

Visalia City Council Agenda

For the special meeting of: Monday, July 11, 2005

Location: City Hall Council Chambers

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

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

Employee Introductions:

Community Development/Public Works Director Michael Olmos introduces Peter Spiro, Assistant Engineer and Rebecca Mustin, Support Services Assistant.

COUNCIL MEETING (as described)

4:00 p.m.

1. Consideration and appropriate action related to recommendations on fire service in the Southeast Area.
2. Review of proposed policy regarding initiation of General Plan Amendments. **Resolution 2005-93 required**

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

3. 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. Authorization for the City Manager to accept and appropriate a grant award for \$167,640.94 from the Office of Homeland Security, Homeland Security Grant Program.

- c. Authorize the City Manager to execute an agreement with the College of Sequoias that provides for participation in the Federal Work Study Program.
- d. Request authorization to file a Notice of Completion for the following:
 - 1. Diamond Creek Estates Unit No. 2, containing 29 lots, located on the west side of McAuliff Street between Walnut Avenue and Packwood Creek.
 - 2. Diamond Creek Estates Unit No. 3, containing 30 lots, located between Tulare Ave. and Walnut Ave. on the west side of McAuliff.
- e. Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation of* the final map(s) related thereto (if applicable):
 - 1. Authorize the Recordation of the Final Map for Parcel Map 04-06, located on Nicholas Ave west of Plaza Dr. (50 lots with 1 Basin Lot) and the Formation of Landscape and Lighting District No. 05-18; **Resolution 2005-91 and 2005-92 required.** APN: 081-130-015.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, July 18, 2005

Monday, August 1, 2005

Monday, August 15, 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: July 11, 2005

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Consideration and appropriate action related to recommendations on fire service in the Southeast Area.

Deadline for Action:

Submitting Department: Fire

Contact Name and Phone Number:
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 Council consider and then take the appropriate action related to recommendations on fire service in the Southeast Area. Staff is proposing changes include both immediate and long term recommendations. These changes are needed to address the reduced service occasioned by the loss of a full-time Firefighter at the County's Lovers Lane and Walnut station and a desire to increase City responsiveness and service level in the area.

Discussion: There have been changes in fire protection in the southeast section of the City and surrounding Tulare County areas. There is a plan (Measure T Expenditure Plan) to deal with fire protection in this area of the City of Visalia, but with recent public safety developments an interim plan needs to be implemented until the timelines of the Expenditure Plan are revisited. The timeline review would be in keeping with the high priority set by Council on public safety.

The financial challenges of Tulare County have grown to the point that they are impacting Visalia's operations. Prior to May 2, 2005, Tulare County Station 9 was staffed with one full-time firefighter, supplemented with paid call firefighters (PCFs) who would meet the fulltime firefighter and the equipment at an emergency scene. For the area roughly East of Ben Maddox, the County's Lovers Lane Station would generally arrive more quickly than the City's Whitendale engine. Because the County could respond more quickly, the City had entered into an automatic aid agreement, in which the County would automatically respond to the City's service area in locations they could generally arrive more quickly. In exchange, the City provided coverage to the County in with a 3-firefighter crew. It is important to note, however, that the County's response was one individual until paid call firefighters (PCFs) could arrive. The PCFs would generally arrive after the City crew.

On May 2nd, the County eliminated the full time fire fighter at Station 9 (Lovers Lane and Walnut) and impacted the response times and service to the Southeast area. Instead of having a full-time firefighter able to drive the County engine to the emergency scene, a PCF had to respond

to the County's station and then drive the engine to the emergency. As a result, the City is now almost always a faster response.

The decision to reduce staffing by Tulare County prompted our review of the Automatic Aid Agreement between the City and the County and the long term desire of the City to improve fire service in the Southeast area. In the interim, Visalia City Fire honors the Automatic Aid Agreement and continues to respond into the agreed upon area of the County.

The following descriptions of Tulare County Mutual Aid, State Mutual Aid, and Automatic Aid are provided in an endeavor to clarify their use.

Tulare County Mutual Aid Agreement: This is the agreement entered into by several cities in the county whereby a party to the agreement can officially (through specific channels) request aid from another agency or multiple agencies under the agreement in coping with an impending fire or other emergency of a magnitude that appears to be developing beyond the control and resources of the initial fire protection agency. Use of mutual aid does not involve compensation.

State Mutual Agreement: This is very much like the Mutual Aid Agreement description above, but extends to encompass fire agencies throughout the State. In this case, State Office of Emergency Services officially (through specific channels) requests aid from multiple agencies in the form of "Strike Teams" to respond to a major fire, or multiple fires (generally wildland related) somewhere within the State that has overtaxed State fire protection resources. Use of State Mutual Aid requires compensation.

Automatic Aid Agreement: This is the agreement currently affected by Tulare County's fire staffing changes. It is a reciprocating agreement whereby the City of Visalia and the County of Tulare provide fire protection and rescue services within mutually agreed upon, predetermined boundaries of each agency's response area. The 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.

An automatic aid agreement differs from a mutual aid agreement in that under an automatic aid agreement each agency is automatically dispatched (no verbal request need be made) into specifically agreed upon areas of each agency's response area. Due to the location of existing fire stations, both City and County, there are areas where emergencies can best be serviced (faster response time) by the automatic dispatch of the closest station---City or County. As it is a reciprocal agreement, no compensation is required by either agency. The agreement also provides additional equipment and personnel at emergency incidents to augment the first-in unit.

Other cities in the in the County have similar reciprocal fire protection agreements with Tulare County, but the agreements differ in that they address each city's unique circumstance and relationship with the County.

Subsequent to the May 2nd Tulare County decision, there have been several meetings between various levels of City and County government in a cooperative effort to insure fire protection to the southeast area residents. On May 16, 2005, Council continued the Automatic Aid Agreement agenda item at the request of Tulare County Board of Supervisors Member Phil Cox. As a result of the continued item, a subcommittee was formed on June 12, 2005, which consists of Vice Mayor Jesus Gamboa, Councilmember Walter Deissler, City Manager Steve Solomon, Administrative Services Director Eric Frost, and Fire Chief George Sandoval.

On July 5, 2005, the subcommittee met with the County representatives consisting of Deputy Chief Administrative Officer Jean Rousseau, Board Member Alan Ishida, Board Chairperson Connie Conway, Consultant Gary Gilbert, and Tulare County Fire Chief Dave Hillman.

As a result of the meetings with the subcommittee, the meeting with the County representatives, and in an endeavor to provide uniform services to the Southeast area, I am recommending the following actions. The actions address both the reduced capability of the County's Lover's Lane Station as well as the City's long term plan to increase fire service in the Southeast area. In one sense, these plans have been in the works for sometime. The Measure T plan called for the recommended improvements, but in a different order than recommended in the report. These recommendations accelerate the improvements.

Immediate Actions

- A. Assign a Unit to the Southeast Area: Engine 1 Company from Station 1 (Downtown) would continue to be the primary response unit for the Station 1 area. Fire would reassign the Truck 1 personnel at Station 1 to a second engine (Engine Company 6) as the primary response unit for the Southeast response area. This action will assure prompt coverage to the Southeast area. Note: Unlike an engine, a truck company has limited types and sizes of fire hose. The truck company carries ladders, special breathing apparatus and other unique response equipment. Typically, a truck company is the second apparatus to an emergency scene such as a structure fire or rescue operation, greatly increasing the firefighters' emergency response capabilities.
- B. Realign Response Areas: A realignment of the Engine Company response areas would need to occur outlining the new Southeast area. A second realignment or re-evaluation of response areas would take place when the Northwest fire station is built.
- C. Temporarily Staff Truck 1 with an Engineer: Promote three existing firefighters to Firefighter Engineer (one to each shift) to re-staff Truck 1. The new Engineers assigned to the Truck would remain under the direction and supervision of the Station 1 Engine Company Captain until recruitments can refill the depleted truck company. During the time it takes to recruit, the engineer would be used solely to make the Truck available as a support unit, or second-in vehicle, for all engine companies when and where it is needed. At the same time, assigning an engineer to the truck assures the transport of the truck and equipment in a timely manner. This temporary staffing of Truck 1 with one Engineer would be short-term solution until staffing as outlined in Item D is in place. This configuration does not preclude the Station 1 Captain from responding with the Truck with four personnel on a confirmed structure fire or rescue operation.
- D. Accelerate Measure T Staffing, restaff the Truck company: The Measure T plan calls for hiring four firefighters in July of 2006. By using approximately \$225,000 of General Fund monies now, this plan can be accelerated to November 1 of 2005. A new engine company would be formed which includes a captain, an engineer and a firefighter. To cover the 24 hour shifts, this crew complement would require 9 employees.

Thus, the four new Measure T Plan staff, along with five existing allocated staff, would be assigned to the Truck Company at Station 1 (Downtown). At the same time the four firefighters are being recruited, promotions for the three Fire Captains could occur. Once the personnel are hired, the three Firefighter-Engineers would be absorbed as part of the allocated staffing for that station company (Truck 1).

Intermediate Action

- E. Lovers Lane Co-Location Option: Fire Department Staff will work with CDF/State staff to evaluate the feasibility of a co-location Operational Agreement of the CDF/State site at Walnut and Lovers Lane. Such an agreement would allow both the City and the County to use the Lovers Lane site for housing staff and equipment. In 1996, City staff looked at upgrading the Lovers Lane facility for City use. The estimate was \$80,000. This will need to be re-evaluated, but \$100,000 should be set aside now.
- F. Modification of Automatic Aid Agreement: Upon implementation of the proposed interim plan, it would be my recommendation that we modify the Automatic Aid Agreement to reflect the west side only (Tulare County Engine 7 – Goshen). The Co-location agreement will spell out the City and the County's responsibilities in regards to the Lovers Lane area.

Long Term

- G. Reassign Station Personnel: When the Northwest Fire Station 5 is complete, the entire staff currently assigned to Airport Fire Station 3 would move into the new Fire Station 5. The former Station 3 response area would be divided between Fire Station 2 (Whitendale) and Fire Station 5 until the remainder of the expenditure plan can be implemented. A new plan for airport standby and maintenance of airport equipment and station would need to be developed, depending on the needs of Fire and the Airport.
- H. Southeast Master Plan and Permanent Fire Station: Additionally, the sub-committee and staff would continue to evaluate the timelines for the construction of the permanent Southeast Fire Station in conjunction with the Southeast Master Plan.
- I. Implementation of Measure T Expenditure Plan: Upon hiring the fourteen fire personnel identified in the Measure T Expenditure Plan, the Firehouse at Station 3 (Airport) would be re-staffed for coverage of the Southwest area of the City.

Approximate Cost:

Item C.	Firefighter to Engineer (3)	\$ 18,087
Item D.	One time General Fund	\$225,000
Item E.	Adaptation of Lovers Lane Facility	\$100,000

It is our recommendation that the above proposal be implemented to provide not just a restoration of the previous fire protection service level, but a better level of service in that an emergency response unit would be dedicated to the Southeast are community.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Map of Station Location Analysis

City Manager/Executive Director Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to approve the Fire Chief's recommendations as outlined in the staff report.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

Copies of this report have been provided to:

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: July 11, 2005

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Review of proposed policy regarding initiation of General Plan Amendments. **(Resolution 2005-93 required)**

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:

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

Recommendation: Staff recommends that the City Council adopt the attached Resolution 2005-93 establishing as an interim policy the initiation of all General Plan Amendments by the City Council and initiating amendments to Visalia Municipal Code Chapter 17.54 to implement the policy on a permanent basis.

Background:

An Amendment to the Land Use Boundaries or text of the General Plan may be initiated in three different ways. The Three methods are outlined in Chapter 17.54 of the Visalia Municipal Code. They are as follows: (1) Any interested person or property owner may initiate a General Plan Amendment by filing an application and paying a fee of \$1,784 for a simple General Plan Amendment or \$7, 921 for a complex Amendment; (2) The Planning Commission may initiate a General Plan Amendment by adopting a Resolution of Intention; and (3) The City Council may initiate a General Plan Amendment by adopting a Resolution of Intention. The Municipal Code, in addition, requires that Text Amendments to the General Plan written document also be initiated by the City Council.

An exception to the above has been made by the City Council in the area along the West Highway198 Corridor. In this particular instance, the City Council gave recognition to the importance of this Gateway Corridor and directed staff to bring all General Plan Amendment requests in this area directly to the City Council for review and consideration.

Previous City Council discussion has included the issue of whether or not all General Plan Amendments should be reviewed by the City Council prior to initiation. There is a point of view that General Plan Amendments are an important policy determination that should be reviewed at the very outset of discussion and initiation. Once the General Plan Amendment process is

initiated, there will be considerable time, effort and cost expended before it reaches the City Council for review and final decision making. The benefit of a City Council initiated General Plan Amendment is the opportunity to identify and discuss relevant land use policy issues, environmental considerations and development parameters pertaining to the proposal. An early identification of these issues can be considered as a part of the project when incorporated into the application and project analysis.

The City Council may at the time of General Plan Amendment consideration decide to: A) Initiate the General Plan Amendment as requested; B) Decide not to initiate the General Plan Amendment request; or C) Modify the requested General Plan Amendment.

Adoption of an interim policy for initiating General Plan Amendments by the City Council can be effective immediately. A Municipal Code Amendment to Chapter 17.54 is necessary to formalize the City Council policy modification.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives: None Recommended

Attachments:

- Resolution
- Chapter 17.54 General Plan Amendments

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to adopt Resolution No. 2005-93, that all General Plan Amendments be submitted to the City Council for review and initiation and initiating an amendment to Visalia Municipal Code, Chapter 17.54.

Copies of this report have been provided to:

<i>Financial Impact</i>			
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: July 11, 2005

Agenda Item Number (Assigned by City Clerk):

Agenda Item Wording: Authorization for the City Manager to accept and appropriate a grant award for \$167,640.94 from the Office of Homeland Security, Homeland Security Grant Program.

Deadline for Action:

Submitting Department: Police

Contact Name and Phone Number: Chuck Hindenburg, ext. 4250; Stacy Handley, ext. 4175; Javier Ruiz, ext. 4124

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): _____

Department Recommendation and Summary:

It is recommended that the City Council Authorization for the City Manager to accept and appropriate a grant award for \$167,640.94 from the Office of Homeland Security, Homeland Security Grant Program; and to approve the expenditure of the Homeland Security Grant Program funds for:

- 1) the purchase of a portable X-ray unit for the Visalia Police Department Bomb Squad for \$24,119.80; and,
- 2) a UHF three-channel analog two-way voice communication system for the Visalia Police Department Dispatch Center for \$143,521.14.

With the adoption of this measure, City Council authorizes the City Manager to sign the grant assurances Memorandum of Understanding.

Discussion. The County of Tulare applied for and received a grant from the Office of Homeland Security, Homeland Security Grant Program. Two requests for equipment purchases for the Visalia Police Department were approved.

A portable X-ray is one of the most valuable tools available to the bomb technician. It allows the technician to get a picture of what he is dealing with inside of a container. The use of the X-ray can reveal the presence of a hoax or an explosive equipped with an anti-intrusion device. This greatly enhances the technician's options for the render safe procedure to be used and increases the safety for the technician.

The Visalia Police Department Bomb Squad currently has a Golden Engineering Inspector X-ray which was purchased in 1992. This piece of equipment will no longer be supported by Golden Engineering after this year. Repair parts are already very scarce or not available at all.

The current communications equipment in Dispatch is approximately twenty years old and experiencing constant failures. As our primary means of voice communications, this radio system replacement has become an increasing concern for officer safety. The replacement system should integrate well with communications bridges the County/Region might eventually select.

The County of Tulare Office of Emergency Services requires that a Memorandum of Understanding of grant assurances be executed between the County and the City of Visalia by an authorized representative of the City of Visalia defined as a member of the governing body or a person authorized, by city council resolution, to sign for the city. In this case, the City Manager will be so authorized.

The Homeland Security Grant award will fund 100% of the purchases price with no matching funds required.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives: Not accept the grant award.

Attachments: Letter from County of Tulare Health & Human Services Agency announcing the approval of the grant for the Visalia Police Department.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move that the City Council authorize the City Manager to accept and appropriate a grant award for \$167,640.94 from the Office of Homeland Security, Homeland Security Grant Program.

Copies of this report have been provided to:

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

Total Estimated cost:	\$167,640.92	New Revenue:	\$167,640.92
Amount Budgeted:	\$0	Lost Revenue:	\$
New funding required:	\$167,640.92	New Personnel:	\$
Council Policy Change:	Yes_____ No_X		

Environmental Assessment Status

CEQA Review:

Required? No
Review and Action: Prior:
Required:

NEPA Review:

Required? No
Review and Action: Prior:
Required:

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

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

City of Visalia Agenda Item Transmittal

Meeting Date: Monday, July 11, 2005

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

Agenda Item Wording: Authorize the City Manager to execute an agreement with the College of Sequoias that provides for participation in the Federal Work Study Program.

Deadline for Action:

Submitting Department: Administrative Services/Human Resources

Contact Name and Phone Number: Janice Avila 713-4417

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:

Authorize the City Manager to execute an agreement with the College of the Sequoias that provides for participation in the college's Federal Work Study Program. The main objectives of this program are:

- To develop employment and learning opportunities that will improve low-income students' skills and readiness for the transition from school to work.
- To increase the low-income college student's awareness of employment opportunities within public service.
- To provide for ongoing cooperative efforts between the College of the Sequoias and the City that create opportunities for low-income disadvantaged college students to become involved in Visalia, both as a community and as an organization with diverse employment opportunities.

For the past several years, the City has had the opportunity to participate in this federally-funded program that provides low-income disadvantaged students with the opportunity to work in a part-time job while attending college. Through this program, the City of Visalia and College of the Sequoias have been able to develop a partnership that has enabled the City to provide part-time employment and learning opportunities for eligible students into part-time positions within the City.

Because of the success in the past, we are interested in participating in the program again this year. The students who participated in last year's program were assigned to the Transit Department, Community Development Department and the Convention Center.

The following Departments have expressed an interest in employing one or more student workers this year: Transit, Community Development, Recreation and Convention Center.

The Federal Work Study Program is funded by the fiscal year July 1 through June 30. The students are placed into the part-time "student worker" positions with the City. These student workers will be paid as employees of the College of Sequoias (as such, the College of Sequoias assumes all liability for social

security, workers compensation, unemployment insurance, and any other mandated employment benefit).

The total number of hours each student may work is determined by the amount of the student's Federal Work Study award. The City will be notified of the total number of work hours available for each student worker. Each student worker will be paid minimum wage. When a student worker's accumulated gross earnings are reached, the student must end his/her participation in the Federal Work Study Program.

The College of the Sequoias will be charging a twenty-five percent (25%) administration fee for each participant in the program. This administration fee will be based upon the wages earned by each student worker. The college will send a monthly invoice to the City. The administration fee will be divided among the City's departments according to the placement of student workers within the City.

Eligible students will receive a work study award for a value up to \$2,500 for the 2004/2005 fiscal year. This dollar award equates to approximately 370 hours of work at the anticipated minimum wage of \$6.75 per hour. Assuming the student works approximately 15 hours per week, the student will be able to work for approximately 24 weeks. In the example, the administrative cost to the City for the student worker will be approximately \$625.00. The costs for participating in this program have already been included in the FY 2005/2006 budget for temporary employees.

NOTE: The amount of each student's work study award will vary based on the student's financial need. If the student's award is less than the amount shown in the example, then the student will be eligible for fewer hours of work.

Once again, all departments have been encouraged to consider participation in this work study program. This program will require a commitment from the department to provide a meaningful part-time employment opportunity. The supervisors of these students will be required to provide on-the-job training and be a mentor to the students.

Prior Council/Board Actions: August, 2004

Committee/Commission Review and Actions: N/A

Alternatives:

Attachments: Work Study Agreement between
College of the Sequoias and the City of Visalia

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:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: July 11, 2005

Agenda Item Number (Assigned by City Clerk): 3d1

Agenda Item Wording: Request authorization to file a Notice of Completion for Diamond Creek Estates Unit No. 2 , containing 29 lots, located on the west side of McAuliff Street between Walnut Avenue and Packwood Creek.

Deadline for Action: None

Submitting Department: Community Development & Public Works Department

Contact Name and Phone Number:

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 1 Min.

Department Recommendation and Summary: The recommendation is that City Council give authorization to file a Notice of Completion as all the necessary improvements for this subdivision have been completed and are ready for acceptance by the City of Visalia.

Prior Council/Board Actions: Final Map recording was approved at Council meeting of September 16, 2002.

Committee/Commission Review and Actions: The tentative subdivision map for Diamond Creek Estates Unit No. 2 was approved by Planning Commission on April 23, 2002.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Diamond Creek Estates Unit No. 2.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

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

NEPA Review:

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

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: July 11, 2005

Agenda Item Number (Assigned by City Clerk): 3d2

Agenda Item Wording: Request authorization to file a Notice of Completion for Diamond Creek Estates Unit No. 3, containing 30 lots, located between Tulare Ave. and Walnut Ave. on the west side of McAuliff.

Deadline for Action: None

Submitting Department: Community Development & Public Works Department

Contact Name and Phone Number:

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 1 Min.

Department Recommendation and Summary: The recommendation is that City Council give authorization to file a Notice of Completion as all the necessary improvements for this subdivision have been completed and are ready for acceptance by the City of Visalia.

Prior Council/Board Actions: Final Map recording was approved at Council meeting of February 18, 2003.

Committee/Commission Review and Actions: The tentative subdivision map for Diamond Creek Estates Unit No. 3 was approved by Planning Commission on April 23, 2001.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Diamond Creek Estates Unit No. 3.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

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

NEPA Review:

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

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: July 11, 2005

Agenda Item Number (Assigned by City Clerk): 3e1

Agenda Item Wording: Authorize the Recordation of the Final Map for Parcel Map 04-06, located on Nicholas Ave west of Plaza Dr. (50 lots with 1 Basin Lot) and the Formation of Landscape and Lighting District No. 05-18, (Resolution Nos. 05-91 and 05-92 required).
APN: 081-130-015

Deadline for Action: July 18, 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 Parcel Map 04-06 containing 51 lots. The site is located in the Industrial Park and the lots are being created for future industrial tenants. 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 \$946,200.45 and Labor and Material Bond in the amount of \$473,100.23; 3) cash payment of \$60,676.61 distributed to various accounts; and 4) Final Map. The applicant on the project is Nicholas-Plaza Industrial Park, L.L.C. (Pickett & Sons).

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final Map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the Final Map.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 05-91 Initiating Proceedings for Formation of Assessment District No. 05-18, Parcel Map 04-06; adopt the Engineer's Report as submitted; and adopt Resolution No. 05-92 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

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

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

Committee/Commission Review and Actions: The tentative Parcel Map 04-06 was approved by the Planning Commission on May 10, 2004. The tentative map will expire on May 10, 2006.

Alternatives: N/A

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

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):
"I move to authorize the recordation of the Final Map for 04-06 and I move to adopt Resolution No. 05-91 Initiating Proceedings for Formation of Assessment District No. 05-18 "Parcel Map 04-06" and adopt Resolution No. 05-92 Ordering the Improvements for Assessment District No. 05-18 "Parcel Map 04-06."

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

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

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

RESOLUTION NO. 05-_____

RESOLUTION INITIATING PROCEEDINGS
FOR FORMATION OF
ASSESSMENT DISTRICT 05-18
Parcel Map 04-06
(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, drainage pond and fencing.
2. The proposed district shall be designated "Assessment District No. 05-18, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-18, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Parcel Map 04-06".
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. 05-18

Parcel Map 04-06

(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. 05-18, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 18th day of July, 2005 by its Resolution No. 05-_____

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

RESOLUTION NO. 05-_____

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-18
Parcel Map 04-06
(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. 05-18, 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 "A"

Assessment Diagram

Assessment District No. 05-18

City of Visalia, Tulare County, California

EXHIBIT A

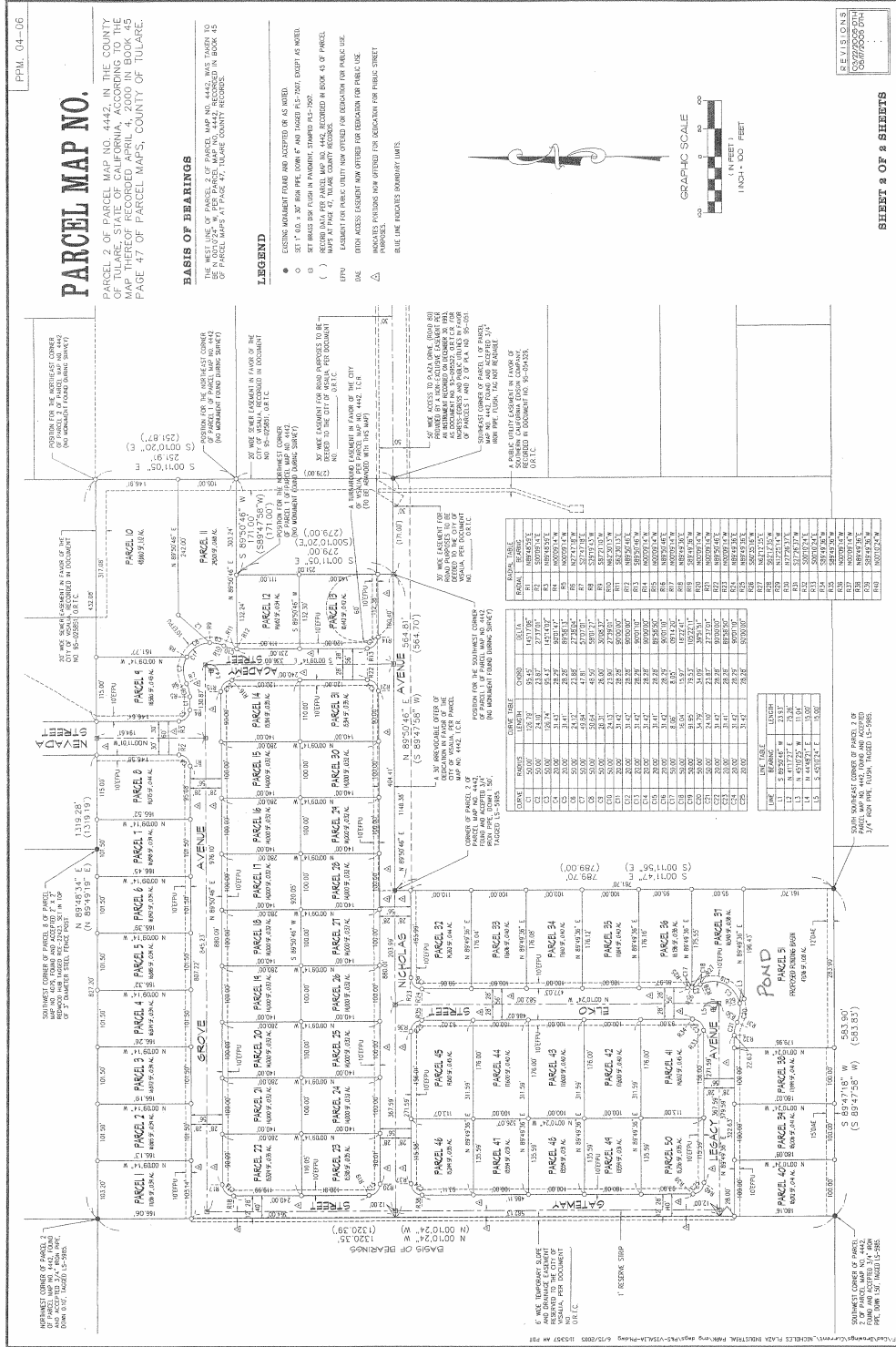


Exhibit "C"

Tax Roll Assessment
Parcel Map 04-06
Fiscal Year 2005-06

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$277.39	To Be Assigned	05-1801	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1802	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1803	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1804	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1805	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1806	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1807	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1808	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1809	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1810	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1811	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1812	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1813	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1814	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1815	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1816	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1817	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1818	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1819	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1820	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1821	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1822	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1823	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1824	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1825	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1826	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1827	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1828	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1829	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1830	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1831	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1832	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1833	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1834	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1835	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1836	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1837	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1838	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1839	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1840	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1841	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1842	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1843	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1844	Parcel Map 04-06

Exhibit "C"

Tax Roll Assessment
Parcel Map 04-06
Fiscal Year 2005-06

To Be Assigned	\$277.39	To Be Assigned	05-1845	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1846	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1847	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1848	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1849	Parcel Map 04-06
To Be Assigned	\$277.39	To Be Assigned	05-1850	Parcel Map 04-06

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-18
Parcel Map 04-06
Fiscal Year 2005-06

General Description

This Assessment District (District) is located on Nicholas Ave east of Plaza Dr. Exhibit "A" is a map of Assessment District 05-18. This District includes the maintenance of the street lights, pond basin and fencing.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The wall provides security, aesthetics, and sound suppression. The maintenance of the landscaping, lighting, and wall is vital for the protection of both economic and humanistic values of the development. The City Council has determined that in order to preserve the values incorporated within developments and to concurrently have an adequate funding source for maintenance of the landscaping, lighting, walls and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance. The Ponding Basin will provide a specific benefit to the property owners by providing a common drainage area for each lot. The annual maintenance of the Ponding Basin is estimated to cost \$0.22/1000 square feet of area.

Method of Apportionment

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

Estimated Costs

The District includes only the maintenance street lights and maintaining the integrity of the pond and pond fencing and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The total number lots within the district are 50 with 1 basin lot. .

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-18
Parcel Map 04-06
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>
Pond Maintenance Only	1000 s.f.	47,016	\$0.22	\$10,343.52
Street Lights	Each	13	\$105.00	\$1,365.00
Project Management Costs	Lots	50	\$18.00	\$900.00
TOTAL				<hr/> \$12,608.52
10% Reserve Fund				\$1,260.85
GRAND TOTAL				<hr/> <hr/> \$13,869.37
COST PER LOT				<hr/> <hr/> \$277.39

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:

$$A_{max} \text{ for any given year "n"} = (\$13,869.37) (1.05)^{(n-1)}$$

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

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

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

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-18
Parcel Map 04-06
Fiscal Year 2005-06

Example 1. The estimated year four cost of maintaining the improvements in the district is \$15,117.61 [a 9% increase over the base year estimated cost of \$13,869.37]. The maximum annual assessment for year four is \$16,055.53 [$A_{\max} = (\$13,869.37)^{(4-1)}$ (1.05)]. The assessment will be set at \$15,117.61 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$15,672.39 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$13,869.37]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$43.08 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$16,055.53 [$A_{\max} = (\$13,869.37)^{(4-1)}$ (1.05)]. The year four assessment will be set at \$15,672.39 plus the deficit amount of \$313.45 which equals \$15,985.84 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$15,117.61 [a 9% increase over the base year assessment of \$13,869.37] and damage occurred to the masonry wall raising the year five expenses to \$16,920.63 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$16,629.37 (a 10% increase over the previous year) and below the maximum annual assessment of \$16,858.31 [$A_{\max} = (\$13,869.37)^{(5-1)}$ (1.05)]. The difference of \$291.26 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