$38,833,000 which is well under the appropriations limit.

Any challenge to the appropriations limit must be brought within 45 days from the effective date of the resolution.

**Prior Council/Board Actions:** Budget Adoption, June 29, 2004

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

Attachment 1 - Calculation Worksheets

Attachment 2 - CA Department of Finance – Price and Population Information

**City Manager Recommendation:**

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

***Financial Impact***

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

**Budget Recap:**

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

Copies of this report have been provided to:

***Environmental Assessment Status***

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

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

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

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

**RESOLUTION NO. 2005-78**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA  
ESTABLISHING THE 2005-06 APPROPRIATIONS LIMIT

**WHEREAS**, in 1979, California voters approved Proposition 4 (Article XIII-B of the California State Constitution). Informally known as the "Gann Initiative," Article XIII-B provides limits to the amount of tax proceeds state and local governments can spend each year.

**WHEREAS**, in 1980, the State Legislature added Section 9710 of the Government Code stating that the governing body of each City must establish, by resolution, an appropriations limit for the following year. The limit for any fiscal year is equal to the previous year's limit, adjusted for population changes and the change in the U.S. Consumer Price Index (or California per capita personal income, if smaller). The necessary statistical information is provided by the California Department of Finance.

**WHEREAS**, Proposition 111 modified Article XIII-B. A City may choose which annual adjustments to use. The adjustment factors include the growth in the California Per Capita Income, or the growth in the non-residential assessed valuation due to construction within the City and the population growth within the City or county.

**AND IT FURTHER** provided for the 2005-06 fiscal year, any challenge to the appropriations limit must be brought within 45 days from the effective date of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the appropriations limit as defined by Propositions 4 and 111 is set at \$82,807,600 for 2005-06 fiscal using a percentage change growth factor of 3.88 and change in per capita income of 5.26 as established by the California Department of Finance.