

# Visalia City Council Agenda



For the regular meeting of: Monday, February 5, 2007

Location: City Hall Council Chambers

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

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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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4:00 P.M. **SWEARING IN OF NEW POLICE OFFICERS**

4:30 P.M. **EMPLOYEES INTRODUCTION**

Introduction of Kris Lara, Office Assistant and Cristina Cortinas, Assistant Communications Operator by Chief Bob Carden, Visalia Police Department.

### **SPECIAL PRESENTATIONS/RECOGNITION**

Recognition of Mark Lyon Police Officer of the Year, James Jolly Reserve Police Officer of the Year, Chanta Vihanexai Non-sworn Employee of the Year, Tina Landin Communications Operator of the Year, and Agent Candido Alvarez recipient of 2006 Watch Commander award.

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

**5:00 p.m.**

#### **Public Comment on Work Session Items**

- 5:05 P.M. 1. Presentation by TCAG staff regarding Measure R implementation
- 5:30 P.M. 2. Receipt of the Comprehensive Annual Financial Report (CAFR) for the City of Visalia, the Single Audit Report, and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2005-06 fiscal year.

5:55 P.M. **ITEMS OF INTEREST**

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

## **CLOSED SESSION**

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

3. Conference with Real Property Negotiators (GC54956.8)  
Property: Approximately 50 acres located north of Riggin and approximately one quarter mile west of Demaree. APN 077-060-005.  
Under Negotiation: Price, terms, conditions of acquisition and/or disposition  
Negotiators: Steve Salomon, Andrew Benelli, Modoc Ditch Company
4. Conference with Legal Counsel - Existing Litigation  
(Subdivision (a) of Section 54956.9 GC)  
Name of Case: Hettick v. City; TCSC Case No. 05-214421
5. Conference with Labor Negotiators (54957.6a)  
Agency Designated Representatives: Eric Frost  
Employee organization: All

### **Convene jointly as the City Council and the Redevelopment Agency**

6. Conference with Real Property Negotiators (G.C. 54956.8)  
Property: 700 E. Race (094-100-022) and 701 E. Murray (094-250-020)  
Under Negotiation: Authority to enter into Option Agreement  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, California Department Of Transportation.

### **Adjourn as the Redevelopment Agency and remain in session as the City Council**

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION - Pastor Harry Wood**

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

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

7. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.

a) Authorization to read ordinances by title only.

b) *Item removed at the request of staff*

c) Authorize the City of Visalia Director of Public Works to execute a new Master Agreement (No. 06-5044R) between the City and the California Department of Transportation as well as any future amendments or related agreements as required in order to receive Federal and/or State funding for transportation projects. **Resolution No. 2007-11 required.**

d) *Item removed at request of staff*

e) Authorizing the Mayor to send a letter to the County indicating the city's willingness to participate in a feasibility study relating to County facilities in the Northeast downtown.

f) Approve the recommended appointments of Ben Filiponi and Russ Dahler to the Bicycle, Pedestrian and Waterway Trails Committee as recommended by the Citizens Advisory Committee.

g) Appropriate \$125,000 from the Storm Sewer Deficiency Fund (1222 Fund) for the Main Street Storm Sewer Project and authorize to bid the public improvements for the Main Street Storm Sewer project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

h) Second reading of Ordinance 2007-01 Authorizing Sale of APN: 094-285-15 located at the southwest corner of Oak Avenue and Bridge Street consisting of approximately 17,308 square feet to Paloma Development.

i) Appointment of Tony Salierno as the City of Visalia's nominee to the Measure R Citizen's Oversight Committee. *(continued from 1/8/07)*

j) Authorize the City Manager to enter into a contract with the Department of Forestry and Fire Protection for the Green Trees for the Golden State program in the amount of \$149,000 to plant 1,450 trees at various locations within the City. **Resolution 2007-12 required.**

*Authorization to file the final notice of completion on the following:*

k) Notice of Completion for Pinkham Street - K Avenue Intersection Street Improvement Project. Project No: 1241-00000-720000-0-9723-2005; final contract amount of \$347,533.98 and authorize an additional appropriation of \$110,000 from the 1241 Fund (Transportation Impact Fund).

l) Notice of Completion for the Oak Avenue Street Improvement Project (Santa Fe to Tipton Streets) Project No. 1111-00000-7200000-0-9682-2005, with the final contract amount of \$503,937.07; and appropriate an additional \$100,000 from the Gas Tax Fund (1111) as supplemental funding for the project.

- m) Notice of Completion for Wild Horse Ranch No. 1, containing 46 lots, located on the northwest corner of Demaree Street and Riverway Avenue.
- n) Notice of Completion for Wild Horse Ranch No. 2, containing 16 lots, located on the northwest corner of Riverway Avenue and Chinowth Street.
- o) Notice of Completion for Da Vinci at Bella Sera, containing 32 lots, located on the east side of Akers Street at Elowin Avenue.
- p) Notice of Completion for Project No. 6111-00000-720000-0-9534, Reconstruct Parking Lot #4 and Alley Reconstruction Improvements Project located on the southeast corner of Conyer Street and Acequia Avenue. (Final cost \$279,801.71).

*Authorization to record final maps on the following:*

- q) Parcel Map No. 2005-13, located on the east side of Court Street between Walnut Avenue and Paradise Avenue.
  - r) Amber Crossing Unit No. 3 (19 lots), located on the east side of Roeben Street between Riggin Avenue and Robin Avenue and the Formation of Landscape and Lighting District No. 07-04, Amber Crossing Units No. 3 & 4. **Resolution Nos. 2007-13 and 2007-14 required.**
8. *Item removed at the request of staff. Item will be rescheduled and re-noticed at a later date.*  
**PUBLIC HEARING** (Continued from December 18, 2006) Consider increasing the Transportation Impact Fees. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per Resolution.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

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

**Upcoming Council Meetings**

Tuesday, February 6, 2007, 6:00 p.m. – Joint City Council/VUSD Board Meeting (Convention Center)

Tuesday, February 20, 2007 – City Hall Council Chambers

Saturday, February 24, 2007 – 8:00 a.m. - Joint City Council/Planning Commission (Convention Center)

Monday, March 5, 2007 - City Hall Council Chambers

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:** February 5, 2007

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

**Agenda Item Wording:** Presentation by TCAG staff regarding Measure R Implementation

**Deadline for Action:** N/A

**Submitting Department:** Administration, Public Works, Community Development

**Contact Name and Phone Number:** Michael Olmos, 4332; Leslie Caviglia, 4317; Andrew Benelli, 4340

**Department Recommendation**

Ted Smalley, Executive Director of Tulare County Association of Governments, the agency that will administer Measure R, will provide an update on the Measure's implementation. This is an informational item. No action is anticipated.

**Department Discussion**

Tulare County Voters passed Measure R, a sales tax augmentation ballot measure to increase the sales tax in the county by one-half percent.

Ted Smalley will be updating the Council about the activities underway to implement the Measure, including the drafting of implementation policies, the steps to be taken so collection can begin on April 1, 2007, the Citizen's Oversight Committee selection process and the first meeting of the Transportation Authority, the Board that will oversee the implementation of the Measure.

Many important road projects in the greater Visalia area that will be funded with Measure R, State and Federal Transportation funds and other funding sources. The projects identified include Shirk, Akers, Lovers Lane and the Downtown interchanges, Riggins improvements Route 63 to Road 80, Santa Fe Street from Caldwell Avenue to Riggins Avenue, including the overcrossing, Plaza Drive Airport Drive to Goshen Avenue w/SR 198 interchange, and signal synchronization. There is over \$30 million for bike paths in and around Visalia, and \$600,000 annually for enhancements to the Visalia transit system.

In addition, there is a base amount of \$1.6 million in discretionary funds that can be used at the Council's discretion for transportation related matters including project planning and construction, right of way acquisition, and road maintenance.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 30 min.

**Review:**

**Dept. Head LBC 2207**

**Finance**

**City Atty**

**City Mgr MO 2507**

It is anticipated that funds will be available for projects as soon as this summer. Staff is developing plans and recommendations that will be brought back to the Council regarding the expenditure of the funds that will be available to Visalia.

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

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

**Alternatives:** N/A

**Attachments:** Copy of Powerpoint presentation

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

N/A

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**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:** February 5, 2007

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

**Agenda Item Wording:** Receipt of the Comprehensive Annual Financial Report (CAFR) for the City of Visalia, the Single Audit Report, and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2005-06 fiscal year.

**Deadline for Action:** None

**Submitting Department:** Administration - Finance

**Contact Name and Phone Number:**

Eric Frost,	Administrative Services Director	713-4474
Tim Fosberg,	Financial Analyst	713-4565
Cass Cook,	Financial Analyst	713-4425

**Department Recommendation:** That City Council review the CAFR, Single Audit Report and the Redevelopment Agency Component Unit Report.

**Summary:**

Attached are the annual audited financial reports for the City of Visalia for the 2005-06 fiscal year. This year included in the Comprehensive Annual Financial Report (CAFR), is one of two other compliance reports the City produces annually. The Single Audit report is a compliance audit of the City's expenditures of federal grant funds. The Component Unit Financial Statements for the Redevelopment Agency (RDA) of the City of Visalia for the same period are also being presented to Council. The Component Unit Financial statements solely report on the RDA funds, separate from the City. Note, that the Redevelopment Agency's financial activity is also reported the City's CAFR, but the State of California requires a separate audit report which presents additional detail.

The City remains in sound financial condition. Specific events this past fiscal year that have greatly influenced the City's condition are:

- Property-tax based revenues are now the number one City revenue source and, due to significant local development and the increased property values, should improve the City's revenue stability, particularly in the General Fund. Another reason that these revenues have increased is due to State reallocation of Vehicle License Fees and Sales Tax for Property Tax swaps. These reallocation of revenues were designed by the State legislature to make cities more dependent upon property tax and thus more likely to consider the ramifications of local land use decisions;

**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\_\_

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- Impact Fees have grown substantially and the City has developed its assessment fees for infrastructure maintenance;
- Measure T collections have caught up to projections and higher than anticipated sales tax growth will help ensure that the plan can be fully implemented.

**Discussion:**

Governmental Accounting Standards Board (GASB) Statement 34 required governments to change their financial reporting format to include adding “government-wide” statements that includes the Statement of Net Assets (page 22) which allows the reader to consider the full impact of debt and capital in evaluating the City’s governmental funds. In the past, such information was presented separately. Fund basis statements, located later in the document, do not include debt and capital assets. Also included is the Statement of Activities (page 23) which matches specific program revenues with corresponding program expenses and separately categorizes general revenues (e.g. taxes and interest earnings). This statement shows the degree an activity is self-supported by its revenues. The shortfall of any activity is supported by general revenues, typically taxes. Additional discussion is provided for these presentations in the Management Discussion & Analysis (MD&A) (page 3) and the Notes to the Financial Statements (page 49).

Table 1, Financial Results for 2005-06 - Fund Basis Recap, shows several key indicators: current year net income, the accumulated fund or equity balance and cash. A more in-depth analysis is found in the CAFR’s Management Discussion & Analysis section (page3).

Please consider the following:

- The **General Fund** (page 30) had expenditures in excess of revenues by \$2.1 million. Sales and property taxes were up \$6.0 million more than last year. However, expenditures were more than revenues, mainly driven by community capital project expenditures of \$6.7 million. The City used planned accumulated resources to pay for these important community projects.
- **Transportation** (page 31) had a dramatic increase (\$7.0 million) in revenue due to increased impact fees. A new funding method now requires the City to develop collector and arterial streets. Previously, developers built the exterior portions of collector and arterial streets which are now paid for by fees. Additionally, capital expenditures increased by \$5.0 million.
- **Other Governmental Funds** (page 31) net income increased mainly due to robust economy increasing impact fees and sales tax. Additionally, some impact fees were repriced to reflect higher land and development costs. See pages 92 to 94 for individual fund detail.
- **Wastewater** (page 40) net income increased by \$5.2 million over last year in part due to a \$4.8 million increase in infrastructure contributions from special revenue funds. When subdivisions are completed, the underground sewers are contributed or dedicated to the City.
- **Solid Waste** (page 41) lost \$0.5 million due to rising fuel costs and increased depreciation costs. Over the past two fiscal years the fund averaged a small loss. The last rate increase was effective July 1, 2005 for 2.5% each year for four years. The rate



Table 1  
Financial Results for 2005-06 - Fund Basis Recap  
(In Millions)

Fund	Current Yr. Income		Accumulated Equity & Cash			Comment
	Net Income / (Loss)	Satisfactory?	Fund / Equity	Cash	Growing?	
<b>Governmental:</b>						
General Fund	\$ (2.1)	Yes	\$ 57.4	\$ 39.3	Planned Decrease	Planned decrease due to the construction of a large number of capital projects totaling \$6.7 million
Community Development <i>HUD Grants</i>	1.2	Yes	2.6	2.9	Yes	Fund balance is programmed for future projects.
Parking Structure <i>In-Lieu Fees</i>	0.3	Yes	1.6	2.0	Yes	Fund balance is restricted for a HUD loan used to build the East Acequia parking structure. This year \$2.9 million was spent on the West Acequia structure.
Redevelopment Agency <i>Tax Increment</i>	0.8	Yes	1.3	6.3	Yes	Improved property tax increment growth added to fund equity. Low and Moderate Income Housing funds contain most of these programmed resources.
Transportation <i>Local Impact Fees</i>	3.9	Yes	10.5	10.1	Yes	Accumulating resources for additional projects required due to increased responsibilities which increased impact fees. Funds are designated for future projects.
Other Funds <i>Various Impact Fees</i>	7.4	Yes	31.4	31.5	Yes	Impact Fee revenue increased this year (e.g.; Recreation Facilities \$2.9 million) and Sales Tax increased in the Measure T funds by \$1.0 million
	<u>\$ 11.5</u>		<u>\$ 104.8</u>	<u>\$ 92.1</u>	*	
<b>Business-Activity:</b>						
Convention Center	0.2	monitor	(2.3)	0.7	Planned Decrease	Operating subsidy remained unchanged this year, after last year's \$0.5 million reduction. Negative equity exists as debt exceeds the Center's capital assets less accumulated depreciation.
Airport	2.0	Yes	10.2	0.0	Yes	Net gain result of federal grant income which maintains airport's fixed assets.
Golf Course	0.1	monitor	1.3	0.1	Yes	Revenues and expenses relatively unchanged from last year. Need to monitor.
Wastewater & Storm Sewer Maintenance	9.6	Yes	132.9	9.4	Yes	Net income mainly due to development contributions of infrastructure; also increased connection fees.
Solid Waste & Street Sweeping	(0.5)	Yes	7.7	2.0	Yes	Revenues up 7%, expenses up 11%. Rising fuel costs and additional depreciation contributed to loss. Depreciation exp. this year was \$1.0 million. Will need need to review rates for probable increase this year.
Transit	2.3	Yes	14.2	0.7	Yes	Operating expenses increased due to increased services and add'l fuel costs. Operating and capital grant income sustains operations. Need to monitor to avoid potential operating costs exceeding revenues.
	<u>\$ 13.7</u>		<u>\$ 164.0</u>	<u>\$ 12.9</u>	*	

\* Note: Business-activity fund equity includes fixed assets which are not expendable resources. Governmental fund equity does not include debt nor fixed assets.

increase was designed only for the conversion of refuse vehicles to Compressed Natural Gas. Due to fuel prices increases, staff will review the fund and return to Council with recommendations to maintain the fund's fiscal soundness.

- **Transit** (page 41) received \$7.4 million in federal and state grant revenue for capital and operational expenses and \$3.5 million was spent on capital (e.g. buses and partial construction of the transit bus maintenance facility).

## Other Funds

Table 1 above illustrates only the City's "major funds" as presented in the CAFR. Some of the City's non-major funds are worthy of comment. These funds are found in the CAFR on the referenced pages.

- **Measure T Funds** (page 90 & 91): This year sales tax grew faster than anticipated resulting in an increase over last year totaling \$1.0 million for Police and Fire combined. During the year the Police fund expended \$1.0 million on operations (primarily salaries) and \$0.8 million on capital (precinct costs) and the Fire fund spent a total of \$0.3 million. The total balance of cash for both funds at the end of the fiscal year was \$5.5 million and is being accumulated to pay for precinct stations, new fire station and Public Safety Building. A separate audit has found the City is in compliance with the Measure T plan.
- **Recreation Facilities** (page 92): Revenue increased by \$1.6 million due to increased building activity and the repricing of fees to account for increased land and construction costs. This fund is used to develop parks through out the City.
- **Public Safety Impact Fee** (page 92): Revenue increased by \$1.6 million due to an increased building activity and the repricing of fees to account for increased land and construction costs. This fund is to be used for new public safety facilities and equipment and not for operations and maintenance.
- **Government Facilities Impact Fees** (page 92): Revenue increased by \$0.8 million due to increased building activity and the repricing of fees to account for increased land and construction costs. This fund is to be used for development of new or expanded Civic Center, Corporation Yard and Library.
- **Health Benefits** (page 109): Expenditures decreased by \$1.5 million compared to last year. The City joined an insurance pool in January of 2005. For a period of time in the 2004-05 year, the City was paying off old claims when it was solely self-insured and was also paying the full premium to the new pool's costs. This action caused last year's expenses to be higher than this year's expenses.

### Significant financial trends

The City over the last several years has made great strides in developing secure revenues sources to pay for infrastructure and the maintenance of that infrastructure. As a result, the monies collected from impact fees and maintenance assessment districts have grown substantially as shown in Table II, Governmental Impact and Maintenance Fees. The City's challenge is to assure that these fees are appropriately priced to deliver planned for infrastructure.

Table II  
Governmental Impact and Maintenance Fees  
Fiscal Year Ending June 30  
(In Thousands)

	2003	2004	2005	2006
	\$2,83	\$2,48	\$3,57	
Transportation Impact Fees	0	2	6	\$ 9,296
Other Impact Fees	2,704	4,339	4,326	10,973
Maintenance Assessments	<u>550</u>	<u>721</u>	<u>864</u>	<u>1,009</u>
	\$6,08	\$6,54	\$8,76	\$21,27
The City Total	4	2	6	8

The City assesses development impact fees to new development in order to maintain the appropriate level of infrastructure. Most impact fees are for major infrastructure items such as streets, sewers and parks. In the last several years, this has been expanded to include police and fire stations, City

Hall, libraries, and the Corporation Yard. The growth in these fees has been mainly from four factors:

- 1) the robust economy that has increased building activity;
- 2) the repricing of these fees for increased land and construction costs;
- 3) the expansion of fees to cover a broader range of infrastructure assets, and
- 4) the structural change in the Transportation Impact fee (see below).

For example, the majority of Transportation's Impact fee revenue increase is due to the repricing of fees which is resultant of a new method for delivering arterial and collector streets. The almost tripling of fees also has resulted in the reduction in the in-kind cost the developers have to pay. The City now decides (instead of developers) when to develop these streets and this will significantly reduce the number of "patchworks" in the City where arterial street would be two lanes, then four and then back to two.

The key point of this trend is that the City now collects significantly more money for creating and maintaining infrastructure. As a result, staff has a greater responsibility to periodically report the progress on implementing impact fee plans and maintaining infrastructure. Currently, staff prepares a year end report on the status of all impact fees. Within the next couple of months, staff will present a progress report on these fees assessing progress towards implementing the capital plans of the impact fees.

### ***Compliance Reports***

The **Single Audit** (pages 112 to 119) is being included in CAFR for the first time this year to consolidate reporting. This audit is required by the Federal Government for local governments that receive Federal assistance. The Single Audit provides reasonable assurance of compliance with applicable laws and regulations associated with those assistance programs. The audit is done in conformity with federal regulations. The auditors report that the City is compliance with Federal regulations.

The **Redevelopment Agency Financial Statements** (Component Unit Report) are required by the State of California and is comprised of the Redevelopment project areas (East Visalia, Mooney Boulevard, Downtown and Central) including their respective Low and Moderate funds, along with the debt service fund for the East Visalia Bond. (see separate report) Revenues increased by \$0.9 million over last year due to the growth in property tax increment in all of the districts. This revenue increase caused fund balances to increase by \$0.8 million, almost exclusively in the Low/Moderate Income Housing Funds.

The major issue for the redevelopment project areas will be the sunseting of the ability to issue debt. The Downtown and East Visalia project areas have passed their debt issuance dates. The Mooney Blvd. Project area's final debt issuance date is July 1, 2007 and Central's is Nov. 15, 2009. Finance will bring back to Council recommendations regarding a final debt issuance for these project areas.

<b>Prior Council / Board Actions:</b>	None
<b>Committee / Commission Review and Actions:</b>	None
<b>Alternatives:</b>	None

**Attachments:** FY05-06 Comprehensive Annual Financial Report (CAFR)

FY05-06 Redevelopment Agency Financial Statements

**Recommended Motion (and Alternative Motions if expected):** Accept the 2005-06 Comprehensive Annual Financial Report (CAFR) including the Single Audit report, and the 2005-06 Redevelopment Agency Component Unit Financial Statements.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**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:** February 5, 2007

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

**Agenda Item Wording:** Authorize the City of Visalia Director of Public Works to execute a new Master Agreement (No. 06-5044R) between the City and the California Department of Transportation as well as any future amendments or related agreements as required in order to receive Federal and/or State funding for transportation projects. **Resolution Number 2007-**

**Deadline for Action:** None. However, transportation projects receiving Federal and/or State funding will not be allowed to proceed until the agreement is executed.

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340; Michael Carr 713-4595

**Department Recommendation:** Staff recommends that the City Council authorize the Director of Public Works to execute a new Master Agreement between the City and the California Department of Transportation as well as any future amendments or related agreements as required in order to receive Federal and/or State funding for transportation projects.

**Department Discussion:** The City of Visalia is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation, and has been doing so for a number of years under Master Agreement No. 06-5044.

The State is requiring an update to the Master Agreement and a new, revised agreement to be executed by all agencies receiving Federal and State assistance on transportation-related projects.

The revised agreement will, most likely, be in effect for a number of years, since the original was in effect since 1992.

By designating the Director of Public Works as the official signatory for all related agreements and program supplements, the City of Visalia will be able to process the documents in a more efficient manner by not needing a new resolution with every individual project.

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 2 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

**Alternatives:** Designate either the City Engineer or City Manager to execute a new Master Agreement between the City of Visalia and the California Department of Transportation and any future amendments or related agreements.

**Attachments:** Administering Agency-Federal Master Agreement No. 06-5044R, Resolution No. 2007-

Copies of this report have been provided to:

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

I move to authorize the City of Visalia Director of Public Works to execute a new Master Agreement (No. 06-5044R) between the City and the California Department of Transportation as well as any future amendments or related agreements as required in order to receive Federal and/or State funding for transportation projects.

**City Manager Recommendation:**

***Financial Impact***

**Funding Source:**

Account Number:

**Budget Recap:**

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

**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*)

**Notice of Completion to be filed with County Recorded through City Engineer's office**

**RESOLUTION NO. 2007-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA AUTHORIZING  
EXECUTION OF A NEW MASTER AGREEMENT BETWEEN THE CITY OF VISALIA AND  
THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE  
DIRECTOR OF PUBLIC WORKS TO EXECUTE THE MASTER AGREEMENT AND ANY  
FUTURE RELATED AGREEMENTS AS REQUIRED**

**WHEREAS**, The City of Visalia is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and

**WHEREAS**, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed; and

**WHEREAS**, the City wishes to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Works, and that he be authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto with the California Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Visalia that the Director of Public Works is hereby authorized to execute a new Master Agreement between the City of Visalia and the California Department of Transportation as well as any future amendments or related agreements as required to receive Federal and/or State funding for transportation projects.

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Participation by the City in the Feasibility Study related to location of centralized Tulare County Facilities.

**Deadline for Action:**

**Submitting Department:** Administration

**Contact Name and Phone Number:**

Steve Salomon (559) 713-4312

**Department Recommendation:**

To authorize the City Manager to indicate to Tulare County the City's willingness to fund an addendum to their feasibility study relating to the location of centralized County facilities at an estimated cost of up to \$25,000.

**Summary/Background:**

The County currently has two major locations where it has facilities in Visalia - Burrel Avenue and South Mooney Boulevard. In addition, they lease a substantial amount of space at various locations within the City of Visalia. As noted in attachment A, they have hired a consulting firm to do analysis on alternatives for these facilities. Currently they are focusing primarily on intensifying their presence at the Burrel Avenue and/or South Mooney Boulevard. The Mayor on November 15, 2006 (see attachment B) asked the County to consider looking at a location in the northeast downtown. In the letter dated January 11, 2007 (attachment C), Chairman Ishida indicated that the County would direct their consultants to do so if the City would pay for it.

I am recommending that the City indicate its willingness to do so in order to develop the appropriate information so the County can make a better-informed decision. Discussion between City and County representatives identified an estimated cost for this additional analysis to be up to \$25,000.

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

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

**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  

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.



**Alternatives:** None recommended.

**Attachments:** (A) Letter from Brian Haddix, County Administrative Officer  
(B) Letter from Mayor Jesus Gamboa  
(C) Letter from Allen Ishida, County Chairman  
(D) Downtown Visalia Alliance Attachments

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

Authorize the City Manager to indicate to the County the City's willingness to fund an addendum to their feasibility study relating to the location of County facilities.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**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)*

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Approve the recommended appointments of Ben Filiponi and Russ Dahler to the Bicycle, Pedestrian and Waterway Trails Committee as recommended by the Citizens Advisory Committee.

**Deadline for Action:** None

**Submitting Department:** Parks and Recreation

**Contact Name and Phone Number:** Paul Shepard, 713-4209

**Department Recommendation:** Approve the recommended appointments of Ben Filiponi and Russ Dahler to the Bicycle, Pedestrian and Waterway Trails Committee.

**Summary/background:** The Bicycle, Pedestrian and Waterway Trails Committee maintains fifteen members and currently has two vacancies. At its January 2007 meeting the Citizens Advisory Committee reviewed the applications of Ben Filiponi and Russ Dahler to the Bicycle, Pedestrian and Waterway Trails Committee. The CAC recommended approval of these two individuals.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:** At its January 2007 meeting, the CAC recommended approval of these two individuals.

**Alternatives:**

**Attachments:** Applications of the two individuals desiring to serve on the Bicycle, Pedestrian and Waterway Trails Committee.

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

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_ N/A  
**City Atty** \_\_\_\_\_ N/A  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

**Recommended Motion (and Alternative Motions if expected):** Move to approve the recommended appointments of Ben Filiponi and Russ Dahler to the Bicycle, Pedestrian and Waterway Trails Committee.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**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)*

Copies of this report have been provided to:

# City of Visalia Agenda Item Transmittal

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Appropriate \$125,000 from the Storm Sewer Deficiency Fund (1222 Fund) for the Main Street Storm Sewer project and authorize to bid the public improvements for the Main Street Storm Sewer project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4492,  
Jim Funk 713-4540

### Department Recommendation and Summary:

Staff recommends that the City Council Appropriate \$125,000 from the Storm Sewer Deficiency Fund (1222 Fund) for the Main Street Storm Sewer project and authorize to bid the public improvements for the Main Street Storm Sewer project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

The Project includes the installation of a ten-inch (10") diameter storm sewer line in Main Street from a drain inlet in front of Redwood High School's recently constructed handicap parking area to an existing storm sewer line in Conyer Street. The original storm sewer pipe material failed several years ago and recently Visalia Unified School District installed a dry well on site to keep the parking stall from flooding in rain events. The engineer's estimate for the project is \$125,000 including construction, project management, inspection, testing and surveying. Staff is proposing the project be funded with Storm Sewer Deficiency funds (1222) using available fund balance. The Storm Sewer Deficiency fund is financed through a portion of the monthly user fee.

In addition, since the project would be financed with local funds staff is requesting the City Council authorize the bidding of the project without the requirement for payment of prevailing wages.

**Alternatives:** Fund project with another fund; Bid project as a prevailing wage rate project.

**Attachments:** Location Map

### 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.

### Review:

Dept. Head \_\_\_\_\_  
(Initials & date required)

Finance \_\_\_\_\_  
City Atty \_\_\_\_\_  
(Initials & date required or N/A)

City Mgr \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** Appropriate \$125,000 from the Storm Sewer Deficiency Fund (1222 Fund) for the Main Street Storm Sewer project and authorize to bid the public improvements for the Main Street Storm Sewer project without the requirement for the payment of prevailing wages

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes  No   
Review and Action: Prior: \_\_\_\_\_  
Required: Cat Exempt prior to construction

**NEPA Review:**

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

***Financial Impact***

**Funding Source:**

Account Number: 1222 (Storm drainage acquisition Fees)

**Budget Recap:**

Total Estimated cost:	\$125,000	New Revenue:	\$
Amount Budgeted:	\$000,000	Lost Revenue:	\$
New funding required:	\$125,000	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

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*)

**None**

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Second Reading of Ordinance 2007-01- Authorizing Sale of APN:094-285-15 located at the southwest corner of Oak Avenue and Bridge Street consisting of approximately 17,308 square feet to Paloma Development at a purchase price of \$255,293.

**Deadline for Action:** None

**Submitting Department:** Administration; Community Development

**Contact Name and Phone Number:**

Steve Salomon, City Manager: 713-4312  
Michael Olmos, Assistant City Manager: 713-4332  
Colleen Carlson, Consultant: 627-4400

**Department Recommendation:**

1. Approve the second reading of an ordinance to sell parcel at southwest corner of Oak Avenue and Bridge Street adjacent to and east of 222 Garden (APN:094-285-15) consisting of approximately 17,308 square feet) to Paloma Development at a purchase price of \$255,293 (\$14.75 per sq. ft.) per Hopper appraisal dated August 7, 2006.

**Summary/background:**

In the ongoing effort to strengthen the employment base and revitalize East Downtown, the City has worked successfully with Paloma Development Company for the sale of a City owned parcel at the southwest corner of Bridge and Oak Streets. The sale of the property will require Paloma to obtain building permits to construct a professional office building at this location within 18 months of execution of a purchase and sale agreement.

The property proposed for sale is the east half (approximately 17,308 sq. ft.) of the approximately 32,670 s.f. lot bounded by Oak to the north, Garden to the west, and Bridge to the east. The west half was sold in 2003 to Paloma Development for \$8.00 per sq. ft. Paloma then developed the attractive Santa Fe style professional office building on that lot in a manner that allowed for abutment of a second phase building to the east which was anticipated in the sale of the initial parcel.

**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

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

If Council authorizes this transaction, development of the site will remove an existing public parking lot containing 38 spaces. While parking availability has been a concern in this area of downtown, the City has taken significant steps to provide additional parking in the vicinity. New public parking lots have recently been completed at the northeast corner of Oak Avenue and Santa Fe Street (55 spaces) and southwest corner of Oak and Tipton (23 spaces next to Chamber of Commerce building). In addition, the City recently acquired the 61,888 sq. ft. parcel Gas Co. at 300 N. Tipton (northeast corner of Oak and Tipton). A design and improvement plan is being prepared to convert the Gas Co. site to public parking. This conversion will be completed prior to development of the subject parcel.

Paloma plans to develop approximately 25,000 sq. ft. of additional offices compatible with their current professional mix for either lease or sale as condominium suites in a two story complex. The expansion will utilize similar architectural style of the existing building so that the entire block will be architecturally consistent.

**Prior Council/Board Actions:**

January 16, 2007 – Council approved first reading of Ordinance to sell subject parcel to Paloma Development Company.

June 5, 2006 -- Council authorized staff to 1) Obtain an appraisal of the property; 2) Negotiate the terms of a Purchase and Sale Agreement and 3) Return to Council for final review and, if acceptable, approval of a Purchase and Sale Agreement

December 18, 2006 – Council reviewed the appraisal, approved a purchase and sale agreement, and directed staff to return with an ordinance re sale of said property.

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

**Alternatives:** None recommended

**Attachments:** Proposed Ordinance 2007-01 re Sale  
Site map

**Recommended Motion (and Alternative Motions if expected):** I move to approve the second reading of the ordinance to sell the Property identified in the proposed ordinance.

***Environmental Assessment Status***

**CEQA Review:** The property sale has been evaluated under CEQA and determined categorically exempt from CEQA per CEQA Guidelines Section 15332. The proposed development would likely be determined categorically exempt as Class 32 infill, but such additional environmental analysis may be required when specific uses for this property are determined.

**NEPA Review: None**

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

If the first and second reading of the ordinance is approved, escrow will be opened and tracked in accord with the purchase and sale agreement.

Copies of this report have been provided to:



ORDINANCE NO. 2007-01

AUTHORIZING SALE OF CERTAIN PROPERTY TO PALOMA DEVELOPMENT CO., INC. OR  
ITS VESTEE

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 described as the parcel adjacent to and east of 222 Garden Street at the southwest corner of Oak Avenue and Bridge Street, identified by Assessors Parcel Number 094-285-015, and more particularly described as:

That portion of Lots 1, 2 and 3 of Block 23 of the 'Original Townsite of the City of Visalia' recorded in Book 3 at Page 48 of Maps, T.C.R. situated in the SW1/4 of Section 29, Township 18 South, Range 25 East, Mount Diablo Base and Meridian, in the City of Visalia, County of Tulare, State of California, more particularly described as follows:

Commencing at the northeast corner of said Lot 1; thence S 00°00'26" W 5.02 feet along the east line of said lot to the TRUE POINT OF BEGINNING; thence S 00°00'26" W 116.68 feet along said east line to a point 1.75 feet north of the north line of the alley as shown on said map, as measured at right angles to the north line of said alley; thence N 89°48'17" W 142.36 feet parallel with said north line to a point 121.00 feet east of the west line of Lot 4 of said map; thence N 00°00'22" E 121.67 feet parallel with said west line to the north line of said Lot 3; thence S 89°48'04" E 137.38 feet along the north line of said Lots 3, 2 and 1; thence S 44°53'49" E 7.06 feet to the POINT OF BEGINNING.

CONTAINING APPROXIMATELY 17,308 S.F.

Section 2: Said real property is located at the southwest corner of Oak Avenue and Bridge Streets, and

Section 3: The City of Visalia has determined that it is in the City's interest to sell said real property and Paloma Development Co., Inc. or its vestee wishes to purchase said real property and the rights and entitlement, all on the terms and conditions set forth in a Purchase and Sale Agreement and Escrow Instructions.

Section 4: The Charter of the City of Visalia empowers the City to acquire and dispose of real property for the common benefit, and consistent with such authority, the Council hereby finds that the sale of the property herein described is for the common benefit and authorizes the transfer of ownership in and to said real property to Paloma Development Co., Inc. or its vestee per the terms and conditions of the above-mentioned agreement.

Section 5: This ordinance was passed after a first and second reading and shall become effective thirty days after passage hereof.

PASSED AND ADOPTED:

\_\_\_\_\_  
ATTEST:

\_\_\_\_\_  
STEVEN M. SALOMON, CITY CLERK

JESUS GAMBOA, MAYOR

APPROVED BY CITY ATTORNEY:

ALEX PELTZER

## City of Visalia Agenda Item Transmittal

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Approval Tony Salierno as the City of Visalia's nominee to the Measure R Citizen's Oversight Committee.

**Deadline for Action:** February 9, 2007

**Submitting Department:** Administration

**Contact Name and Phone Number:**

Greg Kirkpatrick, Vice Mayor  
Bob Link, Council Member  
Steve Salomon, 713-4312  
Leslie Caviglia, 713-4317

**Department Recommendation**

It is recommended that the City Council appoint Tony Salierno as the City of Visalia's nominee to the Measure R Citizen's Oversight Committee.

**Department Discussion**

The Council Subcommittee is recommending Tony Salierno to represent Visalia. In selecting Tony, they noted his strong business experience, having owned a successful mortgage company for more than 35 years, his banking experience, and his diverse involvement with the community. The Subcommittee felt that Mr. Salierno's broad based experience would be especially useful in developing the policies and procedures that will be used to implement Measure R. The Tulare County Transportation Authority will consider the appointments at a meeting on February 12. The Authority Staff expects the first Citizens Oversight Committee to occur later in February.

The City received six applications by the deadline from people interested in serving as the City's representative on the Measure R Citizen's Oversight Committee. Applications are attached for the following:

- Lindsay Bailey
- Phillip Bourdette
- Brian Kempf
- Tony Salierno
- Dale Simmons
- Vicki Stasch

All were encouraged to also apply to the Tulare County Association of Governments to serve as one of the three at-large members. All are on the list for consideration by the Citizen's Advisory Committee to fill one of the at-large positions.

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

**Review:**

**Dept. Head LBC 11107**

**Finance**

**City Atty**

**City Mgr**

In case a vacancy occurs, the applications will be retained for two years, including one that was received this week, after the deadline. The one applicant who was not already serving on a City Committee has been contacted about becoming involved with a City Committee/Commission.

**Background:**

The Council SubcommitteeThe Council subcommittee met in early December and outlined a process for soliciting applications; however, due to holiday and vacation schedules, they have not been able to review and discuss the applications of the citizen's interested in serving as Visalia's representative on the Measure R Citizen Oversight Committee.

The Sub-Committee will be meeting on Monday morning, and may have a recommendation to present to the Council at the meeting.

The Measure R Expenditure Plan requires that an Oversight Committee be formed within 6 months (no later than May 7, 2007) of the passage of the initiative; however, conversations with County officials have indicated that the Committee may begin meeting prior to that date. The first revenues are expected to begin being collected in the second quarter of 2007, and will be received by the County mid-year.

The City of Visalia may recommend one member of the public to the TCAG Board for consideration. The representative must be at least 18 years of age and reside in the County. The Expenditure Plan specifies that the representatives cannot be elected officials, nor an employee of any State, County or local City agency. All members of the Committee must submit the appropriate Fair Political Practices Commission financial disclosure statements.

At the Council's Dec. 4 meeting, the Council appointed Vice Mayor Greg Kirkpatrick and Council Member Bob Link to serve as a sub committee to review applications submitted by citizen's interested in serving as the City's representative on the Measure R Citizen's Oversight Committee.

The Visalia members of the Measure R campaign committee, as well the City's committee and commission members, were contacted about applying to serve on the committee, and/or, helping to recruit other people to serve on the Committee. There were also notices in the media about how to apply.

The Measure R Expenditure Plan calls for a 16 member oversight Committee. The purpose of this Committee is to provide input on implementation of the plan, to advise the TCAG Board if and when the plan needs to be augmented, to ensure that the funds are being spent in accordance with the plan., to inform the public, and to ensure that the Transportation Measure funding program revenues and expenditures are spent as promised in the Measure passed by the voters.

The Committee may receive, review and recommend any action or revision to the plans, programs, audits or projects that is within the scope of stated scope including:

- \*Receive, review, inspect, and recommend action on independent financial and performance audits related to the Measure
- \*Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Measure programs, revenues, or expenditures.

\*Review and comment upon Measure expenditures to ensure they are consistent with the Expenditure Plan.

\*Annually review how sales tax receipts are being spent and publicize the results

\*Present Committee recommendations, findings, and requests to the public and TCAG in a formal annual report to inform Tulare County residents how funds are being spent.

\*The Committee will have full access to the TCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from TCAG, and other relevant data generated by reputable sources. It is understood that TCAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes, and that the Committee will be kept abreast of such efforts, and is invited to participate in development of such updates in a review capacity.

The Expenditure Plan defines the Committee membership as follows:

\*One member appointed by each City and the County

\*One representative from a major private sector Tulare County employer, nominated by the Tulare County Economic Development Corporation

\*One representative from the building industry, nominated by the Tulare County Building Industry Association.

\*One representative from the agriculture industry, nominated by the Tulare County Farm Bureau.

\*One representative from the Hispanic community, nominated by the Tulare Kings Hispanic Chamber of Commerce.

\*One representative from an advocacy group representing bicyclists and pedestrians, and/or transit.

\*One member who is a professional in the field of audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.

\*One representative from an environmental advocacy group

(The representatives for the last three positions will be selected from applications solicited from Tulare County representatives will be selected by the other 13 seated Board members, subject to final approval by TCAG.

**Prior Council/Board Actions:**

Dec. 4, 2006 – The Council appointed a Council sub-committee to make a recommendation to the full Council.

**Committee/Commission Review and Actions:**

N/A

**Alternatives:**

To appoint a different applicant

**Attachments:**

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

I move that we appoint \_\_\_\_\_ as the City's nominee to the Measure R Citizen's Oversight Committee.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**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:** February 5, 2007

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

**Agenda Item Wording:** Authorize the City Manager to enter into a contract with the Department of Forestry and Fire Protection for the Green Trees for the Golden State grant in the amount of \$149,000 to plant 1,450 trees at various locations within the City and adopt resolution 2007- .

**Deadline for Action:** February 15, 2007

**Submitting Department:** Park and Recreation Department,  
Urban Forestry Division

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

**Department Recommendation:** Staff recommends the City Council authorize the City Manager to enter into an agreement for grant funding in the amount of \$149,000 with the California Department of Forestry, Green Trees for The Golden State grant program for the purpose of planting approximately 1,500 trees within City parks, street right of way, and along waterway corridors and designate the City Manager as the City agent to negotiate, execute and submit all necessary documentation as required by the grant contract.

The grant will fund the costs for trees, tree stakes, labor, and irrigation materials. The City will provide a match of \$25,000 for the installation of irrigation systems in the waterway setback areas. Staff recommends that the \$25,000 match come from an approved capital improvement project in the Waterway Fund designate for development of riparian areas.

Staff has selected projects based on the grant criteria and where they will provide the most benefit to the City. The grant will be used as a part of the required City match for two trail projects; one on the St Johns River and another on Mill Creek. Staff also proposes to add approximately two hundred fifty trees areas in parks that do not have adequate shade cover. In addition staff will continue to retrofit transportation corridors with street trees and replace street trees in older areas where trees are causing damage to the hard scape.

The grant is part of a continuing effort to enhance the City's urban forest. With the assistance from Brian Kempf of the Urban Tree Foundation, the City has received over \$1 million in grants to plant over 3,000 trees in the downtown, in right of ways, and parks and open spaces over the last five years. Also the City passed in 2001 a Street Tree Ordinance that requires trees to be

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

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

included in new residential and commercial development. In addition the Council approved the hiring of a tree service to care for city trees.

The project is also a partnership with Community Services Education and Training (CSET), Tulare County Conservation Crop (TCC). CSET's Conservation Crop will install the irrigation systems, plant trees, and water during the establishment period. Funding for maintaining trees will be included in the Park and Urban Forestry budget.

**Summary/background:**

**Prior Council/Board Actions:** March 20, 2006 Council approved submittal of pre-proposal

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** Resolution,

**Recommended Motion (and Alternative Motions if expected):** Move to authorize the City Manager to enter into a contract with the Department of Forestry and Fire Protection for a Green Trees for the Golden State program grant in the amount of \$149,000 to plant 1,450 trees at various locations within the City and adopt resolution 2007- .

***Environmental Assessment Status***

**CEQA Review:** I

**NEPA Review:**



**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)*

Copies of this report have been provided to:

**RESOLUTION SUPPORTING GREEN TREES FOR THE GOLDEN STATE GRANT**

Resolution No.: 2007-

RESOLUTION OF THE CITY COUNCIL OF **THE CITY OF VISALIA** FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED, "GREEN TREES FOR THE GOLDEN STATE", AS PROVIDED THROUGH PROPOSITION 12.

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted Proposition 12, which provides funds to the State of California and its political subdivisions for urban forestry programs; and

WHEREAS, the State Department of Forestry and Fire Protection has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies and non-profit organizations under the program, and

WHEREAS, said procedures established by the State Department of Forestry and Fire Protection require the applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, the applicant will enter into an agreement with the State of California to carry out a tree planting project;

NOW, THEREFORE, BE IT RESOLVED that the **City of Visalia**:

1. Approves the filing of an application for "PROPOSITION 12" tree planting grant program funds; and
2. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and,
3. Certifies that funds under the jurisdiction of **City of Visalia** are available to begin the project.
4. Certifies that said applicant will expend grant funds prior to March 31, 2009.
5. Appoints **Steve Salomon, City Manager** as agent of the **City of Visalia** to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and adopted the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. I, the undersigned, hereby certify that the foregoing Resolution, number \_\_\_\_\_ was duly adopted by the following roll call vote of the Visalia City Council

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ (Clerk) Notarized Seal:

Green Trees for the Golden State Grant			
Name	Location	Trees	CEQA Doc.
St Johns River @ McAuliff	From McAuliff St. to Rd 148	210	Neg Dec. Trail Project
East Mill Ck	From Mill Creek Garden Park to McAuliff St.	130	Neg Dec. Trail Project
Packwood Creek ; County Center to Cameron Ave.	South side of Caldwell Ave., west of Stonebrook St.	400	Neg. Dec.
Crestwood	County Center & Whitendale Ave.	10	Categorical Exemption
Houk Park	Woodland St. & Royal Oak Dr.	15	Categorical Exemption
Constitution Park	Tulare Ave. east of Akers Rd.	20	Categorical Exemption
Recreation Park	Center St. & Jacob St.	25	Categorical Exemption
Plaza Park		50	Categorical Exemption
Lincoln Oval Park	Court St south of Houston	10	Categorical Exemption
Seven Oaks	Edison St & Tulare Ave	40	Categorical Exemption
Mill Creek Garden Park	Lovers Ln & Mill Creek Parkway	35	Categorical Exemption
Woodland Park	Woodland St north of Houston Ave	50	Categorical Exemption
ROW & Medians	Various Locations	200	Categorical Exemption
Replacement of L&L Trees	Various Locations	350	Categorical Exemption
<b>Total</b>		1545	

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Authorization to file a Notice of Completion for the Pinkham Street – K Avenue Intersection Street Improvement Project. Project No: 1241-00000-720000-0-9723-2005; final contract amount of \$347,533.98 and authorize an additional appropriation of \$110,000 from the 1241 Fund (Transportation Impact Fund.)

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340; Michael Carr 713-4595;  
Jim Funk 713-4540

**Department Recommendation:** Staff recommends that the City Council authorize filing a Notice of Completion for the Pinkham Street – K Avenue Intersection Street Improvement Project. Project No: 1241-00000-720000-0-9723-2005 with a final contract amount of \$347,533.98 and authorize the additional appropriation of \$110,000 from the Transportation Impact Fund to cover additional costs incurred outside the contract.

**Department Discussion:** The Pinkham St. – K Avenue Intersection project, in conjunction with the San Joaquin Valley Railroad track warning devices and crossing upgrade project complete a major north-south circulation link for the city by providing through traffic from Noble to Caldwell along Pinkham Street, a collector roadway.

At the December 19, 2005 City Council meeting a contract was awarded to Central Valley Asphalt (CVA) in the amount of \$312,074.48. A total of twelve change orders at a cost of \$35,459.50 (11.4% of the awarded contract amount) were necessary to complete the project. Several of the change orders were the result of needing to match the work done by the Railroad, which left the tracks 6-inches higher than the original grade. The Railroad's work took place after the road contract had begun, and the City was obligated to match what the railroad put in place. The change orders were reviewed and approved by the Change Order Committee. The change orders approved entailed the following work:

1. Remove street trees between sidewalk and block wall on the west side of Pinkham between Cherry Avenue and K Avenue. The plans produced by California 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.): 3 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_ EF  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- & Engineering called for the removal of trees in the park strip, not those behind the sidewalk. However, the trees behind the sidewalk had roots that were buckling the walkway and causing problems for the cinderblock wall behind them. New trees with a less-invasive root system will be planted as part of a separate landscape contract to replace the ones removed. Net increase in contract cost = \$4,305.00.
2. Construct a concrete cap over a shallow utility pipe in the location where a new storm drain lateral was installed. Net increase in contract cost = \$1,363.50.
  3. Install a new manhole and relocate catch basins further north in Pinkham Street to accommodate the re-engineered street grades. Net increase in contract cost = \$1,098.30.
  4. An additional 3,500 square feet of excavation and road base preparation were needed to provide a long enough taper at the east end of the project on K Avenue. This was done to make the road safer at typical travel speeds. Net increase in contract cost = \$6,325.00.
  5. Re-grade roadway and landscape area to bring the grade up to the re-engineered vertical curve after railroad panels were installed six inches higher than expected. Move and compact fill dirt for roadway and behind curb and gutter to prepare for sidewalk and landscaping. The grades were designed anticipating that the railroad would want to keep the elevation of the tracks the same, but they actually built up the crossing and used a higher-gauge (taller) track, resulting in a six-inch increase in elevation. The City had no control over the Railroad's final crossing elevation. All of the vertical curves for the roadway and sidewalks had to be re-designed to accommodate the change in elevation. Net increase in contract cost = \$13,788.50.
  6. Eliminate retaining wall around oak tree and add 35 feet of additional barrier concrete curb and gutter instead. Add road width to south side of K Avenue and replace 370 feet of concrete barrier curb with AC dike. While the project was under construction, the arborist determined that the oak tree was protected well enough and far enough from the travel lane that the retaining wall was not necessary, allowing for the elimination of an expensive line item. It was determined that, since the property southeast of the intersection would be developed that AC dike be used instead of concrete curb and gutter which would be more difficult and costly to remove. Net contract cost savings = \$10,984.03.
  7. Adjust quantity and unit price of Class II Aggregate Base to the amount actually installed. Increase unit price \$1.00/ton to reflect rise in material costs. Net increase in contract cost = \$4,936.47.
  8. Adjust quantity and unit price of Asphalt Concrete to the amount actually installed. Increase unit price \$2.00/ton to reflect rise in material costs. Net increase in contract cost = \$14,123.34.
  9. Add pavement striping and signage to contract. Net increase in contract cost = \$6,184.50.
  10. Reduce the quantity of concrete barrier curb along the south side of K Avenue by 370 feet to reflect the amount that was replaced with AC dike in Change Order No. 6. Net contract cost savings = \$4,810.00.

11. Install seven 4.5-foot sections of 3-inch conduit to allow irrigation lines to be pulled underneath the sidewalk when landscaping is installed at a later date. Net increase in contract cost = \$580.92.
12. Delete the Residential Concrete Drive Approach. The residential concrete drive approach was replaced by an asphalt approach with Change Order No. 6 and the quantity of asphalt was increased in Change Order No. 8. This Change Order removes the concrete approach to balance quantities. Net contract cost savings = \$10,984.03.

Modifications to the project included waiting for the Railroad to install concrete panels and new tracks across Pinkham Street; redesigning the vertical curve in the roadways to accommodate railroad tracks that were approximately six inches higher than the previous track; Moving and installing additional fill material to raise the grades; redesigning the taper back to the existing travel lanes at the east end of the project on K Avenue; reconstructing the redesigned grades to accommodate the railroad crossing; the Railroad installing railroad signal lights and gates; and having roadway striping and signs installed.

Additional costs outside the contract include: railroad crossing upgrade with concrete panels; higher-grade track; and railroad crossing arms and lights; California Planning & Engineering fees for construction plans, SCE street light relocations; SCE electrical service; material testing; and staff time (construction management, re-design, surveying and inspection.) The actual costs for these items came in higher than originally estimated. The total amount budgeted for this CIP project is \$631,500, and the final projected cost of the project, including this contract with CVA is \$741,500. Therefore, staff is requesting the City Council authorize the additional appropriation of \$110,000 from the Traffic Impact Fund (1241 Fund) to pay the additional costs, contract retention, the balance on the railroad upgrade, the additional costs of landscaping the rights of way, and landscaping contract administration.

**Alternatives:** None suggested

**Attachments:** Location Map

Copies of this report have been provided to:

**Recommended Motion (and Alternative Motions if expected):** I move to authorize staff to file a Notice of Completion for the Pinkham Street – K Avenue Intersection Street Improvement Project. Project No: 1241-00000-720000-0-9723-2005 with a final contract amount of \$347,533.98 and authorize the additional appropriation of \$110,000 from the Transportation Impact Fund to cover additional costs incurred outside the contract.

**City Manager Recommendation:**

**Financial Impact**

**Funding Source:**

Account Number: 1241-00000-720000-0-9723-2005

**Budget Recap:**

Total Estimated cost: \$ 741,500.00	New Revenue: \$
Amount Budgeted: \$ 631,500.00	Lost Revenue: \$
New funding required: \$ 110,000.00	New Personnel: \$
Council Policy Change: Yes___ No__X	

**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*)

**Notice of Completion to be filed with County Recorded through City Engineer's office**

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Authorization to file a Notice of Completion for the Oak Avenue Street Improvement Project (Santa Fe to Tipton Streets) Project No. 1111-00000-720000-0-9682-2005, with the final contract amount of \$503,937.07; and appropriate \$100,000 from the Gas Tax Fund (1111) as supplemental funding for the project.

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340; Michael Carr 713-4595;  
Jim Funk 713-4540

**Department Recommendation:** Staff recommends that the City Council authorize filing a Notice of Completion for the Oak Avenue Street Improvement Project (Santa Fe to Tipton Streets) Project No. 1111-00000-720000-0-9682-2005, with the final contract amount of \$503,937.07; and appropriate an additional \$100,000 from the Gas Tax Fund (1111) to cover the costs associated with the purchase and installation of new decorative street lighting around the project. These funds will also cover two change orders submitted by Quality Signal, San Joaquin Valley Railroad's contractor, for having to over-excavate under the tracks and relocate the crossing control cabinet from the east side of Tipton Street to the west side.

**Department Discussion:** The Oak Avenue Street Improvement Project completed Oak Avenue between Santa Fe and Tipton Streets in front of the Chamber of Commerce. The project also built the curb and gutter, sidewalks and two new public parking lots – one on the NE corner of Oak and Santa Fe and one east of the Chamber building. The project included new storm drain connections and street landscaping with trees, shrubs and a new irrigation system. Two stamped, colored concrete crosswalks at Oak and Santa Fe were also part of this project.

When the project was awarded, the City Council indicated that they would like to have decorative street lights in the project area. However the Sun Valley lights being used in the downtown area take several months to manufacture and deliver, so this contract was amended to only put in the conduit and electrical pull boxes in preparation for lights and wiring to be installed under a separate contract when the lights arrive.

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 3 Min.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_ EF  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.



At the July 24, 2006, City Council meeting a contract was awarded to Rising Sun Company, Inc., in the amount of \$461,728. A total of three change orders at a cost of \$42,209.07 (9.1% of the awarded contract amount) were necessary to complete the project with the addition of installing infrastructure for new street lights. The change orders were reviewed and approved by the Change Order Committee. The change orders approved entailed the following work:

1. BALANCE OF QUANTITIES

Increase the quantities of Asphalt, Aggregate Base, and 15" Drain Pipe to actual quantities installed.

Net increase in contract cost of total Change Order No. 1 = \$19,980.00.

2. INSTALL LIGHTING CONDUIT – The City Council instructed staff to have additional lighting installed on Oak Avenue and in the new parking lot on the NW corner of Oak and Santa Fe across from the Family Healthcare Network. The decorative downtown lights take months to have manufactured and delivered, so rather than delay the completion of this project, City staff elected to have the contractor run conduit with pull ropes to all locations where lights would eventually be installed.

The work to install the lighting infrastructure added a total of five working days to the project.

Net increase in contract cost = \$14,786.39.

3. EXTRA WORK ITEMS:

REMOVE CURB/GUTTER AND SIDEWALK in front of Los Portales Restaurant on Santa Fe Street. No additional days were added to the project.

REMOVE RAILROAD TIES FROM SUBGRADE discovered when excavating the road base on Oak Avenue. Removing them required that additional fill material be added to the subgrade. This work added one additional day to the project.

REMOVE MAN-MADE BURIED OBJECT discovered under Santa Fe Street when the crosswalk was being excavated. One working day was added to the project.

REPLACE CONCRETE in front of Los Portales Restaurant (see above). No additional days were added to the contract.

POUR BACK EDISON VAULT located in Santa Fe Street near the alley south of the Chamber building. No additional days were added to the contract.

Net increase in contract cost for all items in this Change Order = \$7,442.68.

There were no delays of note on this project. Rising Sun Company, Inc., the Prime Contractor, had crews active on every work day of the contract.

Additional costs outside this contract include: purchase and installation of the decorative street lighting, which will be completed under a separate contract this spring, railroad crossing upgrades including lights and crossing arms at Tipton and Oak and concrete panels under the

tracks from the east side of Santa Fe to the east side of Tipton Street, change orders on the Railroad work, material testing, blueprinting, and staff time (drafting, construction management, surveying and inspection.) The actual costs for these items came in higher than originally estimated. The amount budgeted for the project including the railroad upgrades was \$1,076,105 and the final projected cost of the project was approximately \$1,176,105. Therefore, Staff is requesting the City Council authorize the additional appropriation of \$100,000 from the Gas Tax Fund (1111 Fund) to cover the additional costs.

**Alternatives:** None suggested

**Attachments:** Location Map

Copies of this report have been provided to:

<p><b>Recommended Motion (and Alternative Motions if expected):</b></p> <p>I move to authorize staff to file a Notice of Completion for the Oak Avenue Street Improvement Project (Santa Fe to Tipton Streets) Project No. 1111-00000-720000-0-9682-2005, with the final contract amount of \$503,937.07; and appropriate an additional \$100,000 from the Gas Tax Fund (1111) as supplemental funding for the project.</p> <p><b>City Manager Recommendation:</b></p>
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<b><i>Financial Impact</i></b>	
<b>Funding Source:</b> Account Number: 1111-00000-720000-0-9682-2005	
<b>Budget Recap:</b>	
Total Estimated cost: \$1,076,105	New Revenue: \$
Amount Budgeted: \$1,076,105	Lost Revenue: \$
New funding required: \$ 100,000	New Personnel: \$
Council Policy Change: Yes___ No___X	

<p><b>Tracking Information:</b> (<i>Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date</i>)</p> <p><b>Notice of Completion to be filed with County Recorded through City Engineer's office</b></p>
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**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Wild Horse Ranch #1, containing 46 lots, located northwest corner of Demaree Street and Riverway Avenue.

**Deadline for Action:** N/A

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Patrick Barszcz 713-4241

**Department Recommendation:**

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. The subdivision was developed by Hidden Oak Development Company. Hidden Oak Development Company has submitted a maintenance bond in the amount of \$70,634.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Summary/background:**

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of December 5, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for Wild Horse Ranch #1 was approved by Planning Commission on April 26, 2004.

**Alternatives:** N/A

**Attachments:** Location sketch and vicinity map.

**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.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

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

I hereby authorize filing a Notice of Completion for Wild Horse Ranch #1.

***Environmental Assessment Status***

**CEQA Review:** Environmental finding completed for tentative subdivision map.

**NEPA Review:**

**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)*

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Wild Horse Ranch #2, containing 16 lots, located northwest corner of Chinowth Street and Riverway Avenue.

**Deadline for Action:** N/A

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Patrick Barszcz 713-4241

**Department Recommendation:**

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. The subdivision was developed by Hidden Oak Development Company. Hidden Oak Development Company has submitted a maintenance bond in the amount of \$22,437.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Summary/background:**

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of December 5, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for Wild Horse Ranch #1 was approved by Planning Commission on February 16, 2005.

**Alternatives:** N/A

**Attachments:** Location sketch and vicinity map.

**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.

**Review:**

Dept. Head \_\_\_\_\_  
(Initials & date required)

Finance \_\_\_\_\_  
City Atty \_\_\_\_\_  
(Initials & date required or N/A)

City Mgr \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

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

I hereby authorize filing a Notice of Completion for Wild Horse Ranch #2.

***Environmental Assessment Status***

**CEQA Review:** Environmental finding completed for tentative subdivision map.

**NEPA Review:**

**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)*

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Da Vinci at Bella Sera, containing 32 lots, located East side of Akers Street at Elowin Avenue.

**Deadline for Action:** N/A

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Patrick Barszcz 713-4241

**Department Recommendation:**

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. The subdivision was developed by Westland Development Company, LLC. Westland Development Company, LLC. has submitted a maintenance bond in the amount of \$6,106.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Summary/background:**

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of November 30, 2004.

**Committee/Commission Review and Actions:** The tentative subdivision map for Da Vinci at Bella Sera was approved by Planning Commission on June 28, 2004.

**Alternatives:** N/A

**Attachments:** Location sketch and vicinity map  
Developer Disclosure Sheet

**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.

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_  
**City Atty** \_\_\_\_\_  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

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

I hereby authorize filing a Notice of Completion for Da Vinci at Bella Sera

***Environmental Assessment Status***

**CEQA Review:** Environmental finding completed for tentative subdivision map.

**NEPA Review:**

**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)*

Copies of this report have been provided to:



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Project No. 6111-00000-720000-0-9534; Reconstruct Parking Lot #4 and Alley Reconstruction Improvements Project located on the southeast corner of Conyer Street and Acequia Avenue. (Final Cost \$ 279,801.71)

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:** Adam Ennis 713-4323, Jim Funk 713-4540, Andrew Benelli 713-4340

**Department Recommendation:** Staff recommends that authorization be given to file a Notice of Completion for Project No. 6111-00000-720000-0-9534; Reconstruct Parking Lot #4 and Alley Reconstruction Improvements Project.

**Summary/background:** Parking Lot #4 is bounded to the north by Acequia Avenue, to the east by Stevenson Street, to the west by Conyer Street and to the south by Mill Creek. The site is located directly west of the City Hall West Complex, across Stevenson Street. The alley extends east and west through the northern portion of Parking Lot #4. This project reconstructed the existing parking lot and former apartment building sites to provide public parking with a mixture of 2-hour and permit parking that will serve the Acequia Medical Building, City Hall, Police Department and adjacent businesses such as Kaweah Delta District Hospital administrative offices. The parking lot also provides additional parking for the west downtown area. The parking lot reconstruction increased the parking spaces from 59 original spaces to 108 permanent spaces and 20 temporary spaces. The temporary spaces are located in a lot north of the alley and west of the Acequia Medical Building. Funding for the project was provided through parking-in-lieu fees collected by the City.

All of the work has been completed on this project by Doug Ross, Inc. dba Central Valley Asphalt at a final cost of \$279,801.71. The contract amount for this job was \$249,622.00. The overage of \$30,179.71 (12.1%) was due to several approved change orders. The approved changes are:

- 1) Additional mobilization costs to construct parking lot in two phases to provide parking continually during construction. (Cost \$4,900.00).

**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\_\_

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance** \_\_\_\_\_ N/A  
**City Atty** \_\_\_\_\_ N/A  
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- 2) Additional cost to remove and replace broken curb, gutter and sidewalk outside and adjacent to the original limits of the project on Stevenson Street at Mill Creek (Cost \$3,241.50).
- 3) Additional cost due to actual quantity of base rock and asphalt delivered to site versus estimates (Cost of \$9,998.10).
- 4) Additional costs due to aggregate base and asphalt price increases of \$3.22 per ton occurring during construction delays due to frequent rain through first portion of construction (Cost \$6,758.58).
- 5) Additional cost due to 4 additional traffic rated Christy boxes required for utilities discovered during demolition (Cost \$3,183.63).
- 6) Additional cost to replace deteriorated wooden handrail at Mill Creek and Stevenson Street with a black vinyl covered chain link fence/guardrail (Cost \$2,097.90).

The 20 temporary spaces are located immediately west of the Acequia Medical Building. The portion of the City owned property in this area will be used for temporary parking but may be converted to alternate use in the future following Council review of a future master plan for the City Hall West site.

**Prior Council/Board Actions:** Award of contract on February 6, 2006.

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

**Alternatives:** None

**Attachments:** Exhibit #1 – Parking Lot #4, Exhibit #2 – Disclosure Form For Firms and Contractors

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I hereby move to authorize filing the Notice of Completion for Project No. 6111-00000-720000-0-9534; Reconstruct Parking Lot #4 and Alley Reconstruction Improvements Project.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**

Account Number: 6111-00000-720000-0-9534 (Parking-In-Lieu Fees)

**Budget Recap:**

Total Estimated cost: \$279,801.71	New Revenue:	\$
Amount Budgeted: \$381,791.00	Lost Revenue:	\$
New funding required:\$ 0.00	New Personnel:	\$
Council Policy Change: Yes_____ No <u>X</u>		

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes  
Review and Action: Prior: Categorical Exemption (section 15332)  
Require: None

**NEPA Review:**

Required? No  
Review and Action: Prior: None  
Require: None

**Tracking Information:** *Record a Notice of Completion with the County Recorder*

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Authorization to record the final map for Parcel Map No. 2005-13, located on the east side of Court Street between Walnut Avenue and Paradise Avenue.

APN: 097-281-001

**Deadline for Action:** February 20, 2007

**Submitting Department:** Public Works, Engineering

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Greg Dais 713-4164

**Department Recommendation and Summary:**

The recommendation is that City Council approve the recordation of the final map for Parcel Map No. 2005-13 containing 2 commercial parcels. The property owners are Jim & Rebecca Armstrong. All the street improvements are existing along Court Street. With this Parcel Map the City is getting additional right of way along Court Street. Development Impact Fees are deferred until future development.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:** Tentative Parcel Map No. 2005-13 was approved by Planning Commission on June 27, 2005 with the expiration date of June 27, 2007.

**Alternatives:** N/A

**Attachments:** Location sketch, parcel map and Ownership Disclosure Form.

**City Manager Recommendation:**

**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\_\_

**Review:**

**Dept. Head** \_\_\_\_\_  
(Initials & date required)

**Finance**   n/a    
**City Atty**   n/a    
(Initials & date required or N/A)

**City Mgr** \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

**Recommended Motion (and Alternative Motions if expected):** Move to authorize recordation of the final map of Parcel Map No. 2005-13.

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)*

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** February 5, 2007

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

**Agenda Item Wording:** Authorize the Recordation of the Final Map for Amber Crossing Unit No. 3 (19 lots), located on the east side of Roeben Street between Riggins Avenue and Robin Avenue and the Formation of Landscape and Lighting District No. 07-04, Amber Crossing Units No. 3 & 4.

Resolution Nos. 07-\_\_\_\_\_ and 07-\_\_\_\_\_ required

APN: 077-490-002

**Deadline for Action:** February 20, 2007

**Submitting Department:** Public Works, Engineering

**Contact Name and Phone Number:**  
Andrew Benelli 713-4340  
Greg Dais 713-4164

**Department Recommendation and Summary:**

**Final Map**

Staff recommends that City Council approve the recordation of the final map for Amber Crossing Unit No. 3 containing 19 single family lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$379,482.70 and Labor and Material Bond in the amount of \$189,741.35; 3) cash payment of \$70,913.73 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

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

Review:  
Dept. Head \_\_\_\_\_  
(Initials & date required)

Finance N/A  
City Atty N/A  
(Initials & date required or N/A)

City Mgr \_\_\_\_\_  
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City

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.

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Roeben Avenue (Collector). The City will be reimbursing approximately \$190,201.77 to the developer (Mangano Homes) by giving a combination of credit on Transportation Impact Fees and cash payment.

### ***Landscape & Lighting***

Staff recommends that the City Council: adopt Resolution No. 07-\_\_\_\_\_ Initiating Proceedings for Formation of Assessment District No. 07-04, Amber Crossing Units No. 3 & 4; adopt the Engineer's Report as submitted; and adopt Resolution No. 07-\_\_\_\_\_ confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

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

**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 Amber Crossing Unit No. 3 subdivision was approved by the Planning Commission on July 12, 2004. This subdivision has received one time extension and will expire on July 12, 2007.

**Alternatives:** N/A

**Attachments:** Location Map; Subdivision Map; 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 Amber Crossing Unit No. 3 and I move to adopt Resolution No. 07-\_\_\_\_\_ Initiating Proceedings for Formation of Assessment District No. 07-04 "Amber Crossing Units No. 3 & 4" and adopt Resolution No. 07-\_\_\_\_\_ Ordering the Improvements for Assessment District No. 07-04 "Amber Crossing Units No. 3 & 4."

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)*



RESOLUTION NO. 07-\_\_\_\_\_

RESOLUTION INITIATING PROCEEDINGS  
FOR FORMATION OF  
ASSESSMENT DISTRICT 07-04  
AMBER CROSSING UNITS NO. 3 & 4  
(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 maintenance of street lights.
2. The proposed district shall be designated "Assessment District No. 07-04, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 07-04, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Amber Crossing Units No. 3 & 4".
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. 07-04  
AMBER CROSSING UNITS NO. 3 & 4  
(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. 07-04, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 5th day of February, 2007 by its Resolution No. 07-\_\_\_\_\_

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

RESOLUTION NO. 07-\_\_\_\_\_

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 07-04  
AMBER CROSSING UNITS 3 & 4  
(Pursuant to the Landscape & Lighting Act of 1972)

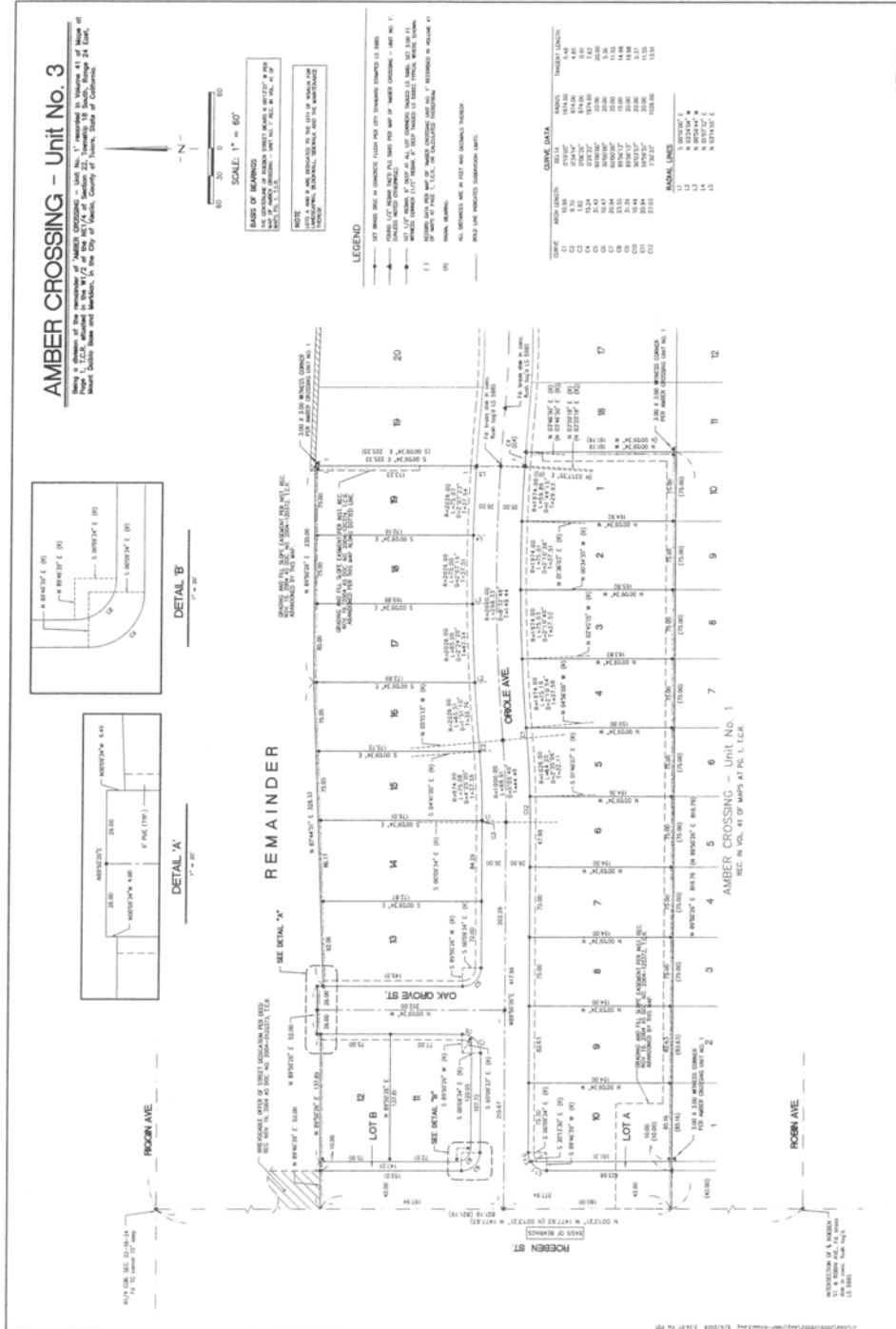
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for “Assessment District No. 07-04, 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 2007-08.
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

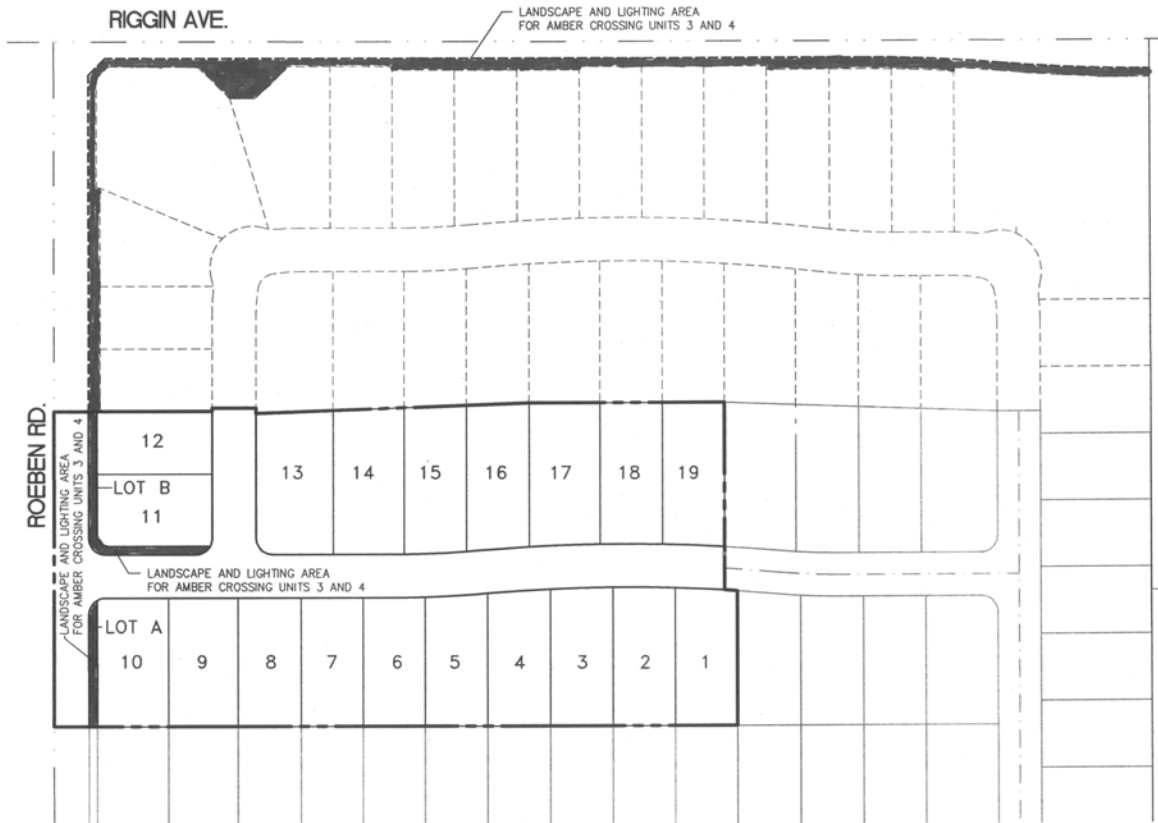
Exhibit "A"

Assessment Diagram  
Assessment District No. 07-04  
City of Visalia, Tulare County, California



# Exhibit "B"

Landscape Location Diagram  
Assessment District No. 07-04  
City of Visalia, Tulare County, California



**Exhibit "C"**

Tax Roll Assessment  
Assessment District 07-04  
Amber Crossing Units No. 3 & 4  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$280.68	07-0401	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0402	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0403	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0404	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0405	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0406	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0407	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0408	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0409	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0410	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0411	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0412	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0413	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0414	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0415	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0416	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0417	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0418	Amber Crossing No. 3
To Be Assigned	\$280.68	07-0419	Amber Crossing No. 3

## **Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 07-04  
Amber Crossing Units No. 3 & 4  
Fiscal Year 2007-08

### General Description

This Assessment District is located on the east side of Roeben Street between Riggin Avenue and Robin Avenue. Exhibit "A" is a map of Assessment District 07-04. This District includes the maintenance of turf, shrubs, street lights, trees, and any other applicable equipment or improvements, maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The total number of lots within the district is 49.

### 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. In order to preserve the values incorporated within developments, the City Council has determined that landscaping, street lights and walls should be included in a maintenance district to ensure satisfactory levels of maintenance.

### Method of Apportionment

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

### Estimated Costs

The District includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion.

**Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 07-04  
Amber Crossing Units No. 3 & 4  
Fiscal Year 2007-08

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.	14755	\$0.199	\$2,936.25
Shrub Area	Sq. Ft.	9295	\$0.199	\$1,849.71
Water	Sq. Ft.	24050	\$0.050	\$1,202.50
Electricity	Sq. Ft.	24050	\$0.008	\$192.40
Landscape Trees	Each	108	\$25.00	\$2,700.00
Street Lights	Each	13	\$105.00	\$1,365.00
Interior Street Trees	Each	55	\$25.00	\$1,375.00
Project Management Costs	Lots	49	\$18.00	\$882.00
<b>TOTAL</b>				<b>\$12,502.85</b>
10% Reserve Fund				\$1,250.29
<b>GRAND TOTAL</b>				<b>\$13,753.14</b>
<b>COST PER LOT</b>				<b>\$280.68</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:

$$A_{max} \text{ for any given year "n"} = (\$13,753.14) (1.05)^{(n-1)}$$

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 07-04  
Amber Crossing Units No. 3 & 4  
Fiscal Year 2007-08

Example 1. The estimated year four cost of maintaining the improvements in the district is \$14,990.92 [a 9% increase over the base year estimated cost of \$13,753.14]. The maximum annual assessment for year four is \$15,920.98 [ $A_{\max} = (\$13,753.14)^{(4-1)}$  (1.05)]. The assessment will be set at \$14,990.92 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 \$15,541.05 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$13,753.14]. 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 \$310.82 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 \$15,920.98 [ $A_{\max} = (\$13,753.14)^{(4-1)}$  (1.05)]. The year four assessment will be set at \$15,541.05 plus the deficit amount of \$310.82 which equals \$15,851.87 [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 \$14,990.92 [a 9% increase over the base year assessment of \$13,753.14] and damage occurred to the masonry wall raising the year five expenses to \$16,778.83 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$16,490.01 (a 10% increase over the previous year) and below the maximum annual assessment of \$16,717.03 [ $A_{\max} = (\$13,753.14)^{(5-1)}$  (1.05)]. The difference of \$288.82 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

### City Engineer Certification

I hereby certify that this report was prepared under my supervision and this report is based on information obtained from the improvement plans of the subject development.

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Andrew Benelli  
Public Works Director

RCE 50022

Date