

# Visalia City Council Agenda



For the special meeting of: Monday, January 8, 2007

Location: Visalia Convention Center

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

---

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.

---

## **EMPLOYEES INTRODUCTION:**

Introduction of Donjia Huffmon, new Chief Deputy City Clerk by Leslie Caviglia, Deputy City Manager, and introduction of Heather Robertson, Office Assistant in the Fire Department, by George Sandoval, Fire Chief.

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

**4:00 p.m.**

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

**Convene a joint meeting of the Visalia City Council, the Visalia Planning Commission, the Visalia Parks and Recreation Commission and the Visalia Bicycle, Pedestrian and Waterway Trails Committee to consider the following items:**

1. Update from Provost and Pritchard's report relating to year round water in Mill Creek, near Tipton and Ben Maddox.

### **Adjourn the joint meeting and reconvene as the Visalia City Council to consider:**

2. Presentation of the recommendations of consultant Bruce Race and the Civic Center Master Plan Task Force regarding the direction proposed for the final phase of the Civic Center Master Plan study.
3. *Item removed at the request of staff.*

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

## ITEMS OF INTEREST

### CLOSED SESSION

**6:00 p.m. (Or, immediately following Work Session. If the closed session is not concluded prior to the start of the regular session, it may continue after the regular session.)**

4. Conference with Legal Counsel – Anticipated Litigation (1)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
5. Conference with Legal Council – Existing Litigation  
(Subdivision (1) of Section 54956.9 GC)  
Name of case: City of Visalia v Harrah et al. (TCSC No. 04-210016)
6. Conference with Labor Negotiators  
Agency Designated Representatives: Eric Frost  
Employee organization: All
7. 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, property owner

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

8. 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: Terms, price and conditions  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, California Department of Transportation.
9. Conference with Real Property Negotiators (GC54956.8)  
Property: Property bounded by Murray, Burke, Ben Maddox and Douglas, APN: 119-010-021, 118-020-037, 118-020-036.  
Under Negotiation: Price, terms and conditions  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Tulare County Farm Bureau, Livestock Salesyard, Inc.

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

10. *Removed at the request of staff*

11. Conference with Real Property Negotiators (G.C. 54956.8)  
Property: 210-216 N. Tipton (APN: 094-240-030 and 031) and 1401 E. Goshen (APN:098050-033)  
Under Negotiation: Price, terms and conditions  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Duval, Margaret and Ken Kugler.
12. *Item moved at the request of staff.*

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

### **MOMENT OF SILENCE IN HONOR OF FORMER PRESIDENT GERALD FORD.**

### **SPECIAL PRESENTATIONS/RECOGNITION**

Presentation of Heritage Grant check to the Fire Department from Cliff Dunbar, of Buckman Mitchell Insurance, and a representative from Fireman's Fund.

**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**

13. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
  - a) Authorization to read ordinances by title only.
  - b) Authorization for the City Manager to enter into an agreement with Visalia Unified School District to provide an after school enrichment program for Valley Oak students at the Manuel F. Hernandez Community Center.

- c) Approve award of professional service contract with William Wagenhalls not to exceed \$48,000 to provide services as a project manager for the design and construction of various park projects.
- d) Award Temporary Staffing Services Contracts (1) Clerical and Administrative Staffing, and (2) General Labor and/or Light Industrial Staffing to (1) Kelly Services and (2) Labor Ready per specifications of RFP 06-07-20.
- e) Approval of Dirk Holkeboer and John Gomez as appointed new members to the Citizens Advisory Committee and George Ouzounian, Sylvia Baggs, and Lawrence Pendergrass as alternate members.
- f) Approval of the 2006/07 Transit Agreement with Tulare County.
- g) Approval of an amendment to the operating agreement between the County of Tulare and the City of Visalia regarding the Public Household Hazardous Waste Collection Center to accept a \$122,000 grant for improvements to the facility.
- h) Authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Riggin Avenue and Roeben Street right-of-way for roadway purposes as offered per Document No. 2004-0120373, Dated November 19, 2004, generally located on the east side of Roeben Street north of Robin Avenue and on the south side of Riggin Avenue east of Roeben Street. **Resolution 2007-01 required.**
- i) Award Landscape Maintenance Contracts (1) Santa Fe Trail & Roadside, Houston Triangles, Goshen Bike Path and (2) Various Medians & Roadsides to Sacramento Weed and Growth Regulators per specifications of RFB 06-07-07.
- j) Accept Engineer's report, call for construction bids, set a public hearing and direct the recordation of assessment district map for the proposed Village West Street assessment district and adoption of Resolution No. 2007-02. **Resolution 2007-02 required .**
- k) Authorization for staff to work with potential partners to develop a proposal for a Visitor's Center, submit a concept proposal, and if accepted, a subsequent grant application for a \$250,000 California Partnership for the San Joaquin Valley seed grant.
- l) Authorization for the City Manager to negotiate and acquire buses necessary to operate the internal & external shuttles at the Sequoia/Kings Canyon National Parks (SEKI), and appropriate funds, from grants already approved and fees for service, in the amount of \$2,024,235 for the bus acquisition and operation of the shuttle services.
- m) The City Council receives, review, and file the 2005-06 Impact Fee Report as required by State Law.

- n) Authorization to record the following final maps:
  - i. Parcel Map No. 2006-16, located at Tracy Street between Douglas Avenue and Goshen Avenue. APN: 098-050-004.
  - ii. American Industrial East, located along American Street, and the formation of Landscape and Lighting District No. 07-02, American Industrial East. ANP: 081-130-001. **Resolutions 2007-04 and 2007-05 required.**
- o) Authorization to file the final notice of completion on the following:
  - i. Ashley Grove Units No. 10, containing 64 residential lots, located at the southwest corner of Riggin Avenue and Mooney Blvd
  - ii. Kirkwood Estates Unit No. 3, containing 37 lots, located on the south side of Douglas Avenue between Vista Street and Manzanita Street.
  - iii. Sierra Point Villas Subdivision, containing 48 lots, located on the northwest corner of the Mineral King Avenue and McAuliff Street intersection.
  - iv. Request authorization to file a Notice of Completion for Gunn Ranch subdivision, containing 70 lots, located at the northwest corner of Demaree Street and Visalia Parkway.
- p. Appointment of City nominee to the Measure R Citizen's Oversight Committee (*Recommendation to be distributed at meeting*)
- 14. Authorization for Mayor to sign the "Cool Cities" Mayor's Climate Protection Agreement, and to submit a concept proposal for a Partnership Seed Grant in the amount of \$25,000 to conduct a City global warming emissions inventory.
- 15. Update from Police Chief Bob Carden regarding his first eight months as Chief, including partnerships with other City departments and agencies, and the outcomes from the recent senior staff goal setting session.

#### **REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

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

<b>Buyer</b>	<b>Seller</b>	<b>APN</b>	<b>Address</b>	<b>Reason for purchase</b>	<b>Closing Date</b>
City of Visalia	Centex/Bennett	N/E Corner of Min. King Ave & McAuliff Street		Riparian Setback and Right of Way for future public street/possible interchange	12/29/06
Farley, Lampe	City of Visalia	094-335-006	120 W. Center St.	Restoration For commercial use/offices	12/29/06

**MEETINGS**

**Upcoming Council Meetings**

Tuesday, January 16, 2007 - City Hall Council Chambers  
 Monday, February 5, 2007 - City Hall Council Chambers  
 Tuesday, February 6, 2007 - Joint VUSD/COV Meeting - Visalia Convention Center

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.

Filename: Agenda 010807  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: F:\Templates\Normal.dot  
Title: Visalia City Council Agenda  
Subject:  
Author: sealte  
Keywords:  
Comments:  
Creation Date: 01/05/2007 2:24 PM  
Change Number: 2  
Last Saved On: 01/05/2007 2:24 PM  
Last Saved By: lbcavi  
Total Editing Time: 1 Minute  
Last Printed On: 01/05/2007 2:41 PM  
As of Last Complete Printing  
Number of Pages: 6  
Number of Words: 1,678 (approx.)  
Number of Characters: 9,482 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Joint meeting of the City Council, Planning Commission, Parks and Recreation Commission and Waterways and Trails Committee to review the Provost and Pritchard Engineering Group hydrology study to investigate the possible options to create a year-round natural water feature in Jennings Ditch and Mill Creek in the future civic center area.

**Deadline for Action:** None

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Michael Olmos, Assistant City Manager, 713-4332  
Sharon Sheltzer, Project Manager, 713-4414

**Department Recommendation:**

Consider the presentation by Richard Moss of Provost & Pritchard regarding the hydrology study for Jennings Ditch and Mill Creek and authorize staff to implement the report recommendations and next steps as summarized in this transmittal.

**Summary/background:**

On April 17, 2006 Council authorized a contract with Provost and Pritchard Engineering Group to investigate the options for creation of a year round natural water feature in the portion of Mill Creek and Jennings Ditch between Goshen and Tipton Streets, in preparation for park development in the future civic center area. A final report has been completed and reviewed by staff and is attached for Council members. The proposal for a recirculating system is illustrated in the Executive Summary and Section 6 of the report. Just upstream from an automatic gate structure in Mill Creek near Tipton that would control the creek flow and water surface elevation, water would be moved from a lift station via a delivery pipeline, to the head of Jennings Ditch, and back down into Mill Creek by gravity along a concrete low flow channel.

Summary of major findings of technical memorandum

- There are no serious limitations to the desired use of the project site.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time

(Min.): \_\_20\_\_

**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.



- Given the hydrology and historic irrigation delivery schedule on Mill Creek and the lack of sufficient storage, it appears that only a seasonal water feature is feasible unless a supplemental water supply is acquired. (year-round water averages 145 days per year)
- Supplemental water supplies for a year-round water feature are available. A recommended supplemental source is groundwater from a new or rehabilitated well.
- If waters are diverted from Mill Creek to flow through Jennings Ditch or if a ponded water surface is created in Mill Creek then downstream water rights holders (the Persian Ditch Company and the Watson Ditch Company) must be “kept whole” for the seepage and evaporation due to the project.
- The City’s current owned water rights are:
  1. A portion of the Tulare County Federal Central Valley Project Cross Valley Canal contract
  2. 1,850 shares in Persian Ditch Company
  3. 79 shares in Watson Ditch company
  4. 2 shares in St. Johns Ditch Company

The rights cannot be used (without additional exchange with other water right holders or changes to Persian Ditch Company by-laws) for this water feature, as the project is outside of the Persian Ditch Companies designated place-of-use.
- A control structure with an automated gate could be constructed to provide a ponded water feature for approximately \$156,000.
- For the supplemental groundwater well, pump and piping: Depending on the maximum recirculation system flow volume desired and not including aesthetic enhancements, the possible construction costs could vary from approximately \$102,000 to \$234,000.
- Operating and maintenance costs range from approximately \$7,000 to \$30,000 per year at today’s costs, depending on the maximum system flow desired for the recirculating system.
- Storm water benefit: An associated benefit of the water feature construction would be the ability to detain storm water drainage passing through Mill Creek and Jennings Ditch; as much as seven acre feet under current topography.
- Park irrigation benefit: The six acres of park area surrounding the water feature will have irrigation demands that could be met by the proposed two scenarios outlined in the report that deliver groundwater from a well near the water feature.

Report recommendations and next steps

- Detailed evaluation of City’s existing water rights  
Implementation strategy: City staff will review surface water rights and current usage and return to Council with recommendations on use of water resources.
- Design of the water feature  
Implementation strategy: To be implemented as part of EDAW contract for design of linear park.
- Evaluate potential role of solar energy to power control gates, lift stations and groundwater wells  
Implementation strategy: To be evaluated as part of EDAW contract.
- Inquiries about timelines for Department of Fish and Game and Army Corps of Engineer permitting for any stream bed alterations  
Implementation strategy: To be implemented by City Engineering staff with assistance from EDAW’s engineering sub-consultant, Provost & Pritchard.

- Seepage tests should be conducted in Jennings Ditch and Mill Creek  
Implementation strategy: Staff will authorize Provost & Pritchard to conduct additional seepage tests.
- Further investigations of available grant funding opportunities should be undertaken. There may be a nexus with available Prop 50 funds if watershed or surface water reclamation benefits can be shown  
Implementation plan: City staff will investigate grant funding opportunities.

All of the parties listed above as an assigned person or company are presently under contract with the City. The seepage tests and government permit inquiries are outside of the scope of the Provost and Pritchard engineering and hydrology study contracts, but the other items would be within the scope of present contracts.

**Prior Council/Board Actions:**

April 17, 2006 Authorization to hire Provost and Pritchard to do the hydrology study

**Committee/Commission Review and Actions:**

**Alternatives:** None recommended

**Attachments:** Jennings Ditch-Mill Creek Water Feature report

**Recommended Motion (and Alternative Motions if expected):**  
That City council authorizes staff to implement the report recommendations and next steps as summarized in this transmittal.

***Environmental Assessment Status***

**CEQA Review:** Will be required prior to development.

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: Provost and Pritchard hydrology study draft agenda  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/26/2006 12:20 PM  
Change Number: 11  
Last Saved On: 01/05/2007 10:01 AM  
Last Saved By: lbcavi  
Total Editing Time: 52 Minutes  
Last Printed On: 01/05/2007 2:51 PM  
As of Last Complete Printing  
Number of Pages: 4  
Number of Words: 1,082 (approx.)  
Number of Characters: 5,941 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Presentation of the recommendations of consultant Bruce Race and the Civic Center Master Plan Task Force regarding the direction proposed for the final phase of the Civic Center Master Plan study.

**Deadline for Action:** None

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Michael Olmos, Assistant City Manager, 713-4332  
Sharon Sheltzer, Project Manager, 713-4414

**Department Recommendation:**

Staff recommends that RACESTUDIO complete the Civic Center Master Plan report with the following implementation strategies:

- Block 1- The City initiate a process to sell/lease to a private developer a portion of the block on the south edge adjacent to Oak Street to enable the construction of a multi-story office building. The City would negotiate to lease a portion of the building to assist in its financial feasibility. Continue with development of the interim surface parking on the larger portion of the block fronting on School Street.
- Block 2- Initiate a project to construct an approximate 200 space interim parking lot on this block, and;
- Block 3- Develop a Request for Proposal to select a designer for the new Public Safety Building, and request that construction cost alternatives be developed which would allow for non-public safety office space/commercial space on the first floor.

**Summary/Background:**

At the February 22, 2005 Work Session, the City Council gave direction to proceed with the development of a Civic Center Master Plan, to form a community committee to assist the process and to hire RACESTUDIO as the consultant to assist on this project. The committee was formed, designated the Civic Center Master Plan Task Force, and approved by Council on June 20, 2005. An update was provided to Council on December 19, 2005 that included the completion of the consultant's Phase I Assessment and Phase II Options, and to review and select one of three alternatives developed from the previous public, Task Force and staff meetings. The proposed alternatives represented low density, mid-density and high density development options. Council selected the mid rise option known as Alternate 2-A. Alternative 2-A included the following blocks from west to east: (see attached map)

- Block 1- Regional parking garage with liner office/retail building
- Block 2- Mid-rise administrative and "community board room" building
- Block 3- Police and Fire administration building

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time

(Min.): 20

**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.

- Block 4- Public or private partners development retail/office
- Block 5- Park, amphitheater and arts

Prior to embarking on the third and final phase designated as Civic Center Program Report, RACESTUDIO and the City staff met with the Civic Center Master Plan Task Force on December 11, 2006. With the passage of time the participation of potential public sector partners has been clarified, land acquisition has continued, and financial and phasing alternatives have been discussed.

### **Considerations for the Initial Phase for Civic Center**

For the meeting with the Task Force, RACESTUDIO developed an approach for the next phase of development of the civic center area. The approach uses the private sector to develop public/private office space, which could include the City leasing a portion of the private building to ensure its financial feasibility, and interim surface parking.

The City's own need to house and to consolidate staff can be used to initiate development of office space in the civic center area prior to development of an administrative building. The combined administrative and public safety space needs for Visalia's 130,000 population projected by 2012, is estimated to be around 100,000 SF.

There are several ways the City can provide for the near term need for space. The City can use space in the future public safety building, keep staff in the Transit Center and City Hall East, and/or lease a portion of space in the private sector building.

### Public-Private Approach: Use City Space Needs to Stimulate Development of Civic Center Area

The City could work with a private sector partner to develop the park-facing edge building on Block 1 in the Master Plan as way to support development of this important site. Working with private sector partners on Block 1 would need to result in ground rents and a building lease that makes private financing feasible. The City could offer to occupy a portion of the private building for a period of time until the development of the new administrative building or public safety building. In the longer term, the regional parking structure indicated on Block 1 in the Master Plan would be partially financed by new private sector office development in the Santa Fe corridor through parking in-lieu payments and other funding sources.

### Initial Relocation of City Departments: Anticipate Asset Management of City Hall East and West Sites

The initial civic center development should consider the timing of the lease or sale of City Hall East and City Hall West properties. If staffs from either/or both facilities are included in the initial relocation phase, then the City could employ a combination of private and public financing solutions.

### Design of Public Safety Building: Ground Floor Commercial/Office Use

The Council wanted the Task Force to consider including pedestrian-friendly uses on the ground floor of the public safety building facing Civic Center Park. The City could use the ground floor for non-public safety purposes either permanently or until an administrative building is constructed. This space would be more expensive than typical office/commercial construction but could be utilized for City office needs until it was rented to tenants that can take advantage of the corner location, park frontage, and the new mixed-use neighborhood.

### Civic Center Master Plan Implementation

The potential redevelopment of the current City Hall West site will initiate development of the civic center area that will eventually fulfill the vision of the Civic Center Master Plan.

## Recommendations

Staff recommends that RACESTUDIO complete the Civic Center Master Plan report with the following implementation strategies:

- Block 1- the City will cooperate with private sector developer to build office space on the south edge of the block, along Oak Street, to accommodate its present space needs, with interim surface parking on the larger portion of the block fronting on School Street;
- Block 2- initial phase interim surface parking on the entire block to be replaced with a future administration building in a later phase, and;
- Block 3- the public safety administration building will include space that may initially be used for City staff and later for ground floor commercial uses.

In completing the Civic Center Master Plan report, these overall strategies will be planned in greater detail including identifying potential location of departments, updated conceptual cost analysis, illustrative drawings and completing the Master Plan report.

### Prior Council/Board Actions:

February 22, 2005, Authorization to proceed with Civic Center Master Plan, to form a Task Force, and to hire RACESTUDIO

April 18, 2005, Authorized a contract with RACESTUDIO for Civic Center Master Plan

December 19, 2005, Reviewed progress and selected Alternate 2-A

**Committee/Commission Review and Actions:** Task Force meeting to review Master Plan status and proposed implementation strategies

**Alternatives:** Council additions and modifications as appropriate

### Attachments:

Alternate 2-a; a development option selected by Council in December 2005 for mid-density and public/private partnerships for expanded civic center area

Concept Diagram; next step proposal by RACESTUDIO for interim development of three block civic center area

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

1. That City Council review the recommendations of consultant Bruce Race and the Civic Center Master Plan Task Force regarding the direction proposed for the final phase of the Civic Center Master Plan study, and confirm this direction to allow RACESTUDIO to proceed with the next steps towards conclusion of the Civic Center Program Report, and that the Council make any additions or modifications it deems appropriate for the direction of the final Civic Center Program Report.

### *Environmental Assessment Status*

**CEQA Review:** Will be required for individual developments. Inquiries are being made about a streamline process.

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:



Filename: Civic Center work session 1807  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 12:52 PM  
Change Number: 4  
Last Saved On: 01/05/2007 2:12 PM  
Last Saved By: lbcavi  
Total Editing Time: 73 Minutes  
Last Printed On: 01/05/2007 2:46 PM  
As of Last Complete Printing  
Number of Pages: 4  
Number of Words: 1,432 (approx.)  
Number of Characters: 7,776 (approx.)

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Authorization for the City Manager to enter into an agreement with Visalia Unified School District to provide an after school enrichment program for Valley Oak students at the Manuel F. Hernandez Community Center.

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:**

Vince Elizondo, Parks & Recreation Director (559) 713-4367  
Jeannie Greenwood, Recreation Manager (559) 713-4042

**Staff Recommendation:**

City staff recommends that the City Council:

1. Authorize the City Manager to execute an Agreement between the City of Visalia and Visalia Unified School District for an after school enrichment program at the Manuel F. Hernandez Community Center.
2. Authorize a budget appropriation of \$17,502.00 for fiscal year 2006-2007 to provide services outlined in the terms of this Agreement. This amount will fully support the first year of service, including staffing and direct program costs.

**Background:**

On September 26, 2006 the California Department of Education released a Request for Application for After School Education and Safety (ASES) program funding. With the passing of Proposition 49, the ASES program originally funded for \$122 million was increased an additional \$428 million to amount to a total of \$550 million available for after school programs to serve elementary and middle/junior high school students.

Since the announcement, Visalia Unified School District (VUSD) has worked with several agencies to develop ASES programs at all Visalia Unified Schools, including the four middle schools. Grant applications were submitted by the November 6, 2006 deadline and on December 11, 2006 initial notification was posted on the California Department of

**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.

Education's website. Nine of the fifteen elementary school sites and all four middle schools received funding.

VUSD plans to continue contracting with Pro Youth HEART for after school services in the nine new elementary school sites. Of the four middle schools, VUSD will be contracting with various agencies to provide enrichment programs. Students from Divisadero will be bused to the Boys and Girls Club and the Whitman Center, students from Green Acres will attend a YMCA program at the Anthony Community Center, and students from Valley Oak will be sent to the Manuel F. Hernandez Community Center as well as to the Ivanhoe Youth Center operated by CSET. VUSD is still working on a location for the students from La Joya, some will be sent to the Goshen Youth Center also operated by CSET. The Recreation Department has expressed an interest to provide services on the La Joya school campus.

Staff recommends that authorization be given to the City Manager to execute an Agreement between the City of Visalia and Visalia Unified School District for an after school enrichment program at the Manuel F. Hernandez Community Center. The Agreement was prepared by Visalia Unified School District. The City Attorney has reviewed the agreement, and will be requesting minor, non-substantive changes to the agreement.

The ASES program focuses on providing a quality after school program for students while increasing academic achievement and providing enrichment opportunities. In order to achieve the best possible experience for students, Visalia Unified School District and the City of Visalia Parks and Recreation Department are asking to form a collaborative partnership to fulfill the program requirements of this grant.

Since Visalia Unified School District employs professionals skilled in providing educational curriculum and academic achievement standards for students, Visalia Unified will be responsible for the one hour academic requirement of the grant. Whereas the City of Visalia Parks and Recreation Department employs professionals in the areas of providing enrichment activities and quality after school programs, it is proposed that the City of Visalia provide enrichment activities for students from the Valley Oak campus at the Manuel F. Hernandez Community Center. Both entities feel that this collaborative relationship would be beneficial to the ASES program, allowing each agency to provide the best service to the students.

ASES is a three year grant with annual funding dependent on maintaining an eighty-five percent enrollment. In this six month MOU, Visalia Unified School District is proposing to pay the City of Visalia the sum of \$22,431 to provide an enrichment program at the Manuel F. Hernandez Community Center. The school district wishes this Agreement to be for the first year of the program (January through June 2007) so as to have the flexibility to make adjustments as needed for the second year. The funded amount for the first year of the grant is for the entire annual amount, regardless of operating for just six months of the school year. This allows some funds to be used as "start up" costs and will ultimately leave additional funds to be carried over into the next year of the program.

The Parks and Recreation Department is working to develop an enrichment program that will include organized sports, martial arts, dance, art, drama and life skill components. The middle school age student has been identified by the Parks and Recreation Department as an under-served population. This program will not only allow the City the opportunity to

provide services to this population, but to also assist in the task of providing gang prevention and/or intervention programs.

The ASES program will not interfere with or replace the existing after school drop in program at the Manuel F. Hernandez Community Center. Both programs will be able to share facility space and resources.

Staff is also asking for a budget appropriation of \$17,502.00 for fiscal year 2006-2007 to provide services outlined in the terms of this Agreement. This amount will fully support the first year of service, including staffing and direct program costs.

**Prior Council Actions:**

**Commission Review and Actions:**

none

**Attachments:** Exhibit A - Agreement  
Exhibit B – Scope of Services

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

I hereby move to authorize the City Manager to execute an Agreement between the City of Visalia and Visalia Unified School District for the purpose of providing an enrichment after school program for Valley Oak students at the Manuel F. Hernandez Community Center, subject to the review and approval of the City Attorney of the form of Agreement.

I further move to appropriate the sum of \$17,502.00 to operate said program.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

By author: Jeannie Greenwood

Page { PAGE }

File location and name: City Share\Agendas for Council\2007\010807\Authorize Agreement with VUSD

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

By author: Jeannie Greenwood

Page { PAGE }

File location and name: City Share\Agendas for Council\2007\010807\Authorize Agreement with VUSD

VISALIA UNIFIED SCHOOL DISTRICT  
AND

**THE CITY OF VISALIA PARKS AND RECREATION DIVISION**  
**AFTER SCHOOL PROGRAM AGREEMENT**

**THIS AGREEMENT**, is entered into as of 1-9-07, between the VISALIA UNIFIED SCHOOL DISTRICT, referred to as DISTRICT, and CITY OF VISALIA, referred to as CITY, with reference to the following:

- A. The VISALIA UNIFIED SCHOOL DISTRICT has received a State Grant (hereinafter referred to as “Grant”) to implement after school programs to its’ four middle schools;
- B. DISTRICT desires, in cooperation with CITY, to provide an after school program in compliance with the After School Education and Safety (hereinafter referred to as “ASES”) Grant.
- C. The VISALIA UNIFIED SCHOOL DISTRICT is contracting with CITY, funded by the Grant, to coordinate and implement at the Manuel Hernandez Community Center, a safe, supervised after school enrichment program that focuses on personal and social development carried out through a variety of social, recreational, and leadership activities.
- D. CITY has agreed to provide such services in partnership with DISTRICT.
- E. CITY has agreed to provide such services under this Agreement for the specific student population attending Valley Oak Middle School.
- F. DISTRICT and CITY acknowledge that the agreed upon number of students who will be served by CITY under this Agreement is equal to the amount of fifty-six (56) students or 50% of the total number of students to be served by Valley Oak Middle School under the ASES Grant.
- G. CITY agrees that DISTRICT will pay CITY the amount sum of \$22,431.00 to provide such services as agreed upon under the Grant and this Agreement and for the designated number of students as referred to in Section G. for the date beginning on January 8, 2007 and ending on June 6, 2007.
- H. DISTRICT and CITY equally agree that CITY will invoice DISTRICT on a monthly basis for services provided under this Agreement. The monthly installment will be equal to the total contract amount divided by six (6) months.
- I. CITY agrees to provide service and adhere to the GRANT-appropriate staff-to-pupil work ratio of 1:20.

**ACCORDINGLY, IT IS AGREED:**

**1. RESPONSIBILITIES OF CITY:**

a. CITY shall provide the services specified in this Agreement for the after school enrichment program in compliance with the ASES Grant under this Agreement with the DISTRICT.

The parties expect, under the provisions of the Grant, that the students must participate in the program at least three (3) hours per day and a minimum of three (3) days per week during the school year.

The hours of program operation shall be from immediate arrival of students to the provider site (4:30pm) and until 6:15pm. In the case of a minimum day, CITY shall provide regular services upon the immediate arrival (1:30pm) of students and until 6:00pm as stated by the Grant. The funding for the program provides a ratio of approximately one (1) staff per cluster of twenty (20) students, and the level of staffing is based upon the number of students actively participating in the program on a daily basis.

b. CITY shall designate one staff member to provide service under the Grant and this Agreement to act as a Site Director, for whom will oversee, monitor, and supervise all daily operations of the after school program and who will work cooperatively with the District designee known as Program Manager to meet all requirements, goals and objectives of the Grant. The Site Director shall be counted in the 1:20 staff-to-pupil ratio.

c. CITY shall assign Grant-compliant staff to coordinate and support the supervision and daily operation of the after school enrichment program. CITY, in collaboration with DISTRICT is responsible for evaluating progress and assessing effectiveness of staff, program services, and policies to ensure consistency with the Grant.

d. CITY shall provide coaching and mentoring to site staff consistent with Grant standards and collaborate with DISTRICT in the implementation of ongoing staff development and training programs.

e. Except as otherwise provided herein or subsequently agreed to in writing signed by both DISTRICT and CITY, CITY shall be the employer for all personnel employed to provide after school enrichment services at the Manuel Hernandez Community Center. CITY shall be

solely responsible for all costs of employment and personnel administration, including but not limited to wages, salaries, workers' compensation costs, unemployment costs and employee discipline.

f. CITY does agree to advise everyone it assigns or hires to perform duty under this Agreement that they shall work as an employee of the Grant and therefore carry out all duties and responsibilities according to the requirements, goals and objectives of the Grant.

g. CITY program services shall operate under the provisions of the Grant, and under the direction of the DISTRICT, and all parties shall work cooperatively to accomplish the program objectives as outlined by the Grant.

h. If CITY employs any person who is employed by DISTRICT and who is not exempt from the Fair Labor Standards Act, CITY shall limit its employment of such person to a number hours which, when combined with the hours the person works for the DISTRICT, will not exceed 40 hours in any one work week.

i. CITY shall maintain a staffing level and supplies at Manuel Hernandez Community Center that is consistent for Grant-compliant service and shall be responsible for assisting with the safe transport of all students from Valley Oak Middle School by assuring that all students are accounted for upon student arrival to the Manuel Hernandez Community Center.

j. CITY agrees to actively inform and update DISTRICT designee know as Program Manager of any/all hiring of staff to work under this contract and the ASES Grant. In addition, agree to notify DISTRICT designee of all dates and times of applicant interviews.

2. **RESPONSIBILITIES OF THE DISTRICT:**

a. DISTRICT shall provide adequate and appropriate support and guidance, including the sharing of Grant-related goals and objectives to ensure CITY is adequately equipped and prepared to provide services consistent with the Grant.

b. DISTRICT shall assign an administrative staff member to provide Grant-related support for CITY to provide Grant-appropriate services.

c. DISTRICT will disburse payment to CITY on a monthly payment schedule upon being invoiced by CITY.

d. DISTRICT shall provide adequate transportation from Valley Oak Middle School to the Manuel Hernandez Community Center every day that the after school program is operational under the Grant.

3. **REPORTS:**

a. Attendance Reports: Attendance reports record the number of students served and the



number of days of program operation. It is the responsibility of the Site Director and CITY to gather and submit attendance data to the DISTRICT designee known as the ASES Grant Program Manager (hereinafter referred to as "Program Manager"). CITY shall be responsible for maintaining these records and supporting documentation verifying student attendance and days of operation recorded on Attendance Reports for the Manuel Hernandez Community Center after school enrichment program.

b. Expenditure Reports: CITY shall submit to the DISTRICT a detailed expenditure report with documentation attached for each school site.

c. Evaluation Reports: Evaluation is a required component of the ASES Grant and its after-school programs. CITY shall work cooperatively with the DISTRICT to collect any/all program data including attendance and behavior data as required by the Grant.

d. All reports required by the ASES Grant shall be submitted by CITY to the DISTRICT within 7 business days prior to the dates imposed on the DISTRICT by the Grant. This includes any/all attendance data for purposes of quarterly reporting and any/all behavior-related data to be reported in final fiscal report by DISTRICT to the California Department of Education.

4. **RECORDS AND AUDIT:** CITY shall maintain complete and accurate records with respect to the services rendered and the costs incurred under this Agreement. In addition, CITY shall maintain complete and accurate records with respect to any payments to employees or subcontractors. All such records shall be prepared in accordance with generally accepted accounting procedures, shall be clearly identified, and shall be kept readily accessible. Upon request, CITY shall make such records available within Tulare County to the designated public and/or private auditor of DISTRICT and to his agents and representatives, for the purpose of auditing and/or collecting such records for a period of five (5) years from the date of final payment under this Agreement.

5. **COMPLIANCE WITH LAW:** DISTRICT and CITY shall each provide services in accordance with applicable Federal, State, and local laws, regulations and directives. With respect to CITY's employees, CITY shall comply with all laws and regulations pertaining to wages and hours, state and federal income tax, unemployment insurance, Social Security, disability insurance, workers' compensation insurance and discrimination in employment.

6. **COMPLIANCE WITH THE GRANT:** This Agreement is subject to the Grant, and any additional restrictions, or conditions enacted by the California Department of Education which may affect the provisions, terms, or funding of this Agreement in any manner.

7. **INSURANCE:** Prior to approval of this Agreement by DISTRICT, CITY shall file with the Clerk of the Board of Trustees of the DISTRICT evidence of the required insurance as set forth

in attached.

8. **INDEPENDENT CONTRACTOR STATUS:** This Agreement is entered into by both parties with the express understanding that CITY will perform all services required under this Agreement as an independent contractor. Nothing in this Agreement shall be construed to constitute CITY or any of its agents, employees or officers as an agent, employee or officer of DISTRICT. CITY agrees to advise everyone it assigns or hires to perform any duty under this Agreement that they are not employees of the DISTRICT. CITY is responsible for paying all required state and federal taxes.

In particular, DISTRICT will not:

- a. Withhold FICA (Social Security) from CITY's payments.
- b. Make state or federal unemployment insurance contributions on CITY's behalf.
- c. Withhold state or federal income tax from payments to CITY.
- d. Make disability insurance contributions on behalf of CITY.
- e. Obtain unemployment compensation insurance on behalf of CITY.

Notwithstanding this independent contractor relationship, DISTRICT shall have the right to monitor and evaluate the performance of CITY to assure compliance with the Grant and this Agreement. CITY may contract with District for special services. CITY and District shall arrange for compensation through DISTRICT for these special services.

9. **FINGERPRINTING REQUIREMENTS:**

a. Pursuant to California Education Code section 45125.1 (d), before any agent, employee, or volunteer of CITY may enter school grounds where they may have any contact with pupils, CITY shall submit fingerprints of its employees and volunteers in a manner authorized by the California Department of Justice. CITY shall not permit any employee to come in contact with pupils of DISTRICT until the Department of Justice has ascertained that the employee has not been convicted of a felony as defined in Education Code section 45122.1.

b. In a form provided by the DISTRICT, CITY shall certify in writing, under penalty of perjury, that it has complied with the requirements of Education Code section, 45125.1 and that none of its employees who may come in contact with pupils have been convicted of a felony as defined in Education Code section 45122.1, based upon the information CITY has received from the Department of Justice.

c. CITY shall impose foregoing requirements on any subcontractors or assignees.

10. **INDEMNIFICATION:** CITY and DISTRICT each agree to hold harmless, defend and indemnify the other from and against any claims, actions, costs, losses, damages or liability of any kind, including death or injury to any person or damage to any property arising out of their

duties, acts or omissions, or those of their respective officers, employees, volunteers or agents, pursuant to this Agreement, including any negligent or intentional acts on their part. This indemnification specifically includes any claims that may be made against DISTRICT by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, any claims made against DISTRICT alleging civil rights violations by CITY under Government Code Section 12920 et seq. (California Fair Employment and Housing Act), and any overtime pay or compensatory time DISTRICT is required to grant in case CITY is in breach of section 1. This indemnification obligation shall continue in full force and effect beyond term of this Agreement or any extension of this Agreement.

11. **TERMINATION:** The right to terminate this Agreement under this provision may be exercised without prejudice to any other right or remedy to which the terminating party may be entitled at law under this Agreement.

a. **Without Cause:** Either party shall have the right to terminate this Agreement without cause by giving thirty (30) days prior written notice of intention to terminate pursuant to this provision, specifying the date of termination.

b. **With Cause:** This Agreement may be terminated by either party should the other party:

- (i) be adjudged a bankrupt, or
- (ii) become insolvent or have a receiver appointed, or
- (iii) make a general assignment for the benefit of creditors, or
- (iv) suffer any judgment which remains unsatisfied for 30 days, and which would substantively impair the ability of the judgment debtor to perform under this Agreement, or
- (v) materially breach this Agreement.

For any of the occurrences except item (v), termination may be effected upon written notice by the terminating party specifying the date of the termination. Upon a material breach, the Agreement may be terminated following the failure of the defaulting party to remedy the breach to the satisfaction of the non-defaulting party within five (5) days of written notice specifying the breach. If the breach is not remedied within that five (5) day period, the non-defaulting party may terminate the Agreement on further written notice specifying the date of termination.

If the nature of the breach is such that it cannot be cured within that five (5) day period, the defaulting party may, submit a written proposal within that period which sets forth a specific means to resolve the default. If the non-defaulting party consents to that proposal in writing, which consent shall not be unreasonably withheld, the defaulting party shall immediately embark on its plan to cure. If the default is not cured within the time agreed, the non-defaulting party may

terminate upon written notice specifying the date of termination.

c. Effects of Termination: Termination of this Agreement shall not terminate any obligations to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination contract activities.

12. **AGREEMENT REPRESENTED:** This Agreement represents the Agreement between DISTRICT and CITY as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

13. **HEADINGS:** Section headings are provided for organizational purposes only and do not in any manner affect the scope, meaning or intent of the provisions under the headings.

14. **NOTICES:** CITY's representative for the administration of this Agreement shall be the Recreation Manager. DISTRICT's representative for the administration of this Agreement shall be the Superintendent or Designee of DISTRICT. Any notice that either party desires to give in connection with this Agreement shall be in writing and shall be served by personal delivery, facsimile transmission or first class mail to the specified representatives as follows:

**DISTRICT:**

Superintendent  
Visalia Unified School District  
5000 W. Cypress  
Visalia, CA 93277  
Fax No. (559) 625-2634  
Telephone No. (559) 730-7522

**CITY:**

Director of Parks and Recreation  
City of Visalia  
345 N. Jacob St.  
Visalia, CA 93291  
Fax No. (559) 713-4819  
Telephone No. (559) 713-4365

Notice delivered personally or sent by facsimile transmission is deemed to be received upon receipt. Notice sent by first class mail shall be deemed received on the fourth day after the date of mailing.

15. **CONSTRUCTION:** This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.

16. **NO THIRD PARTY BENEFICIARIES INTENDED:** Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

17. **GOVERNING LAW:** This Agreement shall be interpreted and governed under the law of the State of California without reference to California conflicts of law principles. The parties agree that this Agreement is made in and is to be performed in the County of Tulare, California.

18. **WAIVERS:** The failure of either party to insist on strict compliances with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party of either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.

19. **EXHIBITS AND RECITALS:** The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

20. **CONFLICT WITH LAWS OR REGULATIONS/SEVERABILITY:** This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflict provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases, the remainder of the Agreement shall continue in full force and effect.

21. **FURTHER ASSURANCES:** Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.

22. **ASSURANCES OF NON-DISCRIMINATION:** CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristics or condition upon which discrimination is prohibited by state or federal law or regulation.

23. **ASSIGNMENT/SUBCONTRACTING:** Unless otherwise provided in this Agreement, DISTRICT is relying on the personal skill, expertise, training and experience of CITY and CITY's employees and no part of this Agreement may be assigned or subcontracted by either party without written consent of the other party.

24. **TERM:** This Agreement shall become effective January 9th, 2006 and shall terminate on June 30, 2007, unless terminated earlier as provided in this Agreement.

THE PARTIES, having read and considered the above positions, indicate their Agreement by their authorized signatures below.

VISALIA UNIFIED SCHOOL DISTRICT

BY \_\_\_\_\_

Superintendent  
DISTRICT

COMMUNITY SERVICES EMPLOYMENT TRAINING

BY \_\_\_\_\_

City Manager  
CITY

# *Visalia Unified School District*

## After School Programs – Middle Schools

### SCOPE OF SERVICE

#### **ASES Grant Provisions:**

- I. VUSD will serve as the fiscal agent for the grant**
- II. To serve 112 students per school site**
- III. To maintain an ongoing attendance rate of 75%**
- IV. To maintain a pupil-to-staff ratio of 20:1**
- V. Each partner will share the responsibility of the quality of the program**
- VI. The program day will begin immediately after the completion of the regular school day and will run for 3.0 hours and at least until 6:00pm everyday that school is in session**
- VII. Students enrolled must attend a minimum of 15 hours per week and participate in both an academic and social enrichment component daily**
- VIII. Fiscal agent will report attendance to CDE twice per fiscal year**
- IX. To provide a safe physical and emotional environment for participating students**
- X. To provide opportunities for relationship building and to promote active pupil engagement**

#### **GENERAL SERVICE**

Each contracting provider acknowledges that the Visalia Unified School District will be the designated fiscal agent for this grant and agrees to provide enrichment services to the designated student population in accordance to the pre-designated school site within the pre-designated operational times. The goal of each provider should be in cooperation with the fiscal agent (District) to achieve at minimum the goals and objectives as stated by the ASES Grant.

#### **ENRICHMENT SERVICES**

The enrichment services provided by the provider should coincide with the data collected from the Student Interest Surveys conducted on their respective campus. The purpose is to generate as much student retention possible through the enrichment activities being facilitated by the provider.

#### **OPERATIONAL TIMES**

Each provider will be required to work accordingly with each of their school sites in which their students are attending to determine the start time of their enrichment service. Each provider agrees to provide enrichment services until at least 6:00pm daily (except for minimum day schedule) as to

meet the time standards per the ASES Grant. Each provider also agrees to provide enrichment service until the time of day in which at least 3.0 hours has been completed for the entire program day. In addition, each provider agrees to provide service on everyday that school is in regular session per the ASES Grant.

## **STAFFING**

All staff hired by the provider for purposes of providing service under the ASES Grant should consider themselves in addition to their employer, staff to the After School Program. It will be imperative that all staff working in the After School Program understand the goals and objectives of the program as well as work cooperatively with all District personnel managing the After School Program. Lastly, all staff hired by the provider for purposes of providing service under the ASES Grant should possess and maintain the following personal and employee characteristics:

- **High Moral Character**
- **Positive/Encouraging Attitude**
- **Relationship Building Capacity**
- **An Interest in Working with Youth**
- **Good Moral Judgement**
- **Good Physical/Mental/Emotional Well Being**
- **Excellent Communication Skills**

Each provider must hire (1) Site Director and the minimum number of Program Leaders to appropriately meet the pupil-to-staff ration of 20:1.

**Site Director** – each provider must have a Site Director or Site Leader whom will provide supervision for activity staff, monitor enrollments and terminations, oversee attendance and discipline, coordinate logistics for activity staff, supervise student transporting from school site to provider site, attend to parent issues, work cooperatively with school site staff, and report to District Program Manager.

**Program Leaders/Activity Leaders** – each provider must have qualified and trained activity leaders that are equivalent to an instructional aide. Program Leaders/Activity Leaders will be responsible for facilitating various enrichment activities with participating students and must carry the capacity to build and maintain strong rapport with students, address minor disciplinary issues, coordinate and lesson their activities, provide safe learning environment, etc.

## **SUPPLIES/EQUIPMENT**

Per the contract between the fiscal agent (District) and each provider, it will be the responsibility of the provider to order all necessary supplies and equipment to appropriately facilitate and manage the enrichment service.

## **REPORTING**

**Each provider will be responsible for reporting daily attendance, disciplinary, safety, and health-**

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

By author: Jeannie Greenwood

Page { PAGE }

File location and name: City Share\Agendas for Council\2007\010807\Authorize Agreement with VUSD



**related incidents to the fiscal agent (District) immediately. It is imperative that each provider work closely and cooperatively with the fiscal agent (District) as to promote continuity and successfully meet the requirements of the ASES Grant.**

**(More information on this subject will be provided)**

**SUMMARY**

**Each provider agrees that their scope of service is provided with a commitment to work cohesively and cooperatively with the fiscal agent (District) to meet the goals and objectives as set forth by the ASES Grant.**

Filename: Authorize agreement with VUSD  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/27/2006 8:23 AM  
Change Number: 7  
Last Saved On: 12/28/2006 3:47 PM  
Last Saved By: jlgreenwood  
Total Editing Time: 12 Minutes  
Last Printed On: 01/05/2007 2:45 PM  
As of Last Complete Printing  
Number of Pages: 16  
Number of Words: 5,422 (approx.)  
Number of Characters: 29,339 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Authorize City Manager to enter into a professional service contract with William Wagenhalls not to exceed \$50,000 to provide services to manage the design and construction of various park projects

**Deadline for Action:** N/A

**Submitting Department:** Parks and Recreation Department

**Contact Name and Phone Number:**

Vince Elizondo, 713-4367

**Department Recommendation and Summary:** Recommend authorization of the City Manager to approve a professional service agreement with William Wagenhalls for an amount not to exceed \$50,000 to provide services as a project manager for the design and construction of various park projects. Under term of the proposed agreement Mr. Wagenhalls will assist staff in managing the following projects and provide services as follows:

**Plaza Park Irrigation Renovation Project**

- Gather information pertaining to the development of a Request for Proposal for the design of the renovation of the Plaza Park irrigation system.
- Develop Request for Proposal for design services to evaluate and develop construction plans and specifications for the Plaza Park irrigation renovation project. Coordinate the review of proposals and selection process.
- Act as project manager for the design and construction project.

**Linwood / Prospect, Dan's Lane, Creekside Neighborhood Parks**

- Assist staff in the review of proposals to select a landscape architect to design park projects.
- Act as project manager for the park designs. Tasks to include but not limited to; coordinating meetings with the architect, staff and public, coordination with Engineering and utility providers, participate in presentations to P& R Commission and/or Council as required.
- Act as project manager for the design and construction projects.
- Oversee construction administration.

**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.

**Recreation Park Accessible Playground**

- Assist in the review of proposals to select a landscape architect to design park projects.
- Act as project manager for the park design. Tasks to include but not limited to; coordinating meetings with the architect, staff and public, coordination with Engineering and utility providers, participate in presentations to P& R Commission and/or Council as required.
- Act as project manager for the design and construction of the project.

Staff is requesting the services of a consultant to assist in clearing the backlog of park projects. Currently there is over \$12,000,000 in Capital Improvement Projects approved for acquisition and development that is managed by Park and Recreation Department staff. In order to complete these projects in a timely manner staff is recommending the hiring of an additional project manager over a two year period.

Mr. Wagenhalls is extremely qualified to manage the design and development of park projects. He recently retired from the City of Tulare where he was the Director of Parks and Recreation for thirty-four years. During his tenure he was directly responsible for the development of numerous parks and recreation facilities including a senior center, gymnasium and teen center, and various parks. A partial list of those projects is included as an attachment.

Funding for the contract is budgeted in the approved Capital Improvement Program project budgets. Each project budget includes funding for project management, design, and inspection averaging 18% of each project budget.

**Prior Council/Board Actions:** n/a

**Committee/Commission Review and Actions:**

**Alternatives:** Deny recommendation

**Attachments:** List of projects managed by Mr. Wagenhalls

**City Manager Recommendation:** Approve

**Recommended Motion (and Alternative Motions if expected):** Authorize City Manager to enter into a professional service contract with William Wagenhalls not to exceed \$50,000 to provide services to manage the design and construction of various park projects.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to: William Wagenhalls

PARTIAL LIST OF PROJECTS MANAGED BY MR. WAGENHALLS  
CITY OF TULARE

The Tulare Santa Fe Trail - formally a spur line utilized by the Southern Pacific and the Burlington Northern/Santa Fe Railroads until 1989. The City of Tulare acquired the property, which extends 4 miles, from Prosperity Avenue on the east across town to Inyo Avenue on the west. The trail system travels through visually diverse areas including the more rural sections at the western and eastern edges of the city, residential areas, downtown and the redevelopment area. The trail also links directly with existing bicycle paths and facilitates bicycle and pedestrian travel from residential areas to the downtown area, commercial/retail shopping areas, and schools. An equestrian trail is also included.

Prosperity Sports Park – Four fields, three with lights, two handicap accessible playgrounds, clubhouse, restrooms, pay phones, basketball court with lights

Cypress Park- Two Picnic Shelters One Softball Field with Lights, Playground Equipment, Ample Parking, Walking Paths, Volleyball Courts, Basketball Courts, Restrooms, BBQ Pits, Exercise Course, and Horseshoe Pits.

Live Oak Park- Four fields, three with lights, two handicap accessible playgrounds, clubhouse, restrooms, pay phones, basketball court with lights.

Elk Bayou Soccer Park- This 22-acre facility is located in southeast Tulare, adjacent to the Tulare Golf Course. The complex can accommodate up to four Olympic sized soccer fields, or up to eight junior fields. Picnic tables and barbecues are situated in tree covered areas surrounding the fields. The complex includes parking for over 350 vehicles, a restroom/concession building and picnic tables.

Many of these projects were grant funded. Mr. Wagenhalls has extensive experience managing projects funded by CDBG,

Filename: Authorize William Wagenhalls Contract  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: F:\Templates\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: dwston  
Keywords:  
Comments:  
Creation Date: 12/26/2006 3:41 PM  
Change Number: 3  
Last Saved On: 12/27/2006 8:22 AM  
Last Saved By: jlgreenwood  
Total Editing Time: 28 Minutes  
Last Printed On: 01/05/2007 2:45 PM  
As of Last Complete Printing  
Number of Pages: 4  
Number of Words: 980 (approx.)  
Number of Characters: 5,550 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Award Temporary Staffing Services Contracts (1) Clerical and Administrative Staffing, and (2) General Labor and/or Light Industrial Staffing to (1) Kelly Services and (2) Labor Ready per specifications of RFP 06-07-20

**Deadline for Action:** January 8, 2007

**Submitting Department:** Administrative Services, Human Resources

**Contact Name and Phone Number:**

Janice Avila, Human Resources Manager, 713-4417  
Diane Davis, Management Analyst, 713-4575

**Department Recommendation:** Staff recommends that Kelly Services be awarded the Temporary Staffing Services contract for (Option1) Clerical and Administrative Staffing, and that Labor Ready be awarded the Temporary Staffing Services contract for (Option 2) General Labor and/or Light Industrial.

**Summary/background:** The objective of the proposal was to identify qualified staffing agencies to provide temporary personnel staffing on an as-needed basis to assist in supporting various departments throughout the City of Visalia organization. The typical types of positions for which a need was identified include Office Assistant, Administrative Assistant, Accounting Assistant, Convention Center Service Technician, Ticket Taker, Usher, and Custodial Worker. Temporary agencies give us the advantage of hiring a limited term employee within a very short time frame, usually 24-48 hours. These temporary employees have already been screened, evaluated, drug tested, and provided training required by law, which alleviates this burden from City staff. In addition, the temporary agency incurs the costs associated with workers compensation and unemployment insurance. City departments are still required to obtain City Manager approval to fill positions through temporary agencies. In addition, employees hired through this process are limited to 1,000 hours per fiscal year, which is the same limitation for hourly employees.

Using a single source specializing in specific types of placements provides the City an advantage in terms of continuity of service. For example, the Convention Center is a large user of temporary staffing for general labor and light industrial jobs. Typically, these jobs are event

**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.



driven, which makes them ongoing yet intermittent. Having a single agency provide staff allows that agency to develop a pool of readily available applicants who are familiar with the job, and it also increases the likelihood of having the same employees referred for multiple events. This provides continuity and decreases the amount of training required.

Costs for temporary staffing vary based upon the needs of the City. Based on previous usage, the gross cost of services for the year is estimated at \$200,000 to \$300,000. The initial term of the contract is one year; however, the City may terminate the agreement without cause by providing a 30 day notice to the agency. Termination for cause requires a 15 day notice.

Staff from the Human Resources Department and the Convention Center reviewed and evaluated the six proposals. Criteria used for evaluation included the following:

- Merit of the proposal (30%) as demonstrated by proposal thoroughness; complete information provided.
- Knowledge and expertise (40%) as demonstrated by similar services provided to comparable agencies; capability and stability of management staff; firm's operational methods; ability to provide staffing in a timely manner.
- Record of past performance (30%) as demonstrated by references from other agencies; ability to work effectively with City staff, other public agencies and related parties; and previous work in Tulare/Kings Counties.

There were a total of 200 points possible in the evaluation process. Results are as follows:

***Option 1 – Clerical/Administrative Services***

<u>Agency</u>	<u>Total Score</u>	<u>Rank</u>
Kelly Services	180	1
Denham	153	2
Personnel Solutions	141	3
Valley Staffing	138	4
Today's Staffing	120	5

***Option 2 – General Labor and Light Industrial***

<u>Agency</u>	<u>Total Score</u>	<u>Rank</u>
Labor Ready	173	1
Valley Staffing	133	2
Today's Staffing	120	3

Kelly Services has been in business since 1946, and has had an office in Visalia since 1985. They have effectively provided clerical staffing solutions to many local businesses with similar staffing needs. In addition, they have previously provided temporary staffing to the City of Visalia. All of their references show a high level of professionalism. They have the resources necessary to provide quality temporary staffing in a short amount of time. Labor Ready, founded in 1989, is a nationwide company specializing in general labor and light industrial temporary staffing. They have provided similar services to large agencies including Waste Management, Inc., City of Modesto, and Delaware North Companies, a hospitality company contracted by the National Parks System. All of their references show a high level of professionalism. They have the resources necessary to provide quality temporary staffing with a rapid turn around time.

Proposals were solicited by two notices in the newspaper October 25, 2006 and October 30, 2006. Temporary Staffing Services for Clerical and Administrative Staffing, and General Labor and/or Light Industrial Staffing were bid together as two separate contract options because of the distinct type of employment involved. Using an established bid list, 19 invitations were sent to prospective contractors. Six contractors submitted bids. Bid results are attached.

Contracts are good for one year and may be extended up to four years depending on performance. Annual price increase adjustments at time of renewal of contract are based on the Consumer Price Index for Urban Wage Earners and Clerical Workers.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

List of References and Schedule of fees for Kelly Services  
List of References and Schedule of fees for Labor Ready

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

"I recommend that Kelly Services be awarded the Temporary Staffing Services contract for (Option1) Clerical and Administrative Staffing, and that Labor Ready be awarded the Temporary Staffing Services contract for (Option 2) General Labor and/or Light Industrial Staffing per specifications of RFP 06-07-20."

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:



Filename: Temporary Staffing Contract  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 1:31 PM  
Change Number: 2  
Last Saved On: 01/05/2007 1:31 PM  
Last Saved By: Diane Davis  
Total Editing Time: 3 Minutes  
Last Printed On: 01/05/2007 2:54 PM  
As of Last Complete Printing  
Number of Pages: 4  
Number of Words: 1,068 (approx.)  
Number of Characters: 6,077 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Appointment of new members to the Citizens Advisory Committee.

**Deadline for Action:** None

**Submitting Department:** Administrative Services

**Contact Name and Phone Number:**

Eric Frost 713-4474  
Cass Cook 713-4425

**Department Recommendation:** It is recommended that Dirk Holkeboer and John Gomez be appointed to fill the two voting member vacancies on the Citizens Advisory Committee (CAC) and that George Ouzounian, Sylvia Baggs, and Lawrence Pendergrass be appointed as alternate members of the (CAC).

**Committee/Commission Review and Actions:**

The Citizens Advisory Committee maintains fifteen regular members and two alternate members. The CAC currently has two regular member vacancies and two alternate member vacancies. In December 2007, there will be three additional vacancies due to the expiration of terms of three voting members.

As an effort to recruit potential candidates for the committee, an advertisement was placed in the local paper. Additionally, committee applications are regularly submitted throughout the year. An interview process was held by the Committee to review all of the applications that were received. The individuals being recommended have the skills, experiences and interests that will greatly benefit the CAC, and add to the committee's diversity.

**Alternate Member Appointments:** Normally the Committee operates with 15 voting members and 2 alternate members. Due to the quality of the candidates and the upcoming expiration of three member's terms in December of 2007, the Committee recommends that Council approve three alternates instead of the customary two alternates.

Applications for the above individuals are attached.

**Prior Council/Board Actions:** None

**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.

**Committee/Commission Review and Actions:**

**Alternatives:** Leave the positions vacant.

**Attachments:**

Applications for Dirk Holkeboer, John Gomez, George Ouzounian, Sylvia Baggs, and Lawrence Pendergrass are attached.

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

1.) I move that we appoint Dirk Holkeboer and John Gomez to fill the voting member vacancies and to appoint George Ouzounian, Sylvia Baggs, and Lawrence Pendergrass as alternates on the Citizens Advisory Committee.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: appointment of new CAC members  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 1:21 PM  
Change Number: 2  
Last Saved On: 01/05/2007 1:21 PM  
Last Saved By: cmcook  
Total Editing Time: 1 Minute  
Last Printed On: 01/05/2007 2:42 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 451 (approx.)  
Number of Characters: 2,609 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

**Agenda Item Number (Assigned by City Clerk):** 13f

**Agenda Item Wording:** Approval of the 2006/07 transit agreement with Tulare County.

**Deadline for Action:** January 8, 2006.

**Submitting Department:** Administration – Transit Division

**Contact Name and Phone Number:**

Monty Cox 713-4591

**Department Recommendation:** Approve the 2006/07 transit agreement with Tulare County and authorize the City Manager to execute the necessary documents.

**Summary/background:** This agreement is an annual agreement between the City of Visalia and Tulare County to provide Visalia City Coach (VCC) service to the unincorporated areas of the greater Visalia Urbanized Area contiguous to the City, including Goshen.

The agreement includes a transfer of \$310,319 from the County to the City equal to the County portion of the VCC service provided. Of this amount \$141,514 is transferred from the County's portion of the Local Transportation Fund and the remainder \$168,805 is comprised of federal funds and farebox revenues which the City collects and retains. This \$310,319 covers the service to Goshen and the other county pockets within the Visalia Urbanized Area. It does not include any service to Farmersville or Exeter as this will be addressed through separate agreements with those cities.

Various formulas are used to determine the percentage of service provided to the County and then this percentage is applied to the entire VCC budget to determine the County's share. The formulas were developed the first year of the annual agreement in 1981 and updated each year since. The formulas are based on a percentage of the ridership who reside in the County (5% for Fixed Route & 8.4% for Dial-A-Ride), a multiplier factor adjusting for the distance to get to and from the County (1.3), and the number of service hours expended within the County areas(10.2%). The funds are taken from the County's share of the Federal Transit Administration (FTA) Section 5307, County Local Transportation Fund and farebox revenues. Last year the County's total share was \$275,114 reflecting a 12.8% increase, comparable to the overall increase in cost of the transit service; and, reflecting a 100% recovery of the cost of service to County residents.

**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.



**Prior Council/Board Actions:** Since 1981, the City and County have entered into annually updated agreements for the provision and coordination of public transit services in the Visalia Urbanized Area.

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

**Alternatives:** The City could elect not to service the unincorporated sections of the Visalia Urbanized Area, requiring the County to find an alternate provider. Such action could result in less efficiency and increased costs in the Visalia Region.

**Attachments:** Copy of the Agreement

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move that the City Council approve the 2006/07 Transit Agreement between the City of Visalia and the County of Tulare providing Visalia City Coach (VCC) service to the unincorporated sections of the greater Visalia Urbanized Area contiguous to the City, and authorize the City Manager to execute the necessary documents.

***Financial Impact***

**Funding Source:**

Account Number:

**Budget Recap:**

Total Estimated cost: \$0	New Revenue: \$ 0
Amount Budgeted: \$ 0	Lost Revenue:\$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes____ No <u>X</u>	

***Environmental Assessment Status***

**CEQA Review:**

Required? No  
Review and Action: Prior:  
Require:

**NEPA Review:**

Required? No  
Review and Action: Prior:  
Require:

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

Page { PAGE }

File location and name: { FILENAME \p \\* MERGEFORMAT }

Filename: 06-07 County Agreement Council item 1-8-07  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/02/2007 4:59 PM  
Change Number: 4  
Last Saved On: 01/05/2007 12:47 PM  
Last Saved By: lbcavi  
Total Editing Time: 62 Minutes  
Last Printed On: 01/05/2007 2:41 PM  
As of Last Complete Printing  
Number of Pages: 3  
Number of Words: 712 (approx.)  
Number of Characters: 3,865 (approx.)

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

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Approval of the Council Sub-Committee's recommendation for the City of Visalia's nominee to the Measure R Citizen's Oversight Committee.

**Deadline for Action:** January 16, 2007

**Submitting Department:** Administration

**Contact Name and Phone Number:**

Steve Salomon, 713-4312

Leslie Caviglia, 713-4317

**Department Recommendation**

*If finalized, the recommendation will be provided at the meeting.*

**Department Discussion**

The Council sub-committee 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.

**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 1407**

**Finance**

**City Atty**

**City Mgr**

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 postpone the appointment until the Jan. 16 meeting

**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:**

{ SHAPE \\* MERGEFORMAT }

Filename: Measure r nominee 2807  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 12:44 PM  
Change Number: 2  
Last Saved On: 01/05/2007 12:44 PM  
Last Saved By: lbcavi  
Total Editing Time: 1 Minute  
Last Printed On: 01/05/2007 2:48 PM  
As of Last Complete Printing  
Number of Pages: 3  
Number of Words: 970 (approx.)  
Number of Characters: 5,385 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Approval of an amendment to the operating agreement between the County of Tulare and the City of Visalia regarding the Public Household Hazardous Waste Collection Center to accept a \$122,000 grant for improvements to the facility.

**Deadline for Action:** Jan. 8, 2006

**Submitting Department:** Administration

**Contact Name and Phone Number:** Jim Gates, 713-4532;  
Leslie Caviglia, 713-4317

### Department Recommendation

It is recommended that the Council approve the proposed amendment to the household hazardous waste operating agreement between the City of Visalia and the County of Tulare. The proposed amendment provides for improvements to the facility paid for by a State grant.

### Department Discussion

The County of Tulare has contracted with the City of Visalia since 1989 to operate a household hazardous waste facility. The disposal site is located at the Corporation Yard and is open every Saturday from 8 a.m. to 1 p.m. In addition, the site is used to process materials received by the County at the periodic collection days the County operates in other Communities throughout the County.

The current facility has exceeded the original design capacity for processing and storing household hazardous waste. The proposed amendment would provide for the County of Tulare to use a \$122,214 grant from the State of California to improve the collection facility including expanding the covered storage space, extending the block wall area and the fenced area, and adding some additional amenities like additional electrical capabilities. The plans were drawn by Quad Knopf. The County will bid and oversee the project in cooperation and consultation with the City. The improvements will become the property of the City upon completion.

Proper collection of household hazardous waste ensures this waste (see attached collection list) does not get dumped into the solid waste cans where it can contaminate the collection equipment, and prevents it from going to the landfill where it could potentially leach into the water aquifers. There has been a fairly steady increase in usage of the facility. In 2005, 3,138 cars were serviced at the facility and disposed of a total of 260,000 pounds of household hazardous waste. While the final numbers are not yet available, it is expected that a similar number will have used the facility in the just completed year.

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

Page { PAGE }

By author: { AUTHOR \\* MERGEFORMAT }

File location and name: { FILENAME \p \\* MERGEFORMAT }

### 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 122706**

**Finance**

**City Atty**

**City Mgr**



**Prior Council/Board Actions:**

April 7, 1989 passed Resolution establishing the facility  
Oct. 15, 1991 - Signed joint venture agreement for construction and operation of the facility on  
March 30, 1999 -Revised the joint venture agreement  
Oct. 26, 1999 – Revised agreement

**Committee/Commission Review and Actions:**

N/A

**Alternatives:**

To not authorize the amendments and make the improvements to the facility  
To ask for amendments to the proposed agreement

**Attachments:**

Proposed amendment  
List of items processed at the facility  
Map of the site  
Design drawings

**Recommended Motion (and Alternative Motions if expected):**  
I move to approve the amendment to the operating agreement between the County of Tulare and the City of Visalia regarding the Public Household Hazardous Waste Collection Center.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Filename: amendment staff report 107  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/28/2006 12:11 PM  
Change Number: 3  
Last Saved On: 01/05/2007 12:46 PM  
Last Saved By: lbcavi  
Total Editing Time: 0 Minutes  
Last Printed On: 01/05/2007 2:41 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 582 (approx.)  
Number of Characters: 3,149 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Request authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Riggin Avenue and Roeben Street right-of-way for roadway purposes as offered per Document No. 2004-0120373, Dated November 19, 2004, generally located on the east side of Roeben Street north of Robin Avenue and on the south side of Riggin Avenue east of Roeben Street.

Resolution No 2007-\_\_\_\_\_ required

**Deadline for Action:** January 8, 2007

**Submitting Department:** Public Works, Engineering

**Contact Name and Phone Number:**

Andrew Benelli: 713-4340  
Greg Dais: 713-4164

**Department Recommendation and Summary:** Staff recommends that the City Council accept the "Irrevocable Offer to Dedicate Real Property" for Riggin Avenue and Roeben Street right of way for roadway purposes as offered per Document No. 2004-0120373, Dated November 19, 2004 generally located on the east side of Roeben Street north of Robin Avenue and on the south side of Riggin Avenue east of Roeben Street.

An irrevocable offer of dedication is a means used by public agencies to ensure that right of way can be obtained at a future time. Government Code Section 7050 states that an irrevocable offer of dedication "may be accepted at any time by the City council of the city within which such real property is located at the time of acceptance." Irrevocable offers of dedication are acquired by public agencies during development entitlement processes, such as subdivisions or conditional use permits, to enable dedication to be exercised when the need to widen or improve a street becomes necessary.

Acceptance of the irrevocable offer to dedicate will provide the City of Visalia with a 42-foot wide half street right-of-way along Roeben Street between Robin Avenue and Riggin Avenue. The Roeben Street improvements will consist of constructing a half width road with the west half been constructed with Pheasant Ridge No. 4 Subdivision. This will complete the section of Roeben Street between Ferguson Avenue and Riggin Avenue. The acceptance of the irrevocable offer to dedicate will also provide the City of Visalia with 20 feet of right of way south

or 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

of the section line for Riggin Avenue. This 20-foot is now a road easement that was dedicated to County of Tulare. This will give the City the right of way instead of an easement. The existing easement on Riggin Avenue is 40 feet wide at this time, 20 feet each side of the section line. The future width will be 110 feet with the street being widened in the future. The planned centerline for Riggin was offset from the section line due to oak trees on the south side. At this time the additional 60 feet on the north side will need to be purchased by the City and annexed into the city limits. There is capital project to complete Riggin from Shirk to Akers (which includes this area of Roeben) in 2008/2009 year.

Finally, staff recommends the City Council accept the irrevocable offer of dedication along Roeben Street and Riggin Avenue. Having the dedication now will allow the City to move forward with the road widening of Roeben Street up to Riggin Avenue.

**Prior Council/Board Actions:** None

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

**Alternatives:** Relinquish the Irrevocable Offer of Dedication for Real Property as offered per Document No. 2004-0120373, Dated November 19, 2004.

**Attachments:** Project location sketch.

**City Manager/Executive Director Recommendation:**

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

Move to accept an "Irrevocable Offer to Dedicate Real Property" for Roeben Street and Riggin Avenue right-of-way for roadway purposes as offered per Document No. 2004-0120373, Dated November 19, 2004.

Copies of this report have been provided to:

***Financial Impact***

**Funding Source:**

Account Number:

**Budget Recap:**

Total Estimated cost:	\$ N/A	New Revenue:	\$ N/A
Amount Budgeted:	\$ N/A	Lost Revenue:	\$ N/A
New funding required:	\$ N/A	New Personnel:	\$ N/A
Council Policy Change:	Yes{ FORMCHECKBOX }	No{ FORMCHECKBOX }	

***Environmental Assessment Status***

**CEQA Review:{ FORMTEXT }**

Required? Yes { No { FORMCHECKBOX }  
FOR  
MCH  
ECK  
BOX  
}

Review and Action: Prior:  
Required:

**NEPA Review:{ FORMTEXT }**

Required? Yes { No { FORMCHECKBOX }  
FOR  
MCH  
ECK  
BOX  
}

Review and Action: Prior:  
Required:

**Review and Approval - As needed:**

**Department Head Review (Signature):**

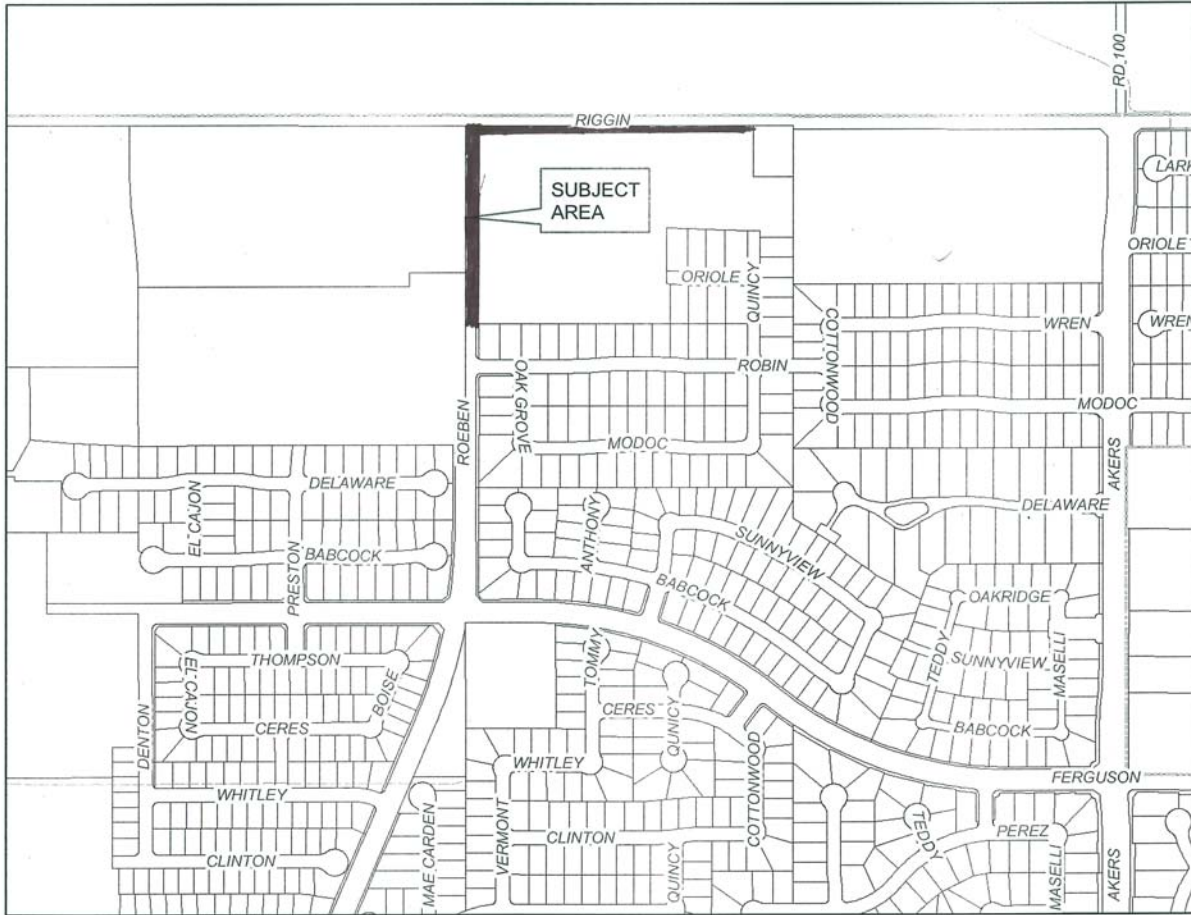
**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

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

**Others:**

# ROEBEN AND RIGGIN IRREVOCABLE OFFER OF DEDICATION



LOCATION MAP

**RESOLUTION NO. 2007-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA  
AUTHORIZING THE ACCEPTANCE OF A  
IRREVOCABLE OFFER TO DEDICATE REAL PROPERTY  
ALONG ROEBEN STREET AND RIGGIN AVENUE**

**WHEREAS**, as offered per Document No. 2004-0120373, Dated November 19, 2004 and

**WHEREAS**, the City Council of the City of Visalia finds it to be in the public interest to accept into the City's street system those certain parcels more particularly and legally described as follows:

Beginning at the north quarter corner of said Section 22;

Thence South 00°13'21" East 821.19 feet along the west line of said northeast quarter;

Thence North 89°50'26" East 42.00 feet;

Thence North 00°13'21" West 781.15 feet parallel with said west line;

Thence North 44°50'18" East 28.25 feet to a point 20.00 feet, measured at right angles, from the north line of said Section 22;

Thence North 89°53'57" East 908.25 feet parallel with the north line of said Section 22 to the beginning of a curve concave to the south having a radius of 1,945.00 feet;

Thence easterly 168.50 feet along said curve through a central angle of 04°57'49" to the beginning of a reverse curve concave to the north having a radius of 2,055 feet, a radial line through said beginning of reverse curve bears South 04°51'46" West;

Thence easterly 17.93 feet along said reverse curve through a central angle of 00°30'00" to a point 160 feet west, measured at right angles, from the east line of the northwest quarter of the northeast quarter of said Section 22;

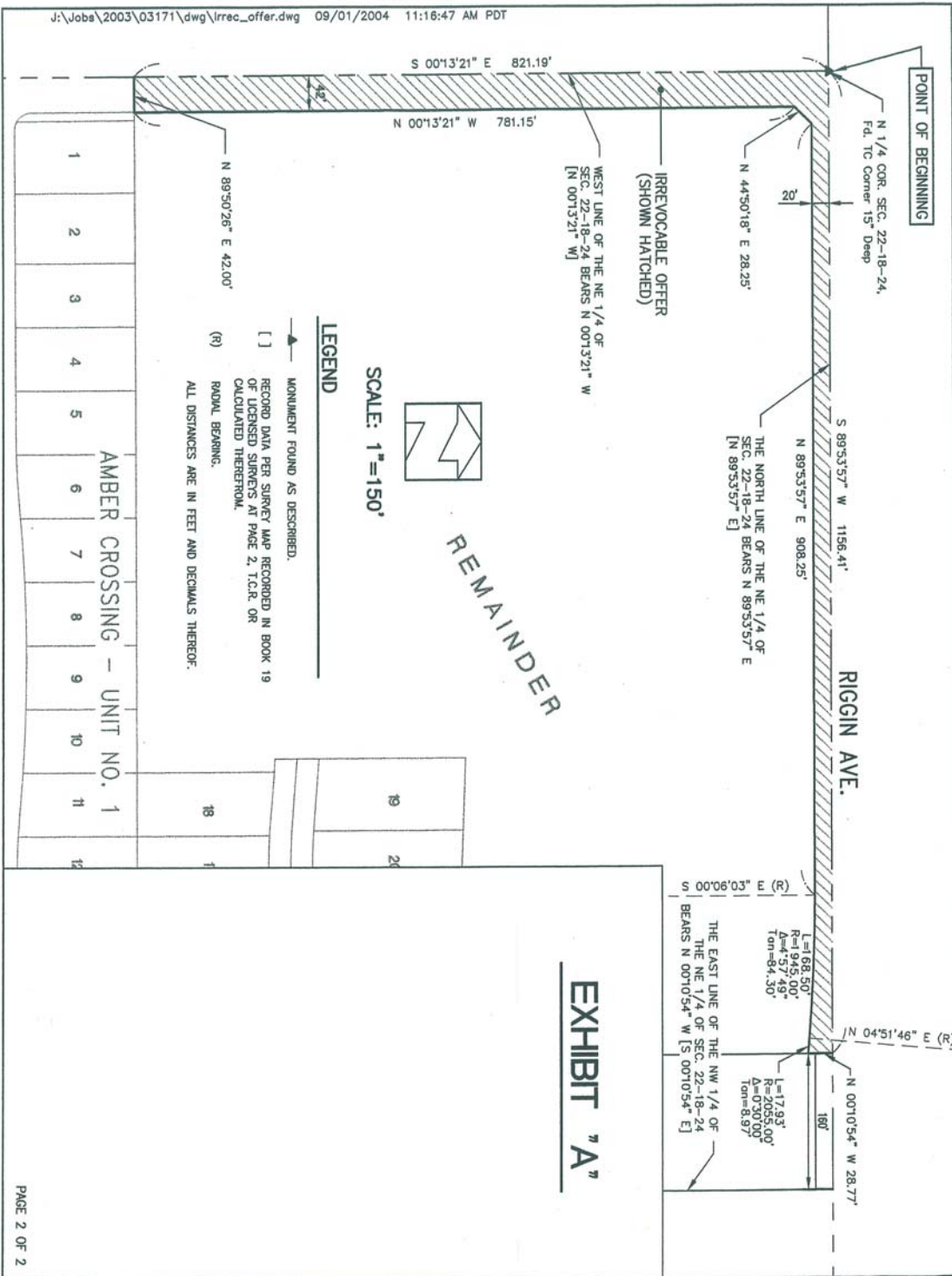
Thence North 00°10'54" West 28.77 feet parallel with last said east line to the north line of said Section 22;

Thence South 89°53'57" West 1,156.41 feet along said north line to the Point of Beginning.

See Exhibit A for map.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Visalia hereby accepts the "Irrevocable Offer to Dedicate Real Property" as described herein and made a part thereof.





Filename: Riggin & Roeben IIR Offer Resolution  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: D:\Program Files\Microsoft  
Office\Templates\AGENDA.DOT  
Title: City of Visalia  
Subject:  
Author: .  
Keywords:  
Comments:  
Creation Date: 12/11/2006 11:11 AM  
Change Number: 15  
Last Saved On: 12/20/2006 1:45 PM  
Last Saved By: gxdais  
Total Editing Time: 161 Minutes  
Last Printed On: 01/05/2007 2:51 PM  
As of Last Complete Printing  
Number of Pages: 7  
Number of Words: 1,159 (approx.)  
Number of Characters: 6,020 (approx.)

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Award Landscape Maintenance Contracts (1) Santa Fe Trail & Roadside, Houston Triangles, Goshen Bike Path and (2) Various Medians & Roadsides to Patrick Brumm of Sacramento Weed and Growth Regulators per specifications of RFB 06-07-07.

**Deadline for Action:** January 8, 2006

**Submitting Department:** Parks and Recreation/Public Works- Streets Division

**Contact Name and Phone Number:**

David Pendergraft, 713-4295; Earl Nielsen 713-4533

**Department Recommendation and Summary:** Staff recommends that Patrick Brumm, Sacramento Weed and Growth Regulators be awarded the maintenance contracts for (Option1) Santa Fe Trail & Roadside, Houston Triangles and Goshen Bike Path (1,680,850 sq. ft./38.59 acres) @ \$98,833.98/year and (Option 2) Various Street Medians and Roadsides (1,222,006 sq. ft. /28.05 acres) @ \$99,715.69/year.

Sacramento Weed and Growth Regulators is currently maintaining two Landscape and Lighting Districts contracts for the City of Visalia. Since September 1, 2006 they have maintained district C at 8.69 acres and district E at 6.8 acres. Mr. Brumm has been responsive when requested to address an issue with the districts currently being maintained. All of his references indicated a high level of professionalism. He has the personnel and the equipment to maintain these areas to the level required in the contract. With the addition of Santa Fe Trail & Roadside, Houston Triangle, Goshen Bike Path and the Median and Roadsides contracts, Sacramento Growth and Weed Regulators will be maintaining a total of 82.13 acres.

Bids were solicited by advertising in the Visalia Times Delta on September 29, 2006 and October 4, 2006 and by mailing bid notices to contractors. Due to the large square footage, the work was split into to two options: Option1: Santa Fe Trail & Roadside, Houston Triangles, Goshen Bike Path; and Option2: Medians and Roadsides. Three contractors submitted bids as shown below.

**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.

Bidders Name	Option 1	Option 2
Sacramento Weed & Growth Regulators	\$ 98,833.98	\$ 99,715.69
Perfect Care Landscaping	\$159,680.75	\$195,520.96
Primow Landscape	\$185,565.894	\$183,300.96

Sacramento Weed & Growth has a local office in Farmersville; Perfect Care Landscaping is from Tulare; and Primow Landscape is from Visalia.

Contracts are good for 1 year and may be extended up to four years depending on performance. Annual price increase adjustments at time of renewal of contract are based on the Consumer Price Index. Cost for future additions to the project area (if necessary) will be calculated by multiplying the Contractor's Unit Price by the square footage of area being added to contract. Funding has been budgeted in Streets Division budget (31324) for the contract. The 2006-07 budget contains \$205,000 for this work.

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

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

**Committee/Commission Review and Actions:**

**Alternatives:** Do not award

**Attachments:**

**Recommended Motion:** Award Landscape Maintenance Contracts (1) Santa Fe Trail & Roadside, Houston Triangles, Goshen Bike Path and (2) various medians & roadsides to Patrick Brumm of Sacramento Weed and Growth. Regulations per specifications of RFB 06-07-07.

### ***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**



Filename: Contract Award Median Maint  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: F:\Templates\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: dwston  
Keywords:  
Comments:  
Creation Date: 12/29/2006 1:43 PM  
Change Number: 6  
Last Saved On: 01/03/2007 10:59 AM  
Last Saved By: velizondo  
Total Editing Time: 14 Minutes  
Last Printed On: 01/05/2007 2:47 PM  
As of Last Complete Printing  
Number of Pages: 3  
Number of Words: 604 (approx.)  
Number of Characters: 3,389 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Accept of City Engineer's report, call for construction bids, set a public hearing and direct the recordation of assessment district map for the proposed Village West street assessment district. **RESOLUTION NO. 2007- \_\_\_\_.**

**Deadline for Action:** None

**Submitting Department:** Public Works and Administrative Services Director

**Contact Name and Phone Number:** Andrew Bennelli, x4340;  
Eric Frost, x4474

**Department Recommendation:**

*(Note: The City Council considered this item on December 18, 2006. However, the Resolution of Intention was incomplete. As a result, staff is bringing back the complete report for adoption to assure that the resolution completely conforms to state law and City procedures.)*

That the City Council:

1. accept the City Engineer's report on Village West,
2. call for construction bids two weeks prior to the opening of ballots,
3. set a public hearing to open ballots on March 5, 2007 at 7 pm in the Council Chambers at 707 West Acequia; and,
4. direct the recordation of assessment district map for the proposed Village West street assessment district.

**Summary/background:**

Village West is a subdivision built in the early 1970s with a private street, accessible to the public. The subdivision is located to the Northeast of the Walnut and Demaree intersection. The subdivision's private street, Royal Oaks Drive, provides a loop to the local residents. The City's street, also Royal Oaks Drive, intersects the loop as shown on Picture I, Village West Aerial Map. (The aerial map marks the private road as Royal Oaks. This street is Royal Oaks Drive; the intersecting private street is also called Royal Oaks Drive.) The private street was not

**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   x    
City Atty   NA    
(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.

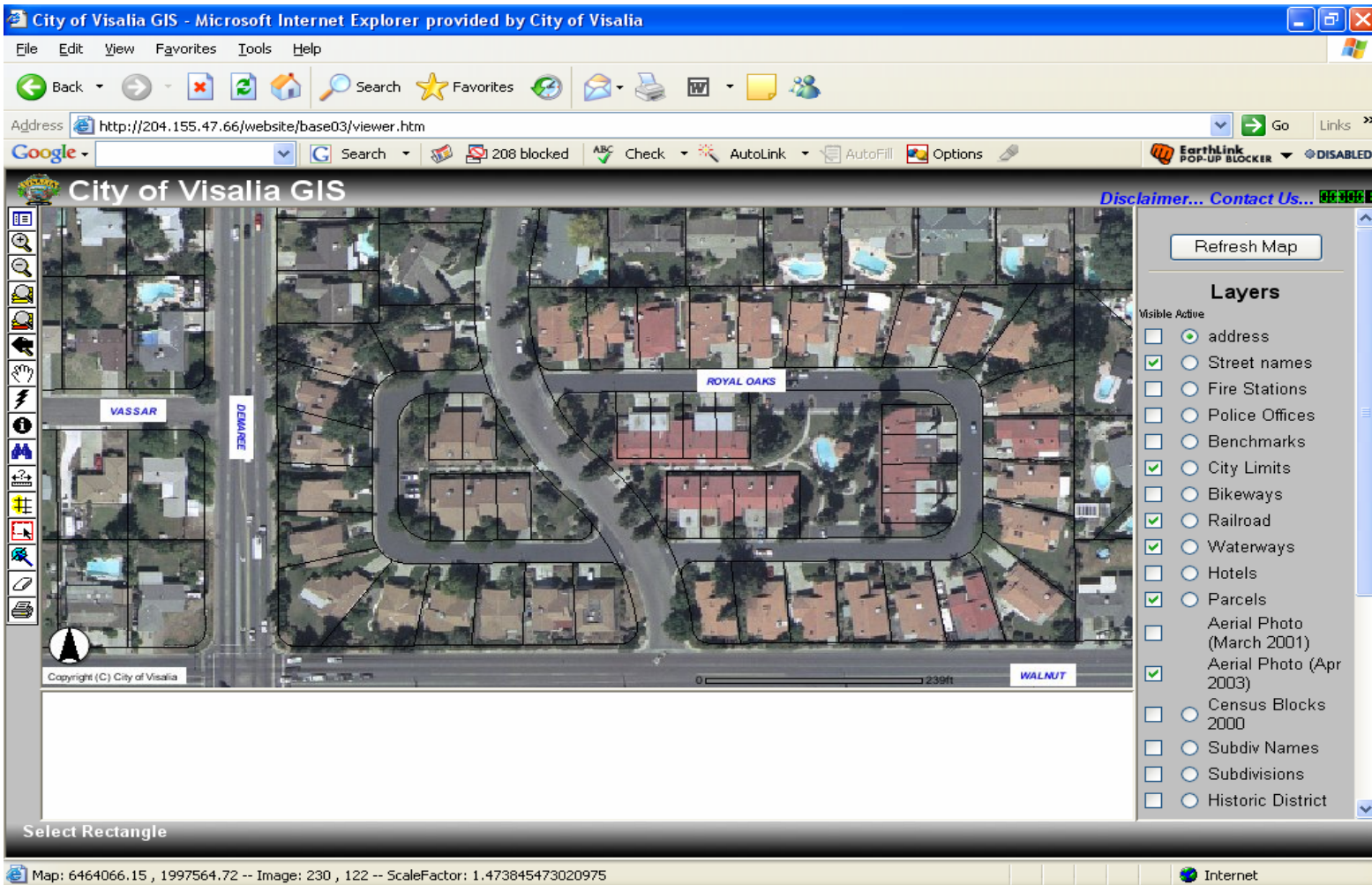
built to City standards nor was the street ever accepted by the City. However, the street is open to the public.

Over time, the street has deteriorated to the point it needs to be substantially improved. The residents of the subdivision approached the City, asking for assistance to repave their street. The homeowners' major problem is that a number of the homeowners are on fixed incomes and would find a \$2,500 assessment difficult to pay. Essentially, the homeowners asked if there was some way to have the City finance the project.

The project qualified under the laws which govern street assessments and the City formed an assessment district based upon petitions from over 80% of the property owners.

To assist the homeowners in this process, the City prepared the preliminary petition including the district boundaries and scope of work without cost to the homeowners. The homeowners circulated the petition and presented the petitions to the City Clerk in sufficient numbers to qualify for the creation of a special assessment district. To proceed forward, the City prepared a ballot to be sent to each of the property owners. Each assessment, if charged equally to each property owner, would have equal weight; one assessment is equal to one vote.

Picture I  
Village West Aerial Map





The City's engineers have designed an overlay project for Royal Oaks. The homeowners have reviewed the plan, made requested changes and are now ready to proceed with the balloting of the proposed project with the homeowners.

The City will then schedule a public hearing to receive the votes. If the assessment is approved, the City would prepare for sale an assessment bond. The assessment bond would be levied against each home in the district. The proposed budget is as follows:

Village West Street Bonds		
Homes:	50	
Term (yrs):	15	
Est. Rate:	6%	
Annual Assessment		
- Total District	11,714	
- Per Lot	234	
<u>Project Cost</u>		
Construction Est.		97,768
<u>Incidental</u>		
Legal	10,500	
City Engineering	2,500	
City Admin.	2,000	
Publication, Misc.	1,000	
		16,000
<b>Total Estimated Cost</b>		<b>113,768</b>

The actual project may cost less and assessments would then be reduced. However, if costs are higher, then additional approvals by the property owners would be required. As a result, a very conservative budget has been prepared

Previously, the Council expressed its intent to purchase the Assessment Bonds to place in its idle cash portfolio. By so doing, the City saves the homeowners the cost of underwriting while also earning the City an attractive interest rate secured by the property in Village West. Recently, such bonds have sold at interest rates well above 6%.

The cost savings is achieved by having the City purchase the assessment bonds. As a result, the debt issue does not have to employ an underwriter and prepare an official statement about the use of the bonds, something that can become expensive, especially for small debt issues such as this proposed assessment.

After bond sale, the City would conduct a public bid and manage the construction project. Thereafter, the assessment would be added to each homeowner's property tax bill for the next 15 years. The interest rate would be set according to interest rate market conditions.

Then to recap:

- The homeowners have obtained petitions to form the district from 41 of the 50 property owners (82%), more than sufficient to pass the ballot proposed to be on a one assessment one vote basis.
- The homeowners have approved a \$6 per month street maintenance fee in order to replace the street in the future.
- City Council has approved that the City purchase the assessment bonds directly, saving the homeowners an underwriting fee and adding a viable investment to the City's portfolio.
- Council approved a legal services agreement with Robert Haight, Attorney At Law, to perform the needed legal work for the district.
- If the district is formed and an assessment approved, the City will conduct a public bid and manage the project.
- For those that prefer to pay for the assessment in cash before the sale of the bond in order to avoid interest costs, a cash payment period will be provided.
- The County will levy an annual property tax assessment against each of the properties.

#### Actions tonight

The proposed actions tonight are to:

1. accept the City Engineer's report on Village West,
2. call for construction bids two weeks prior to the opening of ballots,
3. set a public hearing to open ballots on March 5, 2007 at 7 pm in the Council Chambers at 707 West Acequia; and,
4. direct the recordation of assessment district map for the proposed Village West street assessment district.

**Prior Council/Board Actions:** August 7, 2006, December 18, 2006

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** Attachment #1, Engineer's Report

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

Adopt **Resolution 200&-\_\_\_** accepting of City Engineer's report, calling for construction bids, setting of public hearing for March 5, 2007 in the Council Chambers at 707 West Acequia at 7 pm and directing the recordation of assessment district map for the proposed Village West street assessment district.

#### ***Environmental Assessment Status***

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

Page { PAGE }

File location and name: { FILENAME \p \\* MERGEFORMAT }

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to: Village West Home Owners Association

  
**VILLAGE WEST STREET ASSESSMENT DISTRICT NO.**

**AD-01**

ANDREW J. BENELLI, Public Works Director, Engineer of Work for Village West Street Assessment District, City of Visalia, Tulare County, California makes this report, as directed by the City Council, pursuant to Section 10204 of the Streets and Highways, Code (Municipal Improvement Act of 1913).

The improvements which are the subject of this report are briefly described as follows:

***The improvement of the private streets as shown on the recorded subdivision maps for Village West Unit No. 1 (recorded February 21, 1973 in Vol. 26 at Page 83 T.C.R.) and Village West Unit No. 2 (recorded May 15, 1973 in Vol. 27 at Page 3 T.C.R.) by excavating, compacting and constructing, where necessary, curb and gutter and milling the existing asphalt concrete and base rock in-place and grading and compacting the milled material and constructing a 2 asphalt concrete overlay within the right-of-way of the private streets as shown on said maps.***

Bonds and/or assessment liens representing unpaid assessments, and bearing interest at a rate not to exceed twelve percent per annum, shall be issued and/or levied in the manner provided by the Improvement Bond Act of 1915 (Division 10, Streets and Highways Code), and the last installment of the bonds and/or liens shall mature not to exceed fourteen (14) years from the second day of September next succeeding twelve (12) months from their date.

This report includes the following attached exhibits:

- EXHIBIT A - Plans and specifications for improvements to be constructed. Plans and specifications are a part of this report whether or not separately bound.
- EXHIBIT B - An estimate of the cost of the improvements.
- EXHIBIT C - An assessment roll, showing the amount proposed to be specially assessed against each parcel of real property within this assessment district. Each parcel is described by County Assessor's parcel number or other designation, and each parcel is also assigned a separate "assessment number" for the purposes of this proceeding.
- EXHIBIT D - A statement of the method by which the undersigned determined the amount proposed to be assessed against each parcel, based on benefits to be derived by each parcel, respectively, from the improvements.
- EXHIBIT E - A list of names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit C by assessment number.
- EXHIBIT F - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Exhibit C by assessment number.

EXHIBIT G - Proposed maximum annual assessment per parcel for current costs and expenses.

Respectfully submitted,  
ANDREW J. BENELLI  
Public Works Director  
Engineer of Work

ENGINEER'S REPORT  
VILLAGE WEST STREET ASSESSMENT DISTRICT

The undersigned respectfully submits the enclosed report as directed by the City Council.

DATED: December 13, 2006

ANDREW J. BENELLI  
Public Works Director, Engineer of Work

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the December 13, 2006.

LESLIE CAVILGIA, City Clerk, City of  
Visalia, Tulare County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Visalia, Tulare County, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

LESLIE CAVILGIA, City Clerk, City of  
Visalia, Tulare County, California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was recorded in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ANDREW J. BENELLI  
Public Works Director, City of Visalia, Tulare  
County, California

By \_\_\_\_\_

EXHIBIT A  
PLANS AND SPECIFICATIONS  
PLANS ARE A PART OF THIS REPORT WHETHER OR NOT SEPARATELY BOUND

Project layout plan and standard plans and specifications are available in the City Engineer's Office

EXHIBIT B

ENGINEER'S COST ESTIMATE

VILLAGE WEST STREET ASSESSMENT DISTRICT

1.	Construction Costs		\$ 97,768
2.	Incidental Costs		
	a)	Design and Construction Engineering	\$ 2,500
	b)	Legal Fee	\$ 10,000
	d)	Bond Counsel out of pocket	\$ 500
	e)	City Administration Costs	\$ 2,000
	f)	Publication, Auditor's Record	\$ <u>1,000</u>
	Total Incidental Costs		\$ <u>16,000</u>
	Total Estimated Cost of Project		\$ 113,768
	Balance to Assessment		\$ 113,768



EXHIBIT C

VILLAGE WEST STREET ASSESSMENT DISTRICT

ASSESSMENT ROLL

Assessment No.	Assessment Parcel No .	Assessment Amount
1	095-242-029	\$ 2,275.36
2	095-242-030	\$ 2,275.36
3	095-242-031	\$ 2,275.36
4	095-242-032	\$ 2,275.36
5	095-242-033	\$ 2,275.36
6	095-242-034	\$ 2,275.36
7	095-242-035	\$ 2,275.36
8	095-242-036	\$ 2,275.36
9	095-242-037	\$ 2,275.36
10	095-242-038	\$ 2,275.36
11	095-241-002	\$ 2,275.36
12	095-241-003	\$ 2,275.36
13	095-241-004	\$ 2,275.36
14	095-242-028	\$ 2,275.36
15	095-242-042	\$ 2,275.36
16	095-242-041	\$ 2,275.36
17	095-242-040	\$ 2,275.36
18	095-242-039	\$ 2,275.36
19	095-241-019	\$ 2,275.36
20	095-241-018	\$ 2,275.36
21	095-242-043	\$ 2,275.36
22	095-241-005	\$ 2,275.36
23	095-242-027	\$ 2,275.36
24	095-242-044	\$ 2,275.36
25	095-242-026	\$ 2,275.36
26	095-241-006	\$ 2,275.36

Assessment No.	Assessment Parcel No	Assessment Amount
27	095-242-045	\$ 2,275.36
28	095-242-047	\$ 2,275.36
29	095-242-048	\$ 2,275.36
30	095-242-049	\$ 2,275.36
31	095-242-050	\$ 2,275.36
32	095-241-014	\$ 2,275.36
33	095-241-015	\$ 2,275.36
34	095-241-016	\$ 2,275.36
35	095-242-046	\$ 2,275.36
36	095-242-025	\$ 2,275.36
37	095-241-007	\$ 2,275.36
38	095-242-024	\$ 2,275.36
39	095-241-008	\$ 2,275.36
40	095-242-023	\$ 2,275.36
41	095-242-022	\$ 2,275.36
42	095-241-009	\$ 2,275.36
43	095-242-021	\$ 2,275.36
44	095-242-020	\$ 2,275.36
45	095-242-019	\$ 2,275.36
46	095-242-018	\$ 2,275.36
47	095-241-013	\$ 2,275.36
48	095-241-012	\$ 2,275.36
49	095-241-011	\$ 2,275.36
50	095-241-010	\$ 2,275.36

EXHIBIT D  
VILLAGE WEST STREET ASSESSMENT DISTRICT

Proposed Rules for Spread of Assessment

1. Assessments shall be determined on the basis of number of units. The estimated construction cost, plus incidental costs will be spread equally to each of the benefiting parcels.
2. Street construction costs, including curb and gutter improvements, and miscellaneous construction items along with incidentals shall be spread equally to the individual parcels in proportion to the number of the parcel.
3. Incidentals shall be spread for each parcel on the unit cost basis.

EXHIBIT E

VILLAGE WEST STREET ASSESSMENT DISTRICT

LIST OF PROPERTY OWNERS

<u>Assessment Number</u>	<u>Owner</u>	<u>Address</u>
1	Bookout, Ralph W. & Betty	5617 W. Grove Ct., Visalia
2	Miller, George & Rosalie (TRS)	125 Victor Ct., Visalia
3	Russ, Gene R. & Judith M.	1846 Royal Oaks Dr., Visalia
4	Rocha, Georgia R. (TR)	1844 Royal Oaks Dr., Visalia
5	Cox, James P. & Edna F. (TRS)	1842 Royal Oaks Dr., Visalia
6	Givan, Carolyn (TR)	2615 S. Stevenson St., Visalia
7	Rugeroni, David & Joyce A.	1838 Royal Oaks Dr., Visalia
8	Cross, Robert	1836 S. Royal Oaks Dr., Visalia
9	Maloy, Lily D.	1834 Royal Oaks Dr., Visalia
10	Daguerre, Dave	2719 E. Feemster, Visalia
11	Dally, Deanna R.	1831 S. Royal Oaks Ave., Visalia
12	Scott, Gail A. (TR)	1835 Royal Oaks Dr., Visalia
13	Marquez, Monica	1909 S. Royal Oaks Dr., Visalia
14	Brumit, Philip D.	P.O. Box 3185, Visalia
15	Adams, Sharon Louise	1906 Royal Oaks Dr., Visalia
16	Walker, Steven C.	1904 Royal Oaks Dr., Visalia
17	Ediger, Gladys F.	1902 Royal Oaks Dr., Visalia
18	Lenox, Doris	1900 Royal Oaks Dr., Visalia
19	Mosley, Lloyd H. & Leslie A.	3501 S. Willis St., Visalia
20	Cox, Brian K. & Patricia L.	P.O. Box 3544, Visalia
21	Rorax, Ola H. (TR)	1238 S. Sowell, Visalia
22	Crouse, Everett C. & Eufemia	1915 S. Royal Oaks Dr., Visalia
23	Tyler, Russell W. & Judith (TRS)	1912 Royal Oaks Dr., Visalia
24	Jordan, Bill R.	1809 W. Main St., Suite A, Visalia
25	Tweed, Kathleen B. (TR)	1918 S. Royal Oaks, Visalia
26	McCormick, Jack R. (TR)	3434 Fairmont Ct., Visalia
27	Dehore, Bradley C.	1916 Royal Oaks Dr., Visalia
28	Fisher, Allen	1934 Royal Oaks Dr., Visalia

29	Hanhauser, Thomas J. & Adrienne	530 Elvis Dr., San Jose
30	Salas, Enrique Jr.	1940 S. Royal Oaks, Visalia
31	Manuele, Candyce E.	1942 Royal Oaks, Visalia
32	Kampen, Clara G.	1939 Royal Oaks Dr., Visalia
33	Mosley, Lloyd H. & Leslie A.	3501 S. Willis Ct., Visalia
34	Schmid, Leslie J (TR)	1931 S. Royal Oaks Ave., Visalia
35	Mata, Carmen	1920 Royal Oaks Dr., Visalia
36	Shuman, Melissa & Brian	1922 S. Royal Oaks Dr., Visalia
37	Morrice, Edna (TR)	1923 Royal Oaks Dr., Visalia
38	De La O, Francis D.	1924 Royal Oaks Dr., Visalia
39	Esbenshade, Phillip W. & Laura M.	1925 S. Royal Oaks Dr., Visalia
40	Allen, Jack N. & Shirley A.	1926 Royal Oaks Dr., Visalia
41	Sutton, Marion O. (TR)	1928 Royal Oaks Dr., Visalia
42	Krammer, Judith Ann	1929 S. Royal Oaks Dr., Visalia
43	Walters, Kenneth Dale	1930 Royal Oaks Dr., Visalia
44	Davis, Barbara L.	1932 S. Royal Oaks Dr., Visalia
45	Bookout, Ralph W. & Betty	5617 W. Grove Ct., Visalia
46	Powell, John & Pamela K.	1944 S. Royal Oaks Dr., Visalia
47	Black, Blaine G. & Tamara A.	1943 Royal Oaks Dr., Visalia
48	Bardone, Alfredo & Kathryn (TRS)	1941 S. Royal Oaks, Visalia
49	Simoos, Michelle	13260 Rd. 136, Tipton
50	Hubbard, John D. & Pam J. (TRS)	1933 S. Royal Oaks Dr., Visalia

EXHIBIT F

ASSESSMENT DIAGRAM  
TO BE PROVIDED BY PUBLIC WORKS DEPARTMENT

EXHIBIT G  
PROPOSED MAXIMUM ANNUAL ASSESSMENT PER PARCEL FOR CURRENT  
COSTS AND EXPENSES  
VILLAGE WEST STREET ASSESSMENT DISTRICT

Pursuant to Section 10204 (f) of the California Streets and Highways Code, the City Council intends to impose an annual assessment upon each of the several parcels of land in this assessment district to pay a portion of the cost and expense incurred by the City and not otherwise reimbursed, which results from the administration and collection of assessments or from the administration or registration of the associated 1915 Act bonds and the related reserve fund, bond redemption fund and any other related funds. The maximum amount of such annual assessment shall be calculated as 2% of the total assessment levied upon each such parcel of land.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA PRELIMINARILY APPROVING ENGINEER'S REPORT, CALLING FOR CONSTRUCTION BIDS, SETTING HEARING AND ELECTION, PROVIDING NOTICE, APPROVING BOUNDARY MAP AND DIRECTING ACTIONS WITH RESPECT THERETO**

VILLAGE WEST IMPROVEMENT PROJECT

WHEREAS, on January 8, 2007, the City Council of the City of Visalia ("City") adopted its Resolution of Intention No. 2007- \_\_\_\_ to Acquire and/or Construct Improvements and Determining to Proceed (the "Resolution of Intention") under the Municipal Improvement Act of 1913, being Division 12 of the Streets and Highways Code of California (the "Act"), to initiate proceedings under the Act in and for the Village West Improvement Project (the "Improvement Project").

WHEREAS, the Resolution of Intention referred the improvements described therein to the person designated therein as the Engineer of Work and directed the Engineer of Work to prepare and file with the City Clerk a report (the "Engineer's Report") pursuant to the Act and containing information set forth in the Resolution of Intention, to which reference is hereby made for further particulars.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VISALIA, CALIFORNIA, AS FOLLOWS:

***Engineer's Report Preliminarily Approved***

The Engineer of Work has prepared and filed the Engineer's Report with the City Clerk, and this City Council, with the aid of staff, has reviewed the Engineer's Report and hereby finds it to be sufficient for, and that it shall stand for, purposes of subsequent proceedings for the Improvement Project, and the Engineer's Report is hereby preliminarily approved.

***Call for Construction Bids***

That the City Clerk is hereby directed to publish once a week for two weeks in the local newspaper, published and/or circulated in the City, a notice inviting sealed proposals or bids for the construction of said improvements, and referring to the plans and specifications on file in the office of said Clerk, the first publication of which notice shall be at least fourteen (14) days prior to the time fixed for opening bids.

All proposals or bids shall be presented under sealed cover and shall be accompanied by cash, a cashier's or certified check payable to the order of the City, amounting to ten percent (10%) of the bid, or by a bond in said amount and payable to said City, executed by an admitted surety insurer. The amount so posted shall be forfeited to the City if the bidder does not, within fifteen (15) days after written notice that the contract has been awarded to him, enter into a contract with the City for the work.

Bidder's security and undertakings to secure the faithful performance of contracts are subject to and shall be governed by the provisions of section 20483 of the California Public Contract Code.



Said sealed proposals or bids shall be delivered to the Clerk on or before 3 pm. on the 15 day of February 2007 at the 315 East Acequia, Visalia, California 93291, Attention Jim Funk. Bids will be publicly opened, examined, and declared on said day and hour. The bids will be referred to the City Council at its meeting scheduled for March 5, 2007 for further action.

### ***Public Hearing***

Pursuant to the Act, this City Council hereby orders that a public hearing shall be held before this City Council, in the regular meeting place thereof, City Council Chambers, 707 West Acequia, Visalia, California, at the hour of 7 p.m. on March 5, 2007, for the purposes of this City Council' determination whether the public interest, convenience and necessity require the acquisitions and improvements, whether the properties in the Improvement Project are specially benefited by the acquisitions and improvements, the tabulation of special assessment ballots and the determination of the existence of any majority protest, and this City Council's final action upon the Engineer's Report and the assessments therein. The public hearing may be continued from time to time as determined by the City Council.

### ***Notice***

The City Clerk is hereby authorized and directed to cause notice of the hearing to be given by mailing, postage prepaid, in the United States mail, and such notice shall be deemed to have been given when so deposited in such mail. The envelope or cover of the mailing shall include the name of the City and the return address of the City Clerk as the sender. The mailed notice shall be given to all property owners within the Improvement Project as shown in the Engineer's Report and whose names and addresses appear on the last equalized assessment roll of the County of Tulare or the State Board of Equalization assessment roll, or as known to the City Clerk, as the case may be. The amount of the proposed assessment for each parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire Improvement Project, the amount chargeable to the owner's particular parcel, the anticipated duration of payment for the assessment if bonded or otherwise collected, the reason for such assessment and the basis upon which the amount of the proposed assessment was calculated. Each such mailed notice to owners shall contain a ballot, which includes the City's address for receipt of completed ballots showing the owner's name, identification of the parcel and support or opposition to the proposed assessment. Each ballot shall contain a declaration under penalty of perjury to be signed by the person submitting it that the person is authorized to vote the ballot. Each notice shall include, in a conspicuous place, a summary of the procedures applicable to the completion, return and tabulation of ballots, including a disclosure that the existence of a majority protest (whereby ballots submitted in opposition exceed those submitted in favor of the assessment, with ballots weighted according to proportional financial obligation of the affected property) will result in the assessment not being imposed. The notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing ordered under Section 3 hereof.

### ***Boundary Map***

The proposed boundaries of the proposed Improvement Project are hereby described as shown on a map thereof on file in the Office of the City Clerk (the "Boundary Map"), which indicates by a boundary line the extent of the territory to be included in the proposed Improvement Project and which Boundary Map shall govern for all details for further purposes of the proceedings for the Improvement Project and to which reference is hereby made for further particulars. The City Clerk is hereby authorized and directed to endorse upon the original and at least one copy of the Boundary Map the date of the filing thereof and date and adoption of

this resolution and to cause a copy of the Boundary Map to be filed with the County Recorder of the County of Tulare, in which all of the proposed Improvement Project is located, within fifteen (15) days of the adoption of this resolution, but in no event later than fifteen (15) days before the date of the public hearing ordered under Section 3 hereof. The County Recorder shall endorse upon the Boundary Map the time and date of filing and shall fasten the same securely in a book of maps of assessment and community facilities that the County Recorder shall keep in his or her office. The County Recorder shall index the Boundary Map by the name of the City and by the distinctive designation of the proposed Improvement Project.

PASSED AND ADOPTED by the City Council of the City of Visalia, Tulare County, State of California, this 8th day of January, 2007 by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

\_\_\_\_\_  
Mayor

ATTEST:

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

I, the undersigned City Clerk, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Visalia, California, at a regular meeting thereof held on the 8<sup>th</sup> day of January, 2007, is a true and correct copy. The original of which is on file in my office.

Filename: Item 7h Village West Street Assessment 1  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/27/2006 10:58 AM  
Change Number: 6  
Last Saved On: 12/29/2006 11:00 AM  
Last Saved By: lbcavi  
Total Editing Time: 8 Minutes  
Last Printed On: 01/05/2007 2:47 PM  
As of Last Complete Printing  
Number of Pages: 20  
Number of Words: 4,376 (approx.)  
Number of Characters: 22,367 (approx.)

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

**Meeting Date:** Jan. 8, 2007

**Agenda Item Number (Assigned by City Clerk):** 13 K

**Agenda Item Wording:** Authorization for staff to work with potential partners to develop a proposal for a Visitor's Center, submit a concept proposal, and if accepted, a subsequent grant application for a \$250,000 California Partnership for the San Joaquin Valley seed grant.

**Deadline for Action:** Jan. 8, 2007

**Submitting Department:** Administration

**Contact Name and Phone Number:** Leslie Caviglia, 713-4317

**Department Recommendation**

It is recommended that the City Council authorize staff to work with potential partners to develop a proposal for a Visitor's Center, submit a concept proposal, and if accepted, a subsequent grant application for a \$250,000 California Partnership for the San Joaquin Valley seed grant.

**Department Discussion**

The San Joaquin Valley Partnership for the San Joaquin Valley was formed by Governor Arnold Schwarzenegger in 2005 and directed to prepare and submit a Strategic Action Proposal (SAP) by October 31, 2006 for long-term well-being and economic prosperity in the San Joaquin Valley.

The SAP sets forth overall strategies and specific actions with accompanying indicators to measure progress. It builds on the existing strengths of the San Joaquin Valley and addresses the current challenges to minimize weaknesses. The Governor and Legislature approved an appropriation of \$5 million in the State Budget for Fiscal Year 2006-0 for the California Partnership for the San Joaquin Valley for implementation of the SAP. Included in this budget is \$2.5 million for seed grants to implement the SAP. The grants must specifically address the components outlined in the SAP, and cooperation among several agencies/organizations is recommended. To be considered, applicants must submit a concept proposal by Jan. 15 that specifies the scope of work, products and deliverables, and expected outcomes.

In Measure R, \$1 million was appropriated for a transit center which could be used for a center for the National Park Shuttle. If others are interested in partnering, these funds could be a catalyst for a more comprehensive project. Partners could include, but not be limited to, the Sequoia Natural History Association, the Sequoia Fund, Downtown Visalians, the Visalia Convention and Visitors Bureau, and the National Park Service. The seed grant could be used

**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 1207**

**Finance**

**City Atty**

**City Mgr**

to expand this center to include a store for National Park items and local products, information and education space, and office space for associated organizations. Such a center would meet several of the goals included in the SAP including improvements to air quality, economic development, and transportation.

Staff recommends that the City submit a seed grant concept proposal for \$250,000 to develop a visitors center that could be utilized by several associated organizations and become a focal point for the Sequoia Kings Canyon National Park on the Valley floor, and authorize staff to work with the named organizations and other agencies/groups that are interested in working on a joint project.

If the concept proposal is accepted, the full grant application would need to be submitted by March 2, 2007

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

**Committee/Commission Review and Actions:**

**Alternatives:**

To not apply for the grant

**Attachments:**

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

I move to authorize staff to submit a concept proposal for a \$250,000 California Partnership for the San Joaquin Valley seed grant for a visitor's center.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

This document last revised: { PRINTDATE \@ "M/d/yy h:mm:ss am/pm" \\* MERGEFORMAT }

Page { PAGE }

By author: { AUTHOR \\* MERGEFORMAT }

File location and name: { FILENAME \p \\* MERGEFORMAT }



Filename: partnership seed grant 1807  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 10:40 AM  
Change Number: 2  
Last Saved On: 01/05/2007 10:40 AM  
Last Saved By: lbcavi  
Total Editing Time: 1 Minute  
Last Printed On: 01/05/2007 2:51 PM  
As of Last Complete Printing  
Number of Pages: 3  
Number of Words: 621 (approx.)  
Number of Characters: 3,393 (approx.)

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Authorization for the City Manager to negotiate and acquire buses necessary to operate the internal & external shuttles at the Sequoia/ Kings Canyon National Parks (SEKI) and appropriate funds (from grants already approved) in the amount of \$2,024,235 for the bus acquisition and operation of the shuttle services.

**Deadline for Action:** January 8, 2006.

**Submitting Department:** Administration – Transit Division

**Contact Name and Phone Number:**

Monty Cox 713-4591

**Department Recommendation:** Authorization for the City Manager to negotiate and acquire buses necessary to operate the internal & external shuttles at the Sequoia/ Kings Canyon National Parks (SEKI) and appropriate funds (from grants already approved) in the amount of \$2,024,235 for the bus acquisition and operation of the shuttle services.

**Summary/background:** During the past several years the City has been working with the National Parks Service (NPS) to organize a series of two shuttles; one within the Sequoia National park (internal) and one from Visalia to the park (external). The external shuttle is independent of the NPS and was initially considered at the request of Congressman Nunes, while the internal shuttle will be operated by the City of Visalia at the request and under a cooperative agreement with the NPS.

Staff has been working with NPS staff, MV Transportation staff and a consultant, Moore Associates, to work out details such as schedules, routes, dates of service etc. While the type of buses for the external shuttle has been determined, the NPS has not finalized their requirements and therefore staff cannot determine the exact type of quantity of buses needed for the internal shuttle. It is known that the buses will need to meet specific requirements including brake retarders, wheelchair lifts, video monitors, and a PA system. Once the NPS has finalized their specifications, the City will need to react quickly to secure the appropriate vehicles.

**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.



In order to start the service on the projected date of May 25, 2007 staff is requesting Council give the City Manager authority to negotiate and purchase or lease buses that are available, meet the service needs and provide a competitive rate.

The \$2,024,235 appropriation will come from a variety of grant sources including a Congestion Mitigation Air Quality (CMAQ) grant (\$998,188), two Transportation in Parks Federal Transit grants; one for the City (\$400,000) and one for NPS (\$125,000), Local Transportation Funds (LTF - \$124,047) and an allocation from NPS park entrance fees (approximately \$377,000). Staff will still be coming back to Council for approval of the final Cooperative Agreement and Task Agreement, and to finalize a budget; however, this request is being processed now so that vehicles can be acquired and training can begin.

There is significant flexibility in the funding; however, in general the CMAQ funding is for external shuttle operations and the Parks Transportation grant is for capital. The LTF funds can be used for either capital or operations of the external shuttle. The NPS grant is for one year of bus leasing, and the park entrance fees have been approved for three years of internal shuttle operations.

**Prior Council/Board Actions:**

June 1, 2004 Authorization to apply for CMAQ funds for the study and 1<sup>st</sup> phase of operations.  
June 29, 2004 Authorization to sign MOU with NPS to develop shuttles.  
February 7, 2005 Award of contract to develop the shuttle plan.

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

**Alternatives:** None

**Attachments:** None

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move that the City Council authorize the City Manager to negotiate and acquire buses necessary to operate the internal & external shuttles at the Sequoia/ Kings Canyon National Parks (SEKI) and appropriate funds (from grants already approved) in the amount of \$2,024,235 for the bus acquisition and operation of the shuttle services..

***Financial Impact***

**Funding Source:**  
Account Number: 4511-00000-720000-0-9811

**Budget Recap:**

Total Estimated cost: \$ 2,024,235	New Revenue: \$ 0
Amount Budgeted: \$ 2,024,235	Lost Revenue: \$
New funding required: \$ 0	New Personnel: \$
Council Policy Change: Yes _____ No <u>X</u> _____	

***Environmental Assessment Status***

**CEQA Review:**

Required? No  
Review and Action: Prior:  
Require:

**NEPA Review:**

Required? No  
Review and Action: Prior:  
Require:

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: Bus purchase for SEKI 1-8-07  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/02/2007 5:00 PM  
Change Number: 2  
Last Saved On: 01/02/2007 5:00 PM  
Last Saved By: macox  
Total Editing Time: 0 Minutes  
Last Printed On: 01/05/2007 2:46 PM  
As of Last Complete Printing  
Number of Pages: 3  
Number of Words: 859 (approx.)  
Number of Characters: 4,632 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** The City Council receives, review, and file the 2005-06 Impact Fee Report as required by State Law.

**Deadline for Action:** January 8, 2007

**Submitting Department:** Finance Department

**Contact Name and Phone Number:**

Eric Frost, Administrative Services Director (ext. 4474)  
Renee Nagel, Financial Analyst (ext. 4375)

**Department Recommendation:** The 2005-06 Impact Fee Report is in compliance with the State Law, Government Code Section 66006(a) and (b), therefore no action is required other than to receive, review, and file the report.

Government Code Section 66006 requires agencies to provide information on each fund or account established for the collection of impact fees. This information must be made available within 180 days after the last day of the fiscal year. The information must provide the following:

- 1) A brief description of the type of fee in the fund.
- 2) The amount of the fee.
- 3) The beginning and ending balances of the fund.
- 4) The amount of fees collected and the interest earned.
- 5) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the improvement that was funded with fees.
- 6) An identification of an approximate date by which the construction of the public improvement will commence if the City determines that sufficient funds have collected to complete financing on an incomplete public improvement.
- 7) A description of each inter-fund transfer or loan made from the fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of

**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.

an interfund loan, the date on which the loan will be repaid and the rate of interest that will be received on the loan.

- 8) The amount of refunds made per Government Code Section 66001 (e).

Once the information is available to the public, but not less than 15 days from the date it is made available, the City Council must review the information at its next regularly scheduled meeting. A notice of the time and place of this meeting, including the address where the information may be reviewed, must be mailed at least 15 days prior to the meeting to any interested party who files a written request with the City for mailed notice of the meeting.

The 2005-06 Impact Fee Report provides information on the following Impact Fee Funds:

- 1) Public Facility - Civic Center (1041)
- 2) Public Facility - Corporation Yard (1043)
- 3) Public Facility - Library (1045)
- 4) Police Impact Fund (1051)
- 5) Fire Impact Fund (1061)
- 6) Park & Recreational Facilities Fund (1211)
- 7) Storm Sewer Construction Fund (1221)
- 8) Wastewater Trunk Line Construction Fund(1231)
- 9) Sewer Connection Fund (1232)
- 10) Transportation Impact Fund (1241)
- 11) Waterways Fund (1251)
- 12) Northeast Capital Improvement Fund (1711)

The purpose of the report is to assure that all impact fees are being used according to their planned use. If more funds are collected than needed, fees should be returned or the plan revised.

The Public Facility - Civic Center, Public Facility - Corporation Yard, and the Public Facility – Library Funds are relatively new funds and FY 05/06 is the first entire year of collecting impact fees.

All Impact Funds are in compliance with the State Law, as shown below in Table 1 – Impact Fund Summary. Table 1 is a summary of all the Impact Funds and shows that all funds require additional revenue to fund current and/or future capital projects, except the Public Facility - Civic Center, Public Facility - Corporation Yard, Police Impact Fund, and the Sewer Connection.

At budget time, the Public Facility - Civic Center, Public Facility - Corporation Yard, and Police Impact Fund were to be brought to Council at a later date with a funding plan for the new Civic Center, Corporation Yard expansion, and new Public Safety Building. It is anticipated that after the review, all of these funds will need to raise additional revenues to implement their capital plan.

In addition, the Public Facility - Corporation Yard Fund will be used to fulfill our legal commitment to purchase the remaining Edison property east of Ben Maddox. The remaining parcel has soil contamination and Edison is currently going through a process to clean the soil.

The Sewer Connection Fund does not show any future capital improvement needs; however, the sewer connection impact fees are repaying a loan from the Wastewater Operations Fund for

prior year capital improvements. The balance remaining on the loan from the Wastewater Operations Fund as of June 30, 2006 is \$4,442,322. In addition to the loan, the Sewer Connection Fund has an outstanding bond of \$3,054,145.

Table 1 – Impact Fund Summary (\$ in thousands)

Fund	Beg. Cash Balance 7/1/04	Total Revenue	Total Expenses	Ending Cash Balance 6/30/05	Projects Approp. 6/30/05	Ending Resources Available	Bond/ Internal Loan Balances	Future Projects 2005/06 - 2009/10	Future Required Revenue
Public Facility - Civic Center Impact Fund	42	695	0	737	0	737	0	0	(737)
Public Facility - Corporation Yard Impact Fund	5	99	0	104	0	104	0	0	(104)
Public Facility - Library Impact Fund	5	70	0	75	0	75	0	(500)	425
Police Impact Fund	722	1,149	(1,044)	827	(4,891)	(4,064)	0	0	4,064
Fire Impact Fund	415	940	(468)	887	(3,987)	(3,099)	0	(2,575)	5,674
Park & Recreation Facilities Fund	4,643	4,607	(1,443)	7,807	(4,265)	3,541	0	(26,697)	23,156
Storm Sewer Construction Fund	2,604	2,269	(2,208)	2,665	(2,463)	202	0	(12,347)	12,145
Wastewater Trunk Line Construction Fund	5,227	2,384	(4,025)	3,585	(2,284)	1,302	(1,997)	(18,035)	18,730
Sewer Connection Fund	34	1,507	(1,392)	148	0	149	(7,496)	0	7,347
Transportation Impact Fund	6,105	9,499	(6,562)	9,042	(9,507)	(465)	0	(51,364)	51,829
Waterways Fund	0	1,451	(683)	768	(502)	266	0	(6,813)	6,547
Northeast Capital Improvement Fund	22	212	(7)	227	(43)	184	0	(1,020)	836
<b>Total</b>	\$19,824	\$24,882	\$ (17,832)	\$ 26,872	\$(27,942)	\$ (1,070)	\$(9,493)	\$(119,352)	\$129,912

The Impact Fee Report shows an amount for future projects. This future project amount is taken from the 6 Year Capital Plan that was adopted with the City's 2 Year Budget in June 2006.

A copy of the 2005-06 Impact Fee Report is attached for your review. A copy of the report was given to Mr. Robert Keenan of the Building Industry Association (B.I.A.).

**Summary/background:**

**Prior Council/Board Actions:** Approval of the various Impact Fees and the 2005-06 C.I.P. Budget.

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** 2005-06 Impact Fee Report  
2006-07 – 2011/12 Capital Improvement Program for selected funds

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

I move that the City Council receive and file the 2005-06 Impact fee Report as required by Government Code Section 66006 (a) and (b).

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: Impact Fee Report  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/05/2007 2:38 PM  
Change Number: 2  
Last Saved On: 01/05/2007 2:38 PM  
Last Saved By: sealte  
Total Editing Time: 0 Minutes  
Last Printed On: 01/05/2007 2:47 PM  
As of Last Complete Printing  
Number of Pages: 4  
Number of Words: 1,258 (approx.)  
Number of Characters: 6,433 (approx.)



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Authorization to record the final map for Parcel Map No. 2006-16, located at Tracy Street between Douglas Avenue and Goshen Avenue.

APN: 098-050-004

**Deadline for Action:** January 16, 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. 2006-16 containing 2 single family parcels. The property owner is Mary Cooper. There is an existing house on Parcel 2 which is along Goshen Avenue. With this Parcel Map the City is getting additional right of way along Goshen Avenue and Douglas Avenue for future widening of the streets. Development Impact Fees and improvements are deferred until future development.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:** Tentative Parcel Map No. 2006-16 was approved by Planning Commission on September 11, 2006 with the expiration date of September 11, 2008.

**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. 2006-16.

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)*

Filename: Parcel Map 2006-16  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: H:\ADMIN\AGENDA.DOT  
Title: City of Visalia  
Subject: Subdivision Agreement  
Author: Greg Dais  
Keywords:  
Comments:  
Creation Date: 12/19/2006 1:58 PM  
Change Number: 9  
Last Saved On: 12/21/2006 9:16 AM  
Last Saved By: gxdais  
Total Editing Time: 37 Minutes  
Last Printed On: 01/05/2007 2:50 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 355 (approx.)  
Number of Characters: 2,006 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 08, 2007

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Ashley Grove Units No. 10, containing 64 residential lots, located at the southwest corner of Riggan Avenue and Mooney Blvd.

**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:**

Staff recommends 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 Nicholas And Smee, LLC. Nicholas And Smee, LLC have submitted a maintenance bond in the amount of \$ 52,393.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of July 18, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for Ashley Grove Unit No. 10 was approved by Planning Commission on January 24, 2005.

**Alternatives:** N/A

**Attachments:** Developers Disclosure, Location sketch and Vicinity map.

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

I hereby authorize filing a Notice of Completion for Notice of Completion for Ashley Grove Unit No. 10.

**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.

***Environmental Assessment Status***

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

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: NOC Ashley Grove 10  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 07/14/2006 1:13 PM  
Change Number: 14  
Last Saved On: 12/08/2006 3:33 PM  
Last Saved By: pbarszcz  
Total Editing Time: 48 Minutes  
Last Printed On: 01/05/2007 2:49 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 346 (approx.)  
Number of Characters: 1,925 (approx.)

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Kirkwood Estates Unit No. 3, containing 37 lots, located on the south side of Douglas Avenue between Vista Street and Manzanita Street.

**Deadline for Action:** None

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

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

**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 Barton Enterprises, Inc. Barton Enterprises, Inc. has submitted a maintenance bond in the amount of \$19,829.00 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 January 20, 2004.

**Committee/Commission Review and Actions:** The tentative subdivision map for Kirkwood Estates Unit No. 3 was approved by Planning Commission on January 25, 1999. On January 13, 2003 the Planning Commission approved a third extension for 1 year for Kirkwood Estates Unit No. 3 Subdivision with the expiration date of January 25, 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 Kirkwood Estates Unit No. 3.

***Environmental Assessment Status***

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

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:



Filename: NOC Kirkwood Estates Unit No. 3  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/15/2006 8:07 AM  
Change Number: 2  
Last Saved On: 12/15/2006 8:07 AM  
Last Saved By: salaus  
Total Editing Time: 0 Minutes  
Last Printed On: 01/05/2007 2:49 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 371 (approx.)  
Number of Characters: 2,072 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Sierra Point Villas Subdivision, containing 48 lots, located on the northwest corner of the Mineral King Avenue and McAuliff Street intersection.

**Deadline for Action:** January 8, 2007

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

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

**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 Sundowner Homes. Sundowner Homes has submitted a maintenance bond in the amount of \$25,546.71 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 October 18, 2004.

**Committee/Commission Review and Actions:** The tentative subdivision map for Sierra Point Villas was approved by Planning Commission on May 10, 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 Sierra Point Villas Subdivision.

***Environmental Assessment Status***

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

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: NOC Sierra Point Villas Subdivision  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/20/2006 9:44 AM  
Change Number: 2  
Last Saved On: 12/20/2006 9:44 AM  
Last Saved By: salaus  
Total Editing Time: 10 Minutes  
Last Printed On: 01/05/2007 2:50 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 337 (approx.)  
Number of Characters: 1,930 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2006

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

**Agenda Item Wording:** Request authorization to file a Notice of Completion for Gunn Ranch subdivision, containing 70 lots, located at the northwest corner of Demaree Street and Visalia Parkway.

**Deadline for Action:** January 8, 2007

**Submitting Department:** Public Works Department

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Dave Bruce 713-4188

**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 Reynen & Bardis Communities, Inc., A California Corporation, and has submitted a maintenance bond in the amount of \$115,062.00 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

**Prior Council/Board Actions:** Final Map recording was approved at Council meeting of April 4, 2005.

**Committee/Commission Review and Actions:** The tentative subdivision map for Gunn Ranch Subdivision was approved by Planning Commission on June 28, 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 Gunn Ranch Subdivision.

***Environmental Assessment Status***

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

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: NOC Gunn Ranch  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/20/2006 9:07 AM  
Change Number: 3  
Last Saved On: 12/20/2006 9:15 AM  
Last Saved By: salaus  
Total Editing Time: 9 Minutes  
Last Printed On: 01/05/2007 2:49 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 336 (approx.)  
Number of Characters: 1,907 (approx.)

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Authorization for Mayor to sign the "Cool Cities" Mayor's Climate Protection Agreement, and to submit a concept proposal for a Partnership Seed Grant in the amount of \$25,000 to conduct a City global warming emissions inventory.

**Deadline for Action:**

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Michael Olmos, Assistant City Manager, 713-4332  
Sharon Sheltzer, Project Manager, 713-4414

### Department Recommendation:

1. City Council authorize the Mayor to sign the "Cool Cities" pledge which is the U.S. Mayors Climate Protection Agreement which sets the goal of reducing City wide carbon dioxide (CO<sub>2</sub>) pollution to 7% below 1990 levels by 2012, and;
2. City Council authorize staff to submit a concept proposal for a Partnership Seed Grant in the amount of \$25,000, offered by the California Partnership for the San Joaquin Valley , for the second step of the "Cool Cities" pledge, which is to conduct a City global warming emissions inventory.

### Summary/background:

#### What is the "Cool Cities " pledge?

It is a grass root movement that seeks to address the global warming problem one city at a time, in response to the lack of commitment by the Federal government. Local leaders are moving forward with innovative energy solutions that will cut our dependence on oil, benefit public health and save taxpayer dollars. As of November 2006 there were 330 mayors from 47 states that made this pledge, and the numbers are growing. California is leading the way with commitments from 62 cities. There are four steps toward curbing global warming in each community to become a "cool" city:

1. Take the "Cool Cities" pledge.
2. Conduct a Global Warming Emissions Inventory
3. Create a Solutions Plan
4. Implement and Monitor Progress

### 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\_\_

### 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.



The scientific community has concluded that burning fossil fuels- oil, coal and natural gas- is causing global temperatures to rise. This poses a serious threat to our health, safety and environment. Seattle Mayor Greg Nickels initiated the "U.S. Mayors Climate Protection Agreement" on February 16, 2005- the same day that the Kyoto Protocol international global warming treaty took effect in 140 nations.

The "Cool Cities "pledge is accomplished by signing the Mayor's Climate Protection Agreement (See attachment). Participating cities commit to take following three actions:

1. Strive to meet or beat the Kyoto Protocol targets in their own communities, through actions ranging from anti-sprawl land-use policies to urban forest restoration projects to public information campaigns;
2. Urge their state governments, and the federal government, to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol -- 7% reduction from 1990 levels by 2012; and
3. Urge the U.S. Congress to pass the bipartisan greenhouse gas reduction legislation, which would establish a national emission trading system

California has taken the lead to enact energy policies and programs and therefore Visalia would be most effective in concentrating on what our city can do to help implement the policies that are already in place.

The City has implemented many actions that work toward improving air quality. The urban development boundaries reduce sprawl, and new policies are being adopted to encourage walkable urban communities within the City. In the transportation arena, the City policy requires purchasing hybrid or alternative fuel vehicles. The new transit maintenance facility nearing completion will have a compressed natural gas fueling station for the transit buses and solid waste trucks. The City operates a household hazardous waste facility and has an aggressive recycling program including green waste. The Council recently adopted a bicycle path plan that will increase the existing 27 miles to 140 miles. Our Urban forestry program is very vital with almost 3,000 trees planted in the last two years, with funding to plant an additional 1,400 in the near future. In addition, the City now requires trees in all new developments, considerably supplementing the public efforts. The City has supported green building with its investment in photovoltaics at the airport and the Transit Center, and its two energy efficient straw bale police stations. Simple but effective measures have been taken such as using energy efficient light bulbs and keeping our thermostats at 78 or higher.

The leadership of the City of Visalia has clearly demonstrated a concern for and an implementation of many energy saving, earth greening and fuel emission reduction programs, purchasing policies and construction projects.

### **Then why should Visalia participate in this movement?**

The San Joaquin Valley experiences some of the worst ozone and particulate air pollution in the nation and is one of only two air basins to be classified by the EPA as "extreme" non-attainment for the Federal 1-hour ozone standard. The Valley's current deadline to attain the Federal 8 hour ozone standard happens to be 2012, the same goal year for carbon dioxide reduction in the Mayor's Climate Protection Agreement.

The Valley's poor air quality has an adverse effect on economic growth. Health impacts, attributable lost work days and school absences limit the number of employers that wish to

locate in the valley, and affect retention and attraction of the knowledge workers so critical to improved economic competitiveness. A recent report from CSU, Fullerton Institute for Economic and Environmental Studies puts the cost of non-attainment at more than 3 billion per year. An April 2006 report card from the American Lung Association ranks Visalia-Porterville as the third most ozone polluted city in the country. The Valley has one of the highest rates of respiratory ailments and mortality rates attributable to air pollution in the nation, challenging the Valley's already strained health care system.

With Visalia taking the lead in the Valley, we can serve as an inspiration to surrounding cities, and the more communities that participate will bring us closer to air pollution attainment goals. With a plan in place Visalia could easily improve upon its accomplishments to date.

### **Global Warming Emissions Inventory**

An inventory will identify the City's major CO2 sources and will provide a baseline to judge the City's progress towards its goal. Cities can receive technical assistance from a variety of sources including the International Council for Local Environmental Initiatives (ICLEI), who sponsored the Cities for Climate Protection Program that served as a model for the "Cool Cities" steps. ICLEI provides software products and associated training to assist with the inventory, or alternately, can conduct the inventory for approximately \$25,000. They also offer workshops on how to develop and implement effective long-term emission reduction strategies.

Governor Schwarzenegger signed Executive Order S-5-05 in Fresno June 24, 2005 establishing the California Partnership for the San Joaquin Valley. This Strategic Action Proposal (Executive Summary attached) proposes six major initiatives towards improving the Valley's economy and the environment:

- Grow a diversified, globally competitive economy supported by a highly skilled workforce
- Create a model K-12 public education system
- Implement an integrated framework for sustainable growth
- Build a 21<sup>st</sup> Century transportation mobility system
- Attain clean air standards
- Develop high quality health and human services

The California Partnership for the San Joaquin Valley is offering \$2,500,000 in seed grants for jumpstarting major initiatives. Paying for a Global Warming Emissions Inventory would qualify as jumpstarting the clean air standards which is one of the California Partnership for the San Joaquin Valley six initiatives proposed. With Council's authority staff would request a grant in the amount of \$25,000 for the initial inventory and the follow-up progress monitoring. The deadline for receipt of concept proposals (a first step in the grant application) is January 16, 2007.

### **Solutions and Implementation Plan**

The Climate Protection Agreement offers an outline of strategies including the categories of "Cleaner vehicles, Energy Efficiency and Renewable Energy." It is up to each City to create a solutions plan.

The good news is that large emissions reductions will occur through the ongoing implementation of regulations already adopted by the California Air Resources board (ARB) and the San Joaquin Air Pollution Control District (SJAPCD) Other good news is that Visalia is part of this reduction through our purchase and use of alternative fuel vehicles, propane operated equipment and CNG operated solid waste trucks. The bad news is that additional reductions on

the order of 400 tons per day will be required for attainment of 2012 standards, requiring actions that go well beyond existing controls and programs. The City can play an important role in contributing towards attainment of this goal.

While mobile sources are the biggest ozone contributor to the Valley's pollution, a viable plan relies on emissions reductions from all sectors. Much research on air quality improvement for this valley has been completed in the Strategic Action Proposal produced by the Air Quality Work Group, financed and directed by the Governor's Executive Order. The Air Quality Work Group is one of the six work groups to create goals, objectives and implementation plans for their respective initiative. This timely resource could be a very useful tool in Visalia's Solutions Plan that is part of the "Cool Cities" pledge.

One of the most effective ways to save energy and reduce global warming is to reduce energy use. The City could play an important role in encouraging Green building by either adopting energy efficiency standards or encouraging their use through incentives and education. HUD recently provided several valley cities including Visalia with technical assistance that produced the "San Joaquin Valley Energy Efficiency Recommendations". They offered additional technical assistance to provide an implementation plan if political will was expressed.

The final category of the Solutions Plan is Renewable Energy Solutions. Options for energy production should be explored such as the San Joaquin Valley Power Authority formed by 13 municipalities in the Kings River Conservation District. They chose to implement the option of "Community Choice" and are constructing a new power plant that will incorporate some renewable energy resources. The California League of Cities and the CSAC Finance Corporation have co-sponsored a California Communities "Go-Solar" program which is promoted as an economical way for cities to create a long-term source of green power at rates below what utility companies charge for "brown power".

Preliminary thoughts about potential City Solutions and Implementation Plan:

- City policy regarding energy efficient lighting
- City policy to purchase only Energy Star appliances
- Consider LEED certification for City buildings
- Provide private developers with energy saving information that is cost effective
- Public education
- Consider renewable energy opportunity offered by "Go-Solar" program
- Review strategies for emissions reductions from the Air Quality Workgroup appointed by the California Partnership for the San Joaquin Valley

Solution and Implementation Plans have been produced by over 200 cities, and there are many other resources that Visalia could utilize to tailor our own plan. Drafts would be presented in public session after consultations with interested groups, businesses and public agencies.

### **Public Interest and Participation**

This subject was initially brought to Council for consideration by Dr. Dean Mann at a fall City Council meeting. Dr. Dean was invited to attend a Natural Resources Committee meeting where he was informed about the city's commitment to the principals of the Mayor's climate Protection Agreement. Staff has since been contacted by the Sequoia Regional Leadership Program, and the Visalia Environmental Committee, all expressing interest in this idea. It has been proposed that members of these organizations might provide community education about the benefits of

setting a goal for carbon reduction, and possibly provide other assistance required to implement these goals.

**Prior Council/Board Actions:** None

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

**Alternatives:**

**Attachments:** Cool Cities Pledge, California Partnership for the San Joaquin Valley Executive Summary, List of Mayors

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

1. City Council authorize the Mayor to sign the "Cool Cities" pledge which is the U.S. Mayors Climate Protection Agreement which sets the goal of reducing City wide carbon dioxide (CO2) pollution to 7% below 1990 levels by 2012, and;
2. City Council authorize staff to submit a concept proposal for a Partnership Seed Grant in the amount of \$25,000, offered by the California Partnership for the San Joaquin Valley , for the second step of the "Cool Cities" pledge, which is to conduct a City global warming emissions inventory.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: Mayors Climate Protection Agreement agenda 1.8.07  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 01/03/2007 1:37 PM  
Change Number: 4  
Last Saved On: 01/03/2007 2:13 PM  
Last Saved By: sdshel  
Total Editing Time: 38 Minutes  
Last Printed On: 01/05/2007 2:48 PM  
As of Last Complete Printing  
Number of Pages: 5  
Number of Words: 2,154 (approx.)  
Number of Characters: 11,869 (approx.)

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 8, 2007

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

**Agenda Item Wording:** Update from Police Chief Bob Carden regarding his first eight months as Chief, including partnerships with other City departments and agencies, and the outcomes from the recent senior staff goal setting session.

**Deadline for Action:** N/A

**Submitting Department:** Police

**Contact Name and Phone Number:** Chief Bob Carden, xt. 4215

**Department Recommendation:** N/A

**Summary/background:**

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

**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** \_\_\_\_\_

**Finance** \_\_\_\_\_

**City Atty** \_\_\_\_\_

**City Mgr** \_\_\_\_\_

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

*Environmental Assessment Status*

**CEQA Review: N/A**

**NEPA Review: N/A**

{ SHAPE \\* MERGEFORMAT }

Copies of this report have been provided to:

Filename: VPD Accomplishments & Objectives  
Directory: H:\(1) AGENDAS for Council\2007\010807  
Template: C:\windows\TEMP\AGENDA.dot  
Title: City of Visalia  
Subject:  
Author: Leslie Caviglia  
Keywords:  
Comments:  
Creation Date: 12/28/2006 2:26 PM  
Change Number: 3  
Last Saved On: 01/02/2007 12:39 PM  
Last Saved By: lbcavi  
Total Editing Time: 2 Minutes  
Last Printed On: 01/05/2007 2:39 PM  
As of Last Complete Printing  
Number of Pages: 2  
Number of Words: 177 (approx.)  
Number of Characters: 1,027 (approx.)