

# Visalia City Council Agenda

For the regular meeting of: Monday, December 3, 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

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

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4:00 p.m.

## **SWEARING IN CEREMONY**

Swearing in of new police officer, Jeffrey Wheeler, by Police Chief Bob Carden

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

**4:15 p.m.**

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

4:15 p.m.

1. Live demonstration of the Emergency Operations Center vehicle, computer-aided dispatch system, and mobile computer units for Police and Fire.

4:35 p.m.

2. Review City's efforts to remove graffiti on public and private property

5:00 p.m.

3. Valley Oaks Golf Course update

*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 Legal Counsel - Existing Litigation (Subdivision (a) of 54956.9 GC)  
Woodbridge v. City of Visalia

5. Conference with Real Property Negotiators(G.C. §54956.8)  
Property: 6504 W. Mineral King/ Ave. 296 (APN: 085-010-088)  
Under Negotiation: Authority to negotiate purchase terms and conditions  
Negotiating parties for City: Steve Salomon, Mike Olmos, Ricardo Noguera, Colleen Carlson  
Negotiating parties for Seller: Roger and Christine Phillips

6. Conference with Real Property Negotiators(G.C. §54956.8)  
Property: Right of way acquisition from a portion of a parcel located at the southeast corner of Cameron Avenue and Stonebrook Street; APN 126-070-047  
Under Negotiation: Approval of appraisal; negotiate price, terms and conditions of purchase  
Negotiators: Steve Salomon, Andrew Benelli, McMillin South Cameron Creek, LLC
7. Conference with Real Property Negotiators (G.C. §54956.8)  
Property: Three parcels along McAullif alignment between Mill Creek and Houston  
Under Negotiation: Price, terms and conditions of sale  
Negotiating Parties: Steve Salomon, Andrew Benelli, Adam Ennis, Gregory Glass

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Leroy Sumwalt, Grace Community Church

### **SPECIAL PRESENTATIONS/RECOGNITION**

**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**

8. **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 November 27, 2007.
  - c) Authorization to record the final map for Parcel Map No. 2007-04, located at the southeast corner of Demaree Street and Houston Avenue. APN: 089-030-035

- d) Authorize the Recordation of the Final Map for South Cameron Creek, Unit No. 3, located on the south side of Cameron Avenue at Vintage Street (85 lots), authorize the City Manager to sign the Subdivision and Reimbursement agreements and the Annexation of South Cameron Creek, Unit No. 3 into Landscape and Lighting District No. 05-03, South Cameron Creek APN: A portion of 126-070-026. **Resolution Nos. 2007-100 and 2007-101 required.**
- e) Second reading for Ordinance 2007-18 to adopt the 2007 California Fire Code, 2007 California Administrative Code, 2007 California Referenced Standard Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Electric Code, 2007 California Historical Building Code, 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.
- f) Authorization for a letter to be sent to the Tulare County Transportation Authority requesting that the timelines for several Visalia area road construction projects be adjusted in the Authority's expenditure plan to better meet traffic demands.
- g) Authorization for staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$637,416 for six Dial-A-Ride buses, \$903,006 to fund a new transit route, and \$2,080,000 for seven CNG solid waste trucks
- h) Authorize the Mayor to jointly sign with mayors of other cities a letter to the Tulare County Board of Supervisors regarding proposed county-wide development impact fees.
- i) Authorization for participation in the Council of Cities, and authorize the Mayor to appoint a Council Member to serve as the Visalia representative and designate another Council Member to serve as alternate.
- j) Accept a letter of interest from the Visalia Rotary Foundation regarding the concept of a joint public-private partnership to establish a "Rotary Amphitheatre" as part of the new East Downtown Civic Center Master Plan.
- k) Recommendation to appoint Russ Desch as a Parks and Recreation Commissioner.
- l) Receive listing of Boards, Committees and Agencies to which the City Council may want to appoint representatives for the 2007-2009 Council terms at a future meeting.
- m) Authorization to bid without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02 the construction of:
- 1- Mooney Boulevard Storm Drain Pipeline and Lift Station (Project # 1221/9939)
  - 2- Roeben Street Storm Drain Pipeline (Project #1221/9940)
  - 3- Russell Basin Outfall Improvements (Project No. 1222/9170)
- n) Authorize staff to send a letter of support for the Governor's Comprehensive Water Infrastructure Plan, and support for SB 3xx by Senator Cogdill and Senate Minority Leader Ackerman relating to the Water Supply Reliability Bond Act of 2008 and support for strong water conservation and groundwater recharge measures.

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

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

### **Upcoming Council Meetings**

- Monday, December 17, 2007, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers 707 W. Acequia
- 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

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

# City of Visalia Agenda Item Transmittal

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 1

**Agenda Item Wording:** Live demonstration for Council of the Emergency Operations Center vehicle, computer-aided dispatch system, and mobile computer units for Police and Fire.

**Deadline for Action:** N/A

**Submitting Department:** Administration, Information Services

**Contact Name and Phone Number:**  
Michael Allen, x4515

**Department Recommendation:** Live demonstration for Council of the Emergency Operations Center vehicle, computer-aided dispatch system, and mobile computer units for Police and Fire.

**Summary/background:** On May 21, 2007, Council approved the award of the public safety dispatch system upgrade to Public Safety Systems, Inc. (PSSI). One of the goals of this award was to have the dispatch system, Police mobile computers, and Police field reporting systems in place by November 2007. This brief demonstration will highlight and educate Council on the success of this initiative.

As part of the Public Safety Technology Master Plan for the City, this upgrade encompasses many different systems and business processes. Some of those systems, processes, and status are illustrated below:

- Computer-aided dispatch system hardware replacement and software upgrades (completed).
- Data wireless communications replacement (completed).
- GIS-based street addressing and updates (completed, working on the update processes).
- Dispatch mapping software (completed, fine-tuning the displays).
- Police mobile computer (85 units) replacements (completed).
- Automatic vehicle location identification for both Police and Fire units (completed).
- Mobile mapping software (completed).
- Police mobile software replacement and training (completed).
- Police field reporting software and training (in pilot trials, testing the workflow processes as they impact Police Patrol, Records, Crime Analysis, and Dispatch divisions).

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.):\_15\_\_

**Review:**

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

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

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

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

- Fire mobile computers (12 units) ready for deployment as vehicle mounting systems are installed.
- Fire records system integration with dispatch (in process).
- Fire Zetron (station alert tones) and voice-announce (to begin after Fire mobiles are implemented).
- Fire second radio channel (in process).
- Mobile EOC equipped to dispatch (completed).
- Police records system upgrade (completed).

**Prior Council/Board Actions:**

**April 2, 2007** – Staff recommendation to Council to utilize Verizon Wireless for mobile data communications for various city services (Police, Fire, inspections, code enforcement, etc.). (Approved)

**April 16, 2007** – Staff recommendation to Council to move forward with the Public Safety Master Plan recommendations and continue to study a consolidated regional dispatch. Council requested the return of the PSSI award at a later date. (Approved as Amended)

**May 21, 2007** – Staff recommendation to Council to award the computer-aided public safety dispatch system upgrade to Public Safety Systems, Inc for \$472,275. (Approved)

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

**Alternatives:** N/A

**Attachments:** None

**Recommended Motion (and Alternative Motions if expected):** None needed. Demonstration only.

***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 3, 2007

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

**Agenda Item Wording:** Review of City's Efforts To Remove Graffiti on Public and Private Property

**Deadline for Action:** None

**Submitting Department:** Parks and Recreation Department

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

**Department Recommendation:** Accept the City staff report; direct staff to work with the City Attorney's office to amend the current graffiti ordinance to reflect current practice; and direct staff to propose additional resources for the anti-graffiti program as part of the upcoming 2008-10 budget review process.

**Summary/Background:**

The City's formal anti-graffiti removal program began in 1999 and was assigned to the Fire Marshall in the Fire Department. The Fire Department utilized painting contractors to remove reported graffiti. In 2005 the quality of removal declined to the point where the Fire Department discontinued using the contractors and hired two hourly workers who each worked a maximum of 1,000 hours per year.

**Current Program:**

In September 2006, the anti-graffiti program was transferred from the Fire Department to the Buildings Maintenance Division of the Parks and Recreation Department. The Buildings Maintenance Division provides repairs and custodial services to City owned buildings. The two former hourly employees of the Fire Department were transferred, one was assigned to the Parks Division and the other assigned to the City-wide removal program. The employee assigned to Parks relieved the full-time employees from this task and allowed them to concentrate on their park maintenance responsibilities. The Buildings Division hired an additional hourly employee so that the City-wide removal program would be back to the two-person staffing level. Hourly employees can work a maximum of 1,000 hours per year, so the City-wide removal crew has 2,000 hours available and the Parks removal program has 1,000

**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)

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hours available. This report covers graffiti removal activities from October 2006 through September 2007 under the direction of the Buildings Division - Parks & Recreation Department.

From 2003 through 2005, the Fire Department graffiti removal crew spent an average of 727 hours per year removing graffiti. During the present reporting period, the current City-wide removal crew spent 1,791 hours on removal. The increase in hours is probably due to increased graffiti in the community and increased supervision of the program.

The Parks and Recreation Department set the following goals for the program:

- To remove reported graffiti within 48 hours
- Improved color matching to area where graffiti had been applied
- Increased participation by property owners

In its first year under the Buildings Division, the removal program has achieved an average of 24-48 hour removal time, a set selection of colors and improved communications and cooperation with business owners and property management firms for graffiti removal.

The program process begins with the Graffiti Abatement Program Coordinator taking information from the Graffiti Hotline and prepares location and description work orders for the removal workers. Nancy Cunha is the part-time Graffiti Abatement Program Coordinator. She also receives written removal requests from the Police Department. Besides taking hotline information, the coordinator works with commercial property owners to have them remove the graffiti on their property. Nancy has been very successful in enlisting the support of property management companies to have their contractors remove graffiti. In difficult situations, she works with business owners and our removal crew to provide the necessary work on private commercial property. The coordinator has worked hard to develop a rapport with commercial property owners and property management companies to have them remove the graffiti on their properties. The removal crew will immediately remove graffiti if it is offensive/obscene/or targets the Police Department.

Ray Palomino, the City's Building Services Coordinator, supervises the City-wide removal program. Ray has been instrumental in supervising the removal program, selecting a palette of colors, and splitting up the two man crew to get 5 day per week removal (the crew used to work 3 days per week under the Fire Department).

The City-wide removal crew takes digital photographs of the graffiti (before and after) which are stored electronically. Graffiti photos are downloaded monthly to a CD and a copy is provided to the police officer assigned to graffiti. Also, the Building Services Coordinator meets this officer in the field to review graffiti hotspots or to look into particular situations.

The Graffiti Abatement Coordinator has worked with a church that has gone out and removed graffiti on private property. The program has also provided paint to residential property owners who have been hit repeatedly, or are willing to cover graffiti on public property that is hit repeatedly. Also, the Urban Forestry Division has planted vines along some walls in order to reduce future graffiti.

Abatement of graffiti can be accomplished by removal with chemicals, painting over the graffiti or using a sand blasting machine. From October 2006 through September 2007, the City-wide graffiti crew worked 1,791 hours and removed, or covered, 361,494 square feet of graffiti and had 2,665 graffiti reportings. During that same period, the Parks graffiti removal crew worked 1,316 hours, removed or covered 45,260 square feet, and responded to 1,081 graffiti reportings.

The Parks crew had a reduced square footage of graffiti removed per work hour because a lot of the graffiti is in the playgrounds and is less time consuming to remove. The City-wide graffiti abatement program spent \$60,638 last fiscal year and this includes the wages for the three hourly employees. Funding for the City wide removal program comes from the Solid Waste Enterprise Fund.

The City-wide program uses two vehicles, a pickup truck donated by Serpa Automotive with a small paint spray gun and a 1986 pickup truck with a sand blaster mounted on the bed. The 1986 vehicle is over 21 years old and needs to be replaced due to ongoing expenses and "down time" to repair the vehicle. Approximately \$35,000 is available in the Vehicle Replacement Fund (5012) to replace the 1986 pickup truck. Funds will need to be appropriated as part of the next budget cycle to replace this truck.

In addition to City efforts, graffiti in the downtown is removed by a Downtown Visalians employee usually within 24 hours. Visalia Unified School District removes graffiti on school property by 7:00 am the same day it is discovered. Most residential property owners prefer to remove the graffiti themselves. If the removal crew is unable to contact the property owner then the crew will usually remove the graffiti. The removal crew also assists the Traffic Engineering division by removing graffiti from some traffic signs. The crew also assists the Solid Waste division by covering up some graffiti on refuse containers. The coordinator informs Solid Waste about these containers and graffiti that the crew was unable to remove. Graffiti removal in the City is a team effort involving other organizations and several departments within the City.

### **Significant Issues:**

When the Parks and Recreation Department took over the graffiti removal program in September 2006, the City Attorney's office pointed out some concerns they had with the program. The City has a graffiti ordinance that states that graffiti removal on private property is the property owner's responsibility. If the property owner fails to promptly remove the graffiti, then the City shall send a notice to the property owner stating that removal is required to take place within 15 days. If the graffiti is not removed within 15 days, then the City may declare the property a public nuisance. The City can then remove the graffiti and bill the property owner for the work. The current graffiti program is not following this procedure. Approximately 10% of reported graffiti is on private property and Ms. Cunha works to inform private property owners that removal is their responsibility. The City's graffiti crew tries to obtain written property owner permission to remove graffiti. If they are unable to contact the property owner then they usually go ahead and remove the graffiti. Currently, the City is not billing property owners for removal. If directed by the Council, the City Attorney's office will be working to revise the ordinance to reduce the property owners' response time from 15 to 3 days. A decision needs to be made regarding the current programs' work on private property, which is currently contrary to the existing ordinance.

### **Program (Resource) Needs:**

Future goals for the Parks & Recreation graffiti removal program are:

- Work with more volunteers to remove graffiti on public/private property (Example: Establish an Adopt-a-Wall program)

- Add one hourly worker for approximately \$12,000 in order to reduce the removal response time from 1-2 days to approximately one day.
- Replace the small spray paint rig with a larger commercial unit for \$5,000 and replace the 21 year old sand blasting truck (due to ongoing maintenance costs and “down time”). The truck is due for replacement with funding coming from the Vehicle Replacement Fund.
- Update the graffiti ordinance to reflect current practices on private property and reduce response time for property owners from 15 days to 3 days

**Prior Council/Board Actions:** None.

**Committee/Commission Review and Actions:** On November 20, 2007 the Parks and Recreation Commission received this report and endorsed the efforts and recommendations related to the City’s anti-graffiti program.

**Attachments:** Graffiti Work Order and graffiti removal statistics

**Recommended Motion (and Alternative Motions if expected):** Accept the City staff report; direct staff to work with the City Attorney’s office to amend the current graffiti ordinance to reflect current practice; and direct staff to propose additional resources for the anti-graffiti program as part of the upcoming 2008-10 budget review process.

***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 3, 2007

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

**Agenda Item Wording:** Valley Oaks Golf Course Update

**Deadline for Action:** N/A

**Submitting Department:** Administrative Services

**Contact Name and Phone Number:** Mario Cifuentez II, x4480

### Department Recommendation and Summary:

#### Recommendation

That the City Council accepts the Valley Oaks Golf Course report and take the following actions:

1. Approve the reconstruction of two (2) greens at the Golf Course and appropriate \$150,000 for the project;
2. Approve the replacement of the irrigation system for the Valley and Oaks courses and appropriate \$1.7 million for that project;
3. Approve an increase to the CIP Credit Line, from the current \$1.3 million to \$2.6 million to provide adequate funding to cover both projects, and already approved projects. The credit line will be paid from revenues derived from the CIP surcharge and;
4. Acknowledge CourseCo.'s efforts to form an informal Golf Advisory Group for the purpose of improving communication with and receiving input from patrons.

### **Financial Analysis**

In January, 2000, the City Council changed the Valley Oaks Golf Course management from a City employee operated course to a private contract management course. The City entered into an agreement with CourseCo, Incorporated to manage the complete operation of the course and all facilities. CourseCo signed an agreement to operate the course on January 17, 2000.

The City had a number of objectives when it contracted out the operation of the facility, with the primary objective being to provide a quality golfing experience at a reasonable price, while maintaining the course as a self-sustaining enterprise fund. Fortunately, Council was able to draw on the expertise of CourseCo and their knowledge of the golfing industry, to put the course in a better financial picture as well as improved course maintenance. Council has previously

#### **For action by:**

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

#### **For placement on which agenda:**

- Work Session
- Closed Session

#### **Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 30

#### **Review:**

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

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

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

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given CourseCo the authority to adjust rates as necessary to meet industry trends and insure that the course remains financially sound.

From an operating standpoint, the course is doing significantly better than it was at the time that the last report was presented to Council. The closure of one local course, combined with an increase in the quality of the greens and overall conditions at Valley Oaks, has led to an increase in rounds and consequently, an increase in revenue. The increased revenue translates to an increased ability to meet its objective of paying operating costs with a surplus to pay for capital and debt. Chart I, Rounds Played, provides a 7 year comparison of rounds played, the primary driver of revenues. Valley Oaks Golf Course sustained a decrease in rounds in the early part of this decade. This decline was an industry wide trend and not just a local trend. In any case, the golf course rounds appear to be trending up, improving the golf course's ability to repay its debt.

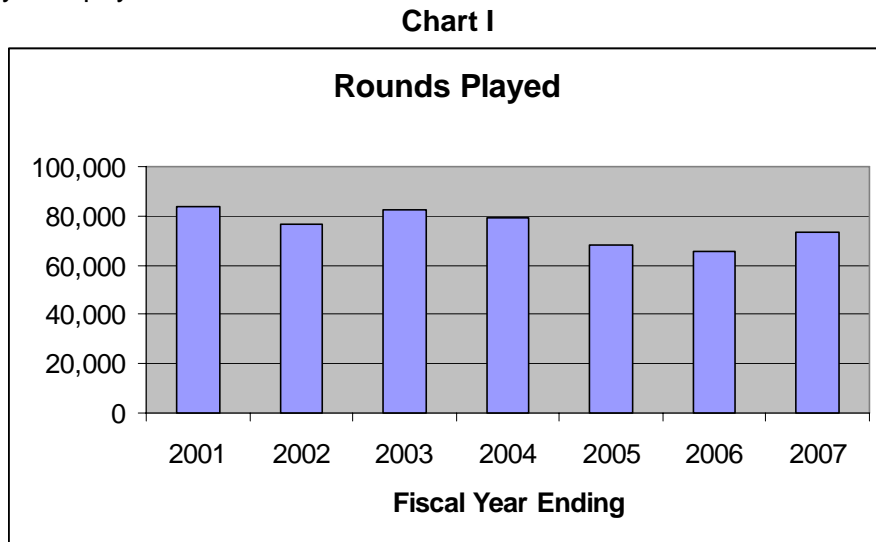


Table I, CourseCo Operating Results, provides a seven year history of CourseCo's operating results. The net income for this last year is the highest since CourseCo took over management of the course. The improved results are due to a partial recovery in rounds, more revenue per round and controlled growth in operating expenses.

Table II, Valley Oaks Golf, Status of Debt Payments, shows last fiscal year's debt activity. The Golf Course has two types of debt: CIP Credit Line used to pay for ongoing improvements and equipment and General Loan debt incurred in the past when the course was expanded.

The CIP Credit Line is dedicated towards Valley Oak improvements. All revenue derived from the CIP surcharge is to be used for improvements and equipment. Please note that the CIP Surcharge revenues equal CIP Debt Payments made. At the current rate of payment, the total CIP Credit Line would be paid off in two and ½ years unless additional debt is incurred. The Golf Course does, however, plan additional improvements, such as green replacements and an irrigation system rebuild.

**Table I**  
**Valley Oaks Golf Course**  
**CourseCo Operating Results**  
**Comparison Summary**  
**2000 Thru 2007**

	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	Totals
<b>Revenue</b>								
Green Fees	654,081	703,181	739,007	758,730	730,259	739,007	822,534	3,585,258
Monthly Tickets	287,781	275,475	310,562	286,001	232,097	222,385	236,596	1,391,916
CIP Surcharge	80,844	95,981	123,420	158,496	170,665	195,885	219,459	629,406
Cart Fees	351,501	387,628	413,199	414,075	374,682	384,940	454,228	1,941,085
Range	106,423	109,421	122,379	119,196	120,411	113,892	151,180	577,830
Merchandise	100,216	95,081	123,972	151,981	156,714	137,014	153,867	627,964
Food/Beverage	257,935	276,525	280,780	301,386	303,445	315,806	365,470	1,420,071
Other	13,766	7,735	5,969	17,592	21,000	14,992	27,120	66,062
<b>Total Income</b>	<b>1,852,547</b>	<b>1,951,027</b>	<b>2,119,288</b>	<b>2,207,457</b>	<b>2,109,273</b>	<b>2,123,921</b>	<b>2,430,454</b>	<b>10,239,592</b>
Cost of Goods Sold	179,041	179,994	193,142	239,088	223,153	208,694	270,400	1,014,418
Operating Expenses	1,260,409	1,382,108	1,450,639	1,530,253	1,578,629	1,561,377	1,625,765	8,804,669
<b>Net From Operation</b>	<b>413,097</b>	<b>388,925</b>	<b>475,507</b>	<b>438,116</b>	<b>307,491</b>	<b>353,850</b>	<b>534,289</b>	<b>1,700,698</b>
CIP Distribution	80,844	95,081	123,420	158,496	170,665	195,885	219,459	457,841
Balance Distribution	332,253	293,844	352,087	279,620	136,826	157,965	314,830	1,257,804
<b>Total Distribution</b>	<b>413,097</b>	<b>388,925</b>	<b>475,507</b>	<b>438,116</b>	<b>307,491</b>	<b>353,850</b>	<b>534,289</b>	<b>1,700,698</b>
<b>Rounds</b>	<b>83,475</b>	<b>76,585</b>	<b>82,299</b>	<b>79,250</b>	<b>68,264</b>	<b>65,295</b>	<b>73,153</b>	
<b>Average Income Per Round</b>	<b>\$22.19</b>	<b>\$25.48</b>	<b>\$25.75</b>	<b>\$27.85</b>	<b>\$30.90</b>	<b>\$32.70</b>	<b>\$33.22</b>	

The Course made good progress on the General Fund Loan this year as well. The peak General Fund Loan debt principal was \$3.5 million in June of 2000. The debt now has declined to \$2.6 million. The remaining life of the loan at the current rate of payment is only 6 years if the course can continue to generate income as it did this year.

Detail of Debt Payments

As mentioned previously, the golf course has two types of debt: debt incurred after CourseCo became the golf course's operator, as a result of Council approved capital improvements, and debt incurred prior to CourseCo taking over management. After CourseCo assumed control of the golf course, the Council authorized a CIP (Capital Improvement Program) surcharge for the purpose of upgrading or replacing capital assets at the Golf Course. The one restriction that the Council placed upon the CIP surcharge was that all revenue derived from the surcharge must be used for new capital expenditures at the golf course, in other words, capital acquired after CourseCo management began operations. Both loans are advances from the General fund and accrue interest at the City's portfolio earning's rate plus 1%.

**Table II**  
**Valley Oaks Golf**

**Status of Debt Payments  
Fiscal Year 06/07**

<b><i>Loan Balances</i></b>	CIP Credit Line	General Fund Loan
Balance 6/30/06	<u>585,802</u>	<u>2,980,613</u>
Principal Paid	(201,650)	(37,600)
Cash to be transferred		(350,000)
Additions	<u>120,920</u>	
Balance 6/30/07	<u><u>505,072</u></u>	<u><u>2,593,013</u></u>
<b><i>Debt Payments Made</i></b>		
Principal Paid	201,650	37,600
Cash to be transferred		350,000
Interest Paid	21,005	132,494
Total Paid	<u><u>222,655</u></u>	<u><u>520,094</u></u>
CIP Surcharge Collected	222,655	

Over the past two (2) years, the golf course has made significant improvement on paying down the General Fund Loan, or prior debt. Prior to CourseCo managing the course, the City ran the golf course. In the mid 1990s, the course was expanded to include an additional 9 holes. During the time construction was ongoing, the golf course fund suffered several years of operating losses. These operating losses and golf course expansion costs represent the General Fund debt as shown in Table III, Golf Course General Fund Loan.

The accumulated debt at the end of 2000 was approximately \$3.5 million. The debt balance at the end of 2007 is \$2.6 million. Repayment is progressing at a rate better than it has in the past and is indicative of the financial strength of the course. The golf course is on a course to repay the debt by 2013. This puts the course on pace to repay the debt in line with the original 15 year amortization schedule. Paying off the General Fund Loan is a major goal for the course, especially considering that there are several large maintenance projects that will require close to \$2 million to complete.

Table IV, Golf CIP Credit Line, shows the fund's CIP debt activity for the last 7 years. During the past seven year period, the Golf Course has borrowed \$1,402,319, repaid interest as agreed to and paid down principal so that the current outstanding CIP loan is \$505,072. Originally, the City Council authorized the CIP Loan to be a line of credit up to \$800,000. In September 2004, staff recommended that the Council allow the golf course to use the City's available cash to finance capital equipment purchases, which had historically been leased by CourseCo, noted as an additional loan on Table III. The action essentially allowed the line of credit to be increased up to \$1.3 million.



**Table III****Golf Course General Fund Loan**

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>TOTAL</b>
DEBT PAYOFF:									
BEGINNING BALANCE	3,325,000	3,497,426	3,323,291	3,155,003	3,100,506	3,184,159	3,154,837	2,980,613	3,325,000
PRINCIPAL PAID	-	(174,135)	(168,288)	(54,497)	(58,331)	(29,322)	(174,224)	(387,600)	(1,046,398)
INTEREST ACCRUED	172,426	218,865	224,712	165,008	166,353	212,376	123,036	132,494	1,415,270
INTEREST PAID	-	(218,865)	(224,712)	(165,008)	(166,353)	(212,375)	(123,036)	(132,494)	(1,242,844)
CIP SURCHARGE ADJ.					141,984*				141,984
ENDING BALANCE	3,497,426	3,323,291	3,155,003	3,100,506	3,184,159	3,154,837	2,980,613	2,593,013	2,593,013

\*Correction made in 2004 to correct distribution of funding and assure that all CIP surcharge revenue was dedicated to the CIP Credit Line

**Table IV**  
**GOLF CIP CREDIT LINE**

	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
BEGINNING BALANCE	-	447,012	662,357	777,100	754,726	480,807	751,751	585,802	-
Additional Loan*	440,605	289,698	126,567	-	-	424,529	-	120,920	1,402,319
Principal Paid		(74,353)	(11,824)	(22,374)	(131,935)	(153,585)	(165,949)	(201,650)	(761,670)
Interest Accrued	6,407	38,253	49,016	40,668	25,570	26,531	26,738	21,005	234,188
Interest Paid		(38,253)	(49,016)	(40,668)	(25,570)	(26,531)	(26,738)	(21,005)	(227,781)
CIP SURCHARGE ADJ					(141,984)**				(141,984)
ENDING BALANCE	447,012	662,357	777,100	754,726	480,807	751,751	585,802	505,072	505,072

\*Original Credit Line was for \$800,000. An additional \$500,000 authorized by Council September 7, 2004 increasing advance limit to \$1.3m.

\*\*Correction made in 2004 to correct distribution of funding and assure that all CIP surcharge revenue was dedicated to the CIP Credit Line

Finally, one significant operational change that has saved the course significant money is decision to let go fallow 25 acres of turf. These acres are not significant to golf play but were maintained in the past. Now, these acres are returning to their natural state without hurting the golf course.

Capital Needs. City staff works with CourseCo staff in evaluating the state of the golf course. In 2006, CourseCo completely rebuilt 4 greens on the Valley and Oaks courses. The success of that project, while tempered somewhat by the loss of one of the rebuilt greens, has shown that several other greens on the 2 older courses need to be rebuilt as well. CourseCo proposes to rebuild 2 greens (greens #4 and #8 on the Oaks course) in 07/08 and 2 more (greens #5 and #8 on the Valley course) in 08/09. By phasing this project over 2 years, the course will be able to continue to operate with temporary greens during construction and maintain a full 27 holes available for play. The major project looming in the future is the replacement of the existing irrigation system. At an estimated cost of \$1.7 million, this project is something that needs to have funds allocated to it and the project begun before repairs to the existing system become operationally burdensome.

The following CIP projects are currently being prepared to put out to bid:

FY 2007/08

- \$25,000 to complete Electrical Improvements to the Golf Cart Storage Barn. This project is needed to provide for recharging of additional carts added to the fleet some time ago. Additionally, this project will provide additional conduit and wiring to facilitate the installation of lights for the driving range at some point in the future.
- \$40,000 to install new safety netting on hole #1 on the Oaks course. The old netting has deteriorated to the point where it no longer provides the necessary protection to golfers on the adjacent putting area and fairways.

The following CIP projects are planned for next fiscal year, pending Council approval:

FY 2008/09

- Rebuild two (2) greens on one of the older courses to the new standards for green construction. Depending on which course would benefit more from the project, CourseCo will rebuild either greens #4 and #8 on the Oaks course or greens #5 and #8 on the Valley course and then rebuild the remaining two in 08/09. The estimated cost of the project is \$150,000.
- Replacement of old existing irrigation system on the Valley and Oaks Course. The condition of the course is completely dependant on adequate water placement. As the course has aged, the old irrigation system has begun to fail and puts limits on the quality of the turf areas. The estimated cost of the project is \$1.7 million.

If Council authorizes this project, the General Fund credit line would need to be increased from its current \$1.3 million to \$2.6 million for the following amounts:

Current Balance	\$505,000
-----------------	-----------

Greens 07/08	\$150,000
Greens 08/09	\$150,000
New Operating Capital	\$100,000
Irrigation Project	<u>\$1,700,000</u>
Total	\$2,605,000

The Irrigation Project assumes that 25 acres of property, which was taken out of play and returned to native habitat several years ago, remain in that state. If the Council wished to have that acreage again maintained as golf turf, the project would cost \$300,000 more.

### **Operational Issues**

Usage of Private Golf Carts. In November 2000, Council approved a 5-year phase out of private golf cart privileges at the Valley Oaks Golf Course. Under the provisions of Council's decisions, 43 private cart owners at that time were "grandfathered" in and allowed to use their carts until November 2005. The purpose of "grandfathering" in the private cart users at that time, was a means of moving forward without private carts without taking away a privilege already afforded to the loyal patrons of Valley Oaks. In the update to Council in September 2004, it was reported that Valley Oaks Golf Course was issuing an average 30 passes per month for the remaining allowed private carts. Since that time, a total of 26 of the 43 cart owners have voluntarily removed themselves from the list by means of selling their cart or discontinuing playing golf for whatever reason.

In October 2005, Council approved a 5-year extension of private cart privileges to grandfathered owners. This extension is set to expire on October 31, 2010. At the time that the extension was granted, there was an average of 13 owners buying private cart permits in any one month. The trend continues to be 12-15 in any one month. CourseCo views the limited use of private carts as a minor problem and does not recommend any changes.

On the other hand, should Council decide to revisit this issue and allow private carts owned by other patrons, staff would recommend reserving the monthly private cart pass for "grandfathered" patrons only and any new private cart owners would be required to pay a per round charge equal to the current cart rental fee.

### **Golf Advisory Group**

Both staff and CourseCo have received significant feedback from users on the quality and operation of the course over the past year. Obviously, every patron has a particular area of interest at the course where they focus their attention. In discussions with CourseCo, it was mentioned that CourseCo has already established a Golf Course Evaluation Committee comprised of various representatives from the different groups that use Valley Oaks. Additionally, CourseCo maintains advisory groups at many of the courses that they run and the groups have been instrumental in assuring that all segments of patrons have a say in how the courses are run and what improvements, if any, are necessary.

Based on that, staff has recommended to CourseCo to expand upon the Evaluation Committee idea. CourseCo envisions monthly meetings by a group having representation by all facets of users including men, women, youth, tournament groups and even parks supporters. Staff recommends that Council authorize CourseCo to move forward with the formation of such a group that will serve in an advisory capacity to CourseCo's management of Valley Oaks.

### Monthly Ticket Usage:

In 2005, monthly ticket holders comprised approximately 27% of the annual revenue stream and were playing approximately 48% of the total rounds played annually. Through the implementation of some changes to the monthly ticket structure, CourseCo has been able to increase the average green fee realized from the monthly holders. The monthly ticket holders now account for approximately 40% of the rounds played and contribute approximately the same percentage of revenue.

### Recommendations

In conclusion and based upon the aforementioned summary, staff recommends that Council:

1. Approve the reconstruction of two (2) greens at the Golf Course and appropriate \$150,000 for the project;
2. Approve the replacement of the irrigation system for the Valley and Oaks courses and appropriate \$1.7 million for that project;
3. Approve an increase to the CIP Credit Line, from the current \$1.3 million to \$2.6 million to provide adequate funding to cover both projects, and already approved projects. The credit line will be paid from revenues derived from the CIP surcharge; and,
4. Acknowledge CourseCo.'s efforts to form an informal Golf Advisory Group for the purpose of improving communication with and receiving input from patrons.

### **Prior Council/Board Actions:**

September 7, 2004 – Council authorized the first year of a six (6) year CIP plan for Valley Oaks Golf Course.

July 18, 2005 – Council authorized an increase in the CIP loan to allow the cancellation of leases on capital equipment and conversion to City funded purchases through the CIP surcharge revenue.

October 17, 2005 – Council approved a 5-year extension of private cart privileges to grandfathered owners, to expire on October 31, 2010.

### **Committee/Commission Review and Actions:**

#### **Alternatives:**

#### **Attachments:**

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

1. Approve the reconstruction of two (2) greens at the Golf Course and appropriate \$150,000 for the project;
2. Approve the replacement of the irrigation system for the Valley and Oaks courses and appropriate \$1.7 million for that project;
3. Approve an increase to the CIP Credit Line, from the current \$1.3 million to \$2.6 million, with the understanding that the credit line will be paid from revenues derived from the CIP surcharge; and,
4. Acknowledge CourseCo.'s efforts to form an informal Golf Advisory Group for the purpose of improving communication with and receiving input from patrons.

***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 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8c

**Agenda Item Wording:** Authorization to record the final map for Parcel Map No. 2007-04, located at the southeast corner of Demaree Street and Houston Avenue.

APN: 089-030-035

**Deadline for Action:** December 17, 2007

**Submitting Department:** Public Works, Engineering

**Contact Name and Phone Number:**

Andrew Benelli 713-4340  
Greg Dais 713-4164

**Department Recommendation and Summary:**

Staff recommends that City Council authorize the recordation of the final map for Parcel Map No. 2007-04 containing 4 commercial parcels. The property owner is Visalia Development Holdings, Ltd. All the public street improvements along the frontage of this Parcel Map have been constructed on Demaree Street and Houston Avenue. There is no subdivision or reimbursement agreement associated with this map. Development Impact Fees are being deferred until building permits are issued.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:** Tentative Parcel Map No. 2007-04 was approved by Planning Commission on May 14, 2007 with the expiration date of May 14, 2009.

**Alternatives:** N/A

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

**City Manager Recommendation:**

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.):\_\_1\_\_

**Review:**

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

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

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

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

**Recommended Motion (and Alternative Motions if expected):** Move to authorize recordation of the final map of Parcel Map No. 2007-04.

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:**

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

**NEPA Review:**

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

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



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

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8d

**Agenda Item Wording:** Authorize the Recordation of the Final Map for South Cameron Creek, Unit No. 3, located on the south side of Cameron Avenue at Vintage Street (85 lots), authorize the City Manager to sign the Subdivision and Reimbursement agreements and the Annexation of South Cameron Creek, Unit No. 3 into Landscape and Lighting District No. 05-03, South Cameron Creek (Resolution Nos. 07-100 and 07-101 required).

APN: A portion of 126-070-026

**Deadline for Action:** December 17, 2007

**Submitting Department:** Public Works, Engineering

**Contact Name and Phone Number:**

Andrew Benelli 713-4340

Greg Dais 713-4164

**Department Recommendation and Summary:**

***Final Map***

Staff recommends that City Council approve the recordation of the final map for South Cameron Creek, Unit No. 3 containing 85 single family lots and to authorize the City Manager to execute the subdivision agreement. All bonds, cash payments, subdivision agreement, reimbursement agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,421,959.57 and Labor and Material Bond in the amount of \$710,979.79; 3) cash payment of \$351,755.36 distributed to various accounts; 4) executed reimbursement agreement and 5) Final Map.

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

For action by:

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

For placement on which agenda:

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

Est. Time (Min.): 1

Review:

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

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

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

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

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***

According to Resolution No. 2004-117 adopted by City Council on October 18, 2004 the City will reimburse the Developer for street improvements made to Arterial or Collector streets. This development is constructing street improvements along Visalia Parkway (Arterial) and Cameron Avenue (Collector). The City will be reimbursing approximately \$407,407.23 to the developer (McMillin South Cameron Creek, LLC) by giving a fee credit for Transportation Impact Fees. The developer will be paying approximately \$541,253.65 in Transportation Impact Fees. After the credit of \$407,407.23 the developer will owe \$133,846.42 in Transportation Impact Fees. The reimbursement agreement was approved by the reimbursement committee on November 7, 2007. Staff recommends that City Council authorize the City Manager to execute the reimbursement agreement.

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

Staff recommends that the City Council: adopt Resolution No. 07-100 Initiating Proceedings for Annexation to Assessment District No. 05-03, South Cameron Creek; adopt the Engineer's Report as submitted; and adopt Resolution No. 07-101 confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

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

On March 21, 2005, City Council approved the formation of a Landscape and Lighting District for South Cameron Creek. This district included the assessor's parcel numbers for all phases of the South Cameron Creek tentative map. This established at the onset of this development that the landscape and lighting district would be built in phases and the cost for maintenance would be shared equally among all the property owners for all phases of South Cameron Creek. The purpose behind this was to bring future annexations to the Council without having to get permission from the owners in each developed phase to add additional lots to the district. The City would only need permission from the owners in each developed phase if the annexation of the new phase would cause the per lot assessment to increase. This annexation will reduce the per lot assessment for each lot within the district.

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

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

**Committee/Commission Review and Actions:** The tentative subdivision map for South Cameron Creek subdivision was approved by the Planning Commission on May 10, 2004. The tentative map will expire on May 10, 2006. The reimbursement agreement was reviewed and approved by the reimbursement committee on November 7, 2007.

**Alternatives:** N/A

**Attachments:** Location Map; Owner Disclosure; Subdivision Map; Subdivision Agreement; Reimbursement 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 South Cameron Creek, Unit No. 3, and to authorize the City Manager to sign the Subdivision Agreement and Reimbursement Agreement.

I further move to adopt Resolution No. 07-100 Initiating Proceedings for Annexation to Assessment District No. 05-03 "South Cameron Creek" and adopt Resolution No. 07-101 Ordering the Improvements for Assessment District No. 05-03 "South Cameron Creek."

***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-\_\_\_\_\_

RESOLUTION INITIATING PROCEEDINGS  
FOR ANNEXATION TO  
ASSESSMENT DISTRICT 05-03

SOUTH CAMERON CREEK  
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to annex to an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:  
  
Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The district, including the annexation, shall continue with the designation established with the initial formation, which is "Assessment District No. 05-03, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 05-03, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "South Cameron Creek".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 05-03  
SOUTH CAMERON CREEK  
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 05-03, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the 3rd 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-\_\_\_\_\_

RESOLUTION ORDERING IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 05-03  
SOUTH CAMERON CREEK  
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 05-03, 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 annexation to the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2007-08.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
  - a. Clerk's Certification to County Auditor
  - b. Resolution Initiating Proceedings
  - c. Resolution Ordering Improvements
  - d. Engineer's Report:
    - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
    - Exhibit B - Landscape Location Diagram
    - Exhibit C - Tax Roll Assessment
    - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram  
Assessment District No. 05-03  
City of Visalia, Tulare County, California



SOUTH CAMERON CREEK UNIT NO. 1

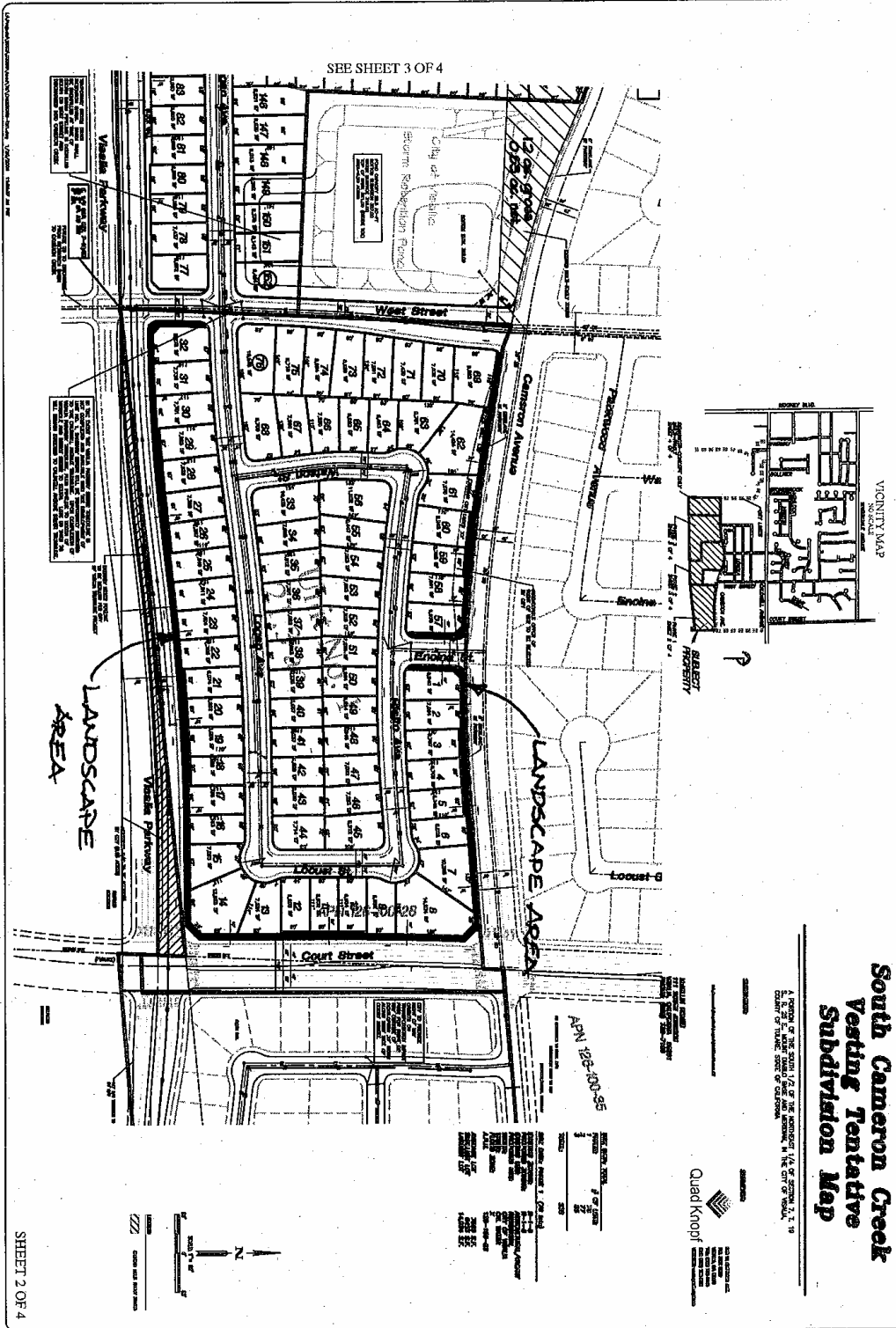






Exhibit "B"

Landscape Location Diagram  
South Cameron Creek





## Exhibit "C"

### Tax Roll Assessment South Cameron Creek Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
126-820-001	\$266.34	05-0301	South Cameron Creek No. 1
126-820-002	\$266.34	05-0302	South Cameron Creek No. 1
126-820-003	\$266.34	05-0303	South Cameron Creek No. 1
126-820-004	\$266.34	05-0304	South Cameron Creek No. 1
126-820-005	\$266.34	05-0305	South Cameron Creek No. 1
126-820-006	\$266.34	05-0306	South Cameron Creek No. 1
126-820-007	\$266.34	05-0307	South Cameron Creek No. 1
126-820-008	\$266.34	05-0308	South Cameron Creek No. 1
126-820-009	\$266.34	05-0309	South Cameron Creek No. 1
126-820-010	\$266.34	05-0310	South Cameron Creek No. 1
126-820-011	\$266.34	05-0311	South Cameron Creek No. 1
126-820-012	\$266.34	05-0312	South Cameron Creek No. 1
126-820-013	\$266.34	05-0313	South Cameron Creek No. 1
126-820-014	\$266.34	05-0314	South Cameron Creek No. 1
126-820-015	\$266.34	05-0315	South Cameron Creek No. 1
126-820-016	\$266.34	05-0316	South Cameron Creek No. 1
126-820-017	\$266.34	05-0317	South Cameron Creek No. 1
126-820-018	\$266.34	05-0318	South Cameron Creek No. 1
126-820-019	\$266.34	05-0319	South Cameron Creek No. 1
126-820-020	\$266.34	05-0320	South Cameron Creek No. 1
126-820-021	\$266.34	05-0321	South Cameron Creek No. 1
126-820-022	\$266.34	05-0322	South Cameron Creek No. 1
126-820-023	\$266.34	05-0323	South Cameron Creek No. 1
126-820-024	\$266.34	05-0324	South Cameron Creek No. 1
126-820-025	\$266.34	05-0325	South Cameron Creek No. 1
126-820-026	\$266.34	05-0326	South Cameron Creek No. 1
126-820-027	\$266.34	05-0327	South Cameron Creek No. 1
126-820-028	\$266.34	05-0328	South Cameron Creek No. 1
126-820-029	\$266.34	05-0329	South Cameron Creek No. 1
126-820-030	\$266.34	05-0330	South Cameron Creek No. 1
126-820-031	\$266.34	05-0331	South Cameron Creek No. 1
126-820-032	\$266.34	05-0332	South Cameron Creek No. 1
126-820-033	\$266.34	05-0333	South Cameron Creek No. 1
126-820-034	\$266.34	05-0334	South Cameron Creek No. 1
126-820-035	\$266.34	05-0335	South Cameron Creek No. 1
126-820-036	\$266.34	05-0336	South Cameron Creek No. 1
126-820-037	\$266.34	05-0337	South Cameron Creek No. 1
126-820-038	\$266.34	05-0338	South Cameron Creek No. 1
126-820-039	\$266.34	05-0339	South Cameron Creek No. 1
126-820-040	\$266.34	05-0340	South Cameron Creek No. 1
126-820-041	\$266.34	05-0341	South Cameron Creek No. 1
126-820-042	\$266.34	05-0342	South Cameron Creek No. 1
126-820-043	\$266.34	05-0343	South Cameron Creek No. 1
126-820-044	\$266.34	05-0344	South Cameron Creek No. 1

**Exhibit "C"**

Tax Roll Assessment  
South Cameron Creek  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
126-820-045	\$266.34	05-0345	South Cameron Creek No. 1
126-820-046	\$266.34	05-0346	South Cameron Creek No. 1
126-820-047	\$266.34	05-0347	South Cameron Creek No. 1
126-820-048	\$266.34	05-0348	South Cameron Creek No. 1
126-820-049	\$266.34	05-0349	South Cameron Creek No. 1
126-820-050	\$266.34	05-0350	South Cameron Creek No. 1
126-820-051	\$266.34	05-0351	South Cameron Creek No. 1
126-820-052	\$266.34	05-0352	South Cameron Creek No. 1
126-820-053	\$266.34	05-0353	South Cameron Creek No. 1
126-820-054	\$266.34	05-0354	South Cameron Creek No. 1
126-820-055	\$266.34	05-0355	South Cameron Creek No. 1
126-820-056	\$266.34	05-0356	South Cameron Creek No. 1
126-820-057	\$266.34	05-0357	South Cameron Creek No. 1
126-820-058	\$266.34	05-0358	South Cameron Creek No. 1
126-820-059	\$266.34	05-0359	South Cameron Creek No. 1
126-820-060	\$266.34	05-0360	South Cameron Creek No. 1
126-820-061	\$266.34	05-0361	South Cameron Creek No. 1
126-820-062	\$266.34	05-0362	South Cameron Creek No. 1
126-820-063	\$266.34	05-0363	South Cameron Creek No. 1
126-820-064	\$266.34	05-0364	South Cameron Creek No. 1
126-820-065	\$266.34	05-0365	South Cameron Creek No. 1
126-820-066	\$266.34	05-0366	South Cameron Creek No. 1
126-820-067	\$266.34	05-0367	South Cameron Creek No. 1
126-820-068	\$266.34	05-0368	South Cameron Creek No. 1
126-820-069	\$266.34	05-0369	South Cameron Creek No. 1
126-820-070	\$266.34	05-0370	South Cameron Creek No. 1
126-820-071	\$266.34	05-0371	South Cameron Creek No. 1
126-820-072	\$266.34	05-0372	South Cameron Creek No. 1
126-820-073	\$266.34	05-0373	South Cameron Creek No. 1
126-820-074	\$266.34	05-0374	South Cameron Creek No. 1
126-820-075	\$266.34	05-0375	South Cameron Creek No. 1
126-820-076	\$266.34	05-0376	South Cameron Creek No. 1
To Be Assigned	\$266.34	05-0377	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0378	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0379	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0380	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0381	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0382	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0383	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0384	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0385	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0386	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0387	South Cameron Creek No. 2

## Exhibit "C"

Tax Roll Assessment  
South Cameron Creek  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$266.34	05-0388	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0389	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0390	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0391	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0392	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0393	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0394	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0395	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0396	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0397	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0398	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-0399	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03100	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03101	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03102	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03103	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03104	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03105	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03106	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03107	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03108	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03109	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03110	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03111	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03112	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03113	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03114	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03115	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03116	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03117	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03118	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03119	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03120	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03121	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03122	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03123	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03124	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03125	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03126	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03127	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03128	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03129	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03130	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03131	South Cameron Creek No. 2

**Exhibit "C"**

Tax Roll Assessment  
South Cameron Creek  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$266.34	05-03132	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03133	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03134	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03135	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03136	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03137	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03138	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03139	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03140	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03141	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03142	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03143	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03144	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03145	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03146	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03147	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03148	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03149	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03150	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03151	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03152	South Cameron Creek No. 2
To Be Assigned	\$266.34	05-03153	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03154	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03155	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03156	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03157	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03158	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03159	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03160	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03161	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03162	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03163	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03164	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03165	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03166	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03167	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03168	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03169	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03170	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03171	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03172	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03173	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03174	South Cameron Creek No. 3



## Exhibit "C"

Tax Roll Assessment  
South Cameron Creek  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$266.34	05-03175	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03176	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03177	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03178	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03179	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03180	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03181	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03182	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03183	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03184	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03185	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03186	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03187	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03188	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03189	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03190	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03191	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03192	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03193	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03194	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03195	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03196	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03197	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03198	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03199	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03200	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03201	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03202	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03203	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03204	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03205	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03206	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03207	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03208	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03209	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03210	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03211	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03212	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03213	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03214	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03215	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03216	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03217	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03218	South Cameron Creek No. 3

## Exhibit "C"

Tax Roll Assessment  
South Cameron Creek  
Fiscal Year 2007-08

<u>APN #</u>	<u>Assessment</u>	<u>Lot #</u>	<u>District</u>
To Be Assigned	\$266.34	05-03219	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03220	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03221	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03222	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03223	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03224	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03225	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03226	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03227	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03228	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03229	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03230	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03231	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03232	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03233	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03234	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03235	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03236	South Cameron Creek No. 3
To Be Assigned	\$266.34	05-03237	South Cameron Creek No. 3

## **Exhibit "D"**

Engineer's Report  
Landscape & Lighting Assessment District 05-03  
South Cameron Creek  
Fiscal Year 2007-08

### General Description

This Assessment District (District) is located on the south side of Cameron Ave. between Court Street and Stonebrook Street. Exhibit "A" is a map of Assessment District 05-03. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The total number lots within the district are 237.

### Determination of Benefit

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

### Method of Apportionment

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

### Estimated Costs

The estimated costs to maintain the District includes the costs to maintain turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements.

## Exhibit "D"

Engineer's Report  
Landscape & Lighting Assessment District 05-03  
South Cameron Creek  
Fiscal Year 2007-08

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	47,915	\$0.180	\$8,624.70
Shrub Area	Sq. Ft.	76,045	\$0.180	\$13,688.10
Water	Sq. Ft.	123,960	\$0.050	\$6,198.00
Electricity	Sq. Ft.	123,960	\$0.008	\$991.68
Trees In Landscape Lots	Each	399	\$25.00	\$9,975.00
Trees In Local Street Parkways	Each	302	\$25.00	\$7,550.00
Street Lights	Each	58	\$105.00	\$6,090.00
Project Management Costs	Lots	237	\$18.00	\$4,266.00
TOTAL				<hr/> \$57,383.48
10% Reserve Fund				\$5,738.35
GRAND TOTAL				<hr/> <hr/> \$63,121.83
COST PER LOT				\$266.34

### 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:

$$A_{\max} \text{ for any given year "n"} = (\$63,121.83) (1.05)^{(n-1)}$$

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

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

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

## Exhibit "D"

Engineer's Report  
Landscape & Lighting Assessment District 05-03  
South Cameron Creek  
Fiscal Year 2007-08

Example 1. The estimated year four cost of maintaining the improvements in the district is \$68,802.79 [a 9% increase over the base year estimated cost of \$63,121.83]. The maximum annual assessment for year four is \$73,071.41 [ $A_{\max} = (\$63,121.83)^{(4-1)}$  (1.05)]. The assessment will be set at \$68,802.79 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 \$71,327.67 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$63,121.83]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$1,426.55 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 \$73,071.41 [ $A_{\max} = (\$63,121.83)^{(4-1)}$  (1.05)]. The year four assessment will be set at \$71,327.67 plus the deficit amount of \$1,426.55 which equals \$72,754.22 [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 \$68,802.79 [a 9% increase over the base year assessment of \$63,121.83] and damage occurred to the masonry wall raising the year five expenses to \$77,008.63 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$75,683.07 (a 10% increase over the previous year) and below the maximum annual assessment of \$76,724.98 [ $A_{\max} = (\$63,121.83)^{(5-1)}$  (1.05)]. The difference of \$1,325.56 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

### City Engineer Certification

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

---

Andrew Benelli  
Public Works Director

RCE 50022

Date

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8e

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

**Deadline for Action:** November 19, 2007

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

**Contact Name and Phone Number:**

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

**Staff Recommendation:** Adopt Ordinance No. 2007-18 to adopt the 2007 California Fire Code, 2007 California Administrative Code, 2007 California Referenced Standard code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Mechanical Code, 2007 California Electric Code, 2007 California Historical Building Code, 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and the 2006 Uniform Swimming Pool, Spa and Hot Tub Code.

**Background and Summary:**

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

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 3

**Review:**

Dept. Head MO       
(Initials & date required)

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

City Mgr       
(Initials Required)

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

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

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

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

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

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

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

It is the recommendation of the Construction Review Committee, the Fire Department and the Division of Building Safety that these codes be adopted with an effective date of January 2, 2008.

Following the public hearing on October 29, 2007, Council asked for additional information on the following items:

**Visit-Ability:** The Voluntary Visit-Ability program was developed in conjunction with the Building Industry Association (BIA) (now known as the Home Builders Association HBA) for new dwellings constructed within the City of Visalia. This program is a simple, voluntary program in which several small changes are made during construction to single family dwellings and duplexes to make the residences “visitor friendly” to handicapped persons. Examples of these modifications are minimum 32” door openings and bracing in the bathroom walls so grab bars could be installed if necessary. During the development process staff concluded that the program could not be made mandatory under the provisions of the Uniform Building Code. There was specific code language in the UBC to provide for more restrictive code changes; however the language referred to modifications to the code requiring that the governing body make express findings showing that such modifications are reasonably necessary due to local climactic, geological or topographical conditions. At the time this voluntary program was enacted, staff did not believe that those findings could be made and Council agreed.

Staff is working with the City Attorney to determine if the new California Building Code will allow this type of local amendment to become mandatory. If so, based on Council’s interest expressed on October 29, staff will contact the HBA to discuss potential mandatory visit-ability standards as a future code amendment. Staff will provide a follow-up report to Council within 45 days.

**Building Abatement:** The process and time lines established within the current 1997 code providing for due process and removal of substandard buildings have not been modified and are transferred to the California code. The current work load in Visalia for substandard buildings is at approximately 200 properties. One full time inspector is assigned to substandard projects. The time lines provided in the code allow for a 60 day process with a willing property owner. However, these time lines can be extended to allow property owners time to estimate costs and secure funding. In the case of an uncooperative landowner, the appeal process to the Construction Review Committee will add approximately 30 days to the time line for processing. The City’s costs to demolish the structure are recovered by placing a lien on the property. If the City is placed in the position of demolishing the structure, a hazardous materials assessment and abatement are required. The bid process would begin at this point with a requirement of at least three bids from qualified contractors.

**2<sup>nd</sup> Story Uses in Historical Buildings:** With the adoption of the 2007 Historical Building Code, City Staff will use all code provisions to provide for the use of all second floor occupancies of Historical buildings. The Historical Building Code will provide some relief from current code restrictions. However, a major obstacle for second floor uses is access for disabled persons. Commercial building access requirements, found in the California Building Code, require that the developer and local building department to take into consideration all minimum access standards. The primary concern of second floor uses is the cost of the required access, mainly elevators. Staff has, in the past, attempted to meet with owners/developers to determine the appropriate occupant access requirements for the project. Where suitable access to services can be provided to disabled citizens on the first floor, or for one or two second floor residences, the Building Official may waive the elevator requirement. Elevator access for the disabled cannot be waived for three or more second floor residences or for business services only available on the second floor.

**Prior Council/Board Actions:** Council introduced ordinance and held public hearing on October 29, 2007.



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

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

**Attachments:** Ordinance No. 2007-\_18\_

**Recommended Motion (and Alternative Motions if expected):** Move to adopt Ordinance No. 2007-\_18\_ repealing and adopting Building and Construction Ordinance Chapter 15.04 through Chapter 15.36 and repealing and adopting Fire Ordinance Chapter 8.20.010 as submitted.

***Environmental Assessment Status***

**CEQA Review: N/A**

**NEPA Review: N/A**

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

Copies of this report have been provided to:

**ORDINANCE NO. 2007- 18\_  
AN ORDINANCE OF THE CITY OF VISALIA  
TO REPEAL AND ADOPT IN THEIR ENTIRETY  
CHAPTERS 15.04 THROUGH 15.36  
OF THE VISALIA MUNICIPAL CODE,  
BUILDINGS AND CONSTRUCTION ORDINANCE,  
AND TO REPEAL AND ADOPT SECTION 8.20.010  
OF THE VISALIA MUNICIPAL CODE,  
FIRE CODE ORDINANCE.**

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

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

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

***Chapter 8.20***

***UNIFORM FIRE CODE***

Sections:

8.20.010 Adoption of the 2007 California Fire Code.

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

phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter in accordance with Ordinance Section 1.01.080.

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

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

## **Chapter 15.04**

### CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.04.010 Adoption of the 2007 California Administrative Code.

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

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

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

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

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

Administrative Code. (Ord. 9605 § 31 (part), 1996: Ord. 9529 § 2, 1996: prior code § 7750)

## **Chapter 15.06**

### CALIFORNIA REFERENCED STANDARD CODE, TITLE 24 Part 12

Sections:

15.06.010 Adoption of the 2007 California Referenced Standards Code .

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

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

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

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

## **Chapter 15.08**

### **CALIFORNIA BUILDING CODE**

Sections:

15.08.010 Adoption of the 2007 California Building Code.

- A. That certain building code, in book form known and designated as the 2007 California Building Code, Title 24, Part 2, Volumes 1 and published by The International Code Council, is adopted as the Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein, except for those deletions, modifications, and amendments set forth below. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.
- B. Included specifically are 2007 California Building Code Appendix Chapter 1 (Administration) Appendices B (Board of Appeals),H (Signs),I (Patio Covers) and J (Grading) .
- C. Reference is made to three copy of the 2007 California Building Code, one copy filed in the office of the city clerk and two copy filed in the office of Building Safety Division of the city, which are now filed for full particulars of said Building Code. (Ord. 9529 § 2, 1996: prior code § 7751)

## **Chapter 15.12**

### UNIFORM HOUSING CODE

Sections:

15.12.010 Adoption of the Uniform Housing Code.

- A. That certain housing code, in book form known and designated as the Uniform Housing Code, 1997 Edition, as prepared and published by the International Conference of Building Officials, is adopted as the Housing Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph, subparagraph, word, phrase or clause contained therein were fully set forth herein. If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the chapter.
- B. Chapter 2 (Enforcement) of said Uniform Housing Code is deleted.
- C. Reference is made to three copies of the Uniform Housing Code, 1997 Edition, one copy filed in the office of the city clerk and two copies filed in the office of building safety division of the city, which are now so filed for full particulars of said Housing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7752)

## **Chapter 15.16**

### UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Sections:

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

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

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

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

## **Chapter 15.20**

### CALIFORNIA PLUMBING CODE

Sections:

15.20.010 Adoption of the 2007 California Plumbing Code.

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

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

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

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

D. Reference is made to three copies of the 2007 California Plumbing Code, one copy filed in the office of the city clerk and two copies filed in the office of building

safety division of the city, which are now so filed for full particulars of said Plumbing Code. (Ord. 9529 § 2 (part), 1996: prior code § 7754)

## **Chapter 15.24**

### **CALIFORNIA MECHANICAL CODE**

Sections:

15.24.010 Adoption of the 2007 California Mechanical Code.

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

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

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

## **Chapter 15.28**

### **CALIFORNIA ELECTRICAL CODE**

Sections:

15.28.010 Adoption of the 2007 California Electrical Code.

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

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

## **Chapter 15.32**

### UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

Sections:

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

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

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

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

## **Chapter 15.36**

### 2007 CALIFORNIA HISTORICAL BUILDING

Sections:

15.36.010 Adoption of the 2007 California Historical Building Code.

A. That certain building conservation code, in book form known and designated as the 2007 California Historical Building Code, California code and Regulations Title 24, part 8 as prepared and published by the International Code Council, is adopted as the Historical Building Code of the city, to all intents and purposes and to the same effect as if each and every section, paragraph,



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

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

### SECTION 3: California Environmental Quality Act Finding.

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

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

# City of Visalia Agenda Item Transmittal

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8f

**Agenda Item Wording:** Authorization for a letter to be sent to the Tulare County Transportation Authority requesting that the timelines for several Visalia area road construction projects be adjusted in the Authority's expenditure plan to better meet traffic demands.

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

**Submitting Department:** Administration

**Contact Name and Phone Number:** Steve Salomon, 713-4312, Michael Olmos, 713-4332; Leslie Caviglia, 713-4317, Andrew Benelli, 713-4340

### Department Recommendation

It is recommended the Council authorize a letter to be sent to the Tulare County Transportation Authority requesting that the timelines for several Visalia area road construction projects be adjusted in the Authority's expenditure plan to better meet Visalia's traffic demands. Specifically, this letter would request that Lovers Lane/SH 198 interchange improvements, Shirk/SH 198 interchange improvements, the Ben Maddox Bridge improvements and the Santa Fe overcrossing improvements be advanced. In exchange, the City would propose that the Houston Avenue widening from McAuliff Avenue to Road 152 be postponed, and with the County's concurrence, that the Caldwell Avenue/SH 198 interchange improvements be postponed so that the funds designated for those projects can be used to advance the previously mentioned high-priority projects.

### Department Discussion

During a recent meeting with the Tulare County Transportation Authority (Authority) staff, the City of Visalia staff asked to advance the funding allotted through the Measure R tax initiative to construct the Lovers Lane interchange project (\$18.5 million), the Shirk interchange project (\$9 million), the Santa Fe overcrossing project (\$12.6 million), and the Ben Maddox overcrossing project (\$2.8 million). All of these projects are on the list for Phase II development, and would not technically be eligible for reimbursement until after the year 2021.

The Authority staff indicated that if Visalia was willing to postpone earlier Phase I projects of similar value, the Authority Board (comprised of the Members of the Board of Supervisors and a representative from each City) can consider adjusting the expenditure plan to advance the high priority projects and delay the projects where the traffic is less intense.

### 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 112807**

**Finance N/A**

**City Atty N/A**

**City Mgr SS 112807**

City staff has identified two projects, the Caldwell interchange (\$25 million), a regional project that involves both the City of Visalia and the County of Tulare, and the second phase of the Houston widening to four lanes, the section between McAuliff and Road 152 (\$7.5 million) that have a lower traffic demand than the Lovers Lane, Shirk, Ben Maddox, and Santa Fe projects. Postponing the proposed section of the Houston project will not impact the Cal Trans project that will complete the current widening project on Houston from Lovers Lane to McAuliff and include curb and gutter in areas where there are none. TCAG intends to program the funds for design, ROW, and construction for that portion of Houston in 2008. No timeline has been established for the second phase, from McAuliff to Road 152, and at this time, the traffic impacts on that section of Houston are much less than the section west of McAuliff.

Due to a number of complexities associated with the project, the Caldwell interchange is also expected to be a project that will take many years to plan and construct. The key factor is the expansion of Highway 99. The interchange will need to be planned and designed after Cal Trans designs the highway widening, which is not expected to occur until at least 2013. Even once the plans are complete, TCAG projects that it could be at least a decade, if not longer, before construction of the estimated \$150 million highway expansion project might begin.

Because the total of the projects proposed to be postponed (\$32.5 million) is less than the projects proposed to be advanced (\$42.9 million), there may not be sufficient funds in the first 15 years of Measure R to fully pay for all of these projects. However, the City has found through CMAQ and other grant projects, that sometimes there are delay in Visalia projects, or in other agency's projects, that result in opportunities to advance other projects. Therefore, staff is recommending that Council ask the Authority to include all four projects in the first phase, with the understanding that the City may in fact have to wait until after 2021 to be fully reimbursed. However, including the projects now may put the projects in position to be considered for funding should the opportunity arise.

Staff is currently working through the approval, design and other preparations for the Lovers Lane, Shirk, Ben Maddox, and Santa Fe projects, and given the high traffic demand for these projects, staff believes advancing the Measure R funding for these projects would be prudent. The Caldwell interchange and Houston widening would move to Phase II projects in the Measure R Expenditure Plan (15-30 year project funding) which is a reasonable re-prioritization given anticipated traffic loads.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

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

I move to approve the preparation of a letter to the Tulare County Transportation Authority asking that the Lovers Lane, Shirk, Ben Maddox and Santa Fe projects be advanced, and in exchange, that the Caldwell interchange and phase II Houston widening timelines be extended.

***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 3, 2007**

**Agenda Item Number (Assigned by City Clerk): 8g**

**Agenda Item Wording:** Authorization for staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$637,416 for 6 Dial-A-Ride buses, \$903,006 to fund a new transit route, and \$2,080,000 for 7 CNG solid waste trucks.

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

**Submitting Department:** Administration

**Contact Name and Phone Number:** Leslie Caviglia, 713-4317; Jim Bean, 713-4564, and Monty Cox, 713-4591

**Department Recommendation:**

It is recommended that the Council authorize staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$637,416 for 6 Dial-A-Ride buses, \$903,006 to fund a new transit route and \$2,080,000 for 7 CNG solid waste trucks. 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 new transit route would most likely be for a western route that would run north-south and accommodate the new development in that area. The Dial-A-Ride buses and the solid waste trucks would help complete the conversion of those fleets to CNG.

If awarded, these grants would require an 11.5% non-federal funds match. The match for the transit route grant would be \$116,994, for the CNG transit vehicles the match would be \$82,584, and for the solid waste vehicles, the match would be \$298,220. Staff confirms that non-federal funds are available to meet this match. The match for the transit items would most likely come from the State Local Transportation Funds. The solid waste match would come from the appropriate enterprise funds.

**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 11/25/07

Finance	<u>N/A</u>
City Atty	<u>N/A</u>
City Mgr	<u>SS 112807</u>

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 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, use alternative fuels and improvement in air quality. For those reasons, staff believes the transit buses, which use alternative fuels and reduce the number of cars on the road, and the solid waste vehicles which are high-mileage vehicles that use alternative fuel, will score especially well in the process.

While the City of Visalia requests equal more than the total amount available to the whole County, staff believes it is prudent to apply to meet all 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 needs put Visalia in a position to be able to capitalize on appropriate opportunities should they arise.

Staff anticipates that other Departments will submit applications for bike path and other traffic related projects.

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

**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 Congestion Management Air Quality (CMAQ) grants for a new transit route, new Dial-a-Ride buses and new solid waste trucks 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 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8h

**Agenda Item Wording:** Authorize the Mayor to jointly sign with mayors of other cities a letter to the Tulare County Board of Supervisors regarding proposed county-wide development impact fees.

**Deadline for Action:** None

**Submitting Department:** Community Development

**Contact Name and Phone Number:** Mike Olmos 713-4332

**Department Recommendation:** Authorize the Mayor to jointly sign with the mayors of other cities a letter to the Tulare County Board of Supervisors regarding proposed county-wide development impact fees. A copy of the draft letter is attached.

**Summary/background:** The newly formed Council of Cities (comprised of an elected official from each city in Tulare County) met on November 14, 2007 to discuss several items, including the county-wide development impact fee program being proposed by Tulare County. If implemented, this County program would establish a development impact fee system to levy fees on development occurring on both unincorporated lands and within cities. Revenue generated by the proposed fees would be retained by Tulare County and used to fund infrastructure projects around the County based on the capital improvement program established in the program.

Tulare County hopes to levy the fees on development occurring within the incorporated cities based on the County's belief that growth in incorporated areas significantly impacts County infrastructure. To do so, the individual cities would need to undertake the necessary process to incorporate County impact fees into local fee programs.

A draft copy of the proposed development impact fee program was released to the cities approximately 1 ½ years ago. At that time, cities raised several issues about the fee program and asked for opportunity to provide input. County staff subsequently promised to call a meeting with staff representatives from interested cities to review the details of the program and discuss our concerns. To date, this meeting has not been scheduled.

**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 cities in Tulare County have serious concerns about the proposed county-wide development impact fee program. During the November 14 meeting of the Council of Cities (at which Visalia was represented by Council Member Greg Collins), elected officials representing several cities reviewed a draft letter to the Tulare County Board of Supervisors citing several concerns about the proposed county-wide impact fee program based on information known to date. The letter also states the concern of the cities that the meeting promised by the County to review and discuss the proposed program has not occurred.

Given the potential significance of a County impact fee program that might be levied on development occurring within cities, the Council of Cities recommends that the attached letter be signed by the mayors of all the cities and sent to the Tulare County Board of Supervisors. In doing so, it is hoped the County will engage the cities in meaningful discussions on their proposed development impact fee program prior to moving towards implementation.

**Prior Council/Board Actions:** None.

**Committee/Commission Review and Actions:** NA

**Alternatives:** Send a different letter from Visalia only.

**Attachments:** Draft letter.

**Recommended Motion (and Alternative Motions if expected):** Move to authorize Mayor to sign the joint letter from cities to the Tulare County Board of Supervisors.

***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)*

Completed letter to be forwarded to Board of Supervisors by City of Porterville on behalf of Council of Cities.

Copies of this report have been provided to: NA

## City of Visalia Agenda Item Transmittal

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8i

**Agenda Item Wording:** Authorization for participation in the Council of Cities, and authorize the Mayor to appoint a Council Member to serve as the Visalia representative and designate another Council Member to serve as alternate.

**Deadline for Action:** None

**Submitting Department:** Administration

**Contact Name and Phone Number:** Mike Olmos 713-4332

**Department Recommendation:** Staff recommends that the City Council authorize participation in the newly forming Council of Cities, and that the Mayor be authorized to appoint a Council Member as the City's representative on said Council of Cities and designate another Council Member to serve as alternate.

**Summary/background:** An informal series of meetings have occurred in recent months at which elected representatives from the cities in Tulare County were invited to participate in discussion of regional issues of common concern. Based on these discussions, the group concluded that by organizing into a formal entity, the cities could more effectively participate in regional issues affecting all the cities in Tulare County and speak on these issues with a unified voice.

Toward that end, a Statement of Purpose (copy attached) has been drafted for the organization, which will be called the Council of Cities. The document provides the framework for operation of the Council of Cities. It also indicates that participating cities shall each designate a council member to represent their city on the Council and also designate an alternate.

The Council of Cities will meet monthly. Initially, the City of Porterville will provide administrative support to the Council of Cities, with this responsibility rotating periodically among the participating cities.

Participation in the Council of Cities will provide a valuable mechanism for cities to discuss regional issues and identify and offer solutions as a unified group. Issues in which the Council

**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.

of Cities will immediately become engaged will include the Tulare County General Plan Update and the proposed County-wide development impact fee program.

**Prior Council/Board Actions:** None

**Committee/Commission Review and Actions:** NA

**Alternatives:** Do not participate in Council of Cities; continue to engage in regional issues unilaterally.

**Attachments:** Statement of Purpose

**Recommended Motion (and Alternative Motions if expected):** Move to authorize participation in the Council of Cities and authorize Mayor to designate a Council Member as the City's representative and another Council Member as alternate.

***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)*

Mayor to appoint Council representative and alternate.

Copies of this report have been provided to: NA



# City of Visalia Agenda Item Transmittal

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8j

**Agenda Item Wording:** It is recommended that the Visalia City Council accept a letter of interest from the Visalia Rotary Foundation regarding the concept of a joint public-private partnership to establish a "Rotary Amphitheatre" as part of the new East Downtown Civic Center Master Plan.

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:** Vincent Elizondo, 713-4367

**Department Recommendation:**

It is recommended that the Visalia City Council accept a letter of interest from the Visalia Rotary Foundation regarding the concept of a joint public-private partnership to establish a "Rotary Amphitheatre" as part of the new East Downtown Civic Center Master Plan.

**Background:**

For many months now, the City of Visalia has been working with representatives of the Visalia Rotary Foundation on the concept of financially supporting the concept of establishing an outdoor amphitheatre as part of the City's new East Downtown Civic Center master plan.

By accepting the letter, this does not obligate the City of Visalia to construct an amphitheatre and name the facility after the Rotary Club. The acceptance of this letter does not obligate the Rotary to contribute funds toward the project.

However, if the Council accepts the letter and the City staff report, the City will continue to work with the Rotarians to develop a long term sponsorship plan and agreement that could make the concept of an outdoor amphitheatre become a reality --- and create a community legacy for the Visalia Rotary Foundation.

**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.

Much work needs to be done concerning the concept of an outdoor amphitheatre in the new East Downtown Visalia area. The scope of an amphitheatre can range from a facility that can accommodate several hundred people to a facility that can hold 10,000 people. The costs for developing an amphitheatre can range from \$100,000 to \$10 million dollars. Early discussions on this topic between the Rotarians and the City point to a concept of a mid-sized amphitheatre that can hold several thousand people with a modestly designed stage area.

As stated in the letter by the Rotarians, the City agrees that this project will take at least 3 to 5 years to complete the fundraising, design, and construction elements of this project. At this time, there is no projected cost for this proposed facility.

**Attachments:** Letter from the Visalia Rotary Foundation dated November 7, 2007.

**Recommended Motion (and Alternative Motions if expected):** It is recommended that the Visalia City Council accept a letter of interest from the Visalia Rotary Foundation regarding the concept of a joint public-private partnership to establish a "Rotary Amphitheatre" as part of the City's proposed East Downtown Civic Center Master Plan.

### ***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 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8k

**Agenda Item Wording:** Recommendation to Appoint Russ Desch as a Parks & Recreation Commissioner.

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:** Vincent Elizondo, 713-4367

**Department Recommendation:**

It is recommended that the Visalia City Council appoint Russ Desch as a Parks & Recreation Commissioner to replace Amy Shuklian who was recently elected to the Visalia City Council.

**Background:**

Russ Desch has been serving as a Parks and Recreation Commissioner Alternate since being appointed by the City Council on March 20, 2006. Since that time, Mr. Desch has been an outstanding Commissioner attending 19 of 20 Commission meetings. He has also been a very active Commissioner on the Commission, has served on several Commission sub-committees, and regularly attends department coordinated special events.

On March 2, 2006, the Citizens Advisory Committee (CAC) also approved the recommendation of Mr. Desch to the City Council for consideration as a Commissioner Alternate.

The March 2, 2006 approval of the CAC also included the approval of Lesa Mann. Ms. Mann was appointed to the Commission by the Council on March 20, 2006 --- the same meeting that Mr. Desch was appointed as an alternate.

The Parks & Recreation Commission has historically had two alternates. Should Mr. Desch be appointed as a Commissioner by the Council, there will be no alternates on the Commission at this time. City staff has initiated the recruitment process for additional Commissioners.

**Committee/Commission Review and Actions:** Parks and Recreation Commission meeting of February 21, 2006 and Citizens Advisory Committee (CAC) meeting of March 2, 2006.

**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)

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**Attachments:** Original February 28, 2006 memorandum recommending Desch as a Commissioner Alternate to the Citizens Advisory Committee.

**Recommended Motion (and Alternative Motions if expected):** It is recommended that the Visalia City Council appoint Russ Desch as a Parks and Recreation Commissioner to complete the term vacated by new City Council member Amy Shuklian.

***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 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8I

**Agenda Item Wording:** Distribution of the 2005-2007 list of committees and other organizations that have City Council representation. New appointments will be considered at a future City Council meeting.

**Deadline for Action:** N/A

**Submitting Department:** Administration

**Contact Name and Phone Number:** Donjia Huffmon 713-4512, Leslie Caviglia, 713-4317

**Department Recommendation:** Receive and review the current listing of various board and committees that had City Council representation during the 2005-07 term.

Staff recommends that Council review the list, and contact the Mayor with any specific interest in particular committees or organizations. The Mayor will recommend to the Council, at a future meeting, the representatives to the various boards and committees for the 2007-09 term. In addition, there may be recommendations regarding the elimination or reconfiguration of some appointments, depending on current circumstances.

**Summary/background:**

The current representatives are as follows:

Tulare County Association of Governments

Primary: Bob Link  
Alternate: Jesus Gamboa

Visalia Riverway Sports Park Task Force

Jesus Gamboa  
Don Landers

Kaweah Delta Health Care District Joint Committee

Vacant  
Bob Link

**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** LC 11/28/07  
(Initials & date required)

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

**City Mgr** SS 11/28/07  
(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.

Consolidated Waste Management Authority	Primary:	Bob Link
	Alternates:	Andrew Benelli/ Jim Bean
Tulare County Economic Development Corp. (includes Business Incentive Zone representation)	Primary:	Jesus Gamboa
	Alternate:	Steve Salomon
Visalia Economic Development Council	Primary:	Don Landers
	Alternate:	Bob Link
Cross Valley Rail Corridor Joint Powers Authority	Primary:	Jesus Gamboa
	Alternate:	Vacant
Lake Kaweah Expansion Project:		Evan Long (retired)
	Alternate:	Greg Collins
Property Based Improvement District (PBID)	Primary:	Greg Collins
	Alternate:	Steve Salomon
Workforce Investment Board:		Jesus Gamboa
Tulare Irrigation District/Kaweah Delta Water Conservation District Management Committee	Primary:	Vacant
	Alternate:	Bob Link
Education Subcommittee (4-year University Project)		Don Landers Jesus Gamboa
West Visalia Specific Plan/198 Scenic Corridor		Greg Collins Bob Link
Visalia Civic Facilities Authority		Greg Collins Bob Link
East Downtown Project		Bob Link Vacant
Natural Resources		Vacant Bob Link
COS/Cities Coordination		Bob Link Greg Collins
Air Service Sub-Committee		Bob Link Vacant
Civic Center Masterplan		Don Landers Greg Collins
Council of Cities	Primary	Vacant
	Alternate	Vacant
SPCA Task Force		Vacant

	Don Landers
Smart Growth Task Force	Greg Collins Vacant
Tulare County Water Committee	Bob Link
Visalia Convention and Visitors Bureau Board	Bob Link Vacant
Cultural Plan Task Force	Bob Link Greg Collins
Oaks Stadium Task Force	Greg Collins Vacant

(The primary listing means that person generally attends and the alternate is called upon if the primary will be absent)

**Prior Council/Board Actions:** These positions were last filled in January, 2006.

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

**Alternatives:**

**Attachments:** None

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

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** December 3<sup>rd</sup>, 2007.

**Agenda Item Number (Assigned by City Clerk):** 8m

**Agenda Item Wording:** Authorization to bid the construction of:

- 1- Mooney Boulevard Storm Drain Pipeline and Lift Station.(Project # 1221/9939).
- 2- Roeben Street Storm Drain Pipeline.(Project No.1221/9940).
- 3- Russell Basin Outfall Improvements. (Project No.1222/9170).

Without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

**Deadline for Action:** None

**Submitting Department:** Public Works

**Contact Name and Phone Number:**

Peter Spiro, 713-4256  
Andrew Benelli 713-4340.

**Department Recommendation and Summary:** Staff recommends that the City Council authorize staff to bid the construction of:

- 1- Mooney Boulevard Storm Drain Pipeline and Lift Station.  
  
Installation of a trunk line from Ferguson Avenue to near Oriole Avenue and a discharge pump into Modoc Ditch, (Project No 1221/-9939).

- 2- Roeben Street Storm Drain Pipeline.

Installation of a trunk line from Doe Avenue to the City storm basin at the northwest corner of Goshen Avenue and the future extension of Roeben Street (El-Cajun Street). (Project No.1221/9940).

- 3- Russell Basin Outfall Improvements, (Project No.1222/9170).

Without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

**Mooney Boulevard Storm Drain Pipeline and Lift Station Project**

This project involves the installation of approximately 1,200 feet of 30-inch storm drain pipeline in the Mooney Boulevard right of way between Ferguson Avenue and Oriole Avenue. The pipeline will convey the storm water north to an existing lift station that discharges into Modoc

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 2 Min.

**Review:**

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

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

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

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

Ditch. The project also includes improvements to the lift station. This lift station serves the recently annexed County islands (commonly known as Birdland) at the southeast corner of Mooney Boulevard and Riggin Avenue and was installed in the 1960's. City staff has obtained approval for this project from Modoc Ditch Company. The project will also include installing new pavement on the east side of Mooney Boulevard, alongside the old County subdivision frontage to match the recently installed new pavement on the west side of Mooney Boulevard.

### **Roeben Street Storm Drain Pipeline**

This project will install approximately 2,100 feet of storm drain pipeline (30-inch to 54-inch) to connect an existing trunk line in Roeben Street at Doe Avenue to a new City basin just north of Goshen Avenue. The project also includes excavating part of the new basin to provide capacity to meet the current storage needs and constructing an outfall structure. This basin is needed to eliminate an existing temporary basin at the northwest corner of Roeben Street and Doe Avenue. The temporary basin is on property that belongs to McMillian Homes and primarily serves subdivisions that they constructed. Additional capacity is needed for the new fire station at Shirk Road and Ferguson Avenue and for new subdivisions that McMillian is developing. The new basin will accommodate approximately 412 acres of existing and proposed residential, office buildings and commercial development where the majority of the City's trunk line has been installed except for this proposed segment.

### **Russell Basin Outfall Improvements**

This project will modify two existing outfall structures at the Russell Basin which is located at the southwest corner of Cameron Avenue and Woodland Street. The basin capacity has been expanded to meet future storage requirements and the need for the fill material. The existing outfall structures need to be modified to reflect the design change.

Construction bids advertisement will take place immediately following the Council authorization. The bid package will include all of these projects together with the River Run Ranch Basin Lift Station project that Council previously gave the staff the same authorization as required herein.

Council is empowered to authorize the construction of capital improvement projects without the requirement of paying prevailing wage if only locally generated funds are used to pay for the project. In this case, the City will use locally generated storm drainage funds to finance the project.

The Russell Basin frontage at Cameron Avenue has been partially landscaped with a pedestrian trail installed as a part of the new police station project. Engineering staff will request additional funds in the next fiscal year in order to cover the construction costs of the landscaping and irrigation of the entire basin. Further plans are under preliminary discussions to determine the most appropriate usage of the remainder of that block that is owned by the City (i.e. recreation center).

All the projects are master planned facilities and were budgeted for in the FY (07/08).

**Alternatives:** Bid as a prevailing wage rate project.

**Attachments:** Location Maps

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize staff to bid the following three storm drain improvement projects without the requirement to pay prevailing wages pursuant to Resolution No. 83-02: Mooney Boulevard Storm Drain Pipeline and Lift Station, Roeben Street Storm Drain Pipeline, and Russell Basin Outfall Improvements.

**Budget Summary:**

***Financial Impact***

**Funding Source:**

Account Number: 1221 (Storm drainage Impact Fees)

**Budget Recap** (for all the three projects combined)

Total Estimated cost: \$810,000	New Revenue: \$
Amount Budgeted: \$1,039,663	Lost Revenue: \$
New funding required: \$0	New Personnel: \$
Council Policy Change: Yes _____ No <u>X</u>	

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes            N    X  
Review and Action: Prior:  
Required:

**NEPA Review:**

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

Copies of this report have been provided to:

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

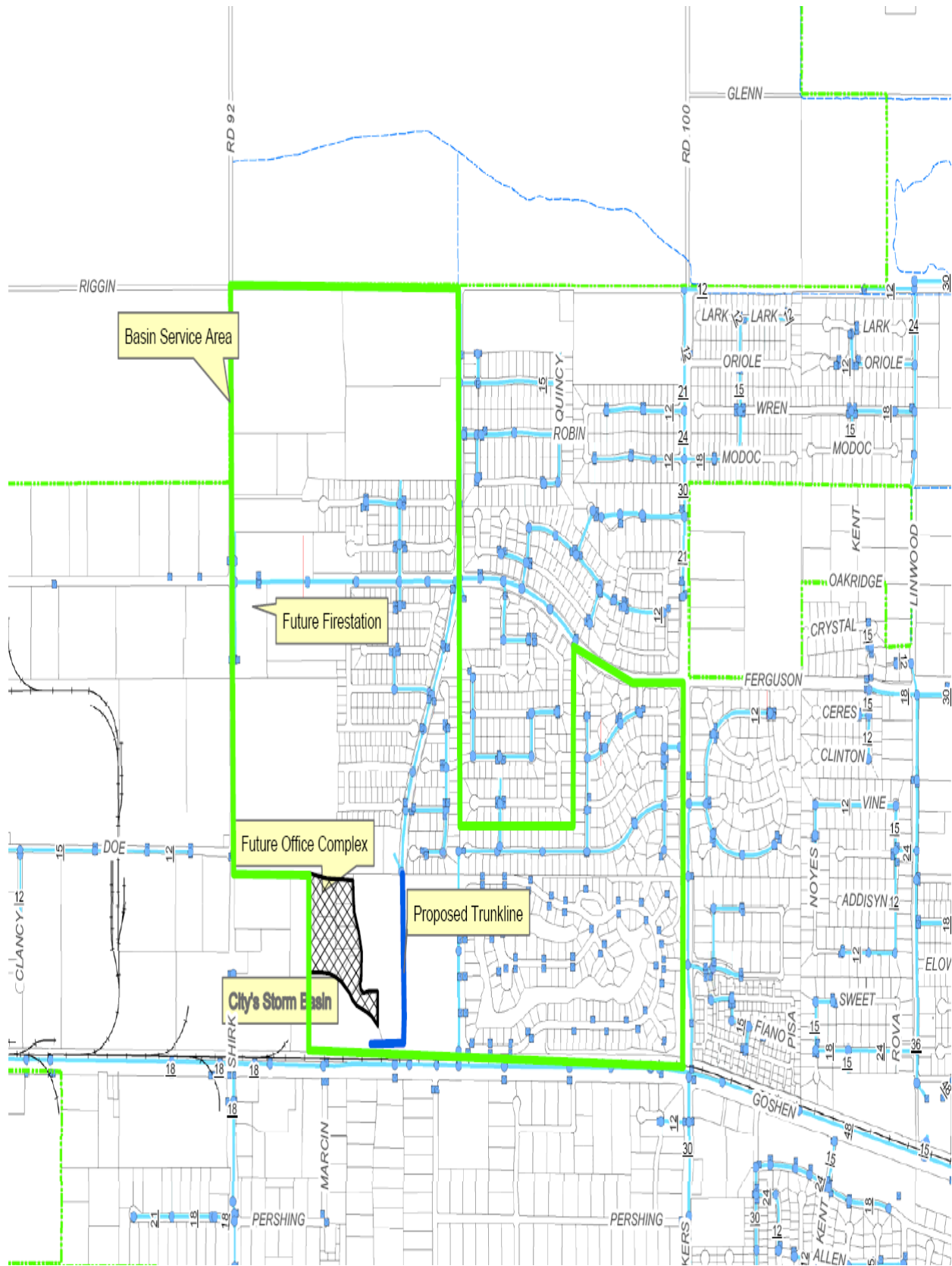
**None**

**EXHIBIT "A"**  
**MOONEY STORM DRAIN PIPELINE & LIFT STATION PROJECT LOCATION**





**EXHIBIT "B"**  
**ROEBEN STREET PIPELINE PROJECT LOCATION**



**EXHIBIT "C"**  
**Russell Basin Outfall Improvements.**



# City of Visalia Agenda Item Transmittal

**Meeting Date:** December 3, 2007

**Agenda Item Number (Assigned by City Clerk):** 8n

**Agenda Item Wording:**

Authorize staff to send a letter of support for the Governor's Comprehensive Water Infrastructure Plan, and support for SB 3xx by Senator Cogdill and Senate Minority Leader Ackerman relating to the Water Supply Reliability Bond Act of 2008 and support for strong water conservation and groundwater recharge measures.

**Deadline for Action:**  
December 3, 2007

**Submitting Department:**  
Administration

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

**Department Recommendation:**

At City Council request, staff has prepared a letter to be sent to Governor Schwarzenegger (and appropriate legislators), supporting his comprehensive water package for California and support for SB 3xx (Cogdill/Ackerman) relating to the Water Supply Reliability Bond Act of 2008. The provisions for water supply, storage and infrastructure would be of benefit not only for providing flexibility in the statewide water system for meeting future water demands, but also for providing better flood control, ground water storage, groundwater recharge, conservation opportunities and environmental water enhancement. The letter also urges increased emphasis on water conservation and management of resources so that groundwater recharge can be enhanced.

Governor Schwarzenegger, Senator Cogdill and Senate Minority Leader Ackerman, have put forward an inclusive package that addresses many of the state's most pressing short- and long-term water storage, conveyance, water quality and conservation needs, issues and proposals. Currently an effort is also being made by the Governor to negotiate a compromise water bond for the February 2008 ballot. If this effort is not successful SB 3xx will continue to need support.

**Summary/background:**

California's water system is in great need of improvements. California's population is expected to grow by more than 600,000 each year; by 2020, California's population is expected to increase from 42 million to 48 million.

**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.

Recent studies project that California will lose 25% of its snowpack by 2050. These anticipated changes in hydrology necessitate greater storage capacity for dry years, as well as increased flood protection for wet years. The Department of Water Resources' projections indicate California's average annual water demand will increase by between 1.7 and 6 million acre-feet by 2030.

SB 3xx would authorize \$9.085 billion in general obligation bonds with \$5.1 billion allocated for critically needed surface storage projects, \$500 million for local surface storage and groundwater projects and \$1.9 billion allocated for Delta Sustainability which will provide funding for the Bay Delta Conservation Plan and for the Delta Vision Process. The measure also provides \$500 million for Resource Restoration legacy issues and for invasive species issues.

Without significant investments in California's statewide water infrastructure, it will be increasingly difficult and expensive for the state to support both a healthy environment and a strong economy while meeting the public health and safety needs of all Californians. The funding for surface and groundwater storage in SB 3xx would help move forward the necessary infrastructure needed to increase water system flexibility with minimal environmental impacts.

California has been well served by its water storage and delivery system. Over time, however, demands on the system have grown even as regulatory requirements have constrained the timing and volume of water deliveries and compelled the release of stored water for fish species at times that may be less than optimal for water users and other species. The flexibility of the system to respond to ecosystem needs and hydrologic variability has eroded, and the result is a system that struggles to meet the competing demands placed upon it even with significant investments having been made in urban and agricultural water use efficiency.

**Prior Council/Board Actions:**

Support of SB 902 (Denham) \$1.225 billion in General Obligation Bonds to finance upper San Joaquin River storage and restoration. June 2006

**Committee/Commission Review and Actions:**

n/a

**Alternatives:**

Do not support SB 3xx

**Attachments:**

Legislative Analyst's Office-**Financing Water Projects**/Summary of Provisions for SB 3xx (Cogdill) p. 5.

Press Release/Governor Schwarzenegger Calls for Agreement on Comprehensive Water Infrastructure Plan

News article from the Valley Voice regarding water bond compromise

**Recommended Motion (and Alternative Motions if expected):** I move the City Council authorize staff to send letters to Governor Schwarzenegger and appropriate legislators, supporting the Governor's comprehensive water infrastructure plan and SB 3xx (Cogdill/Ackerman).

***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:

Honorable Arnold Schwarzenegger  
Governor, State of California  
State Capitol  
Sacramento, California 95814

Governor Schwarzenegger:

***THE VISALIA CITY COUNCIL*** supports Senate Bill 3xx by Senator Dave Cogdill and Senate Minority Leader Dick Ackerman relating to the Water Supply Reliability Bond Act of 2008. We are also supportive of your recent efforts to negotiate a compromise water bond for the February 5, 2008 ballot. It is absolutely vital that we invest in water supply and water supply reliability, inclusive of storage infrastructure, conservation, recharge and environmental water enhancement to meet present and future needs of all Californians.

We agree with your Comprehensive Water Infrastructure Plan. The provisions for water supply, storage and infrastructure would be of enormous benefit not only for providing flexibility in the statewide water system for meeting future water demands, but also for providing better flood control, ground water storage, conservation opportunities, and environmental water enhancement.

We believe increasing emphasis, through the Bond Act as well as state programs, needs to be placed on water conservation and managing the water in a way to maximize groundwater recharge. Conservation and reuse must be encouraged and supported through project loans, grants and educational programs.

California's water system is in great need of improvements. California's population is expected to grow by more than 600,000 each year; by 2020, California's population is expected to increase from 42 million to 48 million.

Recent studies project that California will lose 25% of its snowpack by 2050. These anticipated changes in hydrology necessitate greater storage capacity for dry years, as well as increased flood protection for wet years. The Department of Water Resources' projections indicate California's average annual water demand will increase by between 1.7 and 6 million acre-feet by 2030.

In the past three decades, no significant new water infrastructure has been built to keep up with our growing population. The Delta, the hub of water delivery for the state, is in crisis and our state doesn't have the flexibility or capacity to meet water needs for our growing population.

SB 3xx (Cogdill and Ackerman) would authorize \$9.085 billion in general obligation bonds with \$5.1 billion allocated for critically needed surface storage projects, \$500 million for local surface storage and groundwater projects and \$1.9 billion allocated for Delta Sustainability which will provide funding for the Bay Delta Conservation Plan and for the Delta Vision Process. The measure also provides \$500 million for Resource Restoration legacy issues and for invasive species issues.

Conservation and recycling are critical to ensure an adequate supply of water – but conservation alone cannot solve our state's water crisis. We need comprehensive infrastructure improvements

now. Passing a water infrastructure bond during the special session for the February 2008 ballot will provide the funding necessary to address the following critical issues:

- **Infrastructure Improvements in the Delta.** The Delta supplies drinking water for 25 million Californians and supplies water to hundreds of thousands of businesses and 750,000 acres of farmland. The Delta is in desperate need of improvements and immediate action and long term improvements are needed now. A dual conveyance facility that helps restore the Delta and safeguards precious water supply is critical to protecting our fragile economy.
- **Build Additional Storage Facilities.** Temperatures are predicted to rise in the coming years, reducing the state's snow pack and water supply. We need to invest in water storage facilities now to capture water and ensure that we have available supply of safe, quality water in dry years to meet the needs of residents, businesses, agriculture and the environment. Additional storage will also assist in flood management efforts by allowing water to be moved downstream instead of topping over levees.
- **Improve Water Quality.** A clean, safe, reliable source of drinking water is a necessity of life. Already, water quality in the Central Valley has suffered because of drought conditions and overdraft of underground aquifers. Depleting supplies elsewhere in the state puts other residents at risk not to mention planning for the half a million new residents in California each year.
- Failing to proactively address California's water future now puts our residents, economy and environment at risk. The crisis is real. Help us to plan for our future, and safeguard our economy for our hardworking families. We respectfully ask for your support in putting a water infrastructure bond on the February ballot.

The proposed Sites Reservoir and expansion of Los Vaqueros Reservoir would provide a great deal of additional water management flexibility. The proposed Temperance Flat project on the San Joaquin River would also provide far-reaching water management benefits and serve as a source of much of the water supply and colder water needed to restore a San Joaquin River salmon fishery while greatly improving opportunities for San Joaquin Valley groundwater storage and San Joaquin River flood management and improved public safety.

The City Council of the City of Visalia supports the action you continue to take along with SB 3xx (Cogdill and Ackerman) relating to the Water Supply Reliability Bond Act of 2008, to address the water issues throughout this state and in particular the Central San Joaquin Valley. We are also supportive of your compromise water bond efforts for the February 5, 2008 election.

Sincerely,

Jesus Gamboa  
Mayor

Bob Link  
Vice Mayor

Don Landers  
Council Member

Greg Collins  
Council Member

Amy Shuklian  
Council Member