

Visalia City Council Agenda



For the special meeting of: Monday, October 29, 2007

Location: City Hall Council Chambers, 707 W. Acequia, Visalia, CA 93291

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.

4:05 p.m. **EMPLOYEE INTRODUCTION** - Introduction of Christopher Tavarez, Management Analyst, Engineering, by Andy Benelli, Director of Public Works

WORK SESSION AND ACTION ITEMS (as described)

4:10 p.m. (or immediately following regular adjourned meeting)

Public Comment on Work Session and Closed Session items -

- 4:10 p.m. 1. Presentation on new California Building Codes and proposed Council adoption as recommended by the Construction Review Committee
- 4:30 p.m. 2. Update from the Tulare County Economic Development Corporation regarding industrial recruitment and retention and tourism attraction efforts
- 4:45 p.m. 3. Update on California State University Fresno/College of the Sequoias Campus Center (four year degree program) and update on Sequoia Region Institute for Higher Education.

The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. 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)

4. Conference with Real Property Negotiators (G.C. §54956.8); Basin acquisition of approximately 4.63 acres located at the northeast corner of Pinkham Street and Caldwell Ave. APN 126-790-055
Property owner: Centex Homes
Under Negotiation: Price, terms, conditions of purchase
Negotiating Parties: Steve Salomon, Peter Spiro, Centex Homes

5. Conference with Real Property Negotiators (G.C. §54956.8)
Property: Two parcels; a 1.3 acre and a 0.85 acre parcel (2.15 acres total) located on the east side of Road 76 approximately 600 feet north of Ferguson Avenue.
Under Negotiation: Price, terms and conditions for inclusion in a potential purchase and sale agreement.
Negotiating Parties: Steve Salomon, Andrew Benelli, David Hernandez (Allen Group)

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Jon Venema, Grace Community Church

SPECIAL PRESENTATIONS/RECOGNITION - Presentation to Richard Rodriguez from Assistant Police Chief Swiney

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

6. **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) Receive Planning Commission Action Agenda for the meeting of October 22, 2007.
 - c) Authorize the City Manager to enter into a contract, in an amount not to exceed \$22,500 (including expenses), with Gary Brown and Avery and Associates, for assistance in the recruitment and selection efforts to fill the position of Assistant Police Chief.
 - d) Authorization for the City Manager to execute a sole source standard consultant agreement between Robert N. Trout, P.E. and the City of Visalia for the signal, striping and signage design for the Acequia Avenue conversion from one-way to two-way between Conyer Street and Bridge Street at a cost of \$45,500 and also authorize the City Manager to execute an agreement not to exceed \$30,000 to a consultant to be determined for a CEQA environmental review, if required.

- e) Authorize the City Manager to sign a contract, in the amount not to exceed \$85,000.00 for the 2007-2008 fiscal year, with Safety Striping Service of Visalia for the annual striping contract for maintenance of painted traffic lines. (Project No. 1613-0-72-0-9226)
- f) Authorize the Engineering Staff to apply for California's Safe Routes to School Program grants and authorize the Public Works Director to sign the necessary applications for the Safe Routes to School Program.
- g) *Authorization to file Notice of Completion on the following:*
1. Ashley Grove 5 & 6 containing 96 single family lots, located at the Southeast corner of Demaree Street and Modoc Avenue.
 2. Riverway Sports Park, Phase 1 Project No. 3011-720000-0-0-9141 for the construction of on-site improvements at a final cost of \$9,400,808.
- h) *Authorization to Record Final Map for the following:*
1. Luisi Ranch Unit No. 1, located at the northeast corner of Demaree Street and Houston Ave (126 lots) and the Formation of Landscape and Lighting District Nos. 07-14, Luisi Ranch (278 lots) APN 089-020-025. **(Resolution Nos. 2007-88, and 2007-89 required).**
 2. Final Parcel Map #2006-23, located at the northeast corner of Packwood Avenue and Demaree Street (15 parcels), office complex
7. Status Report on Neighborhood Revitalization efforts
8. **PUBLIC HEARING** for introduction of Ordinance 2007-18 to adopt the 2007 California Fire Code, 2007 California Administrative Code, 2007 California Referenced Standard Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Electric Code, 2007 California Historical Building Code, 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Monday, November 19, 2007; Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers 707 W. Acequia
- Monday, December 3, 2007, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers 707 W. Acequia
- Monday, December 19, 2007, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers 707 W. Acequia

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Presentation on new California Building Codes and proposed Council adoption of the 2007 California Fire Code, 2007 California Administrative Code, 2007 California Referenced Standard code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Electric Code, 2007 California Historical Building Code, 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code as recommended by the Construction Review Committee.

Deadline for Action: November 19, 2007

Submitting Department: Community Development, Building Safety Division; Fire Department and Construction Review Committee.

Contact Name and Phone Number:

Dennis Lehman, 713-4495
Jeff Dearborn, 713-4173
Charlie Norman, 713-4265

Background / Summary:

This work session will provide discussion on mandatory changes to State building codes and recommended local amendments. A public hearing is scheduled for the regular Council meeting on October 29th. At that time, staff will request Council to introduce the ordinance. Adoption of the ordinance is scheduled for November 19, 2007. On July 1, 2007 the State of California, Building Standards Commission published the 2007 California Administrative Code, 2007 California Building Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Historical Building Code, 2007 California Fire Code and the 2007 California Electrical Code. **Local jurisdictions are required by state law to implement these State of California mandated codes along with local amendments by January 1, 2008.** The Building Safety Division also recommends adoption of the 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.

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 MO
(Initials & date required)

Finance
City Atty KR
(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 Code adoption process is to repeal the present ordinance chapters and replace them with the current code required by the state with local amendments recommended by City staff and Construction Review Committee.

The California Building Standards Commission approved these codes through its routine code approval process. These new codes are mandated by the State of California for incorporation into city ordinances. The 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings Code were not revised or updated by the State. However, many of the codes have undergone major revision and contain many changes to include new building materials and to meet changing conditions in the construction industry. The California Building Code Volumes 1 and 2 are based on the 2006 version of the International Building Code and retain much of the same building design and construction requirements relating to fire and life safety and structural safety. These two volumes also contain additional "California Amendments" with specific disabled accessibility regulations, requirements for group home facilities and include general construction building standards of state adopting agencies such as the State Fire Marshal, Housing and Community development and OSHPD.

The Visalia Construction Review Committee has reviewed the proposed codes for application in the City of Visalia and has found no special circumstances that would prevent its administration. The Committee agreed to delete a 'local government amendment' to the building code which was approved through the previous ordinance. This amendment has been provided for with the new code adoption. This local amendment pertains to reduced side yard setbacks when fire sprinklers are installed and are not required by other provisions of the code.

The Committee also agreed that the following appendices should be adopted: Building Code Appendix, Chapter 1 – Administration and Appendices, B Board of Appeals, H Signs, I Patio Covers and J Grading, California Plumbing Code. Appendix A, Administration, Appendix D Drainage Systems, Appendix I Installation Standards, Appendix K Private Sewage Systems, California Mechanical Code, Appendix A Administration.

2007 Fee schedules contained in any of the adopted codes are deleted and replaced by a fee schedule prepared by the Chief Building Official. The current existing building permit fees will remain the same and will have no increase at this time. The existing building permit fee schedules were prepared by the Chief Building Official and presented to and adopted separately by the City Council as resolution number 2007-34 dated June 2, 2007.

The Building Safety division has begun a training program utilizing State as well as local resources. Building Safety staff has attended several CALBO sponsored courses. In addition, in order to reduce the cost and provide local training for architects, engineers and contractors, the Building division has sponsored classes attended jointly by City staff and community design professionals the week of October 8, 2007 at City Hall East. Additional courses have been scheduled for November 8th and 9th in collaboration with the Home Builders Association and the Building Safety Division and will be held at the Builder's Exchange office to provide for a larger group. Updates will also be scheduled at intervals during the upcoming year.

It is the recommendation of the Construction Review Committee, the Fire Department and the Division of Building Safety that these codes be adopted with an effective date of January 1, 2008.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: Construction Review Committee recommended Council Approval.

Alternatives: Take no action – State building code would become effective without local amendments January 1, 2008 by operation of law.

Attachments: Ordinance No. 2007-__

Recommended Motion (and Alternative Motions if expected): Move to introduce Ordinances No. 2007-__ repealing and adopting Building and Construction Ordinance Chapter 15.04 through Chapter 15.36 and repealing and adopting Fire Ordinance Chapter 8.20.010 as submitted.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

ORDINANCE NO. 2007-_____

**AN ORDINANCE OF THE CITY OF VISALIA
TO REPEAL AND ADOPT IN THEIR ENTIRETY
CHAPTERS 15.04 THROUGH 15.36
OF THE VISALIA MUNICIPAL CODE,
BUILDINGS AND CONSTRUCTION ORDINANCE,
AND TO REPEAL AND ADOPT SECTION 8.20.010
OF THE VISALIA MUNICIPAL CODE,
FIRE CODE ORDINANCE.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA;

SECTION 1: Repeal existing Section 8.20.010 and Chapters 15.04 through 15.36 in their entirety.

SECTION 2: Adopt new Section 8.20.010 and Chapters 15.04 through 15.36 to read as follows:

Chapter 8.20

UNIFORM FIRE CODE

Sections:

8.20.010 Adoption of the 2007 California Fire Code.

A. There is adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code known as the 2007 California Fire Code, California Code of Regulations Title 24, Part 9, Based on 2006 International Fire Code, including Appendix Chapter 1 (Administration), Appendix Chapter 4 (Special Occupancy), Appendix A (Board of Appeals), Appendix B (Fire Flow Requirements), Appendix C (Fire Hydrant Locations), Appendix D (Apparatus Access), Appendix E (Hazard Occupancy), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids), Appendix H (Hazard Management Plans) thereof and the whole thereof adopted and incorporated as fully as if set out at length herein, the provisions thereof shall be controlling within the limits of the city, save and except such portions as are hereinafter deleted, modified, or amended, of which code not less than one copy has been and is now filed in the office of the city clerk and one copies are filed in the office of the city fire department and one in the office of the Building Division. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter in accordance with Ordinance Section 1.01.080.

B. Penalty provisions contained in California Fire Code Section 111.2.1.3, (Citations) are deleted, and the following penalty provisions are adopted: Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the chief shall be subject to the penalty provisions of Ordinance Section 1.12.010.

C. The remainder of appendices in the California Fire Code are to be applied, when applicable, as policies determined by the Chief Building Official and the Fire Chief. (Ord. 9529 § 1, 1995: prior code § 4400)

Chapter 15.04

CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.04.010 Adoption of the 2007 California Administrative Code.

A. That certain administrative code, in book form known and designated as the 2007 California Administrative Code, California Code Regulations Title 24 Part 1, Published by International Code Council, is adopted as the technical Administrative Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Penalty provisions contained in Section 205, California Administrative Code are deleted, and the following penalty provisions are adopted:

1. Any person who shall violate any of the provisions of the code adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such order as affirmed or modified by the city attorney based on a recommendation of the building official or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non compliance respectively be guilty of a misdemeanor, or infraction as determined by the city attorney.

2. Such violation shall be subject to penalties in accordance with Section 1.12.010.

D. Reference is made to three copy of the California Administrative Code, 2007 Edition, one copy filed in the office of the city clerk and two copy filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Administrative Code. (Ord. 9605 § 31 (part), 1996: Ord. 9529 § 2, 1996: prior code § 7750)

Chapter 15.06

CALIFORNIA REFERENCED STANDARD CODE, TITLE 24 Part 12

Sections:

15.06.010 Adoption of the 2007 California Referenced Standards Code .

A. That certain administrative code, in book form known and designated as the 2007 California Referenced Standards Code, is adopted as the technical Administrative Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

1. Any person who shall violate any of the provisions of the code adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such order as affirmed or modified by the city attorney based on a recommendation of the building official or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non compliance respectively be guilty of a misdemeanor, or infraction as determined by the city attorney.

2. Such violation shall be subject to penalties in accordance with Section 1.12.010.

D. Reference is made to three copy of the 2007 California Referenced Standards Code, one copy filed in the office of the city clerk and two copies filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Standards Code.

Chapter 15.08

CALIFORNIA BUILDING CODE

Sections:

15.08.010 Adoption of the 2007 California Building Code.

A. That certain building code, in book form known and designated as the 2007 California Building Code, Title 24, Part 2, Volumes 1 and published by The International Code Council, is adopted as the Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be

unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are 2007 California Building Code Appendix Chapter 1 (Administration) Appendices B (Board of Appeals),H (Signs),I (Patio Covers) and J (Grading) .

C. Reference is made to three copy of the 2007 California Building Code, one copy filed in the office of the city clerk and two copy filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Building Code. (Ord. 9529 § 2, 1996: prior code § 7751)

Chapter 15.12

UNIFORM HOUSING CODE

Sections:

15.12.010 Adoption of the Uniform Housing Code.

A. That certain housing code, in book form known and designated as the Uniform Housing Code, 1997 Edition, as prepared and published by the International Conference of Building Officials, is adopted as the Housing Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 2 (Enforcement) of said Uniform Housing Code is deleted.

C. Reference is made to three copies of the Uniform Housing Code, 1997 Edition, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Housing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7752)

Chapter 15.16

UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.16.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings.

A. That certain abatement of dangerous buildings code, in book form known and designated as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, prepared and published by the International Conference of Building Officials, is adopted as the Code for the Abatement of Dangerous Buildings of the city, to all intents and purposes and to the same effect as if each and every section, and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or

clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 2 (Enforcement) of said Uniform Code for the Abatement of Dangerous Buildings is deleted.

C. Reference is made to three copies of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, one copy filed in the office of the city clerk and two copies filed in the office of Building Safety Division of the city, which are now so filed for full particulars of said Code for the Abatement of Dangerous Buildings. (Ord. 9529 § 2 (part), 1996: prior code § 7753)

Chapter 15.20

CALIFORNIA PLUMBING CODE

Sections:

15.20.010 Adoption of the 2007 California Plumbing Code.

A. That certain plumbing code, in book form known and designated as the 2007 California Plumbing Code, Title 24, Part 5 as Published by the International Association of Plumbing and Mechanical Officials prepared and published by the International Association of Plumbing and Mechanical Officials, based on the 2006 Uniform Plumbing Code adopted as the plumbing code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are California Plumbing Code Appendix A (Administration), Appendix D (Drainage Systems), Appendix I (Installation Standards), and Appendix K (Private Sewage Systems).

C. Section 808.0 of said California Code is amended to read as follows:

Section 808.0, Cooling Water. Discharge of cooling water into the sanitary sewer system is prohibited. Refer to Section 13.08.500 of City of Visalia Municipal Code (Prohibition on Unpolluted Water).

D. Reference is made to three copies of the 2007 California Plumbing Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Plumbing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7754)

Chapter 15.24

CALIFORNIA MECHANICAL CODE

Sections:

15.24.010 Adoption of the 2007 California Mechanical Code.

A. That certain mechanical code, in book form known and designated as the 2007 California Mechanical Code, Title 24, part 4 as Published by the International Association of Plumbing and Mechanical Officials, based on the 2006 Uniform Mechanical, adopted as the mechanical code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, including the appendices, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are California Mechanical Code Appendix A (Administration).

C. Reference is made to three copies of the 2007 California Mechanical Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Mechanical Code. (Ord. 9529 § 2 (part), 1996: prior code § 7755)

Chapter 15.28

CALIFORNIA ELECTRICAL CODE

Sections:

15.28.010 Adoption of the 2007 California Electrical Code.

A. That certain electrical code, in book form known and designated as the 2007 California Electrical Code, Title 24, Part 3, Published by BNI Productions, Inc. based on the 2005 National electrical code, copyright National Fire Production Association, is adopted as the Electric Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase, or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Reference is made to three copies of the 2007 California Electrical Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said electrical code. (Ord. 9716 § 2, 1997)

Chapter 15.32

UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

Sections:

15.32.010 Adoption of the Uniform Swimming Pool, Spa and Hot Tub Code.

A. That certain swimming pool code in book form known and designated as the Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition, as prepared and published by the International Association of Plumbing and Mechanical Officials is adopted as the Swimming Pool, Spa and Hot Tub Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 1 (Administration) of said Uniform Code is amended to delete Table1-1, Fees.

C. Reference is made to three copies of the Uniform Swimming Pool Code, 2006 Edition, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Swimming Pool, Spa and Hot Tub Code. (Ord. 9529 § 2 (part), 1996: prior code § 7757)

Chapter 15.36

2007 CALIFORNIA HISTORICAL BUILDING

Sections:

15.36.010 Adoption of the 2007 California Historical Building Code.

A. That certain building conservation code, in book form known and designated as the 2007 California Historical Building Code, California code and Regulations Title 24, part 8 as prepared and published by the International Code Council, is adopted as the Historical Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Reference is made to three copies of the 2007 California historical Building Code, one copy filed in the office of the city clerk and two copies filed in the

office of building safety division of the city, which are now so filed for full particulars of said Building Conservation Code. (Ord. 9529 § 2 (part), 1996: prior code § 7752)

SECTION 3: California Environmental Quality Act Finding.

The City Council finds that this ordinance is enacted in order to protect the public health, safety and welfare by establishing standards for building construction. These standards provide the methodology for appropriate construction and do not in themselves result in any physical changes in the environment. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore the adoption of this ordinance is exempt from CEQA pursuant to section 15061 (b) (3) of the CEQA guidelines

SECTION 4: This Ordinance shall become effective January 1, 2008, but not less than 30 days after passage thereof.

**City of Visalia
Agenda Item Transmittal**

Meeting Date October 29, 2007

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Update from the Tulare County Economic Development Corporation regarding industrial recruitment and retention and tourism attraction efforts.

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number: Carol Cairns, 713-4324;
Leslie Caviglia, 713-4317

Department Recommendation:

Paul Saldana, President and CEO, of the Tulare County Economic Development Corporation (TCEDC) will be presenting to the City Council an update on the Corporation's efforts to attract and retain industry and promote tourism.

Summary/background:

Both government entities and the private sector have funded the Tulare County Economic Development Corporation since 1983 to serve as the marketing and business recruitment organization for the communities in Tulare County. The TCEDC competes with other development organizations throughout California and the United States by serving as a contact for potential industrial tenants and their site selectors, providing detailed informational packages, site tours of industrial sites and the region, and presentation to corporations. In addition, the Corporation serves as a liaison with a variety of financial, workforce development, educational and technical assistance organizations.

As part of its services, the TCEDC also oversees the Business Incentive Zone (BIZ) which coordinates state hiring credits, fast track permitting, interest free development fee deferral, sales or use tax credits, sales tax credits, and hiring and other services to employers in Tulare County.

In 2005, the TCEDC also began working on tourism promotion and attraction. In the first year, the focus was on developing a regional brand for the area. At the Corporation's annual meeting in 2006, the new logo, slogan and promotional campaign was unveiled - The Sequoia Valley....as big as it gets!

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

Finance N/A

City Atty N/A

City Mgr

For these activities, the City of Visalia pays annual dues to the EDC based on population, plus an agreed upon amount for tourism. Currently, the City provides the TCEDC with \$196,724 in funding as follows:

Industrial Attraction /Retention	\$134,000
BIZ	\$ 41,750
Tourism	\$ 20,974

TCEDC Board is comprised of the following Tulare County representatives:

Stephen Peck, *Chairman*
Westland Development

Bill Delain
Southern California Edison

Donnette Silva-Carter
Sequoia Regional Visitors
Council

Harroll Wiley, *Past Chairman*
Tri-Counties Bank

Debi Englebrecht
Rabobank

Phil Vandergrift
City of Tulare

Fred Lagomarsino , *Secretary*
Lagomarsino Group

Jesus Gamboa
City of Visalia

Mark Wallace
City of Dinuba

Colby Wells , *Treasurer*
The Gas Company

Michael Lane
Lane Engineers

Myron Wiley
City of Farmersville

Dr. Rosa Carlson
Institute for Higher Education
Porterville College

Felipe Martinez
City of Porterville

Greg Woodard
Woodard Homes

Connie Conway
Board of Supervisors

Charlie Norman
City of Exeter

Gracie de la Rosa
City of Woodlake

Dan Salinas
City of Lindsay

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives:

Attachments: PowerPoint Update and Annual TEDC Report

Recommended Motion (and Alternative Motions if expected):

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: UPDATE ON CALIFORNIA STATE UNIVERSITY FRESNO/COLLEGE OF THE SEQUOIAS CAMPUS CENTER (FOUR YEAR DEGREE PROGRAM) and UPDATE ON SEQUOIA REGION INSTITUTE FOR HIGHER EDUCATION.

Deadline for Action:

n/a

Submitting Department:

Administration

Contact Name and Phone Number: Carol L. Cairns, Assistant City Manager 713-4324

Department Recommendation/Summary:

City Council has a stated objective to have a 4-year institution opportunity in the Tulare/Kings County area. The two county area has a population of almost 600,000 persons, and is in significant need of higher education programs and degrees.

On October 6, 2006, at the BIZ Talk Business Conference a special press conference was held to announce the signing of a new Memorandum of Understanding between the Sequoia Region Institute for Higher Education, College of the Sequoias and California State University Fresno. This MOU is designed to address the expansion of the four year degree program and campus facilities for the students of Tulare/Kings Counties who attend or will consider attending California State University Fresno classes at the College of the Sequoias. It also assists in increasing attendance to eventually enroll 250 Full Time Equivalent Students studying to receive baccalaureate degrees.

A key component of the new agreement was the hiring of a program administrator. Dr. Don Goodyear past President of COS was selected as the program administrator and comes to the program with tremendous history and working relationship with CSUF. Dr. Goodyear will be presenting an update on the progress of the Campus Center concept and the program objectives and timelines.

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 _____
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The MOU provides for:

- Administration of the program will be through the Institute for Higher Education.
- A part-time administrator has been hired. The City Council approved providing the
- The original nursing facility at COS will be converted to the new CSUF campus facility.
- The Institute for Higher Education will contribute \$100,000 for facility remodel and upgrade and marketing of the program.
- CSUF will complete additional classroom upgrade (computer technology) at COS at a cost of \$100,000.
- CSUF will complete upgrade of classroom at CSUF for teleconferencing at a cost of \$100,000.
- Institute for Higher Education will provide a gap analysis to assist in determining class offerings.
- CSUF and COS will jointly develop the curriculum.

During this same time period ***The Sequoia Region Institute for Higher Education*** was formed under the umbrella of the Tulare Economic Development Corporation. The Mission of the Institute is to work collaboratively to improve community systems that have an impact on learning and workforce competitiveness. The Goal is to provide higher education degree opportunities to a broad segment of the population for the residents of Tulare and Kings Counties and surrounding areas within 15 minutes of their residency. The City contributes \$10,000 annually to support this program. Mr. Paul Saldana, President and CEO, of the TEDC, will presenting an update on the program.

Prior Council/Board Actions:

January 20, 2006--Council Authorization for Continued Support of a 4-Year Public University in the Tulare/Kings County Area

September 18, 2006--Council Approval of \$50,000 Annually fro 3 Years To Assist Funding of The Administrator for the COS/CSUF Campus Center at COS

November 6, 2006--Overview and Objectives of COS/CSUF Off Campus Center (Four Year Degree Program) and Hiring of the Program Administrator

Committee/Commission Review and Actions:

n/a

Alternatives:

n/a

Attachments:

Fresno State Center Brochure

Fresno State Center at COS powerpoint

TEDC-Sequoia Region Institute for Higher Education powerpoint

Recommended Motion (and Alternative Motions if expected): n/a

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6c

Agenda Item Wording: Authorize the City Manager to enter into a contract, in an amount not to exceed \$22,500 (including expenses), with Gary Brown and Avery and Associates, for assistance in the recruitment and selection efforts to fill the position of Assistant Police Chief.

Deadline for Action: October 29, 2007

Submitting Department: Human Resources

Contact Name and Phone Number:
Janice Avila, Human Resources Manager, x4417

Department Recommendation:

That Council authorize the City Manager to enter into a contract with Gary Brown and Avery and Associates to assist the Human Resources Division in the recruitment and selection efforts to fill the position of Assistant Police Chief, in an amount not to exceed \$22,500 (\$15,000 for the recruitment and up to \$7,500 for expenses).

Summary/background:

Finding the right Assistant Police Chief is critical to the Police Department, this organization and our community. Although Human Resources staff is well qualified and capable of conducting this recruitment in-house, we have the unique opportunity to once again work with Gary Brown and Avery and Associates on this recruitment in a shared capacity.

Approximately two years ago, Gary assisted the City in the recruitment and selection process for the position of Police Chief. In addition, he is currently assisting the City with the recruitment and selection process to fill the position of Fire Chief. Gary's experience in recruiting executive level candidates, extensive contacts with Public sector professionals with Public Safety backgrounds, brought a number of well-qualified candidates for this position. All of these factors ultimately led to the successful hiring of Bob Carden as our Police Chief.

The Human Resources Manager will work closely with Gary in this recruitment effort and will share in the work required to ensure a successful recruitment and selection process for Visalia's

For action by:

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

For placement on which agenda:

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Est. Time (Min.): 5

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
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City Mgr _____
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Assistant Police Chief. The services that Gary will primarily focus on will be the outreach efforts in identifying, contacting and screening qualified candidates for the position, reviewing resumes and qualifications and recommending candidates to the City for consideration. The Human Resources Manager will assist with brochure development, advertising, designing the interview process and coordinating the selection and hiring process.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

- Attachments:**
- 1 - Recruitment Proposal; and
 - 2 - Agreement Between the City of Visalia and William Avery and Associates

Recommended Motion (and Alternative Motions if expected):

<i>Environmental Assessment Status</i>
CEQA Review:
NEPA Review:

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

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6d

Agenda Item Wording: Authorization for the City Manager to execute a sole source standard Consultant Agreement between Robert N. Trout, P.E. and the City of Visalia for the signal, striping and signage design for the Acequia Avenue conversion from one way to two way between Conyer Street and Bridge Street at a cost of \$45,500.00 and also authorize the City Manager to execute an agreement not to exceed \$30,000 to a consultant to be determined for a CEQA environmental review if required.

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number: Adam Ennis 713-4323,
Andrew Benelli 713-4340

Department Recommendation: Staff recommends that the City Council authorize the City Manager to execute a sole source standard Consultant Agreement between Robert N. Trout and the City of Visalia for the signal, striping and signage design for the Acequia Avenue conversion from one way to two way between Conyer Street and Bridge Street at a cost of \$45,500.00 and also authorize the City Manager to execute an agreement not to exceed \$30,000 to a consultant to be determined for a CEQA environmental review if required. A copy of the proposal from Robert Trout is presented in Exhibit #1. The agreement will be a standard consultant agreement used by the City.

Summary/background: The conversion of Acequia Avenue from one way to two way between Conyer Street and Bridge Street has been planned for a number of years and is one of the projects that is being partially funded by Measure "R". The request to sole source the project is part of an effort to provide the conversion prior to the opening of the Kaweah Delta District Hospital Expansion scheduled for November of 2008. This provides a relatively short time frame to design and get State approval for the Locust and Court Street intersections by February of 2008 and bid and construct the conversion by November 2008. The hospital expansion site work is designed and being constructed based on Acequia Avenue being a two way street. Mr. Robert Trout has committed to this time frame in his proposal provided he gets approval soon. A Traffic Impact Study was performed by TPG Consulting Group, Inc. in 2001 to analyze the effects and issues of completing the project. The project will change the current

For action by:

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

For placement on which agenda:

Work Session
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Regular Session:

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Est. Time (Min.):_1__

Review:

Dept. Head _____
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City Atty _____
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City Mgr _____
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configuration of three lanes one way to the east to one lane in each of the east and west directions with a continuous left turn lane, and left turn pockets at signalized intersections, in the center of the roadway. It also will add a signal at the intersection of Willis Street and Acequia Avenue and modify the signals at the intersections of Acequia Avenue with West , Court and Locust Streets. The Traffic Impact Study concluded that the project: 1) would not cause any access problems for any parking lots, 2) would allow full utilization of parking structure entrances, 3) would result in a loss of 61 on-street parking stalls, 4) would raise the future level of service of the Acequia Avenue/Church Street intersection from an "F" to a "C", and would install the signal at Willis Street and Acequia Avenue which is already warranted. The proposed project is planned to be constructed entirely within the existing right-of-way and should not require any additional right-of-way to be purchased.

Prior Council/Board Actions: City Council approved Measure "R" funding for the project in May of 2007.

Committee/Commission Review and Actions: None

Alternatives: Do not do the project

Attachments: Exhibit #1 – Robert Trout proposal.

Recommended Motion (and Alternative Motions if expected): Move to authorize the City Manager to execute a sole source standard Consultant Agreement between Robert N. Trout and the City of Visalia for the signal, striping and signage design for the Acequia Avenue conversion from one way to two way between Conyer Street and Bridge Street at a cost of \$45,500.00 and also authorize the City Manager to execute an agreement not to exceed \$30,000 to a consultant to be determined for a CEQA environmental review if required.

Environmental Assessment Status

CEQA Review: Maybe required

NEPA Review: N/A

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6e

Agenda Item Wording: Authorize the City Manager to sign a contract, in the amount not to exceed \$ 85,000.00 for the 2007-2008 fiscal year, with Safety Striping Service of Visalia for the annual striping contract for maintenance of painted traffic lines. (Project No. 1613-0-72-0-9226)

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number: Eric Bons, Senior Civil Engineer-Traffic, 713-4350 & Bill Carr, Project Coordinator, 713-4633.

Department Recommendation: Staff recommends that the City Council authorize the City Manager to sign a contract, in the amount not to exceed \$ 85,000.00 for the 2007-2008 fiscal year, for the annual striping contract for maintenance of painted traffic lines. (Project No. 1613-0-72-0-9226).

Summary/background: It has been over two years since the City had a contractor willing and able to perform the painting necessary to maintain painted traffic lines on the roadways of Visalia. For a variety of reasons, the last contractor for the City was not requested to renew their contract in 2005.

In August, 2007, a Notice to Contractors was sent to the five known striping Contractors in central & southern California. The Notice to Contractors was also published in the Visalia Times-Delta, the Visalia & Fresno Builders Exchange, and the McGraw-Hill Contractors information publication. On October 5th, the City received bids from 2 contractors to complete the necessary work. (A copy of the bid results is attached.)

This contract is an annual maintenance type contract that has the potential of being extended for three additional years. The unit prices shall be subject to adjustment at the commencement of each subsequent year based on the local consumer price index. No increases or decreases shall exceed five percent.

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
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Est. Time (Min.): 2 Min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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Referring to the attached Bid Results sheet, the total bid exceeds the Engineers estimate. The critical information relates to the unit costs of the bid items. The quantities of work to be done are only estimates to allow a bid cost for each work item. The amount of work performed will not exceed the maximum amount of the contract, using the individual unit costs. In discussions with the two contractors submitting bids, their unit costs were higher than anticipated because of a misunderstanding on item #2 (they bid double the work), and for the difficulty in dealing with parked vehicles for items #10 and #11. They also stated item #15 requires more protection from moving vehicles amounting to additional labor time.

Safety Striping Service is a local firm that has been in business for over 40 years. Recently, Safety Striping Service has been awarded similar contracts for the cities of Tulare, Hanford, & Porterville.

It is staff's opinion, that Safety Striping Service is a quality contractor with a very good reputation for responding to the needs of its clients. We recommend that the City Council authorize the City Manager to sign this contract.

Prior Council Actions: Last Striping Contract, March, 2003

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: Bid Results

Recommended Motion (and Alternative Motions if expected): I move to authorize the City Manager to sign a contract with Safety Striping Service for the annual striping contract for maintenance of painted traffic lines. (Project No. 1613-0-72-0-9226).

Environmental Assessment Status

CEQA Review: Not Required

NEPA Review: Not 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)*

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6f

Agenda Item Wording: Authorize the Engineering Staff to apply for California's Safe Routes to School Program grants and authorize the Public Works Director to sign the necessary applications for the Safe Routes to School Program.

Deadline for Action: October 29, 2007

Submitting Department: Public Works Department

Contact Name and Phone Number: Nancy Loliva 713-4535; Michael Carr 713-4595; Andrew Benelli 713-4340

Department Recommendation: Authorize the Engineering Staff to apply for California's Safe Routes to School Program grants and authorize the Public Works Director to sign the necessary applications for the Safe Routes to School Program.

Summary/background: The Engineering Department is working on three grant applications for California's Safe Routes to School Program. The projects are:

1. Burke Street between Houston Avenue and Ferguson Avenue. The project would install sidewalk along both the east and west side of Burke street and improve safety for Four Creeks School. The project length is approximately 2,100 feet at an estimated cost of \$135,000.
2. Linwood Street between Cherry Avenue and Walnut Avenue. This project will install curb and gutter and sidewalk along the west side of Linwood Street to improve safety for Linwood Elementary School and La Joya Middle School. The project length is approximately 1,800 feet at an estimated cost of \$115,000.
3. Chinowth Street between Tulare Avenue and Myrtle Avenue. This project will install curb and gutter and sidewalk along the east side of Chinowth and will improve safety for Veva Blunt Elementary School. The project length is approximately 1,600 feet at an estimated cost of \$100,000.

City Staff met with Visalia Unified School District (VUSD) Staff to determine projects that are needed throughout the City. VUSD also polled the schools to determine projects that are

For action by:

City Council
 Redev. Agency Bd.
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 VPFA

For placement on which agenda:

Work Session
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Regular Session:

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Est. Time (Min.): _____

Review:

Dept. Head *AJB 10-24-07*
(Initials & date required)

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

City Mgr _____
(Initials Required)

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appropriate to submit for California's Safe Routes to School Program. The Program Guidelines encourage applicants to limit the number of applications to no more than three. City staff looked at the needs and the issues involved and determined the three projects listed above are the best candidates for the grant.

The grant applications are due to Caltrans by November 16, 2007. California's Safe Routes to School Program grants are 90% funded by the State with a ten-percent local funding match. The City Council has previously authorized that \$100,000 of Measure R money be used to improve sidewalks near schools. A small portion of that Measure R money would be used for the City's ten-percent local match. However, the awarded grants are reimbursable, so a Capital Improvement Program project will need to be setup if a grant application is successful. Engineering will return to Council if the City of Visalia is awarded a grant to set up a CIP project.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: Do not apply for the grants.

Attachments: Location Maps for each grant application

Recommended Motion (and Alternative Motions if expected):

I move to authorize the Engineering Staff to apply for Safe Routes to School Program grants and authorize the Public Works Director to sign the necessary applications for the Safe Routes to School Program.

Environmental Assessment Status

CEQA Review: Will be required if grants are awarded.

NEPA Review: Will be required if grants are awarded.

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

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6g(1)

Agenda Item Wording: Request authorization to file a Notice of Completion for Ashley Grove 5 & 6 containing 96 single family lots, located at the Southeast corner of Demaree Street and Modoc Avenue.

Deadline for Action: None

Submitting Department: Engineering 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 Smeed Builders Inc. They have submitted a maintenance bond in the amount of \$149,562.81 as required by the Subdivision Map Act to guarantee the improvements against defects for one year.

Prior Council/Board Actions: The Final Map was approved for recording at the Council meeting of June 20, 2005.

Committee/Commission Review and Actions: The Tentative Subdivision Map for Ashley Grove 5 & 6 was approved by Planning Commission on September 22, 2003.

Alternatives: N/A

Attachments: Location sketch and vicinity map.

Recommended Motion (and Alternative Motions if expected):

I hereby authorize filing a Notice of Completion for Ashley Grove 5 & 6

For action by:

City Council
 Redev. Agency Bd.
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 VPFA

For placement on which agenda:

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

City Mgr _____
(Initials Required)

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Environmental Assessment Status

CEQA Review: Environmental finding completed for tentative subdivision map.

NEPA Review:

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 6g(2)

Agenda Item Wording: Request authorization to file a Notice of Completion for Riverway Sports Park; Phase 1 Project No. 3011-720000-0-0-9141, for the construction of on-site improvements at a final cost of \$9,400,808.

Deadline for Action: None

Submitting Department: Park and Recreation Department

Contact Name and Phone Number: Vince Elizondo, 713-4367;
Don Stone, 713-4397

Department Recommendation: Authorize staff to file a Notice of Completion on Project No. 3011-0000-720000-0-9141 for the construction of the Riverway Sports Park Phase 1. Lewis Nelson and Sons completed the project at a final cost of \$9,400,808.

Summary/background: The project included of the development of approximately 48 of the 80 acres of park area. Included in this phase is ten regulation soccer fields (3 lighted), two concession restrooms buildings, three covered group picnic areas, 30 additional individual picnic tables, a playground, a fenced area for bicycle motocross, over a mile of sidewalks, a interactive water playground, a over 1,000 trees, space for spaces for special events, 380 space parking lot, additional temporary parking, and a maintenance yard. Also electrical, water, storm water infrastructure was built for future phases and underground conduit is included for the lighting of all of the soccer fields.

The original contract amount for the project was \$ 9,010,000 and additional \$390,000 for nine change orders. The bulk of the change orders, \$314,000, were for the irrigation pump system. The design for this system was not completed at the time the project was bid and therefore it was included as a change order.

A summary of the change orders are as follows:

- | | |
|---|-----------|
| 1. Relocation of storm drain line that was in conflict with other utility line. | \$25,099 |
| 2. Irrigation pump station and storage tank | \$270,000 |

For action by:

City Council
 Redev. Agency Bd.
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 VPFA

For placement on which agenda:

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Regular Session:

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Est. Time (Min.): 1 Min.

Review:

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(Initials & date required)

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

City Mgr _____
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3. Modification to storm line at south parking lot	\$1,554
4. Credit for tree grates	-\$3,500
5. Addition of seismic tied downs at concession buildings, Credit for gate valve change, additional flow sensor wire	\$1,210
6. Delay for change in U-5 drawing, remobilization charge, Credit for soil amendments modifications	-\$5,818
7. Credit for not installing light bases on filed 9 & 10	-\$47,516
8. Redesign of interactive water feature area, added storm drain in maintenance yard	\$80,667
9. Addition of variable frequency drive to pump station Fencing added to secure filter area of interactive water feature	\$69,301

Prior Council/Board Actions: Award of construction contract

Committee/Commission Review and Actions:

Alternatives: None

Attachments: .

Recommended Motion (and Alternative Motions if expected):

I hereby move to authorize staff to file a Notice of Completion on Project No. 3011-0000-720000-0-9141 for the construction of the Riverway Sports Park Phase 1.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29th, 2007

Agenda Item Number (Assigned by Deputy City Clerk): 6h(1)

Agenda Item Wording: Authorize the Recordation of the Final Map for Luisi Ranch Unit No. 1, located at the northeast corner of Demaree Street and Houston Ave (126 lots) , the Formation of Landscape and Lighting District Nos. 07-14, Luisi Ranch (278 lots) (Resolution Nos. 2007-88, and 2007-89 required). APN 089-020-025.

Deadline for Action: N/A

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340

Peter Spiro 713-4256

Department Recommendation:

Final Map

Staff recommends that City Council authorize the recordation of the Final Map for Luisi Ranch Unit#1 containing 126 lots with public streets. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,254,789.62 and Labor and Material Bond in the amount of \$653,119.81 ; 3) cash payment of \$528,724.43 distributed to various accounts; and 4) Final Map. The subdivision is being developed by Woodside Homes, Inc.

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

For action by:

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

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Est. Time (Min.): _____

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Finance _____
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City Mgr _____
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inspection fees. The plan check and inspection fees are estimated at the beginning of the final map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the final map.

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Demaree Street, (Arterial), Houston Avenue (Arterial) and Ferguson Avenue (Collector) by the future Leila Elementary School frontage. The City will be reimbursing approximately \$802,000 to the developer (Woodside Homes) through a combination of fee credits applied towards the City's Transportation Impact Fee and a final cash payment due after a Notice of Completion is approved by City Council.

Woodside's contractors recently completed the paving on Demaree adjacent to the Luisi Acres Subdivision. They have also completed much of the work on Ferguson and Houston. They will finish the paving on Houston and Ferguson when Edison and the other utilities complete the relocation of the power poles.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 2007-88 Initiating Proceedings for formation of Assessment District No. 07-14, Luisi Ranch; adopt the associated Engineer's Report as submitted; and adopt Resolution No. 2007-89 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

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

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

On September 7, 2004, Council approved the Street Maintenance Assessment Policy establishing guidelines and processes for placing street maintenance costs into assessment districts.

Committee/Commission Review and Actions: The tentative subdivision map for Luisi Ranch Subdivision was approved by the Planning Commission on August 22nd, 2005. The tentative map expired on August 22nd, 2007, an extension for the tentative map was approved and the new expiration date is August 22nd 2009.

Alternatives: N/A

Attachments: Location Map; Surrounding Developments; Resolutions Initiating Proceedings; Manager's Certifications; Resolutions Ordering the Improvements; Exhibits "A", "B", "C", "D" for Landscape and Lighting District 07-14 Luisi Ranch.

Recommended Motion (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for Luisi Ranch Unit No. 1 and I move to adopt Resolution Nos. 2007-88 and Initiating Proceedings for Formation of Assessment District Nos. 07-14 Luisi Ranch and Resolution No. 2007-89 Ordering the Improvements for Assessment District Nos. 07-14 "Luisi Ranch."

Environmental Assessment Status

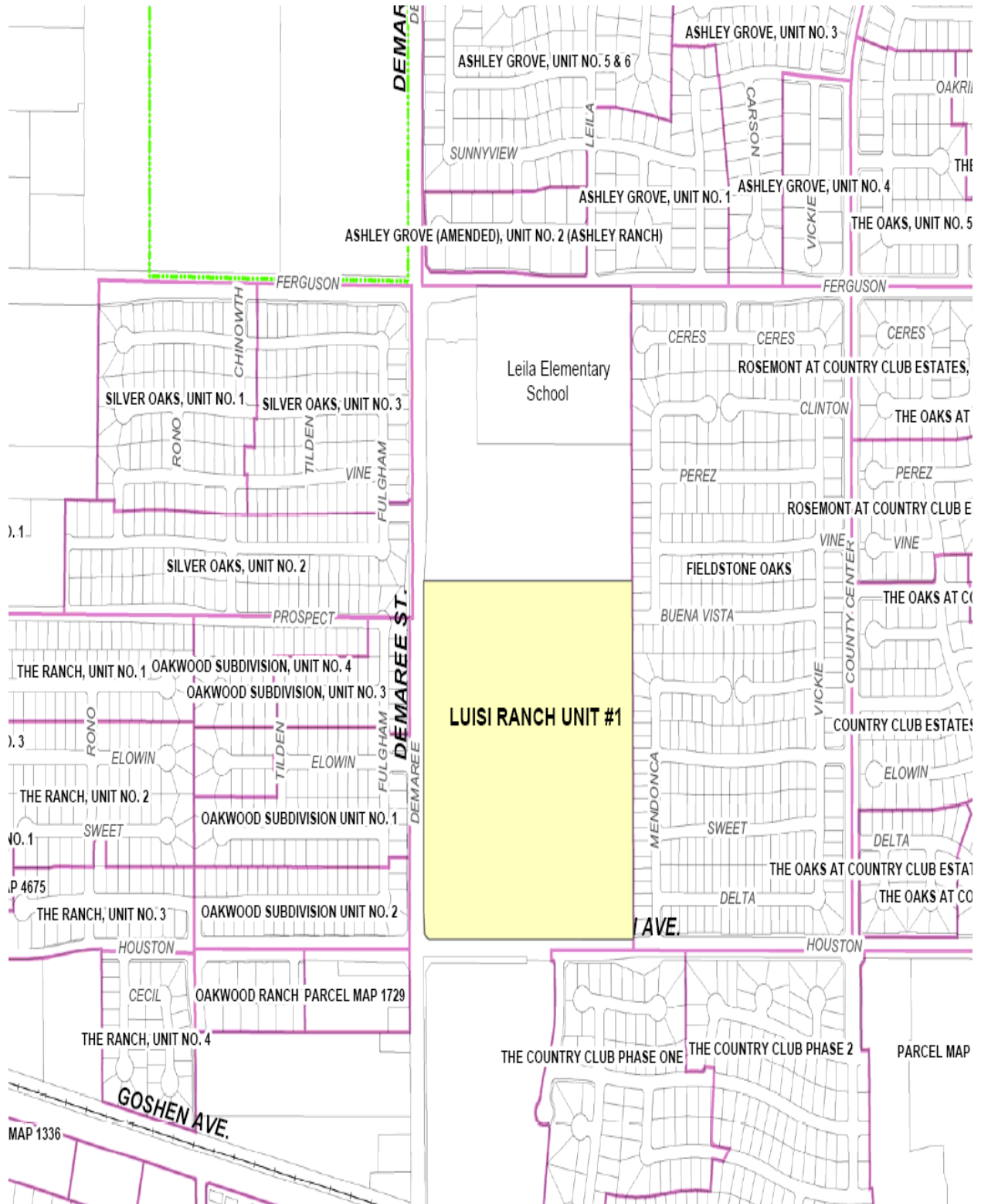
CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

LOCATION MAP



RESOLUTION NO. 2007-88

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 07-14

Luisi Ranch

(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 07-14, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 07-14, City of Visalia, Tulare County, California", which is on file with the City Manager and is hereby approved and known as "Luisi Ranch".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Manager a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 07-14

Luisi Ranch

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 07-14, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 15th day of October, 2007 by its Resolution No. 07-_____

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

RESOLUTION NO. 2007-89

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 07-14
Luisi Ranch
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 07-14, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Manager.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2007-08.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Manager's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

Exhibit "A"

Assessment Diagram Assessment District No. 07-14 Luisi Ranch City of Visalia, Tulare County, California



Exhibit "B"

Landscape Location Diagram
Assessment District No. 07-14
Luisi Ranch

Exhibit "C"

Tax Roll Assessment
Assessment District No. 07-14
Luisi Ranch
Fiscal Year 2007-08

APN #	Assessment	Owner	Lot #	District
To Be Assigned	\$275.36	To Be Assigned	07-1401	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1402	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1403	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1404	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1405	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1406	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1407	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1408	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1409	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1410	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1411	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1412	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1413	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1414	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1415	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1416	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1417	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1418	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1419	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1420	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1421	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1422	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1423	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1424	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1425	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1426	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1427	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1428	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1429	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1430	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1431	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1432	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1433	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1434	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1435	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1436	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1437	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1438	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1439	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1440	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1441	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1442	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1443	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1444	Luisi Ranch

Exhibit "C"

Tax Roll Assessment
Assessment District No. 07-14
Luisi Ranch
Fiscal Year 2007-08

To Be Assigned	\$275.36	To Be Assigned	07-1445	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1446	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1447	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1448	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1449	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1450	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1451	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1452	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1453	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1454	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1455	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1456	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1457	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1458	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1459	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1460	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1461	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1462	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1463	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1464	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1465	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1466	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1467	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1468	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1469	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1470	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1471	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1472	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1473	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1474	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1475	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1476	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1477	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1478	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1479	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1480	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1481	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1482	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1483	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1484	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1485	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1486	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1487	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1488	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1489	Luisi Ranch

Exhibit "C"

Tax Roll Assessment
Assessment District No. 07-14
Luisi Ranch
Fiscal Year 2007-08

To Be Assigned	\$275.36	To Be Assigned	07-1490	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1491	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1492	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1493	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1494	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1495	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1496	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1497	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1498	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-1499	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14100	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14101	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14102	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14103	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14104	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14105	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14106	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14107	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14108	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14109	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14110	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14111	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14112	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14113	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14114	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14115	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14116	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14117	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14118	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14119	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14120	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14121	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14122	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14123	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14124	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14125	Luisi Ranch
To Be Assigned	\$275.36	To Be Assigned	07-14126	Luisi Ranch

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 07-14
Luisi Ranch
Fiscal Year 2007-08

General Description

This Assessment District (District) is located at the northeast corner of Houston Ave and Demaree St, . Exhibit "A" is a map of Assessment District 07-14. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local public streets and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The maintenance of pavement on local public streets includes preventative maintenance by means including, but not limited to overlays, chip seals/crack seals and reclamite (oiling). The total number of lots within the district is 278 with 126 lots comprising Unit No. 1.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The maintenance of the landscape areas, street lights and block walls is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the maintenance of all internal local streets within the subdivision, the City Council has determined that landscape areas, street lights, block walls and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally, including lots not adjacent to landscape areas, block walls, street lights and pocket parks. The lots not adjacent to landscape areas, block walls, street lights and pocket parks benefit by the uniform maintenance and overall appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets. All lots in the District derive a benefit from the nearby access to the various pocket parks.

Estimated Costs

The estimated costs to maintain the District includes the costs to maintain turf areas, shrub areas, irrigation systems, trees, block walls, pavement on local streets and any other applicable equipment or improvements. The regular preventive maintenance of pavement on local public streets is based on the following schedule: Chip Seal on a 15 year cycle; Overlays on a 10 year cycle; Crack Seal on an 8 year cycle and Reclamite on a 6 year cycle.

The quantities and estimated costs are as follows:

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 07-14
Luisi Ranch
Fiscal Year 2007-08

Description	Unit	Amount	Cost per unit	Total Cost
LANDSCAPE LOTS				
Turf Area	Sq. Ft.	40021	\$0.199	\$7,964.18
Shrub Area	Sq. Ft.	20633	\$0.199	\$4,105.97
Trees	Each	196	\$25.00	\$4,900.00
Water	Sq. Ft.	60654	\$0.050	\$3,032.70
Electricity	Sq. Ft.	60654	\$0.008	\$485.23
Trees In Local Street Parkways	Each	325	\$25.00	\$8,125.00
Street Lights	Each	58	\$105.00	\$6,090.00
Chip Seal (15 year cycle)	Sq. Ft.	352200	\$0.190	\$4,461.20
Crack Seal (8 year cycle)	Sq. Ft.	352200	\$0.02933	\$1,291.39
Reclamite (6 year cycle)	Sq. Ft.	352200	\$0.0211110	\$1,239.22
Overlays (10 year cycle)	Sq. Ft.	352200	\$0.65	\$22,893.00
Project Management Costs	Lots	278	\$18.00	\$5,004.00
TOTAL				\$69,591.88
10% Reserve Fund				\$6,959.19
GRAND TOTAL				\$76,551.07
COST PER LOT				\$275.36

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 07-14
Luisi Ranch
Fiscal Year 2007-08

Annual Cost Increase

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

$$A_{\max} \text{ for any given year "n"} = (\$76,551.07) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$83,440.67 [a 9% increase over the base year estimated cost of \$76,551.07]. The maximum annual assessment for year four is \$88,617.43 [$A_{\max} = (\$76,551.07) (1.05)^{(4-1)}$]. The assessment will be set at \$83,440.67 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$86,502.71 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$76,551.07]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$1,730.05 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$88,617.43 [$A_{\max} = (\$76,551.07) (1.05)^{(4-1)}$]. The year four assessment will be set at \$86,502.71 plus the deficit amount of \$1,730.05 which equals \$88,232.75 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$83,440.67 [a 9% increase over the base year assessment of \$76,551.07] and

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 07-14
Luisi Ranch
Fiscal Year 2007-08

damage occurred to the masonry wall raising the year five expenses to \$93,392.30 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$91,784.74 (a 10% increase over the previous year) and below the maximum annual assessment of \$93,048.30 [$A_{max} = (\$76,551.07)$ (5-1) (1.05)]. The difference of \$1,607.56 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

Andrew Benelli
Assistant Director Engineering

RCE 50022

Date

**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29th, 2007

Agenda Item Number (Assigned by Deputy City Clerk): 6h(2)

Agenda Item Wording: Authorize the Recordation of the Final Parcel Map # 2006-23, located at the northeast corner of Packwood Avenue and Demaree Street (15 parcels) , office complex.

Deadline for Action: N/A

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340
Peter Spiro 713-4256

Department Recommendation:

Final Map

Staff recommends that City Council authorize the recordation of the Final Parcel Map #2006-23 containing 15 parcels. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$156,940.00 and Labor and Material Bond in the amount of \$78,470.00 ; 3) cash payment of \$56,081.53 distributed to various accounts; and 4) Final Map. The Project is being developed by Santa Maria, Inc.

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

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 *AJB 10/23/07*
(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.

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004, the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Demaree Street, (Arterial), north of Packwood Avenue for an estimated cost of \$29,000. However, the project is conditioned to pay for it's share of the installed traffic signal costs at the intersection of Packwood Avenue and Demaree Street, (an approximate amount of \$22,000). The developer will receive the balance in the form of credit towards the transportation impact fees due at the time of obtaining the building permits.

The project is situated in the Demaree /Caldwell specific plan and the site layout has complied with all requirements of the specific plan.

Committee/Commission Review and Actions: The Tentative Parcel Map # 2006-23 was approved by the Planning Commission on April 23, 2007. The tentative map will expire on April 23, 2009.

Alternatives: N/A

Attachments: Location Map; Exhibits "A", Parcel Map Exhibit "B".

Recommended Motion (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Parcel Map # 2006-23, located at the northeast corner of Packwood Avenue and Demaree Street (15 parcels).

Environmental Assessment Status

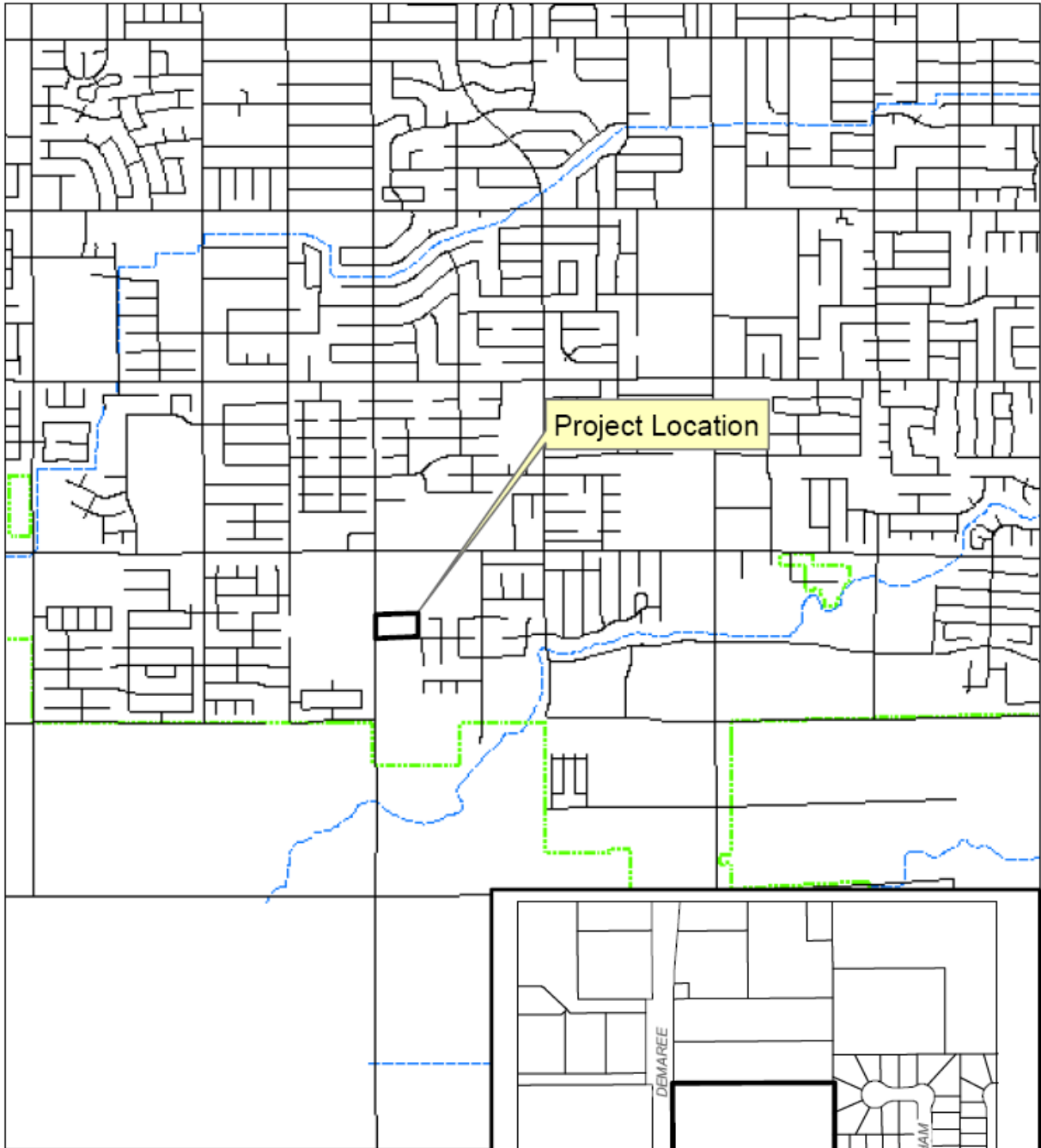
CEQA Review:

NEPA Review:

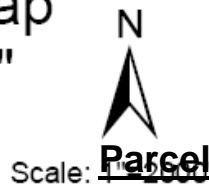
Tracking Information: (*Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date*)

Copies of this report have been provided to:

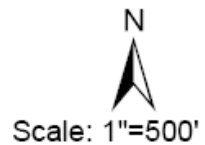
Project Location
Exhibit "A"



Location Map
Exhibit "A"



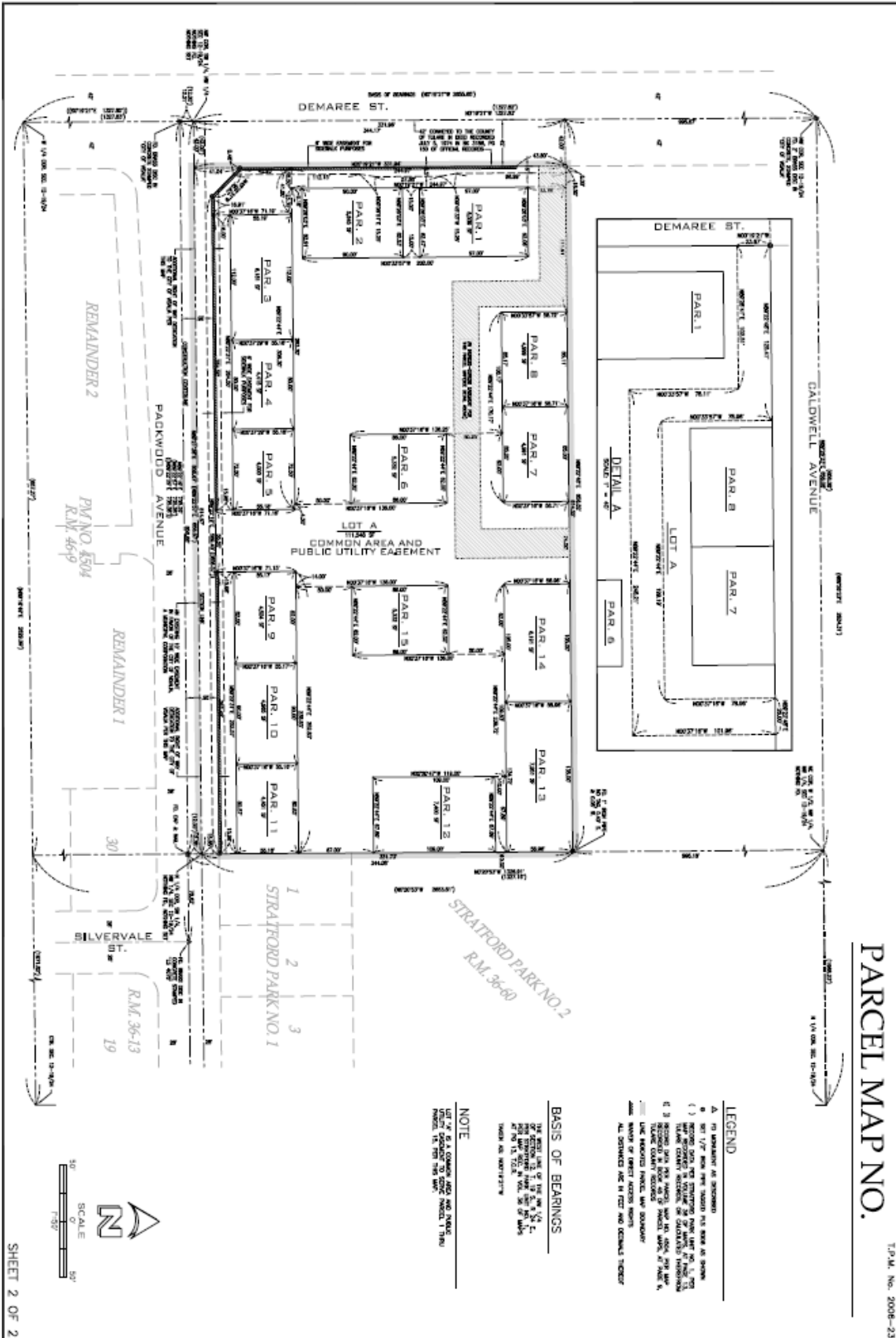
Vicinity Map



Scale: 1"=500'

Scale: 1"=500'

Exhibit "B"



PARCEL MAP NO.

T.P.M. No. 2008-23

LEGEND

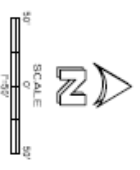
- A TO BOUNDARY AS SHOWN
- B SET 1/2" FROM THE BOUNDARY AS SHOWN
- () SET 1/2" FROM THE BOUNDARY AS SHOWN
- 1) SET 1/2" FROM THE BOUNDARY AS SHOWN
- 2) SET 1/2" FROM THE BOUNDARY AS SHOWN
- 3) SET 1/2" FROM THE BOUNDARY AS SHOWN
- 4) SET 1/2" FROM THE BOUNDARY AS SHOWN
- 5) SET 1/2" FROM THE BOUNDARY AS SHOWN
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BASIS OF BEARINGS

THE BEARINGS AND DISTANCES ARE AS SHOWN ON THE ORIGINAL SURVEY MAPS AND RECORDS OF THE COUNTY RECORDS OF CALIFORNIA HEREBY REFERRED TO AND WHICH ARE HEREBY INCORPORATED BY REFERENCE INTO THIS MAP.

NOTE

LOT "A" IS A COMMON AND UNDIVIDED PART OF THE TRACT DESCRIBED IN MAP NO. 19.



**City of Visalia
Agenda Item Transmittal**

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 7

Agenda Item Wording: Status Report on Neighborhood Revitalization Efforts

Deadline for Action: None

Submitting Department: Housing & Economic Development Department

Contact Name and Phone Number:

Ricardo Noguera, Housing & Economic Development Director
(713-4190)
Tim Burns, Neighborhood Preservation Manager
(713-4172)

Department Recommendation: Accept staff's presentation with plans to return in February with a work program for both the Oval and Washington School Neighborhoods.

Summary/background:

In the Spring of 2007, the Visalia City Council established a new department entitled "Housing & Economic Development Department". A new department was created where affordable housing, neighborhood preservation, economic development and redevelopment could be consolidated in order to maximize the effectiveness and cooperation among various funding sources, services and activities. The target is to focus staff's energies and resources in Downtown revitalization; neighborhood preservation efforts and in job creation.

Over the course of the past six months, the Department has begun to make significant progress in the identification and assessment of neighborhood issues and has gradually begun to design implementation strategies to address the challenges in the community. This study session focuses on the assessment of challenges in the community; current strategies being designed, and highlights of the proposed next steps for the Council to consider in the coming months.

Geographic Boundaries of Each Neighborhood

The Washington School Neighborhood has distinct boundaries running from east to west: Burke to Watson and from north to south: Noble Street to Tulare Avenue. The Oval Area focuses within a two-block radius immediately surrounding the Lincoln Oval Park (see maps for details).

Current Activities in Oval and Washington School Neighborhoods:

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.

The Neighborhood Preservation Division has served as the primary City organizational area to pro-actively identify, assess and address challenges in these two neighborhoods. Key challenges in the neighborhoods include:

A. Prevalence of abandoned homes and vacant lots (both neighborhoods)

Based on 2000 census data figures, there are a total of seventy-six (76) vacant lots and abandoned homes in the Oval area representing approximately 16 percent of all properties. Renter occupied housing units also represent slightly more than one half of all units and significantly more if vacant units are excluded. Approximately, 60 percent of all properties are occupied by renters resulting in a transitional population.

In the Washington School area, there are a total of ninety-three (93) vacant lots and abandoned homes representing 7 percent of all properties. In this neighborhood, the renter population represents close to ¾'s of all housing units taking into account vacant units.

City-wide, 62 percent of all homes are owner occupied. In the two neighborhoods, it is the reverse with renter occupied housing representing slightly more than 50 percent and nearly three quarters in the respective neighborhoods.

	Oval Neigh'd (Census Tract 11)	Washington School Neigh'd (Tract 17.01)	City-Wide
Owner-Occupied Housing Units	154 31% of total	319 24% of total	23,214 62% of total
Renter-Occupied Housing Units	261 53% of total	922 69% of total	14,041 38% of total
Vacant Housing Units	76 16% of total	93 7% of total	2,334 6% of total

B. There are approximately eight to ten streets within the Washington School Area which lack street lamp posts, especially around the school and the park. An assessment of the Oval area has yet to be completed.

C. Since Washington School has no parking, teachers and faculty must park in the surrounding neighborhood. Additionally, drop-off and pick-up at the school is problematic due to there being no identified section for this to occur. City staff will meet with School officials to discuss parking alternatives.

D. High absentee ownership and high rental population (both neighborhoods)

E. Poor infrastructure such as drainage, crosswalks which need new striping, lack of parking in Oval area

F. Based on police reports, prevalence of gangs and loitering (both neighborhoods)

G. Illegal dumping on vacant lots and alleyways (both neighborhoods)

H. Poor condition of some historic structures (both neighborhoods)

Efforts Made to Revitalize the Area

Through the City's affordable housing and redevelopment divisions, several steps have been taken to improve the neighborhoods including:

- A. Establishing the Community Campus to deliver job training and employment for local residents in the Oval area
- B. Establishment of the Northside Police Substation at the Community Campus
- C. Rehabilitation of single family homes, senior repair and emergency repair of mobile homes (both neighborhoods)
- D. Support for Habitat for Humanity to acquire infill vacant parcels to develop single family homes (both neighborhoods)
- E. Formation of a partnership with CSET on the City's First Time Homebuyers Program (both neighborhoods)
- F. Transportation Planning Grant awarded in the amount of \$135,000 with \$15,000 matching funds (Source: General Funds) by CalTrans to improve pedestrian and vehicle safety/circulation and traffic calming in the Oval area
- G. Closure of a crime-plagued and trash dumping alleyway at Bridge and Noble (Washington School Neighborhood)
- H. Expansion of the Downtown Parking In-Lieu District (Zone A) in the Oval Area to support business development and acquisition of vacant parcels to build more parking in the area.

Current Assessment of Neighborhood Issues

Over the past few months, staff has been completing an assessment of the two neighborhoods. Many of those challenges identified earlier in the year are still prevalent today. Activities to be undertaken include:

- A. Establishment of a Historic Homes Down Payment Assistance Program to maximize homeownership and maintenance of historic properties.
- B. Utilization of redevelopment low/moderate funds to acquire vacant lots and abandoned homes and sell for first time homeownership.
- C. Partnering with experienced housing developers such as Tulare County Housing Authority (TCHA) to acquire dilapidated multi-family structures, rehabilitate and construct new affordable housing.
- D. Coordination with the Public Works Department and Community Planning & Development Department to address infrastructure and parking/circulation deficiencies in the neighborhood.
- E. Coordination with the Visalia Police Department , Park/Recreation Department, neighborhood associations and community-based organizations to address gang and youth intervention programs.
- F. Implementation of Caltrans Environmental Justice Planning Grant

Next Steps:

This document last revised: 10/26/07 9:22:00 AM

File location and name: H:\(1) AGENDAS for Council\2007\102907\Item 7 Report on Neighborhood Revitalization Efforts.doc

Over the next two to three months, staff will be conducting stakeholder meetings in the Oval and Washington School neighborhoods to ascertain needs/concerns from local residents and to adequately identify issues. Staff will also meet with representatives from the Police Department, Public Works, Finance and Parks/Recreation Departments as well as the School District to identify their key concerns/issues. We will return to the Council in February with recommendations moving forward. Milestones with recommendations will be established and presented to the Council for consideration.

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

North Visalians Advisory Committee supports efforts to improve the Oval Park circulation efforts.

Alternatives: None

Attachments:

- Maps of both neighborhoods

Recommended Motion (and Alternative Motions if expected): Move to accept staff's report and direct staff to return in February with a work program for the Oval and Washington Neighborhoods.

Environmental Assessment Status

CEQA Review: N/A

NEPA Review: N/A

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: October 29, 2007

Agenda Item Number (Assigned by City Clerk): 8

Agenda Item Wording: Public Hearing for introduction of Ordinance No.2007-18 to adopt the 2007 California Fire Code, 2007 California Administrative Code, 2007 California Referenced Standard Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Electric Code, 2007 California Historical Building Code, 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.

Deadline for Action: November 19, 2007

Submitting Department: Community Development, Building Safety Division; Fire Department and Construction Review Committee.

Contact Name and Phone Number:

Dennis Lehman, 713-4495
Jeff Dearborn, 713-4173
Charlie Norman, 713-4265

Background / Summary:

On July 1, 2007 the State of California, Building Standards Commission published the 2007 California Administrative Code, 2007 California Building Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Historical Building Code, 2007 California Fire Code and the 2007 California Electrical Code. Local jurisdictions are to adopt these State of California mandated codes along with local amendments by January 1, 2008. The Building Safety Division and Construction Review Committee also recommend adoption of the 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.

The Code adoption process is to repeal the present ordinance chapters and replace them with the current code required by the state.

The California Building Standards Commission approved these codes through its routine code approval process. These codes are mandated by the State of California and are routinely adopted into the city ordinance. The 1997 Uniform Housing Code, 1997 Uniform Code for the

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.): 10

Review:

Dept. Head MO
(Initials & date required)

Finance _____
City Atty KR
(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.

Abatement of Dangerous Buildings Code were not revised or updated by the State. However, many of the codes have undergone major revision and contain many changes to include new building materials and to meet changing conditions in the construction industry. The California Building Code Volumes 1 and 2 are based on the 2006 version of the International Building Code and retain much of the same building design and construction requirements relating to fire and life safety and structural safety. These two volumes also contain additional "California Amendments" with specific disabled accessibility regulations, requirements for group home facilities and include general construction building standards of state adopting agencies such as the State Fire Marshal, Housing and Community development and OSHPD.

The Visalia Construction Review Committee has reviewed the proposed codes for application in the City of Visalia and has found no special circumstances that would prevent its administration. The Committee agreed to delete a 'local government amendment' to the building code which was approved through the previous ordinance. This amendment has been provided for with the new code adoption.

The Committee also agreed that the following appendices should be adopted: Building Code Appendix, Chapter 1 – Administration and Appendices, B Board of Appeals, H Signs, I Patio Covers and J Grading, California Plumbing Code. Appendix A, Administration, Appendix D Drainage Systems, Appendix I Installation Standards, Appendix K Private Sewage Systems, California Mechanical Code, Appendix A Administration.

Fee schedules contained in any of the adopted codes are deleted and replaced by a fee schedule prepared by the Chief Building Official. The current existing building permit fees will remain the same and will have no increase at this time. The existing building permit fee schedules were prepared by the Chief Building Official and presented to and adopted separately by the City Council as resolution number 2007-34 dated June 2, 2007.

The Building Safety division has begun a training program utilizing State as well as local resources. Building Safety staff has attended several CALBO sponsored courses. In addition, in order to reduce the cost and provide local training for architects, engineers and contractors, the Building division has sponsored classes attended jointly by City staff and community design professionals the week of October 8, 2007 at City Hall East. Additional courses have been scheduled for November 8th and 9th in collaboration with the Home Builders Association and the Building Safety Division and will be held at the Builder's Exchange office to provide for a larger group. Updates will also be scheduled at intervals during the upcoming year.

It is the recommendation of the Construction Review Committee, the Fire Department and the Division of Building Safety that these codes be adopted with an effective date of January 1, 2008.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: Construction Review Committee recommended Council Approval.

Alternatives: Take no action – State building code would become effective without local amendments by operation of law on January 1, 2008

Attachments: Ordinance 2007-18

Recommended Motion (and Alternative Motions if expected): Move to introduce Ordinances No. 2007-18 repealing and adopting Building and Construction Ordinance Chapter 15.04 through Chapter 15.36 and repealing and adopting Fire Ordinance Chapter 8.20.010 as submitted.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

ORDINANCE NO. 2007-18

**AN ORDINANCE OF THE CITY OF VISALIA
TO REPEAL AND ADOPT IN THEIR ENTIRETY
CHAPTERS 15.04 THROUGH 15.36
OF THE VISALIA MUNICIPAL CODE,
BUILDINGS AND CONSTRUCTION ORDINANCE,
AND TO REPEAL AND ADOPT SECTION 8.20.010
OF THE VISALIA MUNICIPAL CODE,
FIRE CODE ORDINANCE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA;

SECTION 1: Repeal existing Section 8.20.010 and Chapters 15.04 through 15.36 in their entirety.

SECTION 2: Adopt new Section 8.20.010 and Chapters 15.04 through 15.36 to read as follows:

Chapter 8.20

UNIFORM FIRE CODE

Sections:

8.20.010 Adoption of the 2007 California Fire Code.

A. There is adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code known as the 2007 California Fire Code, California Code of Regulations Title 24, Part 9, Based on 2006 International Fire Code, including Appendix Chapter 1 (Administration), Appendix Chapter 4 (Special Occupancy), Appendix A (Board of Appeals), Appendix B (Fire Flow Requirements), Appendix C (Fire Hydrant Locations), Appendix D (Apparatus Access), Appendix E (Hazard Occupancy), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids), Appendix H (Hazard Management Plans) thereof and the whole thereof adopted and incorporated as fully as if set out at length herein, the provisions thereof shall be controlling within the limits of the city, save and except such portions as are hereinafter deleted, modified, or amended, of which code not less than one copy has been and is now filed in the office of the city clerk and one copies are filed in the office of the city fire department and one in the office of the Building Division. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter in accordance with Ordinance Section 1.01.080.

B. Penalty provisions contained in California Fire Code Section 111.2.1.3, (Citations) are deleted, and the following penalty provisions are adopted: Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the chief shall be subject to the penalty provisions of Ordinance Section 1.12.010.

C. The remainder of appendices in the California Fire Code are to be applied, when applicable, as policies determined by the Chief Building Official and the Fire Chief. (Ord. 9529 § 1, 1995: prior code § 4400)

Chapter 15.04

CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.04.010 Adoption of the 2007 California Administrative Code.

A. That certain administrative code, in book form known and designated as the 2007 California Administrative Code, California Code Regulations Title 24 Part 1, Published by International Code Council, is adopted as the technical Administrative Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Penalty provisions contained in Section 205, California Administrative Code are deleted, and the following penalty provisions are adopted:

1. Any person who shall violate any of the provisions of the code adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such order as affirmed or modified by the city attorney based on a recommendation of the building official or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non compliance respectively be guilty of a misdemeanor, or infraction as determined by the city attorney.

2. Such violation shall be subject to penalties in accordance with Section 1.12.010.

D. Reference is made to three copy of the California Administrative Code, 2007 Edition, one copy filed in the office of the city clerk and two copy filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Administrative Code. (Ord. 9605 § 31 (part), 1996: Ord. 9529 § 2, 1996: prior code § 7750)

Chapter 15.06

CALIFORNIA REFERENCED STANDARD CODE, TITLE 24 Part 12

Sections:

15.06.010 Adoption of the 2007 California Referenced Standards Code .

A. That certain administrative code, in book form known and designated as the 2007 California Referenced Standards Code, is adopted as the technical Administrative Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

1. Any person who shall violate any of the provisions of the code adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with such order as affirmed or modified by the city attorney based on a recommendation of the building official or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non compliance respectively be guilty of a misdemeanor, or infraction as determined by the city attorney.

2. Such violation shall be subject to penalties in accordance with Section 1.12.010.

D. Reference is made to three copy of the 2007 California Referenced Standards Code, one copy filed in the office of the city clerk and two copies filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Standards Code.

Chapter 15.08

CALIFORNIA BUILDING CODE

Sections:

15.08.010 Adoption of the 2007 California Building Code.

A. That certain building code, in book form known and designated as the 2007 California Building Code, Title 24, Part 2, Volumes 1 and published by The International Code Council, is adopted as the Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause

contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are 2007 California Building Code Appendix Chapter 1 (Administration) Appendices B (Board of Appeals),H (Signs),I (Patio Covers) and J (Grading) .

C. Reference is made to three copy of the 2007 California Building Code, one copy filed in the office of the city clerk and two copy filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Building Code. (Ord. 9529 § 2, 1996: prior code § 7751)

Chapter 15.12

UNIFORM HOUSING CODE

Sections:

15.12.010 Adoption of the Uniform Housing Code.

A. That certain housing code, in book form known and designated as the Uniform Housing Code, 1997 Edition, as prepared and published by the International Conference of Building Officials, is adopted as the Housing Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 2 (Enforcement) of said Uniform Housing Code is deleted.

C. Reference is made to three copies of the Uniform Housing Code, 1997 Edition, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Housing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7752)

Chapter 15.16

UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.16.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings.

A. That certain abatement of dangerous buildings code, in book form known and designated as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, prepared and published by the International Conference of Building Officials, is

adopted as the Code for the Abatement of Dangerous Buildings of the city, to all intents and purposes and to the same effect as if each and every section, and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 2 (Enforcement) of said Uniform Code for the Abatement of Dangerous Buildings is deleted.

C. Reference is made to three copies of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, one copy filed in the office of the city clerk and two copies filed in the office of Building Safety Division of the city, which are now so filed for full particulars of said Code for the Abatement of Dangerous Buildings. (Ord. 9529 § 2 (part), 1996: prior code § 7753)

Chapter 15.20

CALIFORNIA PLUMBING CODE

Sections:

15.20.010 Adoption of the 2007 California Plumbing Code.

A. That certain plumbing code, in book form known and designated as the 2007 California Plumbing Code, Title 24, Part 5 as Published by the International Association of Plumbing and Mechanical Officials prepared and published by the International Association of Plumbing and Mechanical Officials, based on the 2006 Uniform Plumbing Code adopted as the plumbing code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are California Plumbing Code Appendix A (Administration), Appendix D (Drainage Systems), Appendix I (Installation Standards), and Appendix K (Private Sewage Systems).

C. Section 808.0 of said California Code is amended to read as follows:

Section 808.0, Cooling Water. Discharge of cooling water into the sanitary sewer system is prohibited. Refer to Section 13.08.500 of City of Visalia Municipal Code (Prohibition on Unpolluted Water).

D. Reference is made to three copies of the 2007 California Plumbing Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Plumbing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7754)

Chapter 15.24

CALIFORNIA MECHANICAL CODE

Sections:

15.24.010 Adoption of the 2007 California Mechanical Code.

A. That certain mechanical code, in book form known and designated as the 2007 California Mechanical Code, Title 24, part 4 as Published by the International Association of Plumbing and Mechanical Officials, based on the 2006 Uniform Mechanical, adopted as the mechanical code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, including the appendices, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Included specifically are California Mechanical Code Appendix A (Administration).

C. Reference is made to three copies of the 2007 California Mechanical Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Mechanical Code. (Ord. 9529 § 2 (part), 1996: prior code § 7755)

Chapter 15.28

CALIFORNIA ELECTRICAL CODE

Sections:

15.28.010 Adoption of the 2007 California Electrical Code.

A. That certain electrical code, in book form known and designated as the 2007 California Electrical Code, Title 24, Part 3, Published by BNI Productions, Inc. based on the 2005 National electrical code, copyright National Fire Production Association, is adopted as the Electric Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase, or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Reference is made to three copies of the 2007 California Electrical Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said electrical code. (Ord. 9716 § 2, 1997)

Chapter 15.32

UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

Sections:

15.32.010 Adoption of the Uniform Swimming Pool, Spa and Hot Tub Code.

A. That certain swimming pool code in book form known and designated as the Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition, as prepared and published by the International Association of Plumbing and Mechanical Officials is adopted as the Swimming Pool, Spa and Hot Tub Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions set out below. If any section, subsection, sentence, clause or phrase of this chapter is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Chapter 1 (Administration) of said Uniform Code is amended to delete Table1-1, Fees.

C. Reference is made to three copies of the Uniform Swimming Pool Code, 2006 Edition, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Swimming Pool, Spa and Hot Tub Code. (Ord. 9529 § 2 (part), 1996: prior code § 7757)

Chapter 15.36

2007 CALIFORNIA HISTORICAL BUILDING

Sections:

15.36.010 Adoption of the 2007 California Historical Building Code.

A. That certain building conservation code, in book form known and designated as the 2007 California Historical Building Code, California code and Regulations Title 24, part 8 as prepared and published by the International Code Council, is adopted as the Historical Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.

B. Reference is made to three copies of the 2007 California historical Building Code, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Building Conservation Code. (Ord. 9529 § 2 (part), 1996: prior code § 7752)

SECTION 3: California Environmental Quality Act Finding.

The City Council finds that this ordinance is enacted in order to protect the public health, safety and welfare by establishing standards for building construction. These standards provide the methodology for appropriate construction and do not in themselves result in any physical changes in the environment. Therefore, it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, and therefore the adoption of this ordinance is exempt from CEQA pursuant to section 15061 (b) (3) of the CEQA guidelines

SECTION 4: This Ordinance shall become effective January 1, 2008, but not less than 30 days after passage thereof.