

Visalia City Council Agenda

For the regular meeting of: Monday, December 17, 2007

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

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

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.

WORK SESSION AND ACTION ITEMS (as described)

4:30 p.m.

Public Comment on Work Session and Closed Session Items -

4:30 p.m.

1. Status report on East Downtown Projects - priority list and schedule.

5:00 p.m.

2. Review Transportation Impact Fees and progress to date.

3. *Item removed at the request of staff*

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)

Property: 324 Santa Fe (APN:094-221-012)

Under Negotiation: Price, terms and conditions of potential purchase; update re previously authorized negotiations

Negotiating Parties: Steve Salomon, Andrew Benelli, Colleen Carlson, Wayne and Mary Yada, Carl Niederreiter

5. Conference with Legal Counsel - Anticipated Litigation (Subdivision (b) of 54956.9 GC) One potential case

6. Conference with Real Property Negotiators (G.C. §54956.8)
Property: NE corner of Tipton and Oak Avenues (Liner Building)
Under Negotiation: Price, terms, conditions of lease
Negotiators: Steve Salomon, Ricardo Noguera
7. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Janice Avila
Unrepresented employees: all groups
8. Conference with Real Property Negotiators (G.C. §54956.8);
Property: Parcel B of Parcel Map No. 4801
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, Paul Shepard, Jim and Lana Cooper and Ron and Patty Radish

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Cliff Sabroe, Minister, West Visalia Church of Christ

SPECIAL PRESENTATIONS/RECOGNITION

Recognition of the Central Section Division 2 Champions El Diamante High School Miners Football Team and its 12-1 season.

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

9. **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 December 10, 2007.
 - c) Request to revise the payment length on the Chamber's Parking In-lieu note and permit quarterly payments on the Parking In-lieu and Land Purchase notes.

- d) Authorization for City Manager to execute contracts with "GEOCON" Consultants and "Brown and Caldwell" Consultants using approved EPA Grant funds for Brownfield Assessments and Clean-up.
 - e) Approval of the 2007/08 transit agreement with Tulare County
 - f) Authorization to submit a Bicycle Transportation Account (BTA) grant application to install Class 2 bike lanes on Noble Avenue and Mineral King Avenue between Akers Street and Mooney Boulevard and adopt Resolution 2007-102 to provide the 10% local match from the Transportation Fund for this and any future BTA grant applications. **Resolution 2007-102 required.**
 - g) Authorization for staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$400,000 for the Packwood Creek/Walnut Avenue Trail, \$700,000 for the Santa Fe Railroad Trail, \$600,000 for the Packwood Creek/Caldwell Trail, \$275,000 for a new traffic signal at the intersection of Demaree Street and Ferguson Avenue and \$275,000 for a new traffic signal at the intersection of Walnut Avenue and Santa Fe Street.
 - h) Award Landscape Maintenance Contracts districts A and districts B to Patrick Brumm of Sacramento Weed and Growth Regulators per specifications of RFB 07-08-21.
 - i) Award contract for the renovation of the Plaza Park irrigation system for the bid amount of \$607,496.80 to Westscapes, Inc. in accordance with bid specifications of RFB 07-08-33.
 - j) Authorization for staff to apply for a Public Transportation Modernization, Improvement, and Service Enhancement (Prop 1B) grant in the amount of \$1,015,390 for development of a Visitor/Sequoia Shuttle information center and/or additional parking near the Visalia Transit Center.
 - k) Authorization to file Notice of Completion for Pheasant Ridge Unit No. 1- Ferguson Avenue Extension, and adopt Resolution 2007-103 authorizing the acceptance of an "Irrevocable Offer of Dedication" for right-of-way purposes for Ferguson Avenue, as offered per Document No. 2005-0052961 T.C.R., dated May 20, 2005. **Resolution 2007-103 required.**
 - l) Authorization to record Final Map for Tentative Parcel Map 2007-05, located in the NW corner of Riggin Ave. and Dinuba Blvd. (3 lots), authorize the City Manager to sign the Subdivision Improvement and Reimbursement Agreements and authorize the formation of Landscape and Lighting District No. 07-17. APN 078-120-010. **Resolutions 2007-104 and 2007-105 required.**
10. Reconsideration of General Plan Amendment Initiation regarding land south of the St. John's River along the east side of North Dinuba Avenue.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Monday, January 7, 2008, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers
707 W. Acequia
- Tuesday, January 22, 2008, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers
707 W. Acequia
- Friday/Saturday, January 25-26, City Council Strategic Planning; Fri 12-9 p.m. Sat 8-3 p.m. –
Convention Center
- Tuesday, January 29, 2008; 6:00 p.m. - Joint Meeting with Visalia Unified School District –.5000
West Cypress Avenue, VUSD Board Room

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.

Any written materials pertaining to items on this agenda that are distributed to the Council are available for public review at the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291

City of Visalia Agenda Item Transmittal

Meeting Date: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Status Report on East Downtown Projects - Priority List and Schedule

Deadline for Action: None

Submitting Department:

Contact Name and Phone Number: Ricardo Noguera, Housing & Economic Development Director (713-4190)

Department Recommendation: Accept Status Report and file.

Summary/background: Over the past few years, the City/Agency have been actively engaged in a variety of studies and plans in the East Downtown area. Key activities which have commenced or been completed include:

- March 9, 2004: Retention of Race Studios to complete the East Downtown Strategic Plan. This Plan has been completed.
- May 27, 2005: Retention of Race Studios to complete the Civic Center Master Plan. This Plan is nearing completion.
- February 12, 2007: Retention of EDAW, Inc. to complete an Infrastructure & Parks Master Plan. This Plan is nearing completion.

The three plans above have progressed forming the foundation for specific projects to commence. These projects include the following (see attached aerial):

PROJECT	STATUS	KEY DATES
1. Right-of-way and Utility Improvements railroad improvements	Provost & Pritchard is in the process of preparing the scope of work to complete infrastructure improvements to cover both roadway and utilities between Tipton and Burke; will allow for a phased implementation approach. This will also take into consideration extending School Street between Tipton and Burke and extending Oak Avenue between Tipton and Burke with	Design process to be 3-4 months PUC Approval Process: Up to 6 months Construction process: 1 to 2 years

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 existing rail line down the center of the roadway.	
2a. East Downtown Overlay Zone	Staff is in the process of preparing a report to the Planning Commission and City Council to adopt the current Interim Ordinance as an Overlay Zone along with a Negative Declaration. The interim zone will have a sunset date of four years from adoption. During the 4-year period, staff intends to complete the Form-Based Code, the Civic Center Master Plan, Infrastructure & Parks Master Plan being prepared by EDAW, the East Central Framework Plan , and prepare a program EIR for these projects. Several of these items are nearing completion. The 4 year time frame is driven by completion of the East Central Framework Plan and EIR preparation.	Dec. 10, 2007 (Distribution of Neg Dec) Jan. 14, 2008 (Planning Commission Public Hearing) Feb. 4, 2008 (Council Public Hearing) Feb. 18, 2008 (Council 2 nd reading) Mid-March
2b. Form-Based Code	The East Downtown Form-Based Code is being prepared and will be completed by mid-March and presentations to community groups will follow. During this four year period, the City will encourage private investment in the area and public projects will continue such as the design and development of the Public Safety Building, infrastructure upgrades, the Buckman Mitchell development and other privately-financed projects. The reasoning behind the four year period is due to the need to prepare a Master EIR; complete studies for infrastructure and demand; complete environmental remediation of sites; and ultimately prepare the properties for future development.	
3. Goshen & Burke Undergrounding of Utilities	Staff are in the process of communicating with Southern Cal Edison regarding the potential to underground the utilities.	Depending on the power of the utilities, this process can take between 3-5 years.
4. Liner Building RFP	On Friday, November 16 th , two proposals were received in response to the RFP. The Allen Group and Regent Development Company both responded to the RFP. Staff are in the process of reviewing the proposals and will be forthcoming with recommendations in the coming weeks.	February 2008
5. Assessment of the East Downtown Redevelopment Project Area	On Monday, November 19, 2007, the Council approved the retention of Fraser & Associates to complete a Study encompassing projections for the four redevelopment project areas to determine	March 2008

	whether to extend their lives and complete financial analyses. This Study is expected to take approximately two months to complete with recommendations to be presented to Council.	
6. Public Safety Complex	Bruce Race and Paul Heath met with city staff during the week of November 12 th in order to complete space planning for both the Public Safety Complex and Liner Building. The results of the space planning will be utilized in the preparation of a Request For Qualifications (RFQ) for an architectural firm to complete architectural and construction plans for a new Public Safety Complex.	Space Plan should be completed by early January. The RFQ should be released in February and completed by June 2008.
7. Tipton/Oak Avenue Soil & Gas Study	The City has selected a local environmental and geotechnical firm of Enviro Solve to complete the vapor study. This study is required by federal and state agencies as a precautionary requirement to ensure that vapor will not be emitted into the new buildings (offices and parking structure) and to identify remedies in the event the Study's results are higher than anticipated.	Start: Early January 2008 Complete: Early April 2008
8. Grey Water Use in Creek	This is being examined by EDAW and their subcontractors.	Under Study
9. Brownsfield Work	Consultants have been selected to complete the cleanup and assessments in the East Downtown and of city-owned properties. The city has received a total of \$636,000 in Brownsfield grants to complete the work. The contract will be considered by Council on December 17 th .	Dec 17, 2007
10. Master EIR for Land Use Policy and Planning	Next Summer, the City will undertake a Master EIR which will incorporate the East Downtown, Central East area (north of Goshen Avenue) and the properties east of Ben Maddox Avenue.	Summer 2008
11. ImagineU Children's Museum & the City's Storm Pond Site	The non-profit organization has submitted preliminary conceptual plans for the site. Staff is working on accommodating the proposed layout and the City storm drainage needs within the site.	Ongoing
12. Buckman Mitchell Development	Three buildings totaling 93,000 square feet have been approved and one 32,000 square foot building is currently under construction.	Ongoing
13. Caltrans Property	The Police Athletic League (PAL) will use the site on a temporary basis for recreational purposes. The City's intent is to master plan the four acre site for development as part of	Ongoing

	the East Downtown Master Plan.	
14. Kugler Property	The City purchased this property in Spring 2007. The former owner has a total of two years to vacate his currently used portion of the site as he completes improvements to his new site. The City currently has no immediate plans for the site although the EDAW plan includes a combination of mixed-use (residential/office) and recreational activities in concert with the park and creek.	Summer 2009

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: None

Attachments:

- Aerial highlighting several of the projects listed above.

Recommended Motion (and Alternative Motions if expected): Accept Status Report and file.

Environmental Assessment Status

CEQA Review: Not necessary at this time.

NEPA Review: Not necessary at this time.

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Work session item to review Transportation Impact Fees and progress to date.

Deadline for Action: Not Applicable.

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli, Public Works Director, 713-4340
Eric Frost, Administrative Services Director, 713-4474

Staff recommends:

That the City Council:

1. receive staff's report and provide direction as appropriate
2. authorize the City Manager to execute developer reimbursement agreements between the City of Visalia and the following developers:

Kornwasser Properties for \$710,860.89
Joe Gong for \$106,675.66
West Coast Construction for \$532,927.45
McMillin Meadows for \$1,379,307.37
Sam Sciacca for \$444,608.83

Progress to Date Discussion

In the early 1990s, Transportation Impact Fees were established to fund the Circulation Element arterial/collector streets. In 2004, the City revised what transportation impact fees would pay for by requiring the fee to pay for all four lanes of a street while in the past, impact fees only paid for the inner two lanes of an arterial or collector street. This strategy change substantially increased the fee because the City's street responsibility was effectively doubled. In September of 2005, the per vehicle trip fees were increased to reflect escalated land values. Today's rate, including cost of living rate increases is \$667 per trip. The Council suspended, however, the fee increase for Commercial/Office and Industrial development. The current Commercial/Office rate is \$370 per trip and the Industrial rate is \$463 per trip.

Several attempts have been made to revise the fee. In its simplest form, the traffic impact fee is simply the following as shown in Formula #1, Circulation Element Calculation:

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 20

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____

(Initials & date required or N/A)

City Mgr _____
(Initials Required)

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Formula #1
Circulation Element Calculation

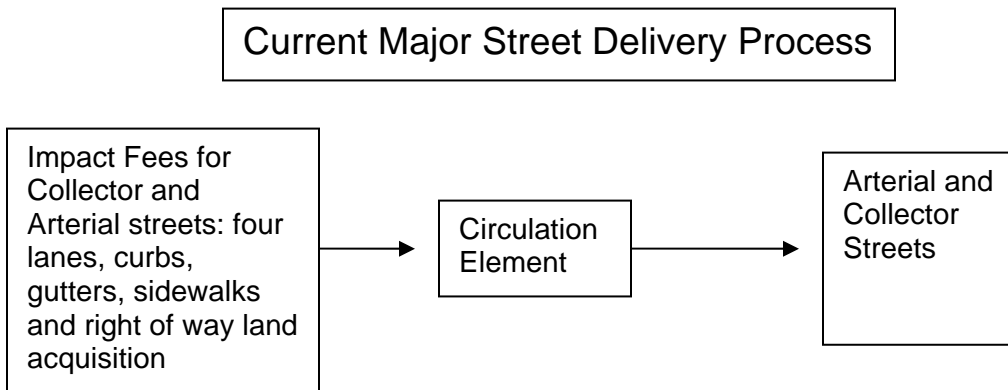
$$\frac{\text{Remaining Circulation Element to be funded after exhausting all other sources}}{\text{Trips that will be generated in the planning area}} = \text{cost per trip}$$

The resulting work has not been acceptable to date. Nevertheless, the cost of these streets is hundreds of millions of dollars. Staff is concerned that a fee level needs to be adequate to implement the traffic circulation element. At the same time, City staff recognizes that the law stipulates specific requirements for an impact fee to be assessed and is working to meet these legal tests.

Since staff's last report in September, a great deal of staff work has been done to examine the transportation impact fee plan and prepare it for review by Council. Although staff believes that it would be worthwhile to consider revising how the City assess Transportation Impact Fee, staff also believes that the City must first identify what needs to be changed in the transportation impact fee's current methodology before alternatives can be fairly considered.

Chart I, Current Major Street Delivery Process, graphically displays the City's current Impact fee model. With this model, staff has already identified a number of issues to be resolved, such as:

Chart I



One area that has received particular attention is developer reimbursements. Developers have become the major constructors of Circulation Element streets this last year. This activity has led us to consider the following:

- **Developer Reimbursements.** As developers build projects, streets are needed to support the project. With the current methodology, the City has a responsibility to fully pay for improvements to the major street system as shown in the Circulation Element. The current reimbursement agreements are negotiated one by one. Some projects are repaid by fee credits or future revenues that the City will receive as development occurs. Others are paid in cash. Project costs are subject to negotiations. Tentatively, staff believes that:

- **Reimbursement prices should be fixed.** Currently, each project's cost is negotiated. By setting a fixed price, the developer will be able to have some certainty about the City's contribution to a project. The City will also be able to assure that the fees being collected match the amount of money being reimbursed.
- **Favor fee credit reimbursements over cash payments.** If all the land could be developed at the same time, the fees would be sufficient to building the major street system as shown in the Circulation Element. The problem is that time is a wild card. Development sometimes takes a long time. The City's transportation impact fee is priced at cost. It does not benefit from speculation, a key incentive for developers. As a result, the City needs to be careful that cash payments are used secondarily in the developer reimbursement process.
- **A committee of City staff should review and forward all developer reimbursement agreements to Council.** Rather than individual staff being responsible for negotiating reimbursement agreements, a better approach would be to establish a committee of various City staff charged with reviewing developer reimbursement agreements. The committee would make recommendations on agreements in excess of \$100,000 to be forwarded to Council for approval.

Staff has already taken the initiative to form this committee and the committee is named the Development Reimbursement Review Committee (DRRC). The DRRC is comprised of management staff from the Public Works and Finance Departments. The DRRC reviews proposed development reimbursements to ensure that the costs are reasonable as compared to the City's costs for comparable capital projects and also compared to a unit construction cost schedule focused on the Visalia construction market prepared for the City by an engineering consultant. The DRRC will also be reviewing the actual cash reimbursement request packages that are submitted to the City after project completion and comparing costs with the original reimbursement agreement. If a project has significant changes resulting in a substantial increase in cash reimbursement, then the DRRC will be responsible to determine the appropriate course of action with Council and the City Manager.

- **Council should approve all developer reimbursement agreements in excess of \$100,000.** Staff realizes the importance in Council being made aware of each developer reimbursement agreement in excess of \$100,000. All Council agenda items involving a developer reimbursement agreement should include a summary of the key financial points of the reimbursement agreement and should include a request for Council to authorize the City Manager to execute the reimbursement agreement.

Staff has already implemented this change into Council agenda item transmittals, including this one. Staff is now requesting Council to authorize the City Manager to execute developer reimbursement agreements and is also including summary information on the key financial points of the reimbursement agreement.

In regards to Traffic Impact Fees, staff has completed the following tasks to date:

- Reviewed all General Plan amendments since the last update of the Circulation Element in 2001

- Revised the Circulation Element Map to reflect all updates
- Identified areas of concern such as streets that may need to be added to the Circulation Element
- Identified potential phasing of the Transportation Impact Fee to allow for phasing of the plan
- An initial meeting with MuniFinancial to review the City's process and jointly develop a work plan to bring the City's fee study to Council
- Several meetings with an informal group of developers interested in the City's efforts

Staff is now working on the following projects:

- An analysis of developable land and potential trip generation.
- Analysis of the traffic volumes on the major streets shown in the Circulation element as reported by TCAG. This information is necessary to verify that a street is needed within the Circulation Element's planning horizon.
- Circulation Element major street costs based upon a fixed unit cost, equal to a proposed fixed unit cost reimbursement.
- Comparative burden analysis comparing Visalia to neighboring communities.
- Public workshops to discuss the plan.
- Revised nexus report and resolution update.
- Development of administrative procedures to implement the revised fee.

The City has worked with MuniFinancial to develop a draft work plan shown as attachment #1. That work plan anticipates that the staff work would be completed by the end of February with work shops and public hearings being held in March and April and fee implementation at the end of June.

Development Reimbursement Review Committee

The DRRC began meeting on October 17 on a weekly basis. Engineering staff brings unexecuted reimbursement agreements to the DRRC for review and approval to forward to Council for authorization.

Engineering staff have brought to the DRRC four development projects that had substantially delayed reimbursement agreements. Engineering staff had done some initial work on these reimbursement agreements but for various reasons, the agreements were not finalized and fully executed. The development projects moved forward with their scheduled construction improvements to their private properties as well as the public street frontage improvements. Because of the newly implemented process involving the DRRC and Council authorization, these four completed projects are having after-the-fact reimbursement agreements approved under this new process. All four projects have been reviewed by the DRRC and are recommended for Council approval. The construction costs have been evaluated and compared with similar work done by the City on capital improvement projects and have been determined to be reasonable.

Visalia Pavilion Shopping Center

Visalia Pavilion was developed by Kornwasser Property out of Phoenix Arizona. The project site is located at the southeast corner of Chinowth St and Caldwell Ave. Winco Foods is the major tenant for the shopping center. The project was conditioned to

construct its major street frontages consisting of Chinowth St, Caldwell Ave and Demaree St. This work included curb, gutter, storm drainage and paving. The project was also conditioned to signalize the intersection of Chinowth St and Caldwell Ave. The project has required the dedication of 48,404 square feet of right of way for Chinowth St, Caldwell Ave and Demaree St. Upon completion of the major street construction, the developer submitted a reimbursement request package consisting of contracts, invoices and change orders. Staff has reviewed the package and agreed to a final cash payment to the developer. The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

VISALIA PAVILLION SHOPPING CENTER

Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$1,850,000.00	
To Date TIF Paid by Project	\$1,150,530.27	
Total Right of Way Credit		\$484,040.00
Total Actual Construction Cost of Arterials/Collectors		\$710,860.89
Total TIF Revenues/Expenditures:	\$1,850,000.00	\$1,194,900.89
Estimated TIF Revenue less Expenditures:	\$655,100.00	

Northside Shopping Center

Northside Shopping Center was developed by Mr. Joe Gong from Visalia. The project site is located at the southwest corner of Ferguson Ave and Dinuba Blvd. The project was conditioned to construct its major street frontages consisting of Ferguson Ave and Dinuba Blvd. This work included curb, gutter, storm drainage and paving. The project has required the dedication of 44,921 square feet of right of way for Ferguson Avenue. Upon completion of the major street construction, the developer submitted a reimbursement request package consisting of contracts, invoices and change orders. Staff has reviewed the package and agreed to a final cash payment to the developer. The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

NORTHSIDE SHOPPING CENTER

Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$2,140,000.00	
To Date TIF Paid by Project	\$756,010.00	
Total Right of Way Credit		\$449,210.00
Total Actual Construction Cost of Arterials/Collectors		\$106,675.66
Total TIF Revenues/Expenditures:	\$2,140,000.00	\$555,885.66
Estimated TIF Revenue less Expenditures:	\$1,584,100.00	

The Villas Apartments

The Villas Apartments was developed by West Coast Construction of Visalia. The project site is located at the southwest corner of K Avenue and Lovers Lane. The project was conditioned to construct its major street frontages consisting of K Avenue and Lovers Lane. This work included curb, gutter, storm drainage and paving. The project has required the dedication of 8,015 square feet of right of way for K Avenue. Upon completion of the major street construction, the developer submitted a reimbursement request package consisting of contracts, invoices and change orders. Staff has reviewed the package and agreed to a final cash payment to the developer.

The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

THE VILLAS APARTMENTS

Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$410,245.01	
To Date TIF Paid by Project	\$410,245.01	
Total Right of Way Credit		\$33,101.95
Total Actual Construction Cost of Arterials/Collectors		\$532,927.45
Total TIF Revenues/Expenditures:	\$410,245.01	\$566,029.40
Estimated TIF Revenue less Expenditures:	(\$155,800.00)	

City staff required the full width reconstruction and realignment of K Avenue along the full frontage of the project. This was required to convert the original County built road into a City standard street. The additional construction costs associated with this full width reconstruction resulted in the construction and right of way expenditures exceeding the transportation impact fee revenues from the project.

Pheasant Ridge Unit No. 1 – Ferguson Avenue Extension

McMillin Homes has two approved tentative subdivision maps named Pheasant Ridge and Eagle Creek as shown on the attached location map. There are a total of 8 phases of construction between these two subdivisions. As a condition of approval of these subdivisions, the City required that McMillin Homes grant irrevocable offers of dedication for arterial/collector right of way located outside the boundaries of the these subdivisions. The irrevocable offers included Ferguson Avenue extension to Shirk St, Shirk St from Ferguson Ave south to Doe Ave and Doe Ave from Shirk St. During the development of these subdivisions, the City negotiated with McMillin Homes for the purchase of 6.18 acres at the southeast corner of Ferguson Ave and Shirk St for the new Measure T funded Northwest fire station. Engineering staff and McMillin Homes discussed the need to extend Ferguson Avenue west to Shirk St. This connection of a collector to an arterial was discussed as being vital to allowing the Northwest fire station to provide timely emergency response to the adjoining neighborhoods in the vicinity. This connection would also provide another access point for the public to McMillin Homes subdivisions. The Pheasant Ridge Unit No. 1 subdivision was the specific phase of McMillin Homes subdivision projects that the Ferguson Avenue Extension was linked to. The transportation impact fees generated from McMillin Homes Pheasant Ridge and Eagle Creek subdivisions are being utilize to fund the portions of Ferguson Ave, Roeben St and Riggan Ave that are within the limits of these subdivisions. The Ferguson Avenue Extension is an collector street extension not intended to be paid with transportation impact fees generated from these subdivisions. The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

FERGUSON AVENUE EXTENSION

Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$0.00	
Fire Dept. Measure T Contribution	\$334,010.94	
Total Right of Way Credit		\$231,932.54

Total Actual Construction Cost of Arterials/Collectors		\$779,167.19
Total TIF Revenues/Expenditures:	\$334,010.94	\$1,011,099.73
TIF Revenue less Expenditures:	(\$677,088.79)	

Luisi Acres Unit No. 1 Subdivision

Luisi Acres subdivision was developed by Sam Sciacca of Visalia. Luisi Acres is a 7 phase tentative subdivision map that consists of 57 acres and 244 lots. The first phase project, Unit No. 1, is located at the northwest corner of Giddings St and Ferguson Ave. This first phase project was conditioned to construct the full street width of Ferguson Ave from Giddings St to the western boundary of Unit No. 1 resulting in a 64 foot curb to curb collector street extension of 870 feet. The project also completed the widening of Giddings St to its full street width along the eastern frontage of the subdivision. This work included curb, gutter, storm drainage and paving. The project has required the dedication of 55,756 square feet of right of way for Ferguson Ave. The City did not assign any transportation impact fee credits to the individual lots within the project because the developer was not going to be the home builder obtaining building permits. Upon completion of the major street construction, the developer submitted a reimbursement request package consisting of contracts, invoices and change orders. Staff has reviewed the package and agreed to a final cash payment to the developer. The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

LUISI ACRES UNIT NO. 1

Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$186,000.00	
To Date TIF Paid by Project	\$108,000.00	
Total Right of Way Credit		\$83,076.44
Total Actual Construction Cost of Arterials/Collectors		\$361,532.39
Total TIF Revenues/Expenditures:	\$186,000.00	\$444,608.83
Estimated TIF Revenue less Expenditures:	(\$258,600.00)	

City staff required the full street width construction of Ferguson Avenue along the full frontage of the first phase project in anticipation of the future 6 phases adding additional lots and further extending Ferguson Avenue west to Mooney Blvd. The additional construction costs associated with this full street width construction resulted in the construction and right of way expenditures exceeding the transportation impact fee revenues from the project.

Summary

Staff has made good progress in understanding and improving the administration of the Transportation Impact Fee program. The DRRC has helped provide a more consistent review process. The current work with MuniFinancial is designed to have proposed revisions to the transportation impact fees by the end of March 2008 with time to conduct a number of public meetings and potential implementation by June of 2008.

Prior Council/Board Actions:

Authorization to hire traffic impact fee consultants – September 17, 2007

Certification of Final Environmental Impact Report (FEIR) for the General Plan Circulation Element Update, Resolution No. 2001-19 – May 2, 2001.
Adoption of General Plan Amendment No. 2002-22 relating to the Circulation Element of the General Plan, Resolution No. 2001-20 – April 2, 2001
Increase in the Traffic Impact Fee as recommended by the Circulation Element Update, Resolution No. 2001-23 – April 2, 2001
Resolution No. 2004-76 – Increase in Transportation Impact Fees – August 2, 2004
Resolution No. 2004-117 – Adoption of 2004/2005 Transportation Impact Fee
Resolution No. 2005- –Suspending the 2004/2005 Transportation Impact Fees and Implementing Modified Fees

Committee/Commission Review and Actions:

October 17, 2007 - Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement with Kornwasser Properties for Visalia Pavillion Shopping Center to go to Council for authorization.

October 17, 2007 - Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement with Joe Gong for Northside Shopping Center to go to Council for authorization.

October 31, 2007 - Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement with West Coast Construction for The Villas Apartments to go to Council for authorization.

October 24, 2007 - Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement with McMillin Meadows for Pheasant Ridge Unit No. 1 – Ferguson Avenue Extension to go to Council for authorization.

December 12, 2007 - Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement with Sam Sciacca for Luisi Acres Unit No. 1 to go to Council for authorization.

Alternatives:

Attachments: Developer Reimbursement Agreements, Location Maps

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

Financial Impact

Funding Source:

Budget Recap:

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes ____	No <u>XX</u>

Environmental Assessment Status

CEQA Review: No

NEPA Review: No

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

None

Attachment #1

PROPOSED WORK PLAN and SCHEDULE for Road Fee Program Update

Task / Meetings & Major Deliverables	Assigned to	4Q 2007		1Q 2008			2Q 2008		
		Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Immediate Action Tasks for City Reimbursement Process									
<i>Full Day All Hands Kickoff Meeting</i>									
Provide example developer reimbursement agreements and policies	City and Muni	◆							
Notify stakeholders of City's intention to update fee program	Muni	⌘							
Use independent standards of industrial employees per acre	City								
	City and Muni								
Fee Program Update with Four Stakeholder Meetings and Two Council Workshops²									
Task 1: Establish Growth Assumptions									
Validate Land Use Assumptions in Model									
Delete Lands North of St. John's River	TCAG								
Adjust Infill Development Rate Using Vacant Land Supply Study	City and Muni		⌘						
<i>Stakeholder Meeting #1 (Includes prep and handouts)</i>	Muni		◆						
Task 2: Establish Facility Needs At Horizon Year									
Define Road Network and Improvement List	City and TCAG								
Include Unfunded Reimbursements	City and TCAG								
Include Incomplete Streets Not in Program	City and TCAG								
Include New Projects	City and TCAG								
Add Signals at Identified Intersections	City and TCAG								
Perform Traffic Model Run for Horizon Year	TCAG								
Receive LOS Data and Screen Fee Program Eligible Projects	City and Muni			⌘					
<i>Stakeholder Meeting #2 (Includes prep and handouts)</i>	Muni			◆					
Task 3: Determine Facility Costs									
Apply Provost & Pritchard Data to Eligible Project List	City								
Estimate Existing Deficiencies and Remove	City								
Task 4: Describe Long Range Funding									
Ensure Fee Program, Measure R, and State Grants Fund At Most 100% of Capital Project Costs	City								
Refine Road Funding Plan Statement of Revenues and Costs	City								
<i>Stakeholder Meeting #3 (Includes prep and handouts)</i>	Muni			⌘					
Task 5: Allocate Costs									
Apply Trip Generation Factors to Land Uses	Muni								
Decide Policy on Infill Development	City								
Provide Draft Fee Schedule	Muni								
Task 6: Conduct Burden Analysis									
Collect Data on Fees in Comparable Jurisdictions	City								
Evaluate Market Conditions	Muni								
Compare Fees per Unit or per Sqft	Muni								
<i>Stakeholder Meeting #4 (Includes prep and handouts)</i>	Muni			⌘					
Task 7: Involve Council Beyond Stakeholder Participation									
<i>Council Workshop #1 (Includes prep and handouts)</i>	Muni				◆				
<i>Council Workshop #2 (Includes prep and handouts)</i>	Muni				◆				
Task 8: Prepare Nexus Report, Ordinance, and Resolution									
Administrative Draft Nexus Study	Muni								
Public Draft Nexus Study and Fee Schedule	Muni								
Draft Ordinance and Resolution	City								
<i>First Public Hearing</i>	Muni						◆		
Final Draft	Muni						⌘		
<i>Second Public Hearing & Board Adoption</i>	Muni							◆	
Task 9: Develop Administrative Procedures with City Staff									
Draft Implementation Assistance	Muni								⌘
<i>Staff Training Workshop</i>	Muni								◆
Begin Collection Of Revised Fees									☒
Total, Tasks Marked Muni									
Total, All Tasks³									

Key:
 ◆ = Meeting ⌘ = Deliverable

ACTION

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Vincent Salinas



VICE CHAIRPERSON:

Lawrence Segrue

COMMISSIONERS PRESENT: Sam Logan, Vincent Salinas, Adam Peck, Larry Segrue, Terese Lane

MONDAY DECEMBER 10, 2007; 7:00 P.M., CITY HALL WEST, 707 WEST ACEQUIA, VISALIA CA

- 7:00 TO 7:00 1. THE PLEDGE OF ALLEGIANCE
- 7:00 TO 7:19 2. CITIZEN'S REQUESTS - The Commission requests that a 5-minute time limit be observed for requests. Please note that issues raised under Citizen's Requests are informational only and the Commission will not take action at this time.
- 7:19 TO 7:19 3. CITY PLANNER AGENDA COMMENTS –
- 7:19 TO 7:19 4. CHANGES TO THE AGENDA – No changes to agenda
- 7:19 TO 7:19 5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
- Time Extension for Variance No. 2006-07
 - Time Extension for Renaissance Town Homes Vesting Tentative Subdivision Map No. 5469 and Conditional Use Permit No. 2004-49
 - Time Extension for Emerald Creek Tentative Subdivision Map No. 5453 and Conditional Use Permit No. 2004-41
- 7:19 TO 7:27 6. PUBLIC HEARING – Janet Jiggerian, presented by Paul Scheibel
- a) Conditional Use Permit No. 2007-52: A request by Cooper & Radish to develop a 22,216 sq. ft. parcel with two general office buildings totaling 6,088 sq. ft. on two lots in the OG (Office Garden) zone. The site is located on the north side of Mineral King, approximately 360 feet west of Chinowth St. APN: 07629 (a portion of former APN 085-080-033).
 - b) Fontana Ranches Tentative Parcel Map No. 2007-14: A request by Cooper & Radish to divide a 22,216 sq. ft. parcel into two lots for office development in the OG (Office Garden) zone. The site is located on the north side of Mineral King, approximately 360 feet west of Chinowth St. APN: 07629 (a portion of former APN 085-080-033).

Consent Calendar was approved as recommended (Peck, Logan) 5-0

Approved as recommended (Segrue, Logan) 5-0

Open: 7:26
Close: 7:26

7:27 TO 7:35

Approved as recommended (Logan, Segrue) 5-0

Open: 7:32
Close: 7:33

7. PUBLIC HEARING –Janet Jiggerian, presented by Paul Scheibel Conditional Use Permit No. 2006-23: a request by Community Education Broadcasting/KDUV to allow a 9,300 sq. ft. office building for a radio station with off-site broadcasting antennas in the C-R (Regional Commercial). The site is located on the east side of Fairway Street, approximately 150 ft. south of Dorothea Avenue APN: 122-300-034.

7:35 TO 7:48

Approved as recommended (Lane, Segrue) 4-1 Salinas voted no

Open: 7:44
Close: 7:46

8. PUBLIC HEARING – Presented by Teresa Nickell Conditional Use Permit No. 2007-59: A request by Donahue Schriber to allow a 3,915 sq. ft. fast-food restaurant with a drive-thru lane on an out-pad of an approved retail center totaling 299,798 sq. ft. on 23.4 acres in the Community Commercial (P-C-CM) zone. The site is located on the northeast corner of Dinuba Highway and Riggins Avenue (Orchard Walk Specific Plan). APN: 079-071-011.

7:48 TO 7:58

Approved as recommended (Logan, Lane) 5-0

Open: 7:56
Close: 7:58

9. PUBLIC HEARING – Presented by Teresa Nickell Conditional Use Permit No. 2007-58: A request by Donahue Schriber to allow a 10,000 sq. ft. retail building with a drive-thru lane on an out-pad of an approved retail center totaling 299,798 sq. ft. on 23.4 acres in the Community Commercial (P-C-CM) zone. The site is located on the northeast corner of Dinuba Highway and Riggins Avenue (Orchard Walk Specific Plan). APN: 079-071-011.

7:58 To 7:58

10. DIRECTOR'S REPORT/PLANNING COMMISSION DISCUSSION: Safety Evacuation hand out provided to each Commissioner.

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY JANUARY 14, 2008
CITY HALL COUNCIL CHAMBERS
707 WEST ACEQUIA**

7:58 TO 7:58
Motion to Adjourn (Segrue, Salinas) 5-0

City of Visalia Agenda Item Transmittal

Meeting Date: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9c

Agenda Item Wording: Request to revise the payment length on the Chamber's Parking In-lieu note and permit quarterly payments on the Parking In-lieu and Land Purchase notes.

Deadline for Action: None

Submitting Department: Administrative Services

Contact Name and Phone Number: Eric Frost, x4474

Department Recommendation: That the Council grant the Chamber of Commerce request to revise the payment length on their Parking In-lieu note and permit quarterly payments on both the Parking In-lieu and Land Purchase notes.

Summary/background:

The City of Visalia, as part of the development of the current Chamber of Commerce Building at 415 E. Oak, entered into two promissory notes with the Chamber. One note is for the purchase of the land for the Chamber site. The Chamber of Commerce is current with that note. The second note is also part of the building's development and satisfies an in-lieu parking payment required as part of developing in Visalia's downtown. Currently, the Chamber has not paid this year's in-lieu note payment. The current terms of both notes are shown in Table I, Chamber Promissory Notes:

Table I
Chamber of Commerce Promissory Notes

	Land Note	Parking In-lieu Note
Original Principal	\$87,732	\$63,839
Current Principal	\$81,863	\$51,071
Origination Date	5/31/2005	5/31/2005
Original Term	20 years	5 years
Interest Rate *	4.24%	5.24%

* The land note reprices every 5 years to prime rate – ½%, bound by no more than 2% above or 1% below the initial rate.. The Parking in-lieu note was set to the City's idle cash portfolio rate plus 2%.

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 Chamber of Commerce has approached the City, requesting a restatement of the two notes which will allow the Chamber to meet their financial commitment to the City without damage to the City. Their request is to do the following:

- Convert both notes to quarterly payments
- Reamortize the current 5 year parking in-lieu note to 10 years
- Make the next scheduled payment on both notes as of August, 2008

These changes are designed to better coincide with the Chamber of Commerce's cash flow. The Chamber is asking that the terms be modified so that it can meet its financial commitments within its financial means. The proposed changes postpone when the City will receive its money back but will provide more interest payments to the City.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: The Council could not approve the changes but enforcement of the note would be more costly than the proposed restatement.

Attachments:

Recommended Motion (and Alternative Motions if expected): I move to authorize the reamortizing of the Chamber of Commerce's Parking In-lieu Note from 5 years to 10 years and the conversion of both the Land and Parking In-lieu notes from annual to quarterly payments.

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9d

Agenda Item Wording: Authorization for City Manager to execute contracts with "GEOCON" Consultants and "Brown and Caldwell" Consultants using approved EPA Grant funds for Brownfield Assessments and Cleanup.

Deadline for Action: NA

Submitting Department: Community Development

Contact Name and Phone Number: Fred Brusuelas 713-4364

Department Recommendation: Staff recommends the City Council authorize the City Manager to execute contracts with Brownfield consultants: "GEOCON" for *Assessments* and "Brown and Caldwell" for *Cleanup*.

Summary/background: The City of Visalia was awarded four separate EPA Brownfield Grants totaling \$636,000 for use in the East Downtown area. The grants comprise; one \$200,000 Hazardous Substances Assessment Grant; one \$200,000 Petroleum Assessment Grant; one \$164,000 Hazardous Substance Cleanup Grant for the northwest corner of Burke and Oak Street; and one \$ 72,000 Hazardous Substance Cleanup Grant for the northeast corner of Burke and Oak Street. City matching funds are a requirement for the cleanup grants in the amount of \$41,000 and \$18,000 respectively.

The cleanup grants for sites at the northwest and northeast corners of Burke Street and Future Oak street extension will remediate contamination on property purchased by the city from the Union Pacific Railroad Company several years ago. These sites are designated for the future Civic Center.

Request for Proposals were sent to qualified Brownfield consultants and an internal selection committee interviewed ten firms. The selection committee recommended consultants were "GEOCON" Consultants to perform Brownfield Assessments (\$ 400,000) and "Brown and Caldwell" Consultants to perform Brownfield Cleanup (\$236,000). The selection committee determined these firms are the most qualified and experienced to perform the Brownfield tasks.

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.):_NA_____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Prior Council/Board Actions: The City Council has previously authorized the City Manager to execute EPA Brownfield Grant funds.

Committee/Commission Review and Actions: NA

Alternatives: Consider other Brownfield consultants to perform contractual work.

Attachments: "GEOCON" Consultants – Scope of Work for Brownfield Assessments
"Brown and Caldwell" Consultants - Scope of Work for Brownfield Cleanup
Map of Subject Area

Recommended Motion (and Alternative Motions if expected): I move the City Manager be authorized to execute the Brownfield Assessments and Clean-up contracts with GEOCON Consultants and Brown and Caldwell Consultants.

Environmental Assessment Status

CEQA Review: NA

NEPA Review: NA

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9e

Agenda Item Wording: Approval of the 2007/08 transit agreement with Tulare County.

Deadline for Action: December 17, 2007.

Submitting Department: Administration – Transit Division

Contact Name and Phone Number:

Monty Cox 713-4591

Department Recommendation: Approve the 2007/08 transit agreement with Tulare County and authorize the City Manager to execute the necessary documents.

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

The agreement includes a transfer of \$395,328 from the County to the City equal to the County portion of the VCC service provided. Of this amount \$138,360 is transferred from the County's portion of the Local Transportation Fund and the remainder \$254,967 is comprised of federal funds and farebox revenues which the City collects and retains. This \$395,328 covers the service to Goshen and the other county pockets within the Visalia Urbanized Area. It does not include any service to Farmersville or Exeter as this will be addressed through separate agreements with those cities.

Various formulas are used to determine the percentage of service provided to the County and then this percentage is applied to the entire VCC budget to determine the County's share. The formulas were developed the first year of the annual agreement in 1981 and updated each year since. The formulas for Fixed Route are based on a percentage of the cost to provide service for customers who reside in the County (Fixed Route 23.6%), a multiplier factor adjusting for the distance to run the service for the County 9.7, and the number of service hours expended within the County areas. The formulas for DAR are based on ridership and the cost per hour to operate since it's not on a specific route. The share of the cost (20%) for a Fixed Route and DAR bus was also factored in. The funds are taken from the County's share of the Federal Transit Administration (FTA) Section 5307, County Local Transportation Fund and farebox revenues.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

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

Committee/Commission Review and Actions: None

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

Attachments: Copy of the Agreement

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move that the City Council approve the 2007/08 Transit Agreement between the City of Visalia and the County of Tulare providing Visalia City Coach (VCC) service to the unincorporated sections of the greater Visalia Urbanized Area contiguous to the City, and authorize the City Manager to execute the necessary documents.

Financial Impact

Funding Source:

Account Number:

Budget Recap:

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

Environmental Assessment Status

CEQA Review:

Required? No
Review and Action: Prior:
Require:

NEPA Review:

Required? No
Review and Action: Prior:
Require:

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9f

Agenda Item Wording: Request authorization to submit a Bicycle Transportation Account (BTA) grant application to install Class 2 bike lanes on Noble Avenue and Mineral King Avenue between Akers Street and Mooney Boulevard and adopt Resolution No. 2007-102 to provide the 10% local match from the Transportation Fund for this and any future BTA Grant applications.

Deadline for Action: December 17, 2007 (Grant must be received by Caltrans prior to the next Council meeting.)

Submitting Department: Public Works Department

Contact Name and Phone Number: Michael Carr 713-4595,
Andrew Benelli 713-4340

Department Recommendation: Staff recommends that authorization be given to staff to submit a BTA grant application to install bike lanes on Noble Avenue and Mineral King Avenue between Akers Street and Mooney Boulevard. Staff further recommends that the Council adopts Resolution No. 2007-102 to provide the required 10% local match from the Transportation Fund for this and any future BTA Grant applications.

Summary/background: On February 21, 2006, the City Council adopted the 2006 Bikeway Plan Update, Mitigated Negative Declaration and formed the Bike, Trail, and Pedestrian Advisory Committee. By adopting the Bikeway Plan, the City positioned itself to be eligible to apply for State Bicycle Transportation Account (BTA) funds to build bike facilities.

The Bicycle Transportation Account (BTA) is a fund set up by the State to fund, at up to 90%, the construction of new bicycle facilities. The recipients of the grants are responsible for providing at least 10% of the funding. By authorizing staff to apply for this BTA grant, Council is also authorizing payment of the local match money from the Transportation Fund. It is estimated that the new bike paths would cost approximately \$155,000 to complete. Therefore, the grant would pay \$139,500, and the City of Visalia would match that with \$15,500.

By definition, a Class II Bike Path is one that is a painted path on a paved roadway next to the motor vehicle travel lanes. The project would include painted lanes to ride in, stenciled "bike path" markings on the pavement, and proper signing at ¼-mile intervals.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.):_1__

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

The sections of pathway to be completed will be a very nice amenity for the City of Visalia. The lanes will provide an east-west couplet that allows riders on Noble to access the College of Sequoias; a regional commercial development containing a Super K-Mart, Save Mart and various eating establishments; the Fresno Pacific University Visalia Annex; another commercial development consisting of a Vons grocery store, Long's Drugs, specialty shops, Chuck E. Cheeze's, Roller Towne skate rink, and many restaurants; three motels; the CHP; and an eye doctors office. A quarter-mile south is the Kaweah Delta Hospital's Cancer Center and Lifestyles Fitness Center. On the north side of Mineral King is the County Civic Center with courthouse, jail, Office of Education, Agriculture building, and Board of Supervisors; The Lamp Litter motel; a professional office complex; McDonald's; a doughnut shop; and a complex containing Denny's, Pizza Hut, a post office, gas station, Marriott Hotel, and various professional offices. With the student population, the Civic Center employees, and all of the businesses and commercial buildings accessible by the bike lanes, this could easily be one of the most-used commuter bicycle facilities in the City of Visalia.

The City plans to retain all on-street parallel parking where it is regularly used for businesses. In such areas, the width of the traffic lanes will be reduced to accommodate the bike lanes. Parking on Mineral King and Noble will be eliminated where businesses do not exist or are set back off of the street and in front of the Mineral King Plaza shopping center (Vons) and the Visalia Marketplace shopping center (Save Mart and K-Mart). At locations where no parking is allowed, the painted bike lane will be adjacent to the curb.

Prior Council/Board Actions: Adopted the 2006 Bikeway Plan Update On February 21, 2006, and Mitigated Negative Declaration.

Committee/Commission Review and Actions: Staff was instructed to apply for the BTA grant by the Bike, Trail, and Pedestrian Advisory Committee.

Alternatives: None. Council will not meet again prior to the application deadline.

Attachments: Location Map; Resolution No. 2007-102 authorizing the application and matching funds.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I hereby move to authorize staff to submit a Bicycle Transportation Account grant application to install Class 2 bike lanes on Noble Avenue and Mineral King Avenue between Akers Street and Mooney Boulevard and adopt Resolution No. 2007-102 providing the 10% local match from the Transportation Fund for this and any future BTA Grant applications.

Financial Impact

Funding Source:

Account Number: 1611 (Transportation Fund)

Budget Recap:

Total Estimated cost:	\$155,000.00	New Revenue:	\$ 139,500
Amount Budgeted:	\$ 15,500.00	Lost Revenue:\$	
New funding required:\$		New Personnel:	\$
Council Policy Change:	Yes_____ No <u>X</u>		

Environmental Assessment Status

CEQA Review:

Required? Yes

Review and Action: Prior: Mitigated Negative Declaration adopted 2/21/06

Require:

NEPA Review:

Required? No

Review and Action: Prior:

Require:

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

Copies of this report have been provided to:

RESOLUTION NO. 2007-102

**A RESOLUTION
OF THE VISALIA CITY COUNCIL
TO AUTHORIZE APPLICATION FOR
BICYCLE TRANSPORTATION ACCOUNT GRANT**

WHEREAS, the City of Visalia has the Circulation Element of the General Plan which identifies the goal of encouraging bicycle usage in Visalia for commuting and recreation purposes and sets objectives to achieve this goal; and

WHEREAS, the City of Visalia Bikeway Plan Update was prepared by the City of Visalia in accordance with all applicable portions of State of California Planning and Zoning Law; and

WHEREAS, the State of California has set up a Bicycle Transportation Account to fund up to ninety-percent of the cost of bicycle facility projects that are included in an adopted and approved Bikeway Plan; and

WHEREAS, the City of Visalia Bikeway Plan Update was adopted by the Visalia City Council during a regular meeting held on February 21, 2006; and

WHEREAS, the City of Visalia has included in its adopted and approved Bikeway Plan Update the addition of new bike facilities within the Visalia city limits; and

WHEREAS, the City of Visalia has determined that the ten-percent local matching funds shall be paid from its Transportation Account.

NOW, THEREFORE BE IT RESOLVED that the Visalia City Council does hereby authorize staff to submit Bicycle Transportation Account grant applications to the State of California, both now and in the future, to fund new bicycle projects in the City of Visalia.

NOW, BE IT FURTHER RESOLVED that the Visalia City Council does hereby approve that a 10% local match of funds be paid from the City of Visalia's Transportation Account for all BTA grants awarded from this day forward.

PASSED AND ADOPTED:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9g

Agenda Item Wording: Authorization for staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$400,000 for the Packwood Creek/Walnut Avenue Trail, \$700,000 for the Santa Fe Railroad Trail, \$600,000 for the Packwood Creek/Caldwell Trail, \$275,000 for a new traffic signal at the intersection of Demaree Street and Ferguson Avenue and \$275,000 for a new traffic signal at the intersection of Walnut Avenue and Santa Fe Street.

Deadline for Action: December 17, 2007

Submitting Department: Public Works Department

Contact Name and Phone Number: Adam Ennis, 713-4323; Paul Shepard, 713-4209 and Andrew Benelli, 713-4340

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1

Review:

Dept. Head _____

Finance	<u> N/A </u>
City Atty	<u> N/A </u>
City Mgr	<u> — </u>

Department Recommendation: It is recommended that the Council authorize staff to apply for Congestion Management Air Quality (CMAQ) grants in the amounts of \$400,000 for the Packwood Creek/Walnut Avenue Trail, \$700,000 for the Santa Fe Railroad Trail, \$600,000 for the Packwood Creek/Caldwell Trail, \$275,000 for a new traffic signal at the intersection of Demaree Street and Ferguson Avenue and \$275,000 for a new traffic signal at the intersection of Walnut Avenue and Santa Fe Street. If successful, the grant funds would become available to the City in FY 2011-2012.

Summary/background:

CMAQ grants are funded with federal funds that are administered through the Tulare County Association of Governments (TCAG). The three trail projects would provide landscaped pedestrian/bike trails at the following locations: the Packwood Creek/Walnut Avenue Trail would extend along Packwood Creek from Cedar Street to the railroad crossing located between Ben Maddox Way and Santa Fe Street (See Exhibit #1), the Santa Fe Trail would extend along the future Santa Fe Street alignment from Houston Avenue to Riggan Avenue (See Exhibit #2) and the Packwood Creek/Caldwell Trail would extend along Packwood Creek from Caldwell Avenue to Cameron Avenue (See Exhibit #3). The traffic signal projects would provide for new, complete traffic signals at the intersections of Demaree Street and Ferguson Avenue (See Exhibit #4) and at the intersection of Walnut Avenue and Santa Fe Street (See Exhibit #5).

If awarded, these grants would require an 11.5% non-federal funds match. The match for the trails would be \$46,000 for the Packwood Creek/Walnut Avenue Trail, \$80,500 for the Santa Fe Railroad Trail and \$69,000 for the Packwood Creek/Caldwell Trail. The match for the traffic

signal projects would be \$31,625 for each project. Staff confirms that non-federal funds are available to meet this match. The match for the trail projects would most likely come from the Measure R Funding. The traffic signal match would come from the appropriate enterprise funds.

The City of Visalia has been very successful in competing for these grants over the past few years. The City has been awarded funds for new transit routes including the popular Route 9 expansion to include the Eastern side of Visalia, Farmersville and Exeter, new fixed route transit buses in 2004, 2006 and ordered for 2008 and 2010, Dial-A-Ride and Trolley CNG vehicles which were just ordered, and CNG solid waste vehicles. The City of Visalia has also been awarded CMAQ grants in the past for traffic signal synchronization projects. A portion of the currently available CMAQ grants is intended to be used specifically for trail projects.

The TCAG Board has allotted the CMAQ funds for the next two years, therefore, new funding will not be available until 2011-2012. In that year, \$4 million in funding is expected, \$2 million for Measure R bicycle path projects, and \$2 million for general projects that will reduce the level of PM10's in the air. The projects are assessed based on a points system that is directly tied to the reduction of PM10's, the use of alternative fuels and the improvement in air quality. For those reasons, staff believes the trail projects, which promote alternative transportation and therefore reduce the number of cars on the road, and the new traffic signals which will reduce the wait times for vehicles emitting emissions at busy intersections, will score especially well in the process.

While the City of Visalia requests more than the total amount of funding available to the whole County, staff believes it is prudent to apply to meet all current needs. In the past, additional funds have become available, or other jurisdictions have not been able to use the funds allotted them, and the City of Visalia has been awarded additional funds. Applying for funds to meet all current needs puts Visalia in a position to be able to capitalize on appropriate opportunities should they arise.

Applications are due for final submission in early January. The awards should be announced by March 15, 2008.

Prior Council/Board Actions: On December 3, 2007 the City Council authorized staff to submit CMAQ applications to purchase transit buses and solid waste trucks.

Committee/Commission Review and Actions: N/A

Alternatives:

Not apply

Attachments: Exhibit #1 –Packwood Creek/Walnut Avenue Trail, Exhibit #2 –Santa Fe Trail, Exhibit #3 –Packwood Creek/Caldwell Trail, Exhibit #4 – Demaree Street and Ferguson Avenue Traffic Signal, Exhibit #5 – Walnut Avenue and Santa Fe Street Traffic Signal.

Recommended Motion (and Alternative Motions if expected):

I move to authorize staff to apply for Congestion Management Air Quality (CMAQ) grants for the Packwood Creek/Walnut Avenue Trail, the Santa Fe Railroad Trail, the Packwood Creek/Caldwell Trail, a new traffic signal at the intersection of Demaree Street and Ferguson Avenue and a new traffic signal at the intersection of Santa Fe Street and Walnut Avenue for 2011-2012.

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9h

Agenda Item Wording: Award Landscape Maintenance Contracts districts A and districts B to Patrick Brumm of Sacramento Weed and Growth Regulators per specifications of RFB 07-08-21.

Deadline for Action: December 17, 2007

Submitting Department: Parks and Recreation Department, Urban Forestry Division

Contact Name and Phone Number:

David Pendergraft, Parks & Urban Forestry Supervisor, 713-4295

Department Recommendation:

Staff recommends that Patrick Brumm, Sacramento Weed and Growth Regulators, be awarded the maintenance contracts for District A, for maintenance of 1,139,884 sq. ft. @ \$129,942.24 per year and District B, which has 1,093,526 sq. ft. @ \$124,662.00 per year.

Background:

For the last five years the landscape and lighting district for A and B has been maintained by Primow Landscape. The contract for Primow Landscape expires December 31, 2007. Per the Cities Purchasing Policy, all contracts must be re-bid after the fifth year.

On November 2nd and November 9th, 2007, bids were solicited by advertising in the Visalia Times Delta and by mailing bid notices to contractors. In addition, the bid was also posted on Bid-Net and approximately 100 letters were sent out to various companies from Fresno to Bakersfield and in between.

Due to the large square footage, the work was split into to two options: Districts A and Districts B. Four contractors submitted bids as shown below.

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Bidders Name	District A	District B
--------------	------------	------------

Sacramento Weed & Growth Regulators	\$ 129,942.24	\$ 124,662.00
A 3 in One Design	\$ 149,775.49	\$ 149,594.28
Primow Landscape	\$ 159,578.16	\$ 153,093.60
Perfect Care	\$ 238,854.28	\$ 229,004.92

City staff has called the references provided by Sacramento Weed & Growth Regulators. All references were very positive with their level of work. In addition, Patrick Brumm is currently maintaining two Landscape and Lighting District contracts for the City of Visalia. Since September 1st, 2006, he currently has maintenance contracts for District C which has 10.4 acres and District E which has 9.47 acres.

Since February 15th, 2007, as part of a separate Median and Roadsides Public Works-Streets contract, Sacramento Weed has also maintained the Santa Fe Trail & Roadside, Houston Triangle, Goshen Bike Path totaling 83.00 acres. With the addition of District A @ 26.16 acres and District B @25.10 acres, Sacramento Growth and Weed Regulators will now be maintaining a total of 154.13 acres.

Sacramento Weed has been very easy to work with and has shown a high level of responsiveness to the needs of the districts currently being maintained. All of his references show a high level of professionalism. He also has the personnel and equipment to maintain these areas with a very high level of quality.

The contractual agreement is for a one-year period, but can be extended by the City for a period not-to-exceed five years providing satisfactory performance is provided by Sacramento Weed. The services for this contract are budgeted in the Landscape and Lighting Fund (1513) and will not need a budget amendment.

Attachments:

- List of References for Sacramento Weed and Growth Regulators
- Bid Summary Sheet
- Location maps for Landscape and Lighting Districts A and B

Recommended Motion (and Alternative Motions if expected):

Staff recommends that Patrick Brumm of Sacramento Weed and Growth Regulators, be awarded the maintenance contracts for District A in the amount of \$129,942.24 per year and District B in the amount of \$124,662.00 per year per specifications of RFB -07-08-21.

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9i

Agenda Item Wording: Award contract for the renovation of the Plaza Park irrigation system for the bid amount of \$607,496.80 to Westscapes, Inc. in accordance with bid specifications of RFB 07-08-33.

Deadline for Action: December 17, 2007

Submitting Department: Parks and Recreation Department,
Parks Division

Contact Name and Phone Number:

Vincent Elizondo, Director of Parks & Recreation, 713-4367

Department Recommendation:

City staff recommends that Westscapes, Inc. from Hanford, CA. be awarded a contract for the Plaza Park irrigation renovation project for the base amount of \$457,420.15, and include Alternate Bid 1 in the amount of \$38,848.42, and Alternate Bid 2 in the amount of \$111,228.23 for a total bid amount of \$607,496.80.

Background:

As part of the City's 2006-08 budget, the City Council authorized a major capital improvement project in the amount of \$770,200.00 for the renovation of the existing irrigation system at Plaza Park. The project account number is 0011-0-72-0-9754.

The Base bid includes a new irrigation system in the area south of West Airport Drive; modifications to the existing pump and filtration system; and installation of satellite controllers. Bid alternate 1 includes a site water system for both domestic uses and a quick coupler system. The current system does not meet code and is in poor working condition. Alternate Bid 2 includes a new irrigation system in the area north of Plaza Drive (dog park and ballfield #5 area). The existing irrigation system is over 25 years old.

On November 12th and November 19th 2007, bids were solicited by advertising in the Visalia Times Delta and by mailing bid notices to contractors. In addition, the bid was also posted on

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.

Bid-Net. Bids for the Plaza Park irrigation system were received on December 6, 2007. Seven (7) bidders participated in the process and the bids were very competitive (see Exhibit A). The engineer's estimate provided by our design consultant, Blair, Church, and Flynn was \$822,175 (\$598,530 for the base bid, \$51,282 for Alt. Bid 1, and \$172,362 for Alt. Bid 2). The low bid of \$607,496 provided by Westscapes, Inc. was \$214,496 below the engineer's estimate. As you can see, the bids were tightly grouped together which indicates a highly competitive bid process and a good bidding climate for this sector of the building community.

It was stipulated in the bidding instructions that the contract award would be based on the lowest base bid. Therefore, Westscapes, Inc. is the lowest qualified bidder with a low base bid of \$457,420.15. The City then has the option of adding Alternate Bid 1, Alternate Bid 2, both, or choose not to go with either of the two alternates. In this case, our budget will allow us to make the full range of park improvements.

Additional expenses related to this project are estimated below:

Survey and Base Map Estimates	\$ 7,500
Engineer's Design Fees	\$ 39,500
Project Management	\$ 8,000
Inspection Services	\$ 15,000
Cal Water Meter & Service Fees	<u>\$ 8,000</u>
 Total Additional Project Expenses	 \$ 78,000

Total Project Budget:

Project Costs To Date	\$ 25,085
Bid Amount by Westscapes	\$607,496
Change Order Contingency (5%)	\$ 35,000
Additional Project Expenses	<u>\$ 78,000</u>
 Total Project Costs	 \$745,581

Since the original amount of funds allocated for this project as part of the City's 2006-08 budget was \$770,200.00, there should be sufficient funding to complete all aspects of this project.

The Project Manager for the City has contacted three references for Westscapes, Inc. All references were very positive about the work performed by Westscapes, Inc. on their specific projects.

Attachments:

- Bid Summary Sheet
- Project Site Plan
- List of References for Westscapes, Inc.

Recommended Motion (and Alternative Motions if expected):

City staff recommends that Westscapes, Inc. from Hanford, CA be awarded a contract for the Plaza Park irrigation renovation project for the base amount of \$457,420.15, and include Alternate Bid 1 in the amount of \$38,848.42, and Alternate Bid 2 in the amount of \$111,228.23, for a total bid amount of \$607,496.80.

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9j

Agenda Item Wording: Authorization for staff to apply for a Public Transportation Modernization, Improvement, and Service Enhancement (Prop 1B) grant in the amount of \$1,015,390 for development of a Visitor/Sequoia Shuttle information center and/or additional parking near the Visalia Transit Center.

Deadline for Action: December 15, 2007

Submitting Department: Administration

Contact Name and Phone Number: Leslie Caviglia, 713-4317; and Monty Cox, 713-4591

Department Recommendation:

It is recommended that the Council authorize staff to apply for a Public Transportation Modernization, Improvement, and Service Enhancement (Prop 1B) grant of \$1,015,390 development of a Visitor/Sequoia Shuttle information center and/or additional parking near the Visalia Transit Center.

Summary/background:

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by voters as Prop 1B on November 7, 2006, includes just under \$20 billion for various programs such as Corridor Improvement, State Route 99, Ports, School bus, State Highways, Infrastructure, Safety and Security, Seismic Retrofit, Railroad Crossing, Local Streets and Roads, and a program of funding in the amount of \$4 Billion to be made available for Public Transportation projects. These transit funds are to be appropriated through the California Department of Transportation (Caltrans). The State has allocated \$600 million from the transit portion of the bonds for fiscal year 2007-08. The City of Visalia's allocation is \$1,015,390 for this fiscal year and must be encumbered within three years of this allocation and expended within three years after encumbrance. Prop 1B grants are administered through the Tulare County Association of Governments (TCAG).

On December 5, 2007 final guidelines were published by the State indicating two application deadlines, December 28, 2007 and April 2008. Due to the tenuous situation currently with the state budget future state appropriations of these funds could be in jeopardy; therefore, TCAG has requested that agencies submit applications by the earlier date (December 28) in order to

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 12/12/07

Finance	<u>N/A</u>
City Atty	<u>N/A</u>
City Mgr	<u> </u>

maximize our potential for receiving these funds.

These funds do not require a match. There are five categories for eligible projects:

1. Rehabilitation, safety, or modernization improvements
2. Capital service enhancements or expansions
3. New capital projects
4. Bus rapid transit improvements
5. Rolling stock procurement, rehabilitation or replacement

Staff recommends the City of Visalia use this one-year allocation to extend the services provided at the Transit Center to include a visitor/Sequoia Shuttle information center and/or additional parking. The visitor center will be used to provide information regarding the Sequoia National Park, the Sequoia Shuttle and other Visalia Convention and Visitors Bureau efforts to support the Shuttle and tourism in general. This facility will include a bus bay and customer parking related to the Sequoia Shuttle operations. Staff is considering a location for a Shuttle transit station and/or additional parking that will interface well with the transit center and its multimodal options, and still be readily accessible from the freeway and to those staying in local hotels.

The recommended project is part of the ongoing process to support the downtown expansion efforts and provide a convenient source for all tourism and transit services to be provided in one general location. The State has only allocated funds for the 2007/08 fiscal year and may possibly allocate more funds in the future until all the \$4 billion approved in the bond measure is distributed. Staff will continue to monitor this program and return to Council as more information is available.

Applications are due for initial review December 21 and for final submission by December 28. Caltrans will release the adopted list in January 2008 with the funds available in February 2008. Alternatively, if we wait until the April submission deadline, the adopted list will be published in May 2008 with funds available in June 2008.

Staff will bring back more specific plans for the expansion for Council consideration.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives:

Not apply

Attachments:

Recommended Motion (and Alternative Motions if expected):

I move to authorize staff to apply for a Public Transportation Modernization, Improvement, and Service Enhancement (Prop 1B) grant of \$1,015,390 development of a Visitor/Sequoia Shuttle information center and/or additional parking near the Visalia Transit Center.

This document last revised: 12/14/07 2:03:00 PM

Page 2

File location and name: H:\(1) AGENDAS for Council\2007\121707\Item 9j Prop 1B transit grant application.doc

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9k

Agenda Item Wording: Request authorization to file a Notice of Completion for Pheasant Ridge Unit No. 1-Ferguson Avenue Extension, and adopt Resolution No. 2007-103 authorizing the acceptance of an "Irrevocable Offer of Dedication" for right-of-way purposes for Ferguson Avenue, as offered per Document No. 2005-0052961 T.C.R., dated May 20, 2005.

Deadline for Action: None

Submitting Department: Public Works Department

Contact Name and Phone Number:

Andrew Benelli (559)713-4340
Adrian Rubalcaba (559)713-4271

Department Recommendation: Staff recommends that Council grant authorization to file a Notice of Completion for the Pheasant Ridge Unit No. 1 – Ferguson Avenue Extension. All the necessary improvements for this extension have been completed and are ready for acceptance by the City of Visalia. The extension was constructed by McMillin Meadows, LLC., and a maintenance bond in the amount of \$110,693.76 has been submitted as required by the Subdivision Map Act to guarantee the improvements against defects for one year; and staff recommends Council adopt Resolution No. 2007-103 authorizing the acceptance of an "Irrevocable Offer of Dedication" for right-of-way purposes for Ferguson Avenue, as offered per Document No. 2005-0052961 T.C.R., dated May 20, 2005, located between Denton and Shirk Streets.

Summary/background: Said "Irrevocable Offer of Dedication" offers the right-of-way necessary to connect existing Ferguson Avenue, a collector, to Shirk Street, an arterial. Acceptance of said offer will complete the continuous collector right-of-way width of 84.00 feet between the arterial streets Akers and Shirk, increasing the east and west circulation through new and existing residential development. Pheasant Ridge Unit No. 1 – Ferguson Avenue Extension is the construction of necessary street improvements over said "Irrevocable Offer of Dedication", between Denton and Shirk Streets, therefore ready for acceptance concurrently with finished improvements. A future northwest fire station and elementary school are to be located on the southeast corner of the new intersection at Ferguson Avenue and Shirk Street. Staff recommends said Resolution be adopted and the real property described herein be accepted.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 1 Min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Prior Council/Board Actions: Council authorized recordation of Pheasant Ridge Unit No. 1 final map on Nov. 7, 2005.

Committee/Commission Review and Actions: Tentative subdivision map for Pheasant Ridge Unit No. 1 approved by Planning Commission on Oct. 25, 2004.

Alternatives: Reject said "Irrevocable Offer of Dedication" as offered per Document No. 2005-0052961 T.C.R., dated May 20, 2005.

Attachments: Vicinity Map, Resolution, Exhibit A.

Recommended Motion (and Alternative Motions if expected):

I hereby move to authorize the filing of Notice of Completion for Pheasant Ridge Unit No. 1 – Ferguson Avenue Extension and adopt Resolution No. 2007-103 authorizing the acceptance of an "Irrevocable Offer of Dedication" as offered per Document No. 2005-0052691 T.C.R., dated May 20, 2005.

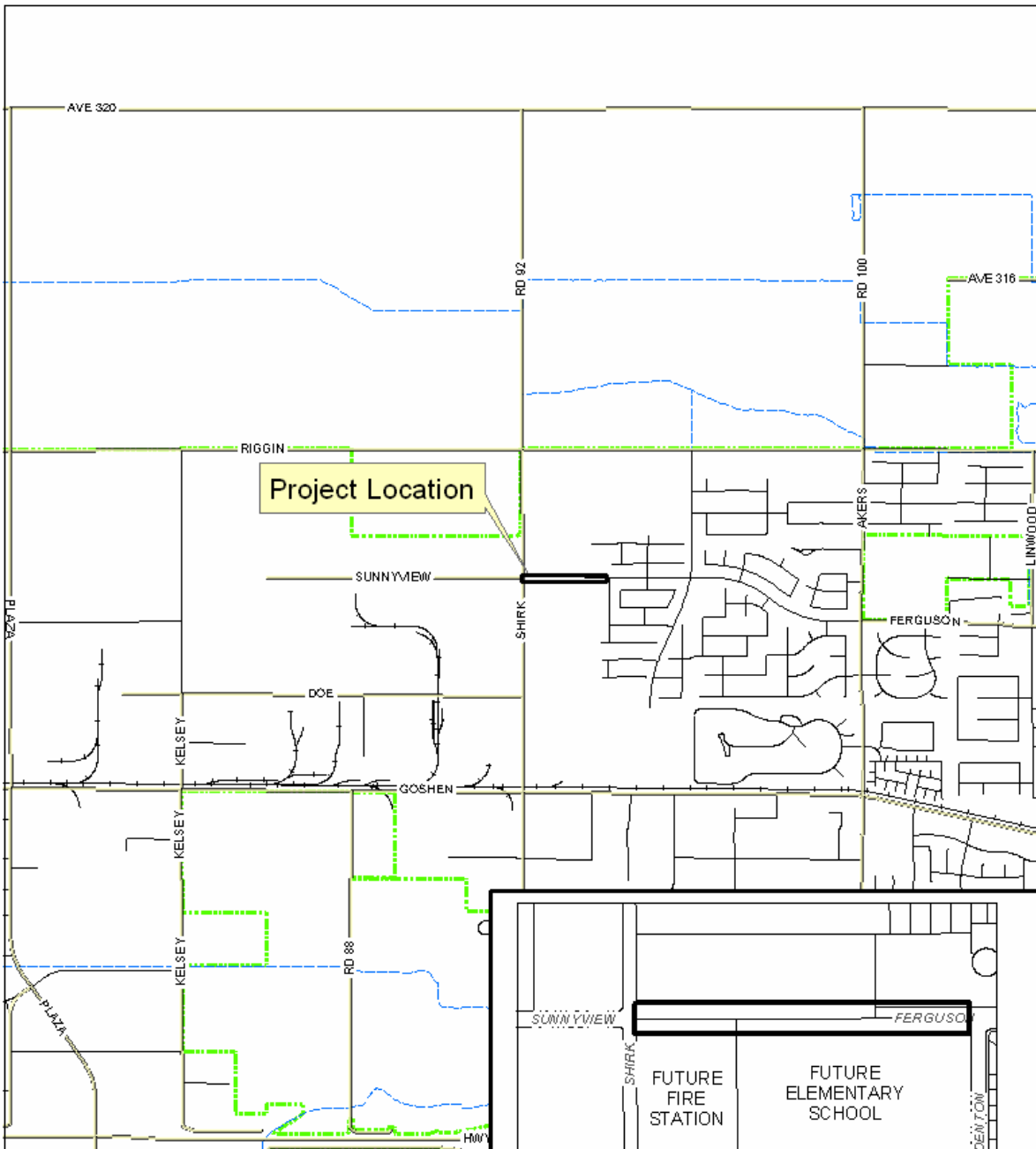
Environmental Assessment Status

CEQA Review: Environmental finding completed for tentative subdivision map.

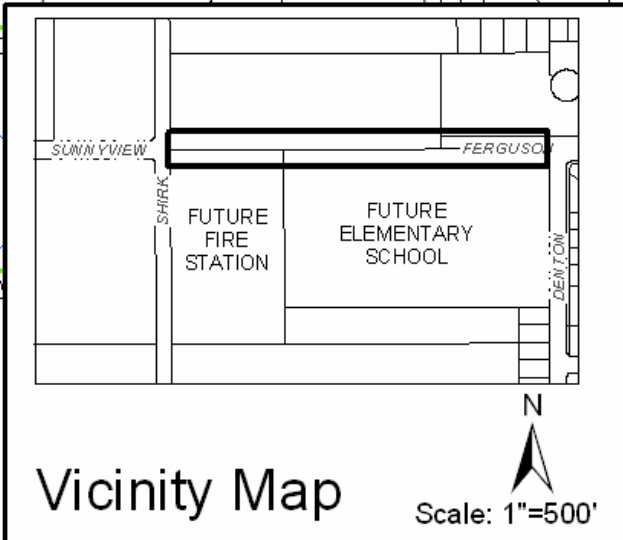
NEPA Review:

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:



Phaesant Ridge
No. 1
Location Map
Scale: 1"=2000'



Vicinity Map
Scale: 1"=500'

RESOLUTION NO. 2007-103
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
AUTHORIZING THE ACCEPTANCE OF AN IRREVOCABLE OFFER OF
DEDICATION

WHEREAS, an “Irrevocable Offer of Dedication” was offered to the City of Visalia per Doc. No. 2005-0052961, T.C.R., dated May 20, 2005, and

WHEREAS, the City Council of the City of Visalia, having considered evidence submitted, finds it to be in the public interest to accept into the City’s street system said real property more particularly and legally described as follows:

Being a portion of Parcel 1 of Parcel Map No. 3875 as recorded in Book 39 at Page 78, located in the northwest quarter of Section 22, Township 18 South, Range 25 East, M.D.B. & M., in the City of Visalia, County of Tulare, State of California; more particularly described as follows:

Commencing at the Southwest corner of the Northwest quarter of said Section; thence, North 00°26’42” West, along the West line of said Northwest quarter, 662.16 feet to the centerline of Sunnyview Avenue, and being the True Point of Beginning;

Thence, continuing North 00°26’42” East, 66.91 feet to the intersection with a line parallel to and 729.07 feet North of the South line of said Northwest quarter;

Thence, along said parallel line 80.00 feet;

Thence, South 45°20’44” East, 35.29 feet to the intersection with a line parallel to and 704.16 feet North of the South line of said Northwest quarter;

Thence, along said parallel line 1207.66 feet to the intersection with the East line of said Parcel 1;

Thence, South 00°20’22” East, along said East line 84.00 feet to the intersection with a line parallel to and 620.16 feet North of the South line of said Northwest quarter;

Thence, South 89°45’14” West, along said parallel line, 1207.33 feet;

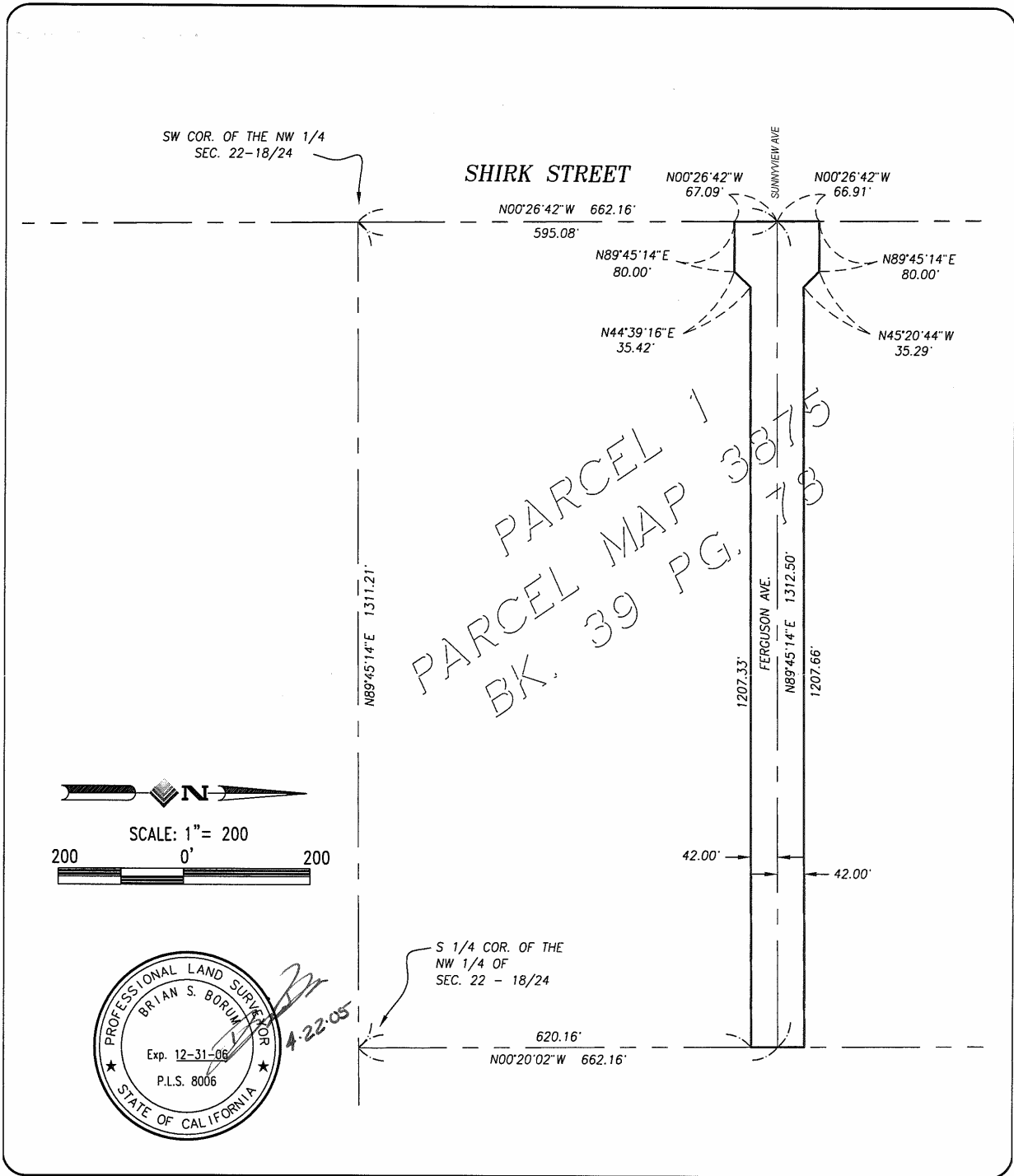
Thence, South 44°39’16” West, 35.42 feet to the intersection with a line parallel to and 595.08 feet North of the South line of said Northwest quarter;

Thence, South 89°45’14” West, along said parallel line, 80.00 feet to the West line of said Northwest quarter;

Thence, North 00°26’42” West, along said West line, 67.09 feet to the True Point of Beginning.

See Exhibit A for map.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Visalia hereby accepts the “Irrevocable Offer of Dedication” as described herein and made a part thereof.




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PLOT DATE:	2/28/05
JOB NO.	04285
DWG. NAME:	04285-FERG
SCALE:	1" = 200'
SHEET NO.:	1 OF 1

EXHIBIT "A"

**IRREVOCABLE OFFER
OF DEDICATION**

PREPARED BY:



5110 W. CYPRESS AVE.
P.O. BOX 3699
VISALIA, CA 93278
TEL: (559) 733-0440
FAX: (559) 733-7821

DRW BY: MDR CHK BY: BSB

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 9I

Agenda Item Wording: Authorize the Recordation of the Final Map for Tentative Parcel Map 2007-05, located at the NW corner of Riggin Avenue and Dinuba Blvd. (3 lots), authorize the City Manager to execute the Subdivision Improvement and Reimbursement Agreements and authorize the formation of Landscape and Lighting District No. 07-17. APN 078-120-010

Deadline for Action: N/A

Submitting Department: Public Works, Engineering

Contact Name and Phone Number:

Andrew Benelli 713-4340
Doug Damko 713-4268

Department Recommendation and Summary:

Final Map

Staff recommends that City Council authorize the recordation of the final map for Tentative Parcel Map 2007-05 containing 3 community commercial zoned lots, and authorize the City Manager to execute the subdivision improvement agreement. Tentative Parcel Map 2007-05 is a land division of the 20-acre portion of the Orchard Walk Specific Plan area located on the west side of Dinuba Boulevard. Home Depot is the major tenant to be located on Parcel 1. All bonds, cash payments, subdivision improvement agreement and final parcel map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,464,894.85 and Labor and Material Bond in the amount of \$732,447.43 3) cash payment of \$43,560.98 distributed to various accounts and 4) final parcel map.

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance N/A
City Atty _____
(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

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.

Reimbursement Agreement

Staff recommends that City Council authorize the City Manager to execute the reimbursement agreement subject to City Attorney approval as to form. In accordance with Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for improvements made to Arterial or Collector streets and the City will also reimburse for right of way dedications.

Tentative Parcel Map 2007-05 is a land division of the 20-acre portion of the Orchard Walk Specific Plan area located west of Dinuba Boulevard and is commonly referred to as Orchard Walk West. Orchard Walk West is being developed by Donahue Schriber Realty Group from Costa Mesa. The project was conditioned to construct its major street frontage consisting of Riggin Avenue and also construct some off-site major street work at Shannon Parkway. This work included curb, gutter, storm drainage, paving, landscaping and utility pole relocations. The project requires the dedication of 33,227 square feet of right of way for Riggin Avenue. The following table summarizes the project's revenues and expenditures related to the transportation impact fee program:

ORCHARD WALK WEST SHOPPING CENTER		
Transportation Impact Fee (TIF) Component	Revenues	Expenditures
Total Estimated TIF to be Paid by Project	\$2,769,600.00	
To Date TIF Paid by Project	\$0.00	
Total Right of Way Credit		\$332,270.00
Total Estimated Construction Cost of Riggin Ave		\$1,376,400.00
Total TIF Revenues/Expenditures:	\$2,769,600.00	\$1,708,670.00
Estimated TIF Revenue less Expenditures:	\$1,060,930.00	

The reimbursement agreement for Tentative Parcel Map 2007-05 was reviewed by the Development Reimbursement Review Committee (DRRC) on December 12, 2007. The DRRC is comprised of management staff from the Public Works and Finance Departments. The DRRC reviewed the reimbursement agreement to ensure that the costs are reasonable as compared to the City's costs for comparable capital projects and also compared to a unit construction cost schedule focused on the Visalia construction market prepared for the City by an engineering consultant. The DRRC will also be reviewing the final cash reimbursement request package that will be submitted to the City after project completion. The DRRC will be comparing actual costs with the original reimbursement agreement costs. If a project has significant changes resulting in a substantial increase in cash reimbursement, then the DRRC will be responsible to determine the appropriate course of action with Council and the City Manager.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 07-104 Initiating Proceedings for Formation of Assessment District No. 07-17, Parcel Map 2007-05; adopt the Engineer's Report as submitted; and adopt Resolution No. 07-105 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.

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:

On May 29, 2007, Planning Commission approved Tentative Parcel Map 2007-05. The tentative map will expire on May 10, 2006.

On December 12, 2007, the Developer Reimbursement Review Committee reviewed and recommended the reimbursement agreement to go to Council for authorization.

Alternatives: N/A

Attachments: Location Map; Owner Disclosure; Final Parcel Map; Subdivision Improvement Agreement; Resolution Initiating Proceedings; Clerk's Certification; Resolution Ordering the Improvements; Exhibits "A", "B", "C", "D"

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I hereby move to authorize the recordation of the Final Map for Tentative Parcel Map 2007-05, and to authorize the City Manager to execute the Subdivision Improvement and Reimbursement Agreements, subject to City Attorney approval to form.

I further move to adopt Resolution No. 07-104 Initiating Proceedings for Formation of Assessment District No. 07-17, Parcel Map 2007-05; adopt the Engineer's Report as submitted; and adopt Resolution No. 07-05 confirming the Engineer's Report, ordering the improvements and levying the annual assessments."

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

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

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

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

NEPA Review:

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

RESOLUTION NO. 07-104

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 07-17
PARCEL MAP 2007-05
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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

Maintenance of street lights, pavement on local streets and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 07-17, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 07-17, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Parcel Map 2007-05".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 07-17

PARCEL MAP 2007-05

(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. 07-17, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 17th day of December, 2007 by its Resolution No. 07-_____

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

RESOLUTION NO. 07-105

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 07-17
PARCEL MAP 2007-05
(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. 07-17, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2008-09.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Street Light Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"
Assessment Diagram
Assessment District No. 07-17
City of Visalia, Tulare County, California

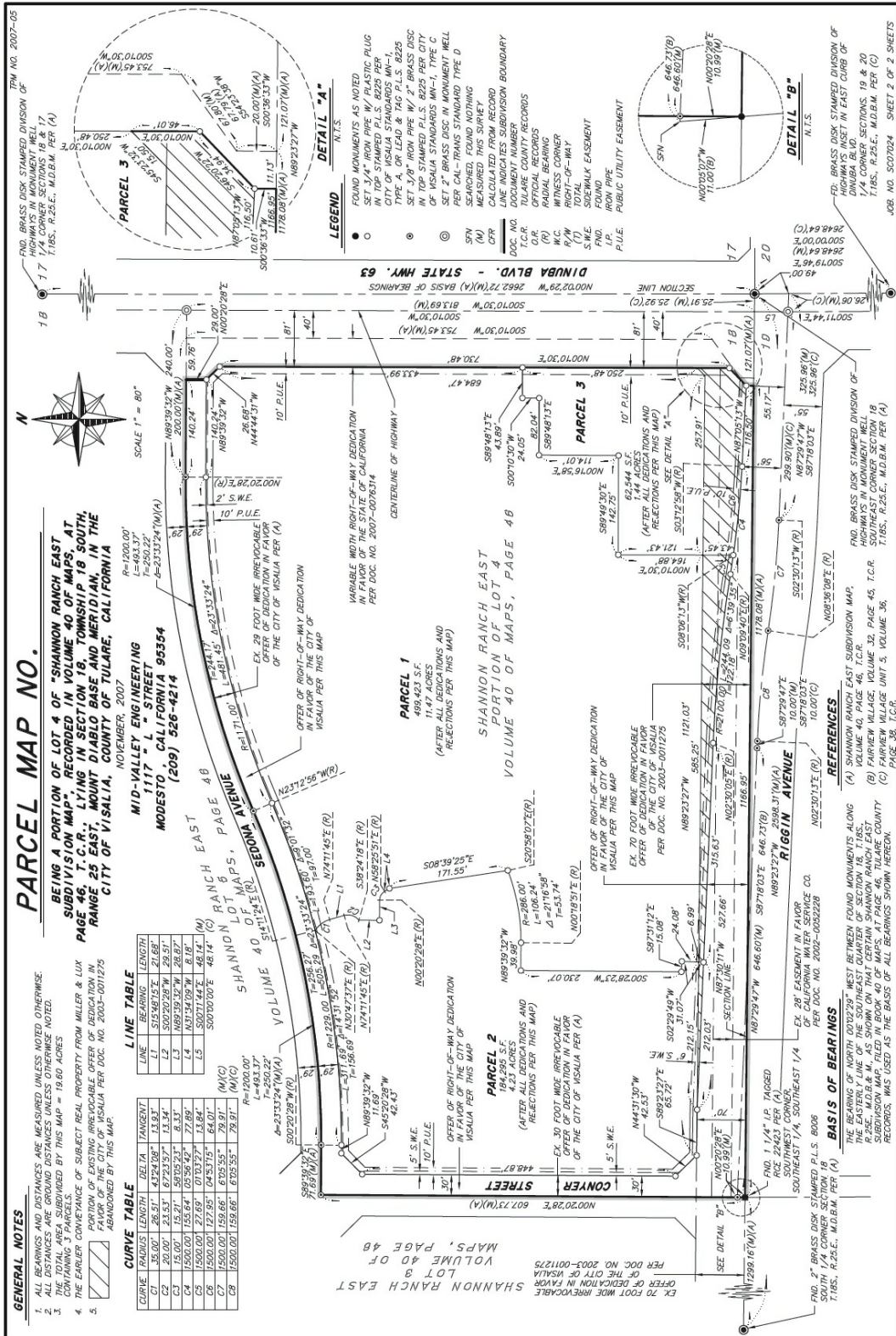
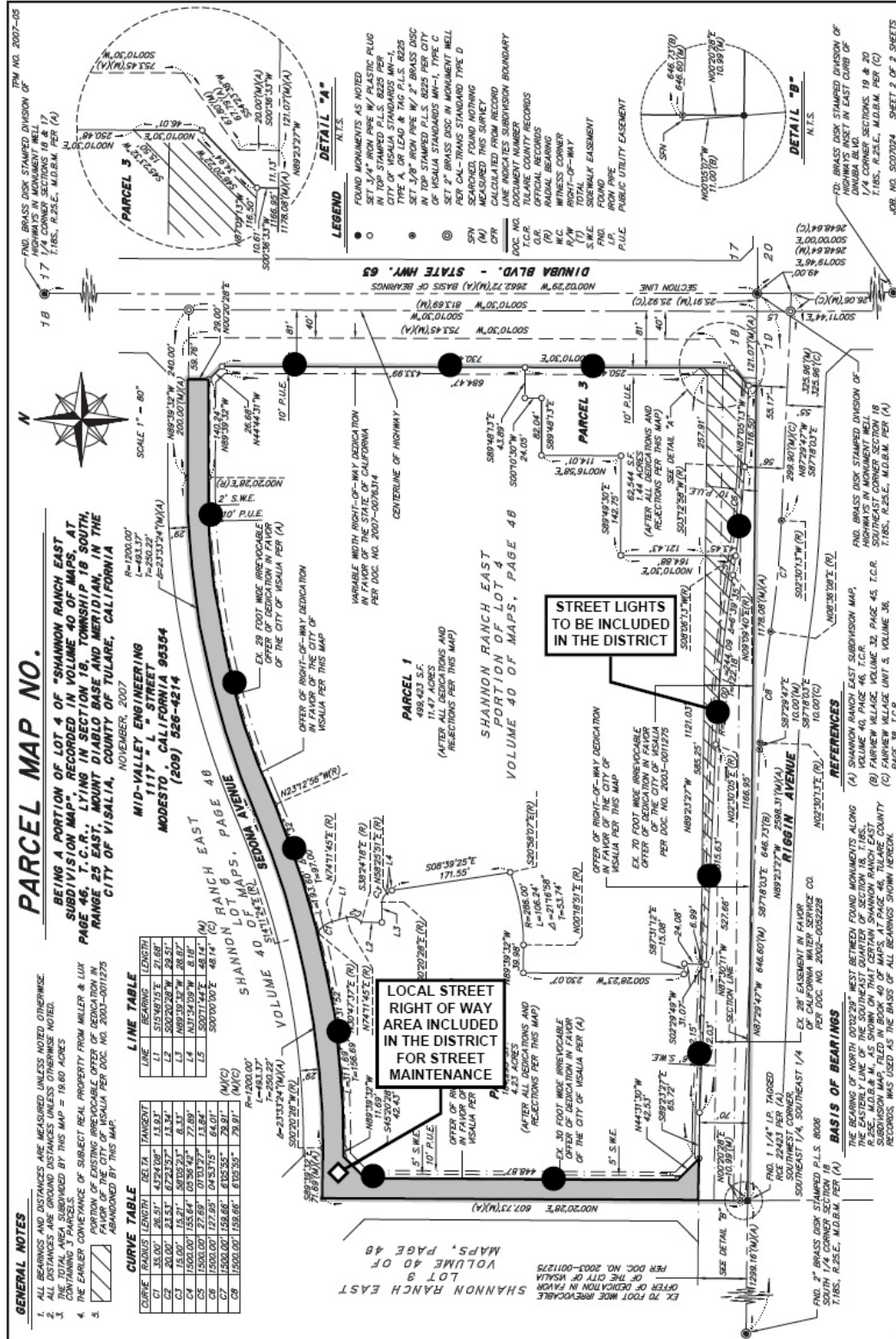


Exhibit "B"
Street Light Locations
Assessment District No. 07-17
City of Visalia, Tulare County, California



GENERAL NOTES

1. ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS NOTED OTHERWISE.
2. ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. THE TOTAL AREA SUBDIVIDED BY THIS MAP IS 19.60 ACRES.
4. THE EARLIER CONFORMANCE OF SUBJECT REAL PROPERTY FROM MILLER & LUY PART OF MAPS, VOLUME 40 OF MAPS, RECORDED IN VOLUME 40 OF MAPS, AT BEING A PORTION OF LOT 4 OF SHANNON RANCH EAST SUBDIVISION MAP, RECORDED IN VOLUME 40 OF MAPS, PAGE 48, T.18S., R.25E., M.D.B.M. PER (A) IN THE CITY OF VISALIA, TULARE COUNTY, CALIFORNIA.
5. PORTION OF EXISTING IRREVOCABLE OFFER OF DEDICATION IN FAVOR OF THE CITY OF VISALIA PER DOC. NO. 2003-0011275 ABANDONED BY THIS MAP.

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	AREA	TANGENT
C1	35.00'	26.51'	4.92408'	1.691'	11.93'
C2	20.00'	15.53'	2.72527'	1.192'	7.192'
C3	1500.00'	53.64'	103.3642'	71.89'	17.89'
C4	1500.00'	27.69'	54.70797'	13.84'	9.64'
C5	1500.00'	127.85'	249.53715'	164.01'	46.01'
C6	1500.00'	158.66'	310.55355'	208.81'	58.81'
C7	1500.00'	158.66'	310.55355'	208.81'	58.81'

LINE TABLE

LINE	BEARING	LENGTH
L1	S75°46'15"E	21.66'
L2	S50°20'28"W	28.53'
L3	S89°15'15"W	18.81'
L4	N13°24'10"W	81.81'
L5	S00°00'00"E	48.14'

PARCEL MAP NO.
 BEING A PORTION OF LOT 4 OF SHANNON RANCH EAST SUBDIVISION MAP, RECORDED IN VOLUME 40 OF MAPS, AT BEING A PORTION OF LOT 4 OF SHANNON RANCH EAST SUBDIVISION MAP, RECORDED IN VOLUME 40 OF MAPS, PAGE 48, T.18S., R.25E., M.D.B.M. PER (A) IN THE CITY OF VISALIA, TULARE COUNTY, CALIFORNIA.

MID-VALLEY ENGINEERING
 1117 "L" STREET
 MODESTO CALIFORNIA 95354
 (209) 526-4214
 NOVEMBER, 2007

FOUND BRASS DISK STAMPED DIVISION OF HIGHWAYS IN MONUMENT MELL T.18S., R.25E., M.D.B.M. PER (A)

FOUND BRASS DISK STAMPED DIVISION OF HIGHWAYS IN EAST CURB OF 1/4 CORNER SECTIONS 19 & 20 T.18S., R.25E., M.D.B.M. PER (A)

LEGEND "A"
 FOUND MONUMENTS AS NOTED
 SET 3/4" IRON PIPE W/ PLASTIC FLAG IN TOP STAMPED P.L.S. 6225 PER CITY OF VISALIA STANDARDS MH-1, TYPE A, OR LEAD & TAG P.L.S. 8229 PER CITY OF VISALIA STANDARDS MH-1, TYPE C
 SET 2" BRASS DISK IN MONUMENT MELL PER CAL. TRANS STANDARD TYPE D SEARCHED, FOUND NOTHING CALCULATED FROM DEEDS
 C/P
 LINE INDICATES SUBDIVISION BOUNDARY
 TULARE COUNTY RECORDS
 ADJACENT PARCELS
 WITNESS CORNER
 FRONT-OF-WAY
 SIDEWALK EASEMENT
 FOUND
 IRON PIPE
 P.U.E.
 PUBLIC UTILITY EASEMENT

LEGEND "B"
 FOUND MONUMENTS AS NOTED
 SET 3/4" IRON PIPE W/ PLASTIC FLAG IN TOP STAMPED P.L.S. 6225 PER CITY OF VISALIA STANDARDS MH-1, TYPE A, OR LEAD & TAG P.L.S. 8229 PER CITY OF VISALIA STANDARDS MH-1, TYPE C
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 C/P
 LINE INDICATES SUBDIVISION BOUNDARY
 TULARE COUNTY RECORDS
 ADJACENT PARCELS
 WITNESS CORNER
 FRONT-OF-WAY
 SIDEWALK EASEMENT
 FOUND
 IRON PIPE
 P.U.E.
 PUBLIC UTILITY EASEMENT

LOCAL STREET RIGHT OF WAY AREA INCLUDED IN THE DISTRICT FOR STREET MAINTENANCE

STREET LIGHTS TO BE INCLUDED IN THE DISTRICT

GENERAL NOTES

1. ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS NOTED OTHERWISE.
2. ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. THE TOTAL AREA SUBDIVIDED BY THIS MAP IS 19.60 ACRES.
4. THE EARLIER CONFORMANCE OF SUBJECT REAL PROPERTY FROM MILLER & LUY PART OF MAPS, VOLUME 40 OF MAPS, RECORDED IN VOLUME 40 OF MAPS, AT BEING A PORTION OF LOT 4 OF SHANNON RANCH EAST SUBDIVISION MAP, RECORDED IN VOLUME 40 OF MAPS, PAGE 48, T.18S., R.25E., M.D.B.M. PER (A) IN THE CITY OF VISALIA, TULARE COUNTY, CALIFORNIA.
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 TULARE COUNTY RECORDS
 ADJACENT PARCELS
 WITNESS CORNER
 FRONT-OF-WAY
 SIDEWALK EASEMENT
 FOUND
 IRON PIPE
 P.U.E.
 PUBLIC UTILITY EASEMENT

LEGEND "B"
 FOUND MONUMENTS AS NOTED
 SET 3/4" IRON PIPE W/ PLASTIC FLAG IN TOP STAMPED P.L.S. 6225 PER CITY OF VISALIA STANDARDS MH-1, TYPE A, OR LEAD & TAG P.L.S. 8229 PER CITY OF VISALIA STANDARDS MH-1, TYPE C
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 WITNESS CORNER
 FRONT-OF-WAY
 SIDEWALK EASEMENT
 FOUND
 IRON PIPE
 P.U.E.
 PUBLIC UTILITY EASEMENT

REFERENCES
 (A) SHANNON RANCH EAST SUBDIVISION MAP, VOLUME 40, PAGE 46, T.C.R.
 (B) FARVIEW VILLAGE VOLUME 32, PAGE 45, T.C.R.
 (C) FARVIEW VILLAGE UNIT 5, VOLUME 36, PAGE 38, T.C.R.

REFERENCES
 (A) SHANNON RANCH EAST SUBDIVISION MAP, VOLUME 40, PAGE 46, T.C.R.
 (B) FARVIEW VILLAGE VOLUME 32, PAGE 45, T.C.R.
 (C) FARVIEW VILLAGE UNIT 5, VOLUME 36, PAGE 38, T.C.R.

REFERENCES
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 (C) FARVIEW VILLAGE UNIT 5, VOLUME 36, PAGE 38, T.C.R.

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 (B) FARVIEW VILLAGE VOLUME 32, PAGE 45, T.C.R.
 (C) FARVIEW VILLAGE UNIT 5, VOLUME 36, PAGE 38, T.C.R.

Exhibit "C"

Tax Roll Assessment
Assessment District No. 07-17
Parcel Map 2007-05
Fiscal Year 2008-09

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$3,037.21	07-1701	Parcel Map 2007-05
To Be Assigned	\$1,120.78	07-1702	Parcel Map 2007-05
To Be Assigned	\$380.36	07-1703	Parcel Map 2007-05

Exhibit "D"

Engineer's Report
Assessment District No. 07-17
Parcel Map 2007-05
Fiscal Year 2008-09

General Description

This Assessment District (District) is located at the northwest corner of Riggin Avenue and Dinuba Boulevard. Exhibit "A" is the Assessment Diagram for Assessment District 07-17. This District includes the maintenance of pavement on local streets, street lights and any other applicable equipment or improvements. The total number lots within the district are 3.

Determination of Benefit

The street lights provide safety and visual impressions for the area. 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 street lights 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. Because of the large variation in lot size, ranging from 62,544 square feet to 499,423 square feet, each lot will be apportioned based on square footage. All lots within the District are part of a single commercial shopping center and will benefit proportionally from the public street lights located around the perimeter. All lots will also benefit proportionally from the adjoining local streets that provide circulation around the shopping center.

Estimated Costs

The estimated costs to maintain the District includes the costs to maintain street lights, pavement on local streets and any other applicable equipment or improvements. The regular preventive maintenance of pavement on local 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.

Exhibit "D"

Engineer's Report
 Assessment District No. 07-17
 Parcel Map 2007-05
 Fiscal Year 2008-09

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	0	\$0.180	\$0.00
Shrub Area	Sq. Ft.	0	\$0.180	\$0.00
Water	Sq. Ft.	0	\$0.050	\$0.00
Electricity	Sq. Ft.	0	\$0.008	\$0.00
Trees In Landscape Lots	Each	0	\$25.00	\$0.00
Trees In Local Street Parkways	Each	0	\$25.00	\$0.00
Street Lights	Each	13	\$105.00	\$1,365.00
Chip Seal (15 year cycle)	Sq. Ft.	31,900	\$0.190	\$404.07
Crack Seal (8 year cycle)	Sq. Ft.	31,900	\$0.02933	\$116.97
Reclamite (6 year cycle)	Sq. Ft.	31,900	\$0.0211110	\$112.24
Overlays (10 year cycle)	Sq. Ft.	31,900	\$0.65	\$2,073.50
Project Management Costs	Lots	3	\$18.00	\$54.00
TOTAL				<hr/> \$4,125.77
10% Reserve Fund				\$412.58
GRAND TOTAL				\$4,538.35
COST PER SQ. FOOT				\$0.00608

	<u>Sq. Footage</u>	<u>Proportional Assessment</u>
Lot 1	499,423	\$3,037.21
Lot 2	184,295	\$1,120.78
Lot 3	62,544	\$380.36
TOTAL SQ. FOOTAGE	746,262	

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$4,538.35) (1.05)^{(n-1)}$$

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

Exhibit "D"

Engineer's Report
Assessment District No. 07-17
Parcel Map 2007-05
Fiscal Year 2008-09

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 \$4,946.80 [a 9% increase over the base year estimated cost of \$4,538.35]. The maximum annual assessment for year four is \$5,253.71 [$A_{\max} = (\$4,538.35) (1.05)$ (4-1)]. The assessment will be set at \$4,946.80 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$5,128.34 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$4,538.35]. 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 \$102.57 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 \$5,253.71 [$A_{\max} = (\$4,538.35) (1.05)$ (4-1)]. The year four assessment will be set at \$5,128.34 plus the deficit amount of \$102.57 which equals \$5,171.45 [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 \$4,946.80 [a 9% increase over the base year assessment of \$4,538.35] and damage occurred to the masonry wall raising the year five expenses to \$5,536.79 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$5,441.48 (a 10% increase over the previous year) and below the maximum annual assessment of \$5,516.39 [$A_{\max} = (\$4,538.35) (1.05)$ (5-1)]. The difference of \$95.31 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

Exhibit "D"

Engineer's Report
Assessment District No. 07-17
Parcel Map 2007-05
Fiscal Year 2008-09

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: December 17, 2007

Agenda Item Number (Assigned by City Clerk): 10

Agenda Item Wording: Reconsideration of General Plan Land Use Amendment Initiation on property located south of the St. Johns River along the east side of Dinuba Avenue

Deadline for Action: NA

Submitting Department: Community Development

Contact Name and Phone Number:
Councilmember Don Landers

Department Recommendation: Council Member Landers recommends the City Council reconsider the General Plan Amendment Initiation from Residential to Commercial along North Dinuba Boulevard south of the St. John's River.

Summary/background: The City Council discussed a General Plan Amendment to designate 40 acres of commercial land along the east side of Dinuba Blvd. between the St. Johns River and Shannon Ranch Parkway. The basis for the amendment was the continued population growth in the north Visalia area and the need to have adequate commercial uses to serve the growing population. Additionally, it was thought that there could be a focus on commercial uses to serve families and users of the adjacent Sports Park.
I request the City Council reconsider the General Plan Amendment Initiation on the basis of the following:

- a. The major property owner, R.J. Hill, has no interest in the general plan amendment from residential to commercial.
- b. The current 2020 General Plan has designated adequate commercial land for the area.
- c. Additional commercial land may over-saturate the area and undermine current and proposed commercial development.
- d. The physical layout of the properties for additional commercial uses may present traffic difficulties for the area.
- e. Approval by the County of a 5 Acre Commercial development at S.R. 63 and Avenue 322 which will diminish the demand for commercial land.

Prior Council/Board Actions: The City Council discussed considering the General Plan Land Use Amendment Initiation on August 6, 2007.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.) 30 min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Committee/Commission Review and Actions: NA

Alternatives: NA

Attachments: August 6, 2007 Council Staff Report w/ Maps

Recommended Motion (and Alternative Motions if expected): I recommend the General Plan Amendment Initiation be scheduled for reconsideration at a future City Council meeting.

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: